



Fact Sheet: The Mexico City Policy

FAFCE

FÉDÉRATION DES ASSOCIATIONS
FAMILIALES CATHOLIQUES EN EUROPE

FÖDERATION DER KATHOLISCHEN
FAMILIENVERBÄNDE IN EUROPA

FEDERATION OF CATHOLIC FAMILY
ASSOCIATIONS IN EUROPE

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In Short...

- The Mexico City Policy exists since 1984 and has been alternately revoked by Democrat Presidents and reinstated by Republicans;
- In his presidential memorandum, President Trump has enlarged the Mexico City Policy to all US global health assistance, but guidelines limit it to family planning programmes. Therefore, at least for now, there is nothing new regarding the decision taken by the Trump Administration;
- Using US funds to provide abortions in cases of risk for the mother's life and rape or incest is not prohibited. The Mexico City Policy applies only for abortion as a method of family planning;
- The US is not reducing its budget for global health and family planning. Even if some organisations lose the funds they receive from the US, funds are still available to be taken by other NGOs;
- Not providing funds to abortion as a method of family planning actually allows increasing funds to other health services, such as maternal and new-born health or safe deliveries;
- Abortion as a method of family planning is prohibited in most developing countries. If NGOs are providing it in those countries, they are breaking the law. If they are lobbying for its legalisation, they are not using funds for "life-saving services" as they claim and funds would be better applied in other NGOs that are actually providing health services.

The Mexico City Policy Is Not New

In 1984, at the United Nations International Conference on Population (Second Session), in Mexico City, the Reagan Administration issued a policy statement declaring that *"U.S. support for family planning programs is based on respect for human life, enhancement of human dignity, and strengthening of the family. Attempts to use abortion, involuntary sterilization, or other coercive measures in family planning must be shunned, whether exercised against families within a society or against nations within the family of man. (...) **The United States does not consider abortion an acceptable element of family planning programs and will no longer contribute to those of which it is a part. Accordingly, (...) the United States will no longer contribute to separate nongovernmental organizations which perform or actively promote abortion as a method of family planning in other nations**"¹.*

¹ Policy Statement of the United States of America at the United Nations International Conference on Population (Second Session). Mexico, D.F.. August 16-13, 1984, pp. 5-6

http://www.uib.no/sites/w3.uib.no/files/attachments/mexico_city_policy_1984.pdf

This policy entered into force in 1985 and is known as the Mexico City Policy. Since then, it has been alternately revoked by Democrat Presidents and reinstated by Republicans. **In the past 32 years, the Mexico City Policy was in force for 17 years in total**².

In 2017, President Trump, following the tradition of Republican Presidents, reinstated the Policy and extended it to “global health assistance furnished by all departments or agencies”³. Before, the Policy applied only to global family planning assistance and included not only providing abortion services as a method of family planning and information about it, but also lobbying for abortion⁴.

Hence, the only difference is that the prohibition of funding abortion activities is not limited to family planning but to all health assistance. Considering that the purpose of the Mexico City Policy is not to promote abortion overseas, it makes sense that all health programmes funded by the United States are not allowed to offer abortion as a method of family planning or lobbying for abortion.

Recently, on 3 March the Trump Administration issued the USAID guidelines for applying the Mexico City Policy - the media did not pay much attention to this announcement. **These guidelines are exactly the same as those issued by President Bush in 2001 and apply only to family planning programmes sponsored by USAID.** In practice, at least for now, there is nothing new regarding the Mexico City Policy.

The guidelines prohibit funding abortion as a method of family planning “when it is for the purpose of spacing births”, including abortions performed for the physical or mental health of the mother. **However, abortions performed to save the mother’s life or in cases of rape or incest are not covered by the policy and can receive US funds, as before. Funding post-abortion care, whether the abortion was legal or illegal, is not forbidden either.** Similarly, just like during the Bush Administration, actively promoting abortion encompasses devoting resources to “increase the availability or use of abortion as a method of family planning”, which includes lobbying, conducting public campaigns and providing advice on abortion during family planning counselling. Referrals for abortion in cases of rape or incest and risk for the life of the mother are not forbidden⁵.

It is also noteworthy that programmes promoting and performing abortions as part of so-called “voluntary population planning activities” cannot receive US funds and this prohibition was in force even during the Obama Administration⁶.

On the other hand, **the Mexico City Policy is in line with the international consensus** on this matter, agreed on in 1994 at the International Conference on Population and Development, in

² Fact Sheet: The Mexico City Policy: An Explainer. The Henry J. Kaiser Family Foundation (January 2017) <http://kff.org/global-health-policy/fact-sheet/mexico-city-policy-explainer/>

³ Presidential Memorandum Regarding the Mexico City Policy, 23 January 2017. <https://www.whitehouse.gov/the-press-office/2017/01/23/presidential-memorandum-regarding-mexico-city-policy>

⁴ Fact Sheet: The Mexico City Policy: An Explainer. The Henry J. Kaiser Family Foundation (January 2017) <http://kff.org/global-health-policy/fact-sheet/mexico-city-policy-explainer/>

⁵ Standard Provisions for Non-U.S. Nongovernmental Organizations: A Mandatory Reference for ADS Chapter 303 (March 2017) <https://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>. Memorandum for the Administrator of the United States Agency for International Development of March 28, 2001: Restoration of the Mexico City Policy <https://www.gpo.gov/fdsys/pkg/FR-2001-03-29/pdf/01-8011.pdf>

⁶ Standard Provisions for Non-U.S. Nongovernmental Organizations: A Mandatory Reference for ADS Chapter 303 (March 2017) <https://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>

Cairo, where it was declared that “*in no case should abortion be promoted as a method of family planning*”⁷.

US Funds Are Not Reduced

The US global health funding is around 10 billion USD, of which around 600 million USD are for family planning programmes⁸. According to the guidelines recently issued, the Mexico City Policy applies only to those 600 million USD under family planning programmes.

It is important to stress, however, that **the Mexico City Policy is not reducing US funds. Regardless of whether it encompasses all global health funding or only family planning programmes, the US budget remains the same.** The US is only banning funds to organisations that perform or promote abortions, but those funds remain available to other organisations that wish to apply for them, respecting US guidelines. Hence, **there is no funding gap on family planning services**, as claimed by some groups.

If there is any funding gap, it refers only to abortion as a method of family planning, which is illegal in most developing countries (see below). Nonetheless, such a gap would never be of 600 million USD. That amount refers to all family planning programmes funded by the US. Of this, only a proportion which is difficult to determine is used to provide abortions.

To add some clarity, let us arbitrarily suppose that 10% of US funds on family planning are used to finance abortion. That would amount to 60 million USD that would not be available to abortion and that would be the dimension of the funding gap.

But, again, this does not reduce US funds availability. Even if some organisations lose all the funds they receive from the US, these would still be attributed to other organisations. Actually, by not funding abortions, those 60 million USD will be used for other health services, such as maternal and new-born health or safe deliveries, thus **effectively increasing the money available to truly crucial health services and improving maternal and neonatal health.**

Abortion Is Illegal in Most Developing Countries

As mentioned above, the Mexico City Policy applies only to abortion as a method of family planning. It does not restrict funding to abortion in cases of risk for the mother’s life, of rape and incest. **In most developing countries, abortion is not permitted at all or allowed only in the cases that the US will continue funding.**

Moreover, since abortion as a method of family planning is illegal in most developing countries, NGOs providing abortions in those countries should not be affected by the Mexico City Policy if they are complying with national legislation. Unless they are performing abortions as a family planning method where it is illegal or they are lobbying for its’ legalisation.

In the first case, they are violating the law of a sovereign state and should be brought before court. In the second case, they are lobbying for a policy that is not supported by people from

⁷ Programme of Action adopted at the International Conference on Population and Development. Cairo, 5–13 September 1994, paragraph 8.25

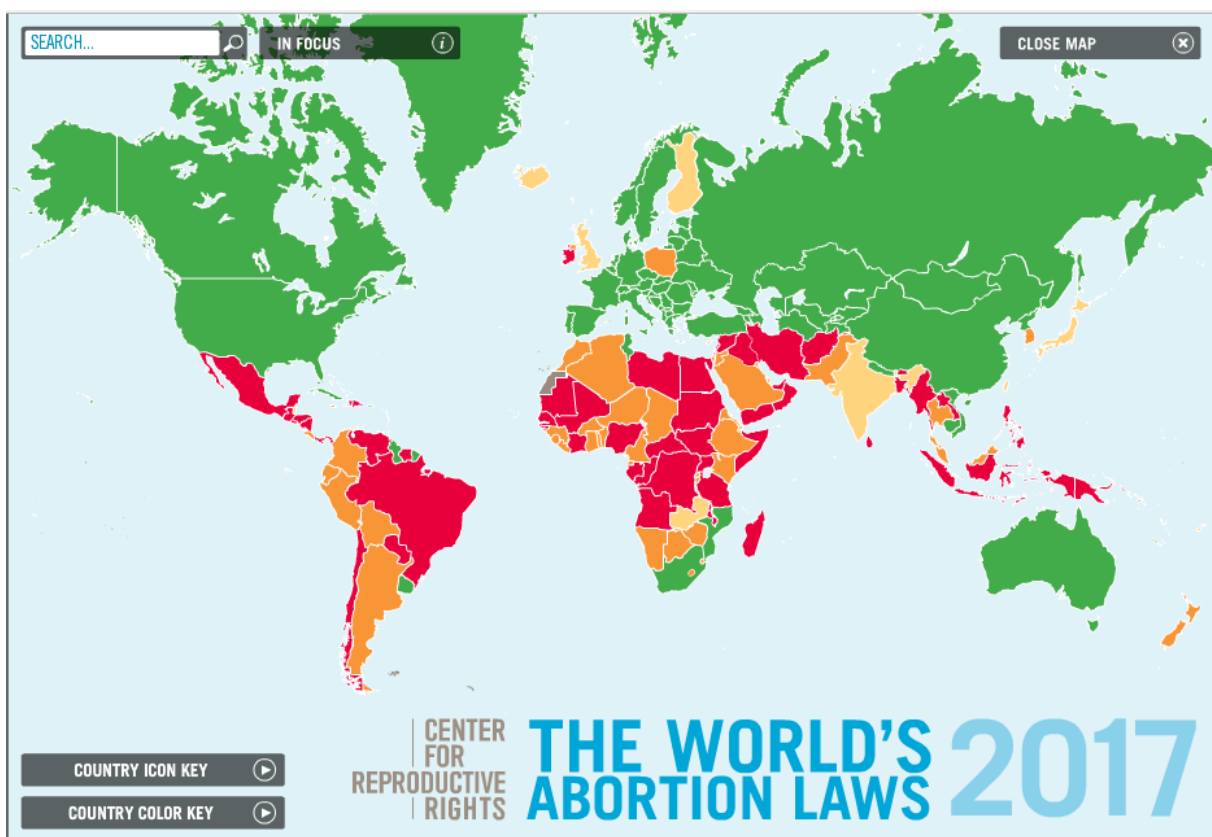
https://www.unfpa.org/sites/default/files/pub-pdf/programme_of_action_Web%20ENGLISH.pdf

⁸ Issue brief: U.S. Funding for International Family Planning & Reproductive Health. The Henry J. Kaiser Family Foundation (April 2016) <http://files.kff.org/attachment/issue-brief-u-s-funding-for-international-family-planning-reproductive-health>

those countries, promoting a new form of colonialism and cultural imperialism, as argued by Obianuju Ekeocha, President of Culture of Life Africa, in a video message called “The Dictatorship of the Wealthy Donor”⁹. Also, it means they are spending financial resources on political activities, instead of “life-saving health services” as they claim. In that case, it is certainly more useful and important for people in those countries that funds are given to NGOs that are actually providing healthcare services.

NGOs could also be affected if they provide abortion as a family planning method in countries where it is legal, but few developing countries are in that situation and it contradicts the Cairo consensus.

All in all, associations risking to lose US funds, could simply refrain from providing and promoting abortions, opting for other health services more in line with the values of the people they serve.



Source: www.worldabortionlaws.com/map, consulted on 7 March 2017

Legend: Green: Abortion is without restriction as to reason. Yellow: Abortion is allowed on socioeconomic grounds. Orange: Abortion is allowed to preserve health. Red: Abortion is allowed to save the woman's life or prohibited altogether.

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⁹ <https://www.youtube.com/watch?v=lsOwsIxjLo&feature=youtu.be>