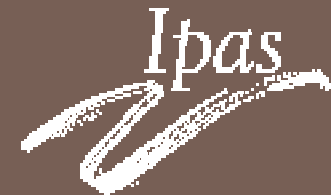




WOMEN'S ACCESS TO SAFE ABORTION AS A GLOBAL MATERNAL HEALTH PRIORITY: OVERCOMING THE GLOBAL GAG RULE AND OTHER BARRIERS

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Washington DC, November 2007

Objectives of the presentation



- ✓ 1. Describe the role of unsafe abortion in maternal morbidity and mortality;
- ✓ 2. Identify laws and policies that governments and NGOs have adopted to reduce unsafe abortion;
- ✓ 3. Show how the Global Gag Rule impedes efforts to reduce maternal morbidity and mortality.

MATERNAL DEATH



Former President Clinton said



ABORTION SHOULD BE :

- LEGAL
- SAFE
- RARE



Source: Making abortion legal, safe, and rare. The Lancet - Vol. 370, Issue 9584, 28 July 2007,

But the Reality is....

ABORTION FOR THE WORLD'S MOST VULNERABLE WOMEN REMAINS

- ILLEGAL
- UNSAFE
- VERY COMMON



Abortion service provision is changing?



According to WHO 2007, the number of
induced abortions worldwide declined from
nearly 46 million to under 42 million between
1995 and 2003.....**good news??**

WHO global estimates for 2003

- 210 million women became pregnant
- 130 million delivered a live-born infant
- 42 million were voluntary terminated
 - 22 million legally
 - 20 million illegally
 - **98% of unsafe abortions occur in developing countries**

Source: World Health Organization, Unsafe abortion - Global and regional estimates of the incidence of unsafe abortion and associated mortality in 2003 - 5th edition (2007)

“...Nearly half of all induced abortions are unsafe, putting the lives and health of women at major risk. Each year, about 70,000 women die due to unsafe abortion and an additional five million suffer permanent or temporary disability...”

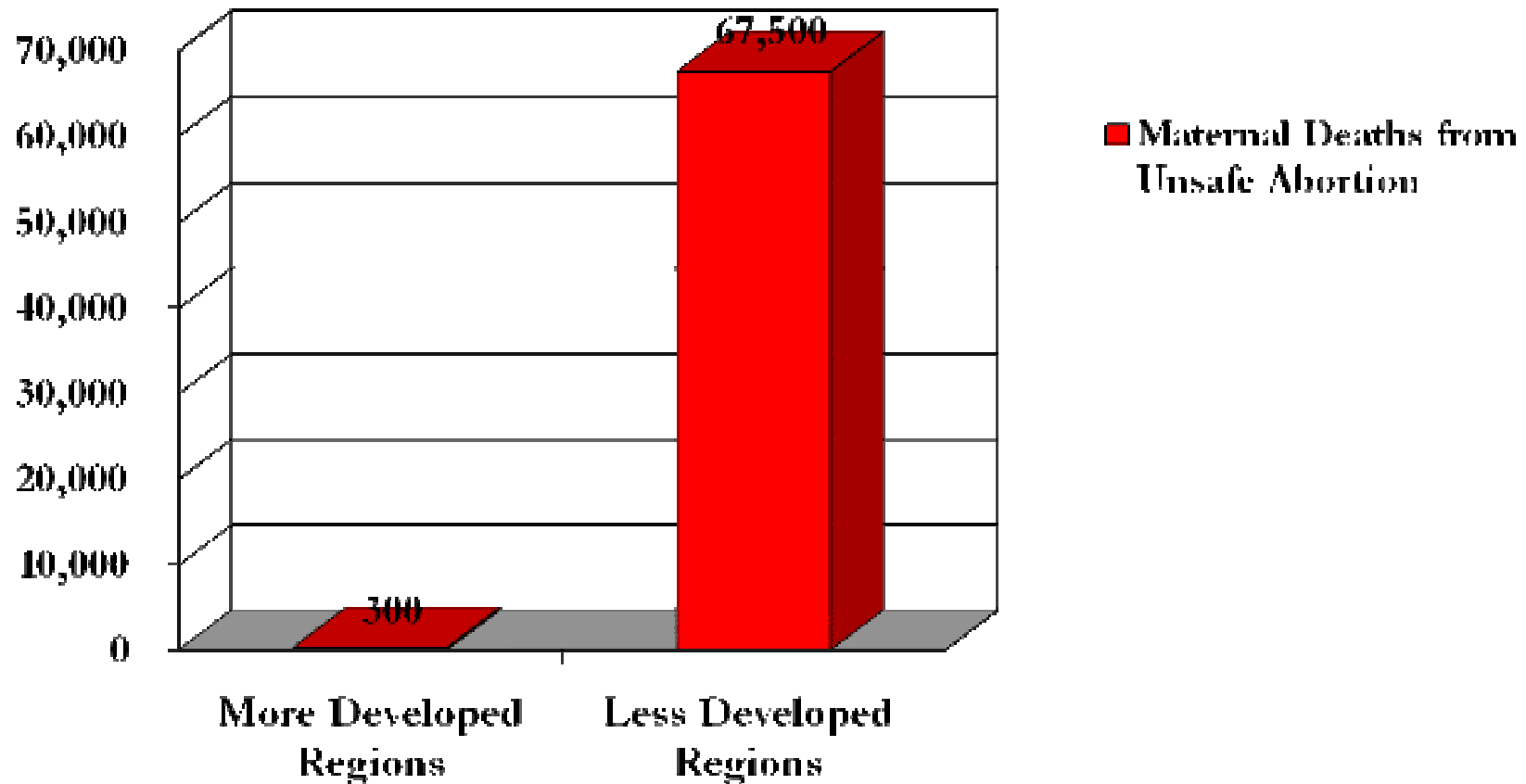


Dr. Paul F.A. Van Look, Director of WHO's Department of Reproductive Health and Research, at Women Deliver, London, October 2007

Unsafe abortion in perspective

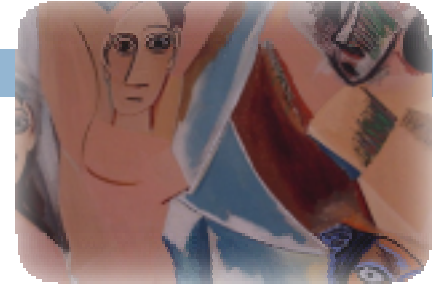
- Every eight minutes a woman dies somewhere in a developing country due to complications from an unsafe abortion.
- **Definition:** Unsafe abortion is the termination of a pregnancy carried out by someone without the skills or training to perform the procedure safely, or in a place that does not meet minimal medical standards, or both.
(According to WHO, and endorsed by the UN)

Inequality: Annual estimated deaths due to unsafe abortion



Source: Unsafe Abortion, WHO 2004

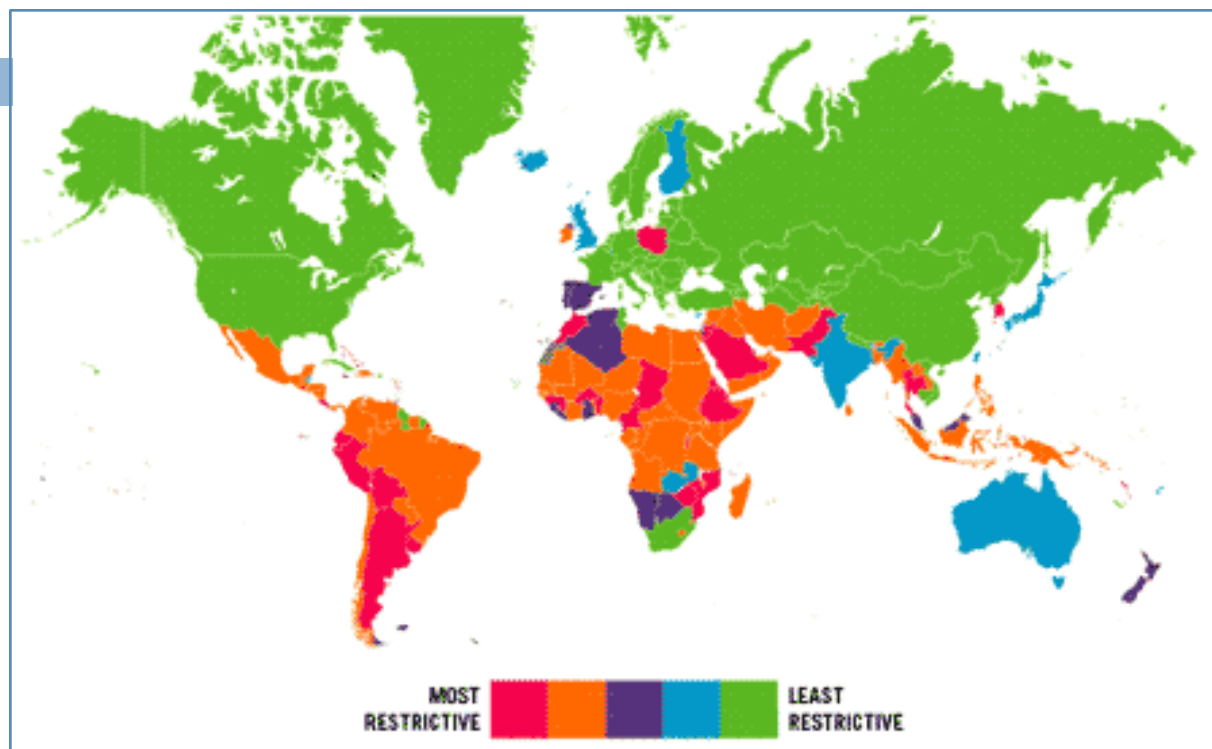
Why do women experience unwanted pregnancy?



- Lack of access to contraceptive methods or to information and support to use them effectively
- Contraceptive failure
- High rates of violence against women, including in the home and at war
- Changing circumstances, such as divorce or other crisis, can result in a wanted pregnancy become unwanted

Source: International Planned Parenthood Federation, *Death and Denial: Unsafe Abortion and Poverty* (2006)

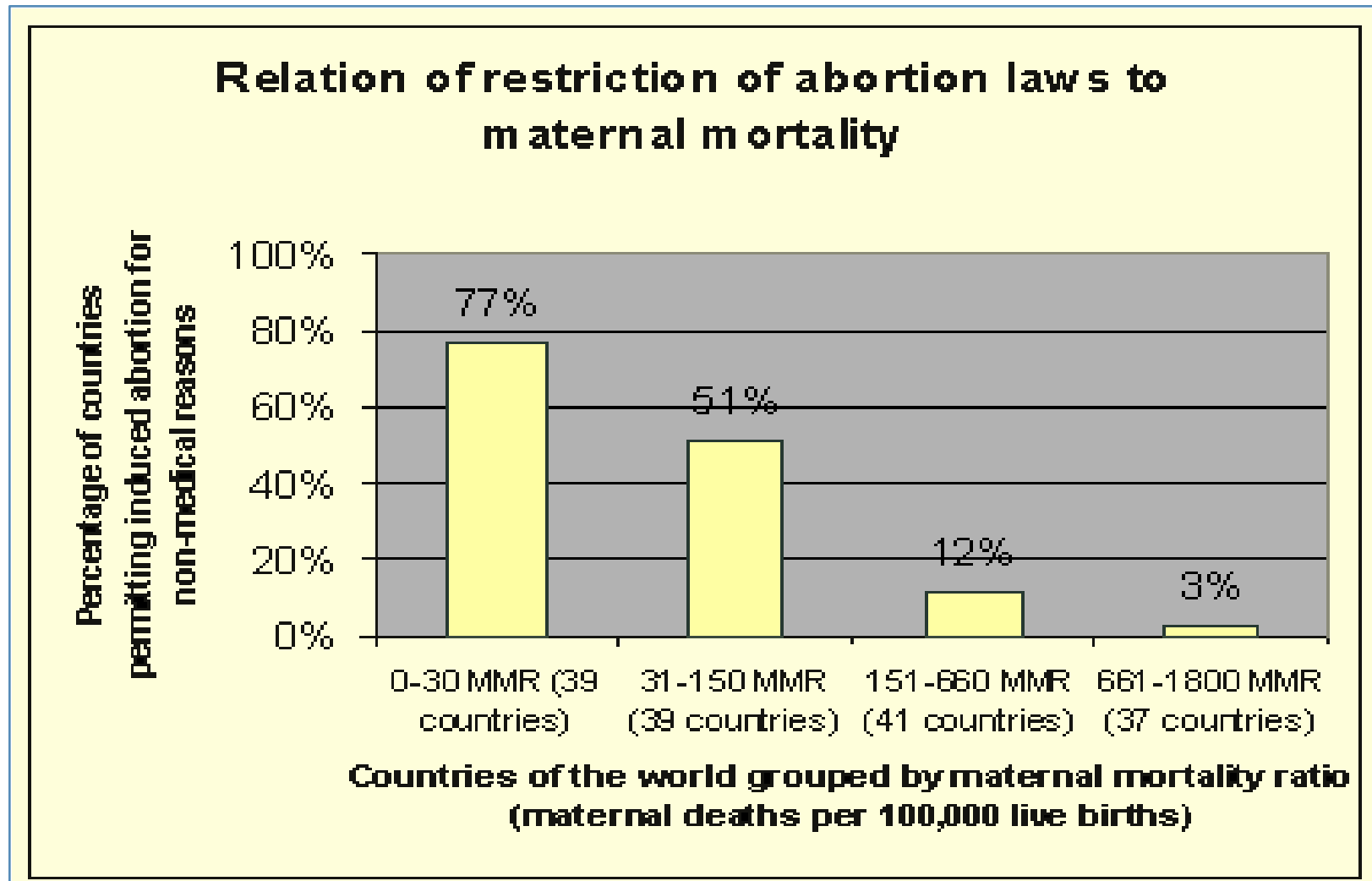
World abortion laws



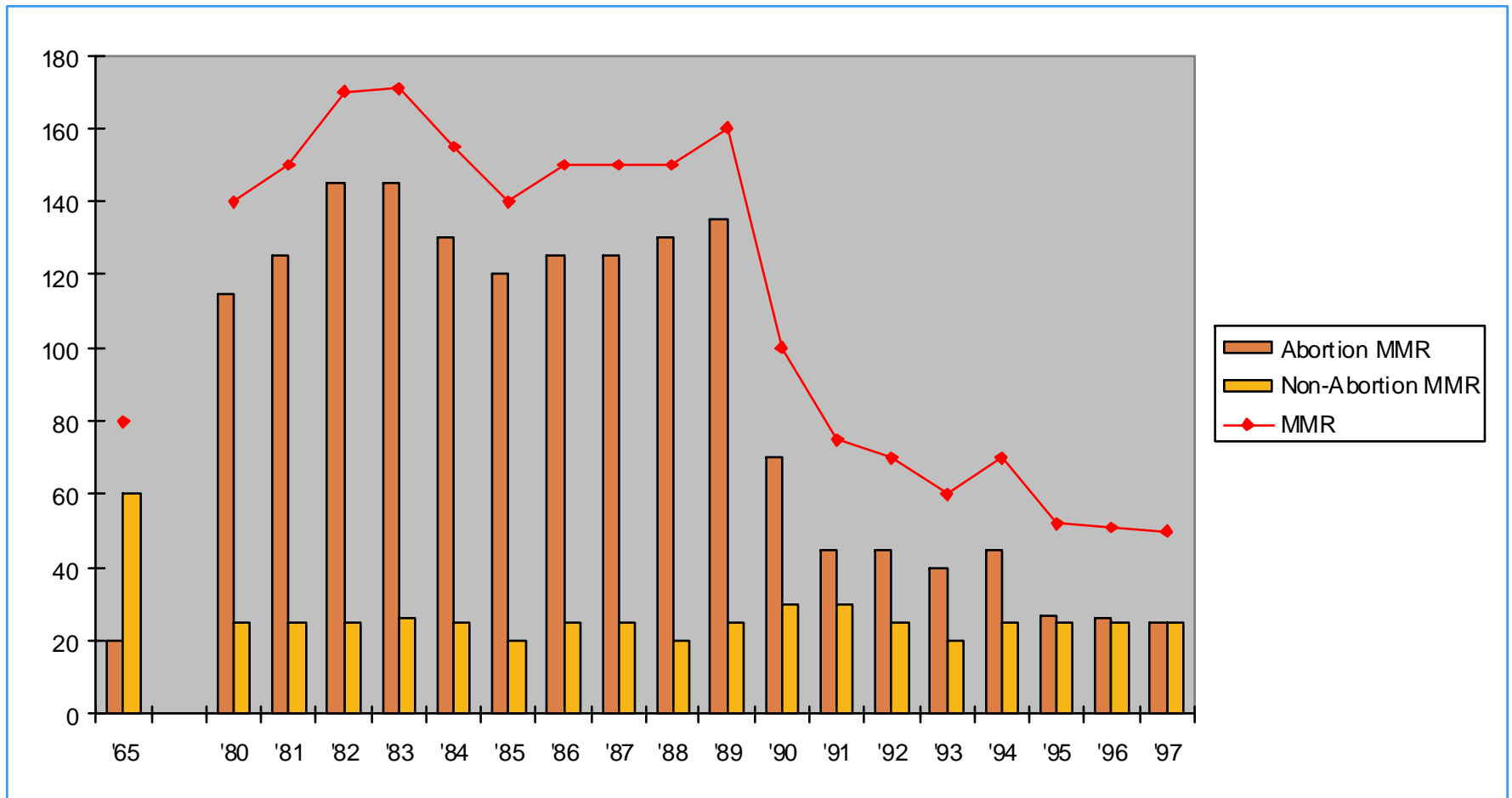
- **Without restriction** - 54 Countries, 40.5% of World's Population
- **Socioeconomic grounds** - 14 Countries, 20.7% of World's Population
- **Mental health** - 20 Countries, 2.7% of World's Population
- **Physical health** - 35 Countries, 10.1% of World's Population
- **Save life or prohibited** - 72 Countries, 26% of World's Population

Source: CRR 2007

Abortion Restrictions and Maternal Mortality



Abortion restrictions and maternal mortality: the Romania case



Source: Center for Health Statistics and Information, Ministry of Health, Romania, 1998

Summing up: Restrictive laws, abortion demand and health impacts

- Legally restricting abortion does not necessarily reduce the number of abortions that occur in a country.
- The legal status and availability does affect the safety of abortion; where abortion is legal and safe services are available, deaths and disability from abortion are greatly reduced.

International Agreements and Human Rights

International agreements recognize that:

- ▶ Unsafe abortion is a major public health concern
- ▶ Abortion should be safe and available to the full extent of the law
- ▶ Health systems have a responsibility to provide these services

Program of Action, International Conference on Population and Development, Cairo, 1994

...In circumstances where abortion is not against the law, such abortion should be safe. In all cases, women should have access to quality services for the management of complications arising from abortion.

Paragraph 8.25



ICPD Programme of Action, 1999

Key Actions for the Further Implementation of the ICPD Programme of Action, 21st United Nations General Assembly Special Session, New York, 1999

...In circumstances where abortion is not against the law, health systems should train and equip health-service providers and should take other measures to ensure that such abortion is safe and accessible. Additional measures should be taken to safeguard women's health.

Paragraph 63(iii)



Millennium Development Goal 5

- Reduce by three-quarters, between 1990 and 2015, the maternal mortality ratio
- In some settings reducing unsafe abortion may be technically the easiest way to reduce maternal deaths as mandated by MDG 5
- Unsafe abortion can be reduced through comprehensive sexual and reproductive health education, high quality contraceptive services, and safe abortion services

The Millennium Development Goals were approved by U.N. member states following the Millennium Assembly, held in 2000.

International Human Rights



The denial of safe abortion services is increasingly recognized as being contrary to internationally recognized human rights:

- Right to Life
- Right to Health
- Right to Privacy
- Freedom from discrimination
- Autonomy in reproductive decision-making

Addressing Unsafe Abortion at the Global Level: International Human Rights

- CEDAW Committee General Recommendation 24
- Human Rights Committee General Comment 28
- Human Rights Committee Decision, Karen Noelia Llantoy Huamán versus Peru
- African Charter on People's and Human Rights, Protocol on the Rights of Women in Africa

Maputo Plan of Action

Maputo Plan of Action (Special Session of the African Union Conference of Ministers of Health, Maputo, September 2006)

Governments committed to:

- Enact policies and legal frameworks to reduce incidence of unsafe abortion (4.1.2a)
- Provide safe abortion services to the fullest extent of the law (4.3.1 a)

Addressing Unsafe Abortion at the National Level: Legal Change



- In recent years, **17 countries** such as Nepal, Guyana, Ethiopia, Benin, Colombia, Mexico, South Africa have **liberalized their abortion laws**.
- When accompanied by expanded access to safe services, as in South Africa, liberalized laws greatly reduce complications and deaths from unsafe abortion.



Obstacles: U.S. foreign policy

1973 Helms Amendment: no United States foreign assistance can be used to perform, counsel or advocate for abortions abroad.

2001 Global Gag Rule: foreign non-governmental organizations who receive family planning funds from the United States Agency for International Development may not use their own non-U.S. funds to provide abortion services, counseling or referrals or to advocate for less restrictive abortion laws in their own country.

The Global Gag Rule: Impact on Services

- ❑ Women lose access to family planning services
- ❑ Women lose access to safe & legal abortion
- ❑ Organizations that have developed expertise in reaching women in remote places have lost large portions of their budget



Impact on Democracy

Foreign non-governmental organizations who receive family planning funds from the United States Agency for International Development *may not advocate* for less restrictive abortion laws in their own country.



This week

Committee on Foreign Affairs :: U.S. House of Representatives - Windows Internet Explorer provided by Ipas

http://foreignaffairs.house.gov/hearing_notice.asp?id=919

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Committee **HEARING INFORMATION** [Printer Version](#)

Full Committee
Tom Lantos (D-CA), Chairman

You are respectfully requested to attend the following OPEN hearing of the Full Committee, to be held in Room 2172 of the Rayburn House Office Building.

DATE: Wednesday, October 31, 2007
TIME: 10:00 AM
SUBJECT: *The Mexico City Policy/Global Gag Rule: Its Impact on Family Planning and Reproductive Health*
WITNESSES: Epke Oji, MBBS, Country Director, Ipas Nigeria; Joana Nerquaye-Tetteh, Ph.D., Former Executive Director, Planned Parenthood Association of Ghana; Duff G. Gillespie, Ph.D.

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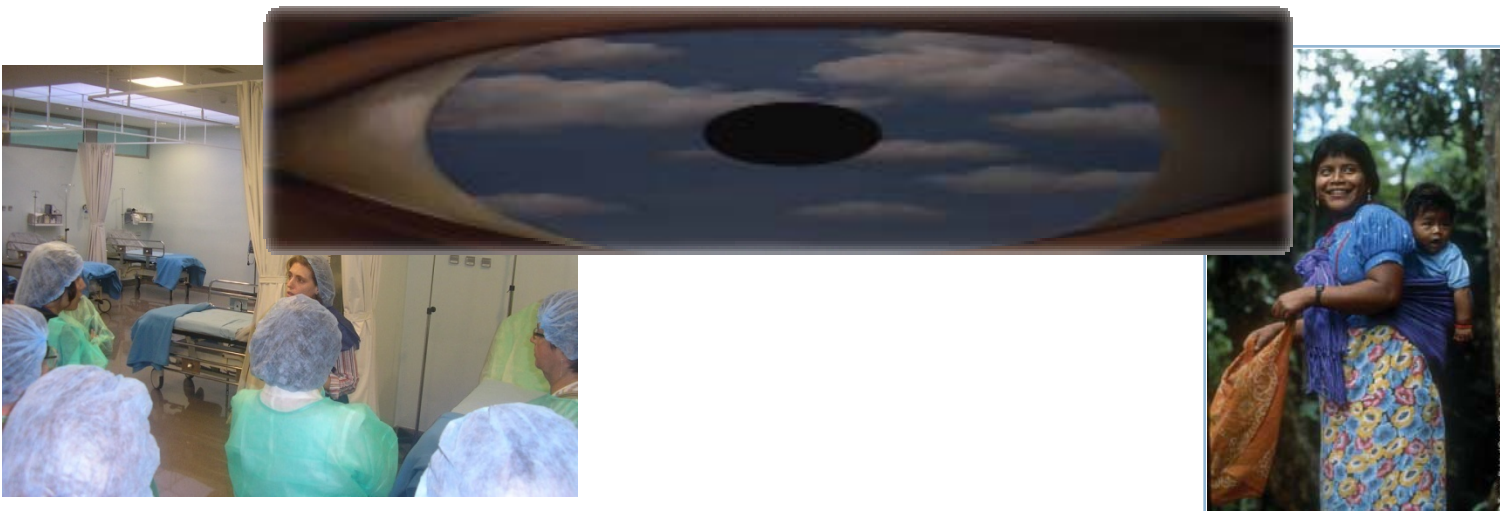
NEPAL



- In Nepal, FPAN
- loss of \$100K forced lay-off of 60 clinic staff members;
- lost \$400,000 in contraceptives
- Rural mobile clinics were closed
- Source: www.globalgagrule.org

Self Censorship

- Chilling effect on researchers interested in abortion
- Pressure on US organizations reliant on USAID contracts to be silent on the obvious links between reproductive health issues and abortion



Impact on Public Health Ethics

- Health care providers are being prevented from giving factual, comprehensive information and services to women;



United States Foreign Policy :



An obstacle to global efforts to alleviate the death and injury of women due to unsafe abortion



THANK YOU





References

Crane, B; Dusenberry, J. Power and Politics in International Funding for Reproductive Health: The US Global Gag Rule. *Reproductive Health Matters* 2004:12(24):128-137.

Crane, B. Safe Abortion and the Global Political Economy of Reproductive Rights. *Development*, 2005:48(4):85-91.

Skuster, P. Advocacy in Whispers: The Impact of the USAID Global Gag Rule Upon Free Speech and Free Association in the Context of Abortion Law Reform in Three East African Countries. Center for Reproductive Rights.

<http://www.globalgagrule.org>