



Evaluation of the EU's Response to the US GAG Rule

EIPA published a new study 'Evaluation of the EU's Response to the US GAG Rule' commissioned by the European Parliament (EP), at the request of the FEMM Committee. The study, undertaken by Petra Jeney and Clara Cotroneo, maps out the challenges the EU faces in promoting sexual and reproductive health and rights in its external action, especially in providing aid to developing countries against the backdrop of US Global Gag Rules.

In their analysis, EIPA experts Petra Jeney and Clara Cotroneo assess the impact of the expansion of the US GAG Rule on the EU's external aid policies as well as the EU Member State's attempts to counter the effects of this development. After providing a concise overview of the new Mexico City Policy (MCP) and its impact, their research combines existing available data with an in-depth investigation of the EU's promotion of comprehensive sexual and reproductive health and rights within its development aid programmes and, more broadly, of EU's action to mitigate the impact of the MCP on international NGOs. Through their analysis the authors aim to go beyond gender-based violence and encompass issues related to sexual and reproductive health and rights and identify the impact of the MCP beyond Sexual and Reproductive Health and Rights (SRHR).

Core question for the EU and possible solutions

The study looks at the core issue the EU will face and makes recommendations on how to overcome them:

- The rise of conservative and right-wing populist views, which delegitimize the

gender equality agenda inside the EU and abroad. The fundamental issue of women's access to sexual and reproductive health stand in direct conflict with the conservative beliefs of some EU Member State governments. This creates internal challenges in the realisation of a truly European-wide response to the US GAG rule. The authors suggest that a dialogue between all relevant governmental actors is fostered which focused on common objectives in the areas of women's rights, global health, access to water and sanitation and education.

- The success of the EU External Action policy depends on the ability to implement SRHR in the different religious and cultural contexts where it is needed. This requires the EU to adopt a dynamic approach in order to reach its Sexual Reproductive and Health and Rights objectives.
- Recent political shifts, such as Brexit and the COVID 19 global health crisis, pose serious challenges to maintaining the commitments of the Union's sexual and reproductive health and rights agenda. This should be considered when allocating funds to programmes in the areas of sexual and reproductive health and women's rights.



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The authors first frame the responses of the EU and its Member States to the significant shift in US foreign policy. An overall picture of existing and proposed EU development and humanitarian aid programmes, guidelines and actions specifically addressing violence against women and Sexual Reproductive and Health and Rights is developed, from which it is clear that the EU's response to the US GAG rule has been both financial and political. Special attention is given to the EU's Gender Action Plan II (GAP II), along with programmes from individual/groups of Member States, such as the She Decides campaign, and global networks of which the EU is a member, including the Spotlight Initiative.



Measures to safeguard SRHR

An assessment is made as to whether an increase in financial support for foreign family planning organisations would counter the effects of the US GAG rule and safeguard the Sexual Reproductive and Health and Rights of women and girls throughout the world. Through a careful assessment of precise figures and extensive interviews with representatives from EU Member States' governments and civil society actors, the study shows how on the one hand, gender priorities are gradually gaining high level political support within certain EU Member States, not least from transformative changes occurring internally (e.g. Irish abortion referendum), while on the other hand, the growing influence of populist political parties in other EU Member States, is inhibiting progress on reaching the EU's objectives for a progressive sexual and reproductive health and rights agenda.

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The global Gag Rule and its latest expansion by the US

In 2019, the US announced an expansion of the Mexico City Policy, more commonly referred to as the Global Gag Rule (GAG). This policy severely limits the actions of International Non-

EU and Member States responses



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Governmental Organizations (NGOs) by obliging them to certify that they will not perform abortion services, provide information about abortion services, or advocate for abortion, in order to be eligible for US aid funding. Under the latest expansion of the policy, funding is also prohibited to organisations that support other organisations engaged in the aforementioned activities.

Gender equality as a fundamental value in the EU

During the last few decades, the European Union has increasingly integrated gender equality as a fundamental value of its external

policy action and programmes. SRHR constitute key aspects of the Union's gender policy framework, and as such they are at the core of the EU's external aid policies. This commitment to push forward a gender equality agenda is evident in the leading role the EU held during the negotiations for the 2030 UN Agenda for Sustainable Development, which now serve as a guideline for designing and implementing EU external aid policies. More broadly, the EU is committed to push forward the Sustainable Development Goals (SDG), whose advancement has recently been endangered by the reinstatement and expansion of the Mexico City Policy.