

The President's Overseas Reproductive Health Policy: Think Locally, Act Globally

By Susan A. Cohen

In first announcing and then defending his first-day-in-office decision to reimpose the “global gag rule” that had been instituted by President Reagan in 1984 and revoked by President Clinton in 1993, President Bush and members of his administration took pains to couple their antiabortion statements with protestations of support for international family planning. Eighteen months later, however, the administration's record has begun to speak for itself.

Barely one year after he reinstated the gag rule, the president froze the funds Congress had just appropriated for the United Nations Population Fund (UNFPA) for FY 2002. A few weeks later, in his FY 2003 budget proposal to Congress, he asked that funding for the U.S. Agency for International Development's family planning and reproductive health program be cut from the FY 2002 level and that no funds be allocated to UNFPA (“Congress and Reproductive Health: Major Actions in 2001 and a Look Ahead,” *TGR*, February 2002, page 11). Shortly thereafter, the administration began using the opportunities presented by various United Nations (UN)-sponsored global meetings to aggressively export its domestic “abstinence-only” campaign as well as its antiabortion views. Further, the administration began using these meetings more generally to distance itself from the worldwide consensus on reproductive and sexual health issues that the United States itself was instrumental in forging at the 1994 International Conference on Population and Development in Cairo and the 1995 World Conference on Women in Beijing.

Actions...

UNFPA. Nine months into FY 2002, the United States still has made no contribution to UNFPA for the year. In December 2001, Congress appropriated “up to” \$34 million for the agency, following extended debate, not over whether UNFPA should be funded but over how big an increase it should be given over the FY 2001 base of \$21.5 million. Just a few weeks later, however, under pressure from Rep. Chris Smith (R-NJ) and domestic interest groups overtly hostile to abortion and to birth control, the president announced that he would exercise his legal prerogative to withhold all support to UNFPA. As of early July, he continues to do so on the grounds that he suspects UNFPA of supporting coercive abortion in China, though he has not yet formally declared UNFPA to be in violation of the 1986 “Kemp-Kasten” law that precludes U.S. funding for any such entity.

High-pressure tactics from House Republican leaders and the White House thwarted the efforts of House Foreign Operations Subcommittee Chairman Jim Kolbe (R-AZ) and ranking member Nita M. Lowey (D-NY) to use the FY 2002 supplemental appropriations bill to force the president either to give UNFPA the \$34 million Congress intended or to formally invoke Kemp-Kasten. Senate Foreign Operations Subcommittee Chairman Patrick Leahy (D-VT), meanwhile, included the Kolbe-Lowey language in the Senate-passed bill. A standoff in the House-Senate conference committee remained as Congress recessed for the July 4th holiday.

Cornered between its anti-family planning constituency and pro-UNFPA foreign aid leaders in Congress (and in the State Department as well), the White House sent a handpicked “fact-finding” team to China in May. The team transmitted its report to the White House in early June, but the contents of the report have not been revealed. Reportedly, it will be the White House domestic policy council that will be making the final determination about UNFPA, but it will be the State Department that will explain the decision to Congress and the public. Indications are that the White House focus primarily is on appeasing its core far-right constituency, which does not bode well for UNFPA.

The administration's options would appear to range from issuing a formal finding that UNFPA, by virtue of either its actions or its mere presence in China, is violating Kemp-Kasten, which would preclude any U.S. contribution; vindicating the agency and granting the full \$34 million Congress intended; or declining to formally invoke Kemp-Kasten and making some contribution but expressing displeasure with the agency by granting it less, perhaps much less, than Congress intended.

The U.S. and the UN. Early this year, the administration made clear that the Department of Health and Human Services (DHHS), rather than the State Department, would take the lead in staffing and preparing for international meetings, at least where matters relating to reproductive and sexual health are concerned. As a result, highly placed and extremely conservative DHHS officials in charge of overseeing domestic reproductive health and rights policy largely have been given the green light to “go global” with their perception of the president's social agenda. So far, the State Department has been able to exert some moderating influence, but

many observers fear that its ability to do so may be waning fast.

The first public airing of the emerging power struggle came when Secretary of State Colin L. Powell was asked about HIV-prevention strategies for young people during an MTV interview on Valentine's Day. "It is important that the whole international community come together, speak candidly about it, forget about taboos, forget about conservative ideas with respect to what you should tell young

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people about," Powell told the music channel audience. "It's the lives of young people that are put at risk by unsafe sex. And, therefore, protect yourself." Conservatives reacted harshly to the secretary's endorsement of condom use by sexually active young people and to the idea that this administration sanctions any message other than abstinence until marriage as the principal, if not only, acceptable approach. Gary Bauer, president of American Values, admonished Powell—who has a long-held special interest in global HIV/AIDS issues, especially in Sub-Saharan Africa—to stick to diplomacy: On "public health issues, he should follow the lead of the Bush administration, which he serves."

A few weeks later, in early April, the UN Population Division's Commission on Population and Development (CPD) held its annual meeting at the United Nations. This year's topic was reproductive health and rights in relation to HIV prevention. As originally drafted by DHHS officials, the U.S. position statement

would continue to endorse voluntary family planning but would emphasize the importance of "delaying sexual initiation, abstinence, monogamy, fidelity and partner reduction to prevent *inter alia* HIV infection." Only at the insistence of State Department officials, citing Powell's recent statement, were the words "and condom use" added at the last minute.

DHHS officials also saw the CPD meeting as their first official opportunity at a UN forum to lay out and dramatize the administration's antiabortion platform. In response to an almost pro forma vote among the governmental representatives to reaffirm the commitments made in Cairo and Beijing and at their subsequent five-year-review meetings, the United States initially balked. Ultimately, the United States agreed to join the consensus but only after issuing a statement making clear that in so doing the U.S. government does not support "promoting the legalization or expansion of legal abortion services." (The Cairo Program of Action does not call for the legalization of abortion. It does, however, say that where abortion is not against the law, it should be safe, and it calls on governments to address unsafe abortion as a major public health concern.)

In May, the UN General Assembly Special Session on the Child—the so-called children's summit—convened as the first major high-level *negotiating* meeting at the U.N. this year. DHHS Secretary Tommy G. Thompson was the official leader of the U.S. delegation, which included DHHS political appointees and official private-sector advisors drawn from organizations such as Concerned Women for America and institutions such as the Christian evangelical Patrick Henry College, where faculty are required to teach creationism. Notably, John Klink also served on the delegation; identified only as a "UN expert," Klink may be better known as one of the Vatican's lead

negotiators at the 1994 Cairo conference. (The administration had floated Klink's name last year as a candidate for Assistant Secretary of State for Population, Refugees and Migration but backed away from nominating him amidst intense controversy.)

At the summit, 180 national governments—including, in the end, the United States—agreed to reaffirm the commitments made at previous UN conferences, including those made in Cairo and Beijing. Originally, the United States threatened to withhold its signature unless certain demands were met. Chief among them were purging the document of any language that could be construed to condone legal abortion, adding language explicitly advocating sexual abstinence and adding language calling for the primacy of parental rights. In the last analysis, the United States' only success was in changing one of the final document goals to say that access to "reproductive health," rather than "reproductive health services" should be promoted; the U.S. delegation maintained that the word "services" implied abortion.

Although other national delegations were quick to note that in their view, nothing had changed, the U.S. delegation left satisfied it had struck another blow against abortion. Even so—largely for domestic political consumption but likely also to lay the groundwork for a more open disavowal of Cairo and Beijing in time—the delegation felt compelled to issue its own interpretation of the final agreement. First and foremost, it asserts that the United States "does not understand any endorsement of these conferences to be interpreted as promoting abortion." Further, it adds that the United States understands terms such as "family planning" to exclude "abortion-related services or the use of abortifacients." (It is not clear whether the administration is referring here to mifepristone or whether it is making a

broader statement that might implicate pregnancy-options counseling and referrals or even the provision of certain methods of contraception, such as the IUD and the pill, that some of the more extreme anti-family planning groups are now openly equating with abortion.) Finally, and notably, the reference to condom use to prevent HIV infection disappeared from the list of U.S.-sanctioned HIV-prevention strategies. Instead, the document restates the priority the United States places on the family, the promotion of marriage, the value of abstinence and the importance of parental rights.

...and Reactions

Whatever determination the administration ultimately makes about UNFPA for this year, it is clear that the battle over future U.S. contributions will continue in Congress. In 1999, when the full House last voted on UNFPA funding, a strong majority supported UNFPA. There is reason to believe that a majority still exists and would be demonstrated if and when another vote is prompted later this year. (The Senate remains solidly pro-UNFPA.) And, on the question of overall funding for international family planning and reproductive health, it would appear highly unlikely that Congress will agree to cut funding for the program.

Meanwhile, traditional allies of the United States are reacting with consternation both to recent U.S. policy pronouncements and to the dubious alliances the United States made in the process. It was ironic, European child summit delegates pointed out to Secretary Thompson, that the United States was siding more with Iran and Iraq—two of the three “axis of evil” countries so deemed by the president—than it was with its traditional European and Latin American allies. (Other frequent U.S. associates at the summit included delegates

from the Vatican, Libya, Sudan and Syria.) Indeed, throughout the negotiations, it was the “Rio group,” comprising the countries of Latin America, that took the lead in going toe-to-toe with the United States on most of the reproductive health issues, despite the U.S. government’s assumption that these overwhelmingly Roman Catholic countries naturally would support the socially conservative U.S. positions. Australia, Canada, Japan, Norway and the European Union (EU) were also active in opposing the U.S. efforts.

Thompson’s response was cryptic. “These issues were bigger than political issues, they are important policy issues,” he is quoted as saying. Another unnamed U.S. official reportedly was more direct: The United States, he said, wants to

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demonstrate some of the “shared values” that it and Islamic countries have on social issues. For her part, Adrienne Germain, president of the International Women’s Health Coalition, said bluntly, “This alliance shows the depths of perversity of the [U.S.] position. On the one hand we’re presumably blaming these countries for unspeakable acts of terrorism, and at the same time we are allying ourselves with them in the oppression of women.”

In its closing statement at the summit, the EU delivered a strong rejoinder to the United States: “Young people should be empowered to make appropriate and safe

choices about their sexual behavior,” noted the Spanish diplomat speaking on the EU’s behalf. “They must be able to access high quality sexual and reproductive health information and services to achieve this, as we all agreed in Cairo and Beijing.” Belgium’s youth minister, Bert Anciaux, went further in a statement released after the summit. The U.S. approach, he said, reduces sex education to “a woolly discourse on abstinence and fidelity” that “does not fit in with the world of experience of millions of young people throughout the world.”

Echoing the sentiments of others, Anciaux said he was “amazed that, due to the pressure of extremely conservative lobby groups within the U.S., the U.S. government has become an ally of all kinds of reactionary regimes.” And, of course, those lobby groups are delighted with the Bush administration’s actions and positions. Indeed, they take some credit for forging the bonds between radical Islamic states and the Bush administration on reproductive rights and family issues. Some, such as the Catholic Family and Human Rights Institute, already have announced their intention to continue strengthening these ties and may be expected to promote their common agenda both through and with the Bush administration at future UN meetings.

This same circle, of course, even as it agitates to defund UNFPA and to cut if not eliminate all U.S. assistance to family planning and reproductive health overseas, is equally active in opposing or undermining family planning and reproductive health programs and policies here at home. Unfortunately, the Bush administration seems likely to heed these groups on both fronts—at least as far—and for as long as it can do so without suffering any serious political repercussions. ☉