



Secretariat for Pro-Life Activities

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SENATOR BOXER'S NEPAL STORY: A NEED FOR THE TRUTH

During Senate debate on the Mexico City Policy on September 6, 2007, Sen. Barbara Boxer (D-CA) repeated a charge she has made before:

2007 Speech: “A little 13-year old girl [Min Min Lama] was raped in Nepal by her uncle. A family member took her for an abortion...that little girl was sentenced to 20 long years in jail. Because a family planning agency...in Nepal...spoke out on behalf of changing the laws that put a little girl in jail...America withheld its funds.”¹ “They gave up the money and they struggled.”² “[Min Min] could have had 18 more years in jail had the organization not walked away from U.S. funding. How does that make you feel as an American?”³

2005 Speech: “We took the side of her rapist...We said to the NGO, if you want to help this child, give back the money...[The NGO] gave back the USAID money, even though it put them in a precarious financial position...I'm ashamed we were on the side of the rapist and against the side of a little girl who was a victim of incest...The Global Gag Rule put us on the side of a rapist. We are not on the side of human rights... We are on the side of people who are evil.”⁴

The United States does not side with rapists, and does not favor criminal penalties for women who have undergone an abortion. Min Min Lama's plight was a tragedy that could not have happened under any law proposed by the pro-life movement, or considered by Congress or the President, in this country. At the same time, compassion for her plight must not be exploited by others to falsify the facts.

Fact: Min Min's entire ordeal – the rape, the abortion, her imprisonment, and her release from prison – took place when the Mexico City Policy was not even in effect. The rape took place in 1997, and Min Min was released from prison in 1999.⁵ From 1993 to 2001 the Mexico City Policy had been rescinded by President Clinton and was not in effect. Her plight could not have been due to the policy.

Fact: This non-governmental organization (NGO) in Nepal has long been a multi-million-dollar affiliate of International Planned Parenthood Federation (IPPF), which rejects U.S. family planning aid so it can promote an international right to abortion. The NGO Sen. Boxer referred to is the Family Planning Association of Nepal (FPAN), an affiliate of the pro-abortion IPPF since 1960 and full-fledged member since 1969. FPAN, the largest family planning association in Nepal, takes in approximately \$105 million a year in donations alone, over 70% of it from IPPF.⁶

Fact: FPAN has lobbied for liberalized abortion laws in Nepal for over 30 years. Taking up Min Min's cause was peripheral at best to FPAN's real agenda. According to its own website, FPAN has advocated for legalized abortion for over three decades. The organization now provides elective abortions, calling abortion a "universal right."⁷

Fact: FPAN's president had introduced a liberal abortion law in Nepal's Parliament before Min Min was raped. In 1996, a full year before Min Min was raped, FPAN's acting president introduced a bill in Nepal's Parliament to liberalize the nation's abortion laws.⁸ At that time FPAN could promote abortion on demand and continue receiving U.S. funds because the Mexico City Policy was not in effect.

Fact: FPAN succeeded in legalizing abortion in Nepal throughout pregnancy. FPAN spearheaded this lobbying effort and succeeded in amending the nation's highest law to legalize abortion in 2002. The law allows abortion for any reason in the first 12 weeks, for rape or incest up to 18 weeks, and for reasons of fetal handicap or the mother's physical or mental "health" during all nine months of pregnancy.⁹

Fact: The United States never withheld funds from FPAN. FPAN decided to refuse U.S. funding in 2001, after President Bush reinstated the Mexico City Policy, so it could continue advocating pro-abortion laws in Nepal and could begin providing elective abortions once they were legal.¹⁰

Fact: The Mexico City Policy simply does not apply to abortions in cases of rape or incest, and has nothing to do with advocating prison for women who undergo them. The Mexico City Policy *allows* foreign NGO's to promote and perform abortions in cases of rape and incest, because it defines these to be outside the scope of abortion as "family planning." Moreover, the policy's only reference to women who have had an abortion is to indicate they should receive compassionate medical care. An NGO cannot lose U.S. funds under this policy for favoring the release of a woman in Min Min's situation.¹¹

Fact: FPAN never lost a dime. After FPAN voluntarily turned down U.S. funds, IPPF replaced the funds with its own money, according to Planned Parenthood's own website. In any case, FPAN stood to receive less than \$100,000 in US funds by complying with Mexico City.¹² Three clinics that FPAN asserted were near closing instead remained open with funding from IPPF. Once abortion became legal in Nepal, these three clinics began performing abortions.¹³

Fact: Min Min's release from prison in 1999 was an act of amnesty, not the fruit of FPAN's legalization campaign, and it did not affect other women in the same plight. Min Min was freed three years *before* abortion was legalized. Worldwide pressure forced Nepal's King Gyanendra to grant her amnesty in 1999. Even after abortion was legalized in 2002, the King did not free all women who had aborted previously but kept as many as 30 in prison.¹⁴ Min Min's personal ordeal was over but, in the meantime, had been exploited for a political agenda promoting abortion in far broader circumstances. If not for the Mexico City Policy, the organization leading that campaign (and its clinics performing elective abortions) would have been underwritten with U.S. tax dollars.

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- ¹ Sen. Barbara Boxer, *Congressional Record*, Sept. 6, 2007, p. S11191.
- ² Sen. Barbara Boxer, *Congressional Record*, Sept. 6, 2007, p. S11182.
- ³ *Supra* fn. 2, p. S11183.
- ⁴ Sen. Barbara Boxer, *Congressional Record*, April 5, 2005, p. S3179.
- ⁵ Dr. Nirmal Bista, Testimony before Senate Foreign Relations Committee, July 19, 2001, *available at* <http://www.hhh.umn.edu/img/assets/26778/Appendix%20E.pdf> (accessed 10/10/07).
- ⁶ Family Planning Association of Nepal, "Introduction: Introduction to FPAN," *available at* <http://www.fpan.org/demo/achievement.html> (accessed 10/10/07); *see also* "Achievements" section, *supra*.
- ⁷ Family Planning Association of Nepal, *supra* fn. 6; *see also* Family Planning Association of Nepal, "Introduction: FPAN's Programmatic Thrust," *at* <http://www.fpan.org/demo/intro.html> (accessed 10/10/07).
- ⁸ Planned Parenthood, "In Nepal: Planned Parenthood at Work," *available at* <http://www.plannedparenthood.org/about-us/international-work/planned-parenthood-at-work-4632.htm> (accessed 10/10/07);
- ⁹ Family Planning Association of Nepal, "Introduction: Abortion Law," *at* <http://www.fpan.org/demo/intro.html> (accessed 10/10/07); *see also* Center for Reproductive Rights, International Fact Sheets, "The World's Abortion Laws," *available at* http://www.reproductiverights.org/pub_fac_abortion_laws.html (accessed 10/10/07) (stating that Nepal allows abortion "without restriction as to reason").
- ¹⁰ Planned Parenthood, *supra* fn. 8; *see also* Dr. Nirmal Bista, *supra* fn. 5.
- ¹¹ Restoration of the Mexico City Policy, *Federal Register*, Vol. 66, No. 61 (March 29, 2001), p. 17303, at p. 17306.
- ¹² Planned Parenthood, *supra* fn. 8; *see also* Sen. Barbara Boxer, *supra* fn. 4.
- ¹³ Planned Parenthood, *supra* fn. 8; *see also* Dr. Nirmal Bista, *supra* fn. 5.
- ¹⁴ Yvonne Singh, "Abortion Nightmare in Nepal," *BBC NEWS*, November 8, 2004, *available at* http://news.bbc.co.uk/2/hi/south_asia/3971127.stm (accessed 10/10/07).

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