

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 8119



Introduced by:

HON. CHRISTOPHERSON “COCO” M. YAP

AN ACT
STRENGTHENING THE PROTECTION OF THE LIFE OF THE UNBORN FROM
CONCEPTION, CLARIFYING STANDARDS AGAINST ABORTION AND
ABORTIFACIENTS, ENSURING MATERNAL CARE CONSISTENT WITH THE
CONSTITUTION, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The Constitution clearly states that the State must protect both the life of the mother and the life of the unborn from conception. This means that from the very beginning of human life, the law has a duty to give protection. The Supreme Court has explained that “conception” happens at fertilization, not later, and that the Constitution does not allow abortion or the use of drugs or devices that destroy a fertilized human life. This policy reflects the nation’s commitment to uphold the dignity and value of every human life, while also caring for mothers.

Despite existing laws, confusion and disputes continue. There is still uncertainty about what products may be considered abortifacients and how they should be regulated, creating gaps that can weaken constitutional protections. At the same time, there is concern that protecting the unborn should never prevent women from receiving proper medical care, especially emergency treatment that saves the life of the mother during pregnancy or childbirth. Both concerns must be addressed clearly and responsibly.

This bill provides clear guidance that follows the Constitution and existing law. It affirms protection of unborn life from fertilization, strengthens safeguards against abortion and abortifacients, and at the same time guarantees access to necessary and

lifesaving maternal health care. By setting clear standards and responsibilities, the measure protects human life, supports women's health, and gives doctors, regulators, and families clear rules to follow. It is a balanced and compassionate approach that honors both mother and child.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.


CHRISTOPHERSON "COCO" M. YAP
Representative, Second District of Southern Leyte

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. — This Act shall be known as the “*Unborn Child Protection and Maternal Care Act.*”

SECTION 2. Declaration of Policy. — The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception, and shall support the natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character.

It is hereby declared the policy of the State to: (a) protect prenatal life from conception, understood as fertilization; (b) prevent and penalize acts of abortion as defined and punished under the Revised Penal Code; (c) ensure that maternal health services during pregnancy are delivered in accordance with evidence-based medical standards, with due regard to the State’s duty to protect prenatal life from conception; and (d) promote informed, lawful, and ethical health care that respects family autonomy and religious convictions consistent with law.

SECTION 3. Definition of Terms. — As used in this Act:

- (a) **“Conception refers to fertilization”**, i.e., the union of the sperm and the egg resulting in a zygote.
- (b) **“Unborn Child”** refers to the human organism from conception (fertilization) until complete birth.
- (c) **“Abortion”** refers to intentional acts punished as abortion under Articles 256 to 259 of the Revised Penal Code, and other acts that the law treats as abortion.
- (d) **“Abortifacient”** refers to any drug, device, substance, or procedure that is intended to cause abortion or is designed to primarily destroy the life of the unborn from conception or prevent the implantation of the fertilized ovum, consistent with existing law and jurisprudence.
- (e) **“Maternal Emergency Care”** refers to medically indicated procedures or treatments necessary to prevent the death of, or serious permanent impairment of a major bodily function of, the pregnant woman, provided such care is performed in accordance with accepted medical standards and without intent to cause abortion.

SECTION 4. Affirmation of Protection of Prenatal Life; Construction. — This Act shall be construed:

- (a) to affirm the constitutional duty to protect the life of the unborn from conception and the life of the mother; and
- (b) not to diminish any constitutional right, including religious freedom and the autonomy of the family, as recognized by the Constitution and jurisprudence.

SECTION 5. Prohibited Acts. — In addition to acts already punishable under existing laws, it shall be unlawful for any person to:

- (a) Knowingly manufacture, distribute, dispense, advertise, or administer an abortifacient, except as may be allowed under existing regulatory laws and standards consistent with the Constitution; or
- (b) Knowingly aid or abet the commission of acts punishable as abortion under the Revised Penal Code.

SECTION 6. Maternal Care; No Criminalization of Legitimate Medical Treatment.

— Nothing in this Act shall be interpreted to:

- (a) penalize obstetric, prenatal, or emergency medical care that is medically indicated, performed in good faith, and consistent with accepted standards of care, where there is no intent to cause abortion; or
- (b) prohibit the management of ectopic pregnancy, miscarriage, or other pregnancy-related complications in accordance with accepted medical practice, subject to existing laws.

SECTION 7. Relationship with Existing Laws; Non-Diminution. — This Act shall be read in harmony with existing penal laws on abortion and with Republic Act No. 10354, which declares a national policy on responsible parenthood and reproductive health while proscribing abortion and requiring protection of the unborn from conception.

SECTION 8. Implementing Coordination. — The Department of Health (DOH), the Food and Drug Administration (FDA), and other concerned agencies shall, within one hundred eighty (180) days from the effectivity of this Act, issue joint guidelines consistent with: (a) the constitutional protection of the unborn from conception; and (b) the Supreme Court's rulings on the standards for determining and regulating abortifacients and the State's interest in protecting prenatal life.

SECTION 9. Penalties. —

- (a) Acts constituting abortion shall remain punishable under Articles 256 to 259 of the Revised Penal Code.
- (b) Violations of Section 5(a) of this Act (manufacture, distribution, dispensing, advertising, or administration of abortifacients) shall be punished by imprisonment of [insert range] and/or a fine of [insert range], without prejudice to prosecution under other applicable laws.
- (c) If the offender is a juridical entity, the responsible officers who participated in or authorized the violation shall be liable.
- (d) Administrative sanctions, including license suspension or revocation, may be imposed under existing professional and regulatory laws.

SECTION 10. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected shall remain in full force and effect.

SECTION 11. Repealing Clause. — All laws, decrees, orders, issuances or portions thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 12. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,