

## SUPREME COURT DECISION ON THE RH LAW

### **I. RIGHT TO LIFE:**

- a. **THERE IS ALREADY LIFE AT FERTILIZATION AND LIFE DOES NOT BEGIN AT IMPLANTATION.**
  - b. **THE FERTILIZED OVUM IS A LIVING HUMAN BEING.**
  - c. **THE STATE HAS THE CONSTITUTIONAL DUTY TO PROTECT EQUALLY THE LIFE OF THE MOTHER AND THE LIFE OF THE UNBORN (FERTILIZED OVUM).**
  - d. **THE PROTECTION OF THE FERTILIZED OVUM MUST BE FROM FERTILIZATION ALL THE WAY UNTIL IT REACHES AND IMPLANTS IN THE UTERUS.**
- **THEREFORE, NO CONTRACEPTIVE THAT HARMS OR DESTROYS THE LIFE OF THE UNBORN FROM FERTILIZATION, EITHER AS PRIMARY OR SECONDARY EFFECT, CAN BE ALLOWED.**
  - **THE DETERMINING FACTOR IS WHETHER OR NOT A CONTRACEPTIVE ALSO PREVENTS THE ATTACHING OF THE FERTILIZED OVUM TO THE UTERINE WALL, OR DESTROYS THE ZYGOTE, EMBRYO, BLASTOCYST OR FETUS. IF IT DOES, THEN IT CANNOT BE ALLOWED UNDER THE LAW.**

## SAFEGUARDS

**TO ENSURE THAT ONLY CONTRACEPTIVE DRUGS AND DEVICES THAT ARE NON-ABORTIFACIENT AND SAFE ARE PROCURED BY GOVERNMENT AND DISTRIBUTED OR SOLD TO THE PUBLIC.**

1. **FOOD AND DRUG ADMINISTRATION (FDA) MUST TEST AND EVALUATE ALL CONTRACEPTIVE DRUGS AND DEVICES IN ACCORDANCE WITH THE CONSTITUTIONAL YARDSTICKS AND STANDARDS THAT THE SUPREME COURT HAS LAID DOWN IN THE RH DECISION. (Protection Of Fertilized Ovum from Fertilization Until the Uterus).**
2. **BASED ON ITS EVALUATION AND TESTING, FDA MUST APPROVE AND CERTIFY THAT CONTRACEPTIVE DRUGS AND DEVICES ARE SAFE AND NON-ABORTIFACIENT AND THAT THEY CANNOT BE USED AS ABORTIFACIENTS (NOT THAT THEY WILL NOT BE USED AS ABORTIFACIENTS) BECAUSE THEY ARE NOT ABORTIVE; OTHERWISE, THEY CANNOT BE PROCURED BY THE GOVERNMENT (THRU THE DOH), OR DISTRIBUTED, SOLD OR OTHERWISE MADE AVAILABLE TO THE PUBLIC.**

**3. THOSE THAT HAVE BEEN DULY APPROVED AND DULY CERTIFIED BY THE FDA MUST BE PROCURED FROM, SOLD, DISTRIBUTED, OR DISPENSED BY, A DULY LICENSED PHARMACEUTICAL COMPANY AND A DULY LICENSED DRUG STORE, UPON THE PRESCRIPTION OF A QUALIFIED MEDICAL PRACTITIONER.**

➤ **THE SUPREME COURT HAS EMPHASIZED THAT “NOT A SINGLE CONTRACEPTIVE HAS YET BEEN SUBMITTED TO THE FDA PURSUANT TO THE RH LAW”.**

➤ **THEREFORE, THE FDA SHOULD EVALUATE AND TEST ALL CONTRACEPTIVE DRUGS AND DEVICES, INCLUDING THOSE THAT ARE ALREADY BEING PRESENTLY SOLD AND MADE AVAILABLE TO THE PUBLIC.**

### **WARNING OF THE SUPREME COURT**

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**“A HEAVY RESPONSIBILITY AND BURDEN ARE ASSUMED BY THE GOVERNMENT IN SUPPLYING CONTRACEPTIVE DRUGS AND DEVICES, FOR IT MAY BE HELD ACCOUNTABLE FOR ANY INJURY, ILLNESS OR LOSS OF LIFE RESULTING FROM OR INCIDENTAL TO THEIR USE.”**

#### **II. RIGHT TO HEALTH:**

**CONTRACEPTIVE DRUGS AND DEVICES THAT POSE RISKS TO THE HEALTH SHOULD NOT BE ALLOWED. (There are findings that contraceptives cause breast cancer, stroke, bleeding, etc.)**

#### **III. RELIGIOUS FREEDOM:**

➤ **PRINCIPLES OF “NON-COERCION” AND “CONSCIENTIOUS OBJECTION” IN THE PRACTICE OF RELIGION WERE APPLIED.**

➤ **CONSCIENTIOUS OBJECTORS REFER TO ALL HEALTH SERVICE PROVIDERS WHETHER PUBLIC OR PRIVATE, AS WELL AS INSTITUTIONAL HEALTH PROVIDERS (NON-MATERNITY SPECIALTY HOSPITALS AND HOSPITALS OWNED AND OPERATED BY RELIGIOUS GROUPS) AND SKILLED HEALTH PROFESSIONALS (PROVINCIAL, CITY OR MUNICIPAL HEALTH OFFICERS, CHIEFS OF HOSPITAL, HEAD NURSES, SUPERVISING MIDWIVES WHO BY VIRTUE OF THEIR OFFICE ARE SPECIFICALLY CHARGED WITH THE DUTY TO IMPLEMENT THE PROVISIONS OF THE RH LAW).**

➤ **CONSCIENTIOUS OBJECTORS MAY NOT BE COERCED TO PERFORM REPRODUCTIVE HEALTH SERVICE OR GIVE RELATED INFORMATION IF TO DO SO WOULD BE CONTRARY TO HIS RELIGIOUS BELIEF AND CONVICTION.**