

Facts on Abortion in the Philippines: Criminalization and a General Ban on Abortion

The Center for Reproductive Rights works nationally and internationally to expand access to reproductive healthcare for women around the world. We have conducted years of investigative research into the status of reproductive rights in the Philippines. The facts are as follows:

- **For over a century, abortion has been criminalized in the Philippines. The criminal provisions on abortion do not contain a clear exception allowing abortion, including to save the life of the pregnant woman or to protect her health.** Abortion was criminalized through the Penal Code of 1870 under Spanish colonial rule, and the criminal provisions were incorporated into the Revised Penal Code passed in 1930 under U.S. occupation of the Philippines. The criminalization of abortion has not prevented abortion, but instead has made the procedure unsafe and potentially deadly for the over half a million women each year who try to terminate their pregnancies. **In 2008 alone, the Philippines' criminal abortion ban was estimated to result in the deaths of at least 1,000 women and complications for 90,000 more.**¹
- **Physicians and midwives who perform abortions in the Philippines with the consent of a pregnant woman may face up to six years in prison under the Revised Penal Code.** These criminal punishments are supplemented by separate laws that prescribe sanctions for a range of medical professionals and health workers such as doctors, midwives, and pharmacists for performing abortions or dispensing abortifacients such as the Medical Act, the Midwifery Act, and the Pharmaceutical Act. According to these laws, these practitioners may have their license to practice suspended or revoked if caught engaging in abortion-related activities. **Women who undergo abortion for any reason may be punished by imprisonment for two to six years.**
- **Because of the lack of access to safe abortion, Filipino women with life-threatening pregnancies have no choice but to risk their lives, either through unsafe abortion or through continuation of high-risk pregnancies.** Poor women are particularly vulnerable to unsafe abortion and its complications, as they face barriers in obtaining effective means of family planning and lack access to reproductive health services. Common physical complications that arise from the use of such crude and dangerous methods include hemorrhage, sepsis, peritonitis, and trauma to the cervix, vagina, uterus, and abdominal organs.
- **The criminal abortion ban has stigmatized the procedure in the medical community, so that women face tremendous barriers and significant abuse when they seek treatment for abortion complications.** Filipino women who seek treatment for complications from unsafe abortion have repeatedly reported that the stigma around abortion means that healthcare workers are unwilling to provide care or only treat women after “punishing” those who have undergone abortions by threatening to report them to the police, harassing women verbally and physically, or delaying care. **Filipino women who have undergone unsafe abortions for health reasons report that healthcare workers have not been sympathetic to their situation, but instead continue to abuse and threaten them.**

- **The stigma surrounding abortion is perpetuated by the Government of the Philippines' acquiescence to the demands of the Catholic hierarchy, including the Catholic Bishops Conference of the Philippines (CBCP).** The strength of the Catholic hierarchy's influence in the Philippines was evident in 1987, when Catholic bishops and leaders succeeded in making the 1987 Constitution the first Philippines constitution ever to recognize a government obligation to protect "the life of the unborn from conception." The Government of the Philippines continues to permit the CBCP to undermine women's health even today by conceding to its demands to deprive women of a range of reproductive health services, including access to contraception for poor women, comprehensive family planning counseling, and sex education.

As a result of the criminal abortion law and the discriminatory environment in the Philippines, women are left without a means to control their fertility, exposed to unsafe abortions, and made vulnerable to abuse in the health system.

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Endnotes

¹ Alan Guttmacher Institute, *Meeting Women's Contraceptive Needs in the Philippines*, 1 In Brief 2 (2009), http://www.guttmacher.org/pubs/2009/04/15/IB_MWCNP.pdf.