

Arguing for the Relistment of Postinor and the Right to Emergency Contraception

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Postinor or more commonly referred to as the “morning after” pill is widely regarded as an emergency contraception. Emergency contraceptives are those “class of contraceptive measures which, if taken within a specified duration ... from unprotected intercourse or failed contraception, could effectively prevent an unwanted pregnancy.

In 2001, the Bureau of Food and Drugs recalled all sale and storage of Postinor and prohibited any further importation, prescription, or sale ruling the drug to be abortifacient. The Authors argue for the relistment of Postinor by comparing local legislation and views on abortion with global views on emergency contraception. From the 1987 Constitution to the 1950 Civil Code, as well as the Revised Penal Code, Republic Act No. 4729 (the law regulating the sale and distribution of contraceptive drugs), and the Child and Youth Welfare Code.

In contrast with abortion under foreign laws, views of the World Health Organization and the Medical Community, emergency contraception under foreign jurisprudence, increasing availability of emergency contraception, and access for victims of rape and sexual assault, it is argued that there are grounds for relisting Postinor.