

**2025.02 Amend the Canadian *Criminal Code* Section 223(1) Defining When a Child Becomes a Human Being**

**Resolved,** that national council of The Catholic Women's League of Canada in 105<sup>th</sup> national annual meeting of members assembled urges the federal government to amend Section 223(1) of the Canadian *Criminal Code* to align with 21<sup>st</sup> century scientific evidence of the embryonic and fetal stages of a human being's development from the moment of conception to birth therefore defining when a child becomes a human being.

**Brief: Amend the Canadian *Criminal Code* Section 223(1) defining when a child becomes a human being**

Section 223(1) of the Canadian *Criminal Code* is silent on preborn human beings and their right to life. The section requires amendment to recognize the existence of a human being in the womb, according to 21<sup>st</sup> century scientific evidence, such as the Carnegie Stages of Human Embryonic Development (O’Rahilly and Muller). In 2019, The Catholic Women’s League of Canada urged the federal government to honour its legal commitment to the United Nations *Convention on the Rights of the Child* by providing legal protection to children before birth (The Catholic).

Section 223(1) states, “A child becomes a human being... when it has completely proceeded, in a living state, from the body of its mother, whether or not (a) it has breathed; (b) it has an independent circulation; or (c) the navel string is severed” (Canada). The United Nations *Convention on the Rights of the Child* (1989), signed by Canada, May 28, 1990, states “the child, by reason of... physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth” (1). Furthermore, Article 6 states, “Parties recognize that every child has the inherent right to life” (3).

The Catholic church continues to affirm the intrinsic value and dignity of the human person from conception to natural death.

- “Human life must be respected and protected absolutely from the moment of conception. From the first moment of ... existence, a human being must be recognized as having the rights of a person – among which is the inviolable right of every innocent being to life” (Vatican 2270).
- “Dignitas Infinita” (“Infinite Dignity”), issued by the Dicastery for the Doctrine of the Faith and approved by Pope Francis on 2 April 2024, is the most recent Vatican document reaffirming that civil law must ensure respect for fundamental rights which inherently belong to each person with the inviolable right to life specifically affirmed as a primary fundamental right (Dicastery).

Science has established that human life begins at conception. Embryologists further subdivide human development during the embryonic period into 23 stages. This is known as the Carnegie Stages of Human Embryonic Development, the most reliable source for accurate scientific facts on the development of human beings (Contend; O’Rahilly and Muller; Tan et al.). “The conclusion that human life begins at sperm-egg fusion is uncontested, objective, based on the universally accepted scientific method of distinguishing different cell types from each other and on ample scientific evidence” (Condic).

The American College of Pediatrics further states,

“The predominance of human biological research confirms that human life begins at conception— fertilization. At fertilization, the human being emerges as a whole, genetically distinct, individuated zygotic living human organism, a member of the species *Homo sapiens*, needing only the proper environment in order to grow and develop. The difference between the individual in its adult stage and in its zygotic stage is one of form, not nature. This statement focuses on the scientific evidence of when an individual human life begins” (American).

Canadian Physicians for Life believes that human life begins at fertilization and maintain that physicians are responsible for both the mother and developing child during pregnancy (Canadian).

The federal government is urged to amend Section 223(1) of the *Criminal Code* to align with current scientific evidence from the Carnegie Stages of Human Embryonic Development.

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**Action Plan: Amend the Canadian *Criminal Code* Section 223(1) defining when a child becomes a human being**

1. Encourage members to raise awareness of the scientific inaccuracies in *Criminal Code* 223(1) by writing to the federal minister of justice and attorney general, urging the government to amend this section to reflect the scientific stages of human embryonic development.
2. Encourage councils to offer educational opportunities to members and parish communities to promote a culture of life (e.g. pro-life speakers, participation in pro-life events).
3. Encourage councils and members to build relationships with and participate in local pro-life group activities and events, especially efforts to advance recognition of preborn babies as human beings.