



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



House Bill No. 638

Introduced by CIBAC Party-List Representative
EDUARDO "BRO. EDDIE" C. VILLANUEVA

EXPLANATORY NOTE

Religious freedom is a cornerstone of a just, pluralistic, and democratic society. Enshrined under Section 5, Article III of the 1987 Philippine Constitution, the right of every person to freely profess and practice their faith—or to have none at all—is both a national and international obligation. The Philippines, being a signatory to numerous human rights instruments such as the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), is bound to uphold these liberties without fear, coercion, or discrimination.

However, despite these legal guarantees, numerous cases across sectors of society continue to reveal subtle and overt infringements on the freedom of religion and conscience. These may take the form of harassment, discrimination in employment and education, undue government interference in religious practices, or limitations on religious expression and worship.

This proposed measure—the Magna Carta on Religious Freedom Act—seeks to provide a comprehensive legal framework that clearly defines, protects, and promotes the right to freedom of religion and conscience. It also outlines the duties of the State and penalties for violations, ensuring that individuals and institutions are safeguarded from both state and non-state actors that may undermine these rights.

Key provisions of this measure include:

- Recognition of religious freedom as a fundamental and inalienable human right;
- Protection of individuals from coercion, discrimination, or violence due to religious belief or non-belief;
- Affirmation of rights such as worship, expression, propagation of belief, publication, organizational autonomy, and tax exemption for religious institutions;
- Establishment of a DOJ-led Religious Freedom Hotline to address violations; and
- Imposition of penalties for prohibited acts that curtail these freedoms.

Importantly, the bill balances freedom with responsibility, providing clear exceptions where regulation is necessary to uphold public safety, health, morals, and order, as long as such interventions use the least restrictive means.

This measure is not about giving special treatment to any faith group; rather, it is about ensuring that all persons—regardless of belief—are treated with dignity and equality before the law.

In a diverse and democratic nation such as ours, the passage of this Magna Carta is a vital step in protecting the conscience of every Filipino, promoting peaceful religious coexistence, and upholding the sacred right of every individual to believe, worship, or not believe—free from fear and oppression.



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AN ACT
PROTECTING THE RIGHT OF THE PEOPLE TO FREEDOM OF
RELIGION IN THE PHILIPPINES GUARANTEED UNDER SECTION 5,
ARTICLE III OF THE CONSTITUTION

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

3
4 **SECTION 1. Short Title.** - This Act shall be known as the "Magna
5 Carta on Religious Freedom Act."
6

7 **SEC. 2. Declaration of Policy.** - It is the declared policy of the State
8 to protect and uphold the fundamental and inalienable right of every
9 person to freely choose and exercise one's religion and beliefs and to act
10 and live according to one's conscience as guaranteed under Section 5,
11 Article III of the Constitution and other international human rights
12 instruments, including the Universal Declaration of Human Rights, the
13 International Covenant on Civil and Political Rights and the Declaration
14 on the Elimination on All Forms of Intolerance and Discrimination Based
15 on Religion and Belief, to which the State is a party or that it adheres
16 thereto.
17

18 The right of every Filipino to profess, practice, and propagate
19 religious beliefs must always be recognized, respected, allowed and
20 protected.

1 Towards this end, the State must ensure that no act of the
2 government or any of its agencies, instrumentalities, officers or employees
3 shall burden, curtail, impinge or encroach on the person's right to exercise
4 one's religious belief, freedom and liberty of conscience. In addition, the
5 government must also prohibit any act by a person, natural or juridical, or
6 any group of persons that burdens, curtails, impinges or encroaches on
7 the said right.

8
9 **SEC. 3. Definition of Terms.** - As used in this Act:

- 10
11 a. Atheism refers to the denial of the existence of a personal God or
12 deity, and shall be treated as a form of religion for the purpose of
13 entitlement to the protection of freedom of religion and conscience;
14
15 b. Child refers to any person below eighteen (18) years of age or older
16 but who is incapable of taking care or protecting oneself from abuse,
17 neglect, cruelty, exploitation or discrimination because of a physical
18 or mental disability or condition as defined under Republic Act No.
19 7610 as amended otherwise known as the Special Protection of
20 Children Against Abuse, Exploitation and Discrimination Act;
21
22 c. Conscience refers to a person's sense or conviction of right or wrong
23 whether or not such sense or conviction comes from a well-defined
24 religious belief;
25
26 d. Discrimination refers to any distinction, exclusion, restriction or
27 preference on the basis of a person's religion or conscience and
28 which has the purpose or effect of burdening, curtailing, impinging
29 or encroaching on the person's right to freedom of exercise of
30 religion and liberality of conscience;
31
32 e. Expression of religious belief or conscience refers to the outward or
33 overt manifestation of one's religious belief or conscience, whether
34 by speech, or action, sense or conviction of right or wrong, whether
35 or not such sense or conviction comes from a well-defined religious
36 belief;
37
38 f. Guardian refers to a legal guardian or any person, other than the
39 biological parents, who takes the responsibility of taking care of the
40 personal and property rights of a child;
41
42 g. Religion refers to a particular system of belief, faith, or "paniniwala"
43 concerning God or Higher Authority, whether personal or otherwise,

1 or a transcendent or divine deity or deities, as well as the
2 recognition, worship, obedience, or submission to said God or
3 Higher Authority, either by a fixed dogma, creed, set of doctrines or
4 belief, or code of conduct or lifestyle, or by an individual's sense of
5 appropriate or proper behavior, code, or lifestyle in relation to that
6 God or Higher Authority;

7
8 h. Religious Belief refers to a particular belief or set of beliefs held by
9 a particular religion, or by an individual person;

10
11 i. Religious Freedom refers to the freedom to change, adopt, or retain
12 one's religion or belief; or from coercion that would impair one's
13 freedom to have or adopt a religion or belief of one's choice, and to
14 manifest one's religion or belief in worship, observance, practice and
15 teaching, in public or private, either individually or in community with
16 others;

17
18 j. Religious group refers to a church, religious entity, religious
19 organization or group of persons who have formed together into a
20 congregation for the worship of a Higher Authority according to the
21 group's established doctrines and ceremonies whether or not the
22 same is registered with the government. For purposes of this Act,
23 the group does not need to be registered to be entitled to recognition
24 as a religious group.

25
26 **SEC. 4. Freedom of Religion and Conscience Protected.** - The
27 right of every person to freedom of religion and liberty of conscience, as
28 well as the free exercise or expression thereof, as defined and
29 enumerated in this Act, shall be protected by the State. It shall not be
30 denied, burdened, regulated, or curtailed even if it is a result of the rule of
31 general applicability of existing laws, except in the cases provided for in
32 Section 6 hereof.

33
34 **SEC. 5. Scope.** - This Act shall not apply to the act of the
35 Government in enacting laws in the exercise of its police power. If any
36 such law is declared unconstitutional, the law shall be invalidated but the
37 Government through its responsible officers, shall not be subjected to any
38 prosecution under this Act.

39
40 **SEC. 6. Exception Clause.** - The right of every person to freedom
41 of religion, or the free exercise thereof and liberality of conscience can be
42 denied, regulated, burdened, or curtailed only if it can be demonstrated
43 that:

- a. the free exercise of religious freedom or conscience of a religious group or individual results to violence; and
- b. it is necessary to protect public safety, public order, health, property and good morals

Further, the State shall ensure that in burdening, regulating, or curtailing religious freedom or freedom of conscience in the circumstances above-mentioned, the State shall adopt the least restrictive means. It shall also ensure that the measures taken do not become a basis, reason, or excuse for the defamation, discrimination, or infliction of physical harm, hostility, violence, war, or dissemination of propaganda or advocacy against any such person or group of persons whose expression of religious freedom or conscience is subject of burden, regulation, or curtailment under conditions stated in this Act.

SEC. 7. Right to Choose a Religion or Religious Group. - The State shall protect and promote the right of a person to freely choose one's religion, belief or religious group.

SEC. 8. Right to Exercise or Express Religious Belief, Practices, Acts or Activities. - The State shall protect and promote the right of a person to freely profess, exercise, manifest, or express religious belief, practices, acts or activities, either individually or in community with others and in public or private, without fear of discrimination subject to exceptions provided for under this Act.

SEC. 9. Right to Act in Accordance with Conscience. - The State shall similarly protect and promote the right of a person to act, without any form of coercion, in accordance with one's conscience: Provided, That the act does not inflict physical or material harm to any person, does not infringe on the religious freedom of others or is not contrary to morals, and laws on health, property, public order and safety.

SEC. 10. Right to Propagate Religious Beliefs. - The State shall protect and promote the right of a person to propagate one's religious belief without any form of coercion, subject to the exceptions provided for under this Act.

SEC. 11. Right to Disseminate Religious Publications. - The State shall protect and promote the right of a person to disseminate religious information or publication, in whatever form, kind or nature and through any platform such as broadcast, print, social media or other online platforms, subject to the exceptions provided for under this Act.

1 **SEC. 12. Right to Religious Worship and Ceremonies.** - The
2 State shall protect and promote the right to religious worship and
3 ceremonies, including that of indigenous cultural communities and
4 indigenous peoples, and to be free from interruption, disturbance,
5 violence, and threats thereto, subject to the exceptions provided for under
6 this Act.

7
8 **SEC. 13. Right to Organizational Independence.** - The State shall
9 protect and promote the right of a religious group to manage its own affairs
10 independent from political influence or control, subject to existing laws,
11 rules and regulations, and the exceptions provided under this Act.

12
13 **SEC. 14. Right Against Discrimination in Employment.** - The
14 State shall protect and promote the right of a person to equal opportunity
15 and treatment, and to be protected against discrimination in employment
16 on account of one's religious affiliation or belief.

17
18 **SEC. 15. Right to Freedom Against Discrimination in**
19 **Educational Institutions.** - The State shall protect and promote the right
20 of a person against discrimination on the basis of one's religion, religious
21 belief, religious group or moral sense or conviction in any educational
22 institution: Provided, That educational institutions that are founded on
23 religious beliefs or tenets shall be entitled to observe and oblige standards
24 or codes of behavior pursuant to their religious beliefs and disciplines.

25
26 **SEC. 16. Right of Companies or Businesses to be Founded on**
27 **Religious Belief.** - It shall be the right of business people and founders
28 or operators of business outfits to establish the companies, offices, or
29 operations, according to certain tenets of religious beliefs: Provided, That
30 the same are contained in writing and shall form part of the company's
31 vision and mission statements, in which case, such company or outfit shall
32 be accorded the guarantees provided for under this Act.

33
34 **SEC. 17. Right of Parents or Legal Guardians to Rear Children.**
35 - The State shall protect and promote the right of parents or guardians to
36 be at liberty in rearing their children according to their religion, belief, or
37 conscience: Provided, That the right of a child who has reached the age
38 of majority to choose a religious belief or practice a religion shall be
39 respected: Provided, further, That in such a case, parental authority under
40 Republic Act No. 386, otherwise known as the "Civil Code of the
41 Philippines, Executive Order No. 209, otherwise known as the "Family
42 Code of the Philippines," or Presidential Decree No. 603, otherwise known

1 as the "Child And Youth Welfare Code," as may be applicable, shall not
2 be deemed diminished in any way.

3
4 **SEC. 18. Right to Tax Exemption.** - The State shall protect the
5 right of churches or religious organizations formed and operating
6 exclusively for religious purposes to be exempted from the payment of
7 taxes on all its real properties that are actually, directly, and exclusively
8 used for religious purposes, pursuant to the provisions of the Constitution,
9 and as provided by law: Provided, however, That real properties of any
10 church or religious organization which are used for religious and/or
11 commercial and proprietary purposes shall be taxed accordingly with
12 respect to the non-religious purpose for which they generate income.

13
14 **SEC. 19. Prohibited Acts.** - It shall be unlawful for any person,
15 natural or juridical, to:

- 16
17 a. Compel a person, by means of force, threat, intimidation or
18 undue influence, to choose or not to choose a particular
19 religious group, or to subscribe to a particular religious belief:
20 Provided, That the practice of certain religious groups or faiths
21 of requiring either or both couples to be a member thereof
22 before marriage may be officiated shall not be prohibited;
23
24 b. Threaten a person with harm or exert undue influence or
25 pressure in order to prevent such person from changing one's
26 religion or belief or from transferring from one religious group
27 to another;
28
29 c. Compel a person, by means of force, threat, intimidation or
30 undue influence, to commit an act which is in violation of one's
31 religious belief or conscience;
32
33 d. Defame, harass, humiliate or offend a person by reason of
34 one's religious belief or the practice of such belief;
35
36 e. Obstruct, hinder or prevent the flow of and access to religious
37 information;
38
39 f. Hinder or prevent a person from exercising any act that is an
40 expression of one's religious belief;
41

- g. Perform or threaten to perform any act that constitutes or promotes stigma, hate or persecution of a particular religious belief, religious practice, or religious community;
- h. Perform or threaten to perform any act that effectively impedes, obstructs, prohibits, prevents or inflicts any harm or threatens to cause harm, or in any manner, prevents any person from freely and lawfully expressing and exercising one's religious beliefs;
- i. Compel a person, by means of force, threat, intimidation or undue influence to lawfully express and exercise religious beliefs against one's will;
- j. Obstruct, hinder, cause undue delay or unjustifiably refuse the production, or the valid and free distribution of religious publications: *Provided, That* such publications do not contradict the religious beliefs of the publishing company, and they do not violate any existing law;
- k. Exert undue influence over the decisions made by any leader or leaders of a religious community through monetary, political, social and personal gains as well as parochial interest;
- l. Deny employment to qualified applicants solely on the basis of religion;
- m. Sever or terminate employment of a person solely on the basis of one's adherence to religious belief;
- n. Maliciously and deliberately deny a religious institution or a person employed by a religious entity the tax exemptions they are entitled to; and
- o. Commit any other act that curtails or violates the rights of a person to religious freedom as provided for under this Act.

SEC. 20. Penalties. - Any person, natural or juridical, who violates Section 19 of this Act shall suffer the following penalties:

- a. For the first violation:

1 1. For a private individual - a fine of not less than One hundred
2 thousand pesos (P100,000.00) but not exceeding Five
3 hundred thousand pesos (P500,000.00), or imprisonment of
4 not less than six (6) years and one (1) day but not more than
5 eight (8) years, or both, at the discretion of the court;
6

7 2. For a juridical person - a fine of not less than One hundred
8 thousand pesos (P100,000.00) but not exceeding Five
9 hundred thousand pesos (P500,000.00), or imprisonment of
10 not less than six (6) years and one (1) day but not more than
11 eight (8) years, or both, at the discretion of the court, on the
12 official or employee directly liable and responsible for the
13 prohibited act.
14

15 *Provided, That for the juridical entity, a fine of Fifty thousand*
16 *pesos (P50,000.00) to Two hundred thousand pesos*
17 *(P200,000.00) shall be imposed on officers directly running*
18 *the operations of the juridical entity.*
19

20 b. For any subsequent violation:
21

22 1. For a private individual - a fine of not less than Five hundred
23 thousand pesos (P500,000.00) but not exceeding Two
24 million pesos (P2,000,000.00), or imprisonment of not less
25 than eight (8) years but not more than ten (10) years, or
26 both, at the discretion of the court;
27

28 2. For a juridical person - a fine of not less than Five hundred
29 thousand pesos (P500,000.00) but not exceeding Two
30 million pesos (P2,000,000.00), or imprisonment of not less
31 than eight (8) years but not more than ten (10) years, or
32 both, at the discretion of the court, on the official or
33 employee directly liable and responsible for the prohibited
34 act.
35

36 *Provided, That for the juridical entity, a fine of Two hundred*
37 *thousand pesos (200,000.00) to Five hundred thousand*
38 *pesos (P500,000.00) shall be imposed on officers directly*
39 *running the operations of the juridical entity: Provided,*
40 *further, That if the violation is committed by a corporation or*
41 *other juridical entity, the penalty provided in this Act shall be*
42 *imposed upon the directors, officers, employees or other*
43 *officials or persons therein responsible for the offense*

1 without prejudice to civil liabilities arising from the criminal
2 offense.

3
4 If the offender is a government employee or official, the accessory
5 penalty of perpetual disqualification from public office or employment shall
6 also be imposed.

7
8 If a violation of any of the acts prohibited herein is also an act
9 prohibited under the Revised Penal Code, the imposition of the higher
10 penalty shall apply.

11
12 **SEC. 21. Establishment of Religious Freedom Hotline.** - The
13 Secretary of the Department of Justice (DOJ) shall establish, maintain and
14 publicize a toll-free number to provide timely and accurate information and
15 respond to queries regarding the rights protected under this Act.

16
17 **SEC. 22. Prohibition Against the Establishment of a Religion by**
18 **the State.** - Nothing in this Act shall be construed to affect or diminish, in
19 any way, the meaning and intent of Section 5, Article 3 of the Constitution,
20 which prohibits the State from establishing any religion.

21
22 **SEC. 23. Implementing Rules and Regulations.** - Within ninety
23 (90) days from after the effectivity of this Act, the Secretary of the
24 Department of Justice, Department of Labor and Employment,
25 Department of Education, Commission on Higher Education, Legal
26 Education Board, Chairperson of the Commission on Human Rights,
27 Commissioner of the Bureau of Internal Revenue, Philippine Commission
28 on Women, National Commission on Indigenous Peoples, and the
29 National Commission on Muslim Filipinos shall, in coordination with other
30 concerned government agencies and in consultation with the
31 stakeholders, jointly formulate rules and regulations to implement the
32 provisions of this Act. The Chairperson of the CHR and the Secretary of
33 the DOJ shall act as the co-Chairpersons of the body that shall formulate
34 the IRR.

35
36 **SEC. 24. Separability Clause.** - If any provision or part hereof is
37 declared unconstitutional, the remainder of this Act or any provision not
38 affected thereby shall remain in full force and effect.

39
40 **SEC. 25. Repealing Clause.** - All laws, decrees, executive orders,
41 memorandum orders, memorandum circulars, administrative orders,
42 ordinances, or parts thereof, which are inconsistent with the right to

1 freedom of religion and liberty of conscience and the provisions of this Act,
2 are hereby deemed repealed or modified accordingly.

3
4 **SEC. 26. Effectivity.** - This Act shall take effect fifteen (15) days
5 after its publication in the Official Gazette or in a newspaper of general
6 circulation.

7
8 Approved,