

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. 2374



Introduced by **Representative RAYMOND ADRIAN SALCEDA**

AN ACT
INSTITUTIONALIZING A MAGNA CARTA FOR CHILDREN, ENUMERATING
THEIR RIGHTS, PROVIDING REALISTIC BENEFITS AND MANDATES FOR
THEIR PROTECTION AND DEVELOPMENT, STRENGTHENING
IMPLEMENTATION MECHANISMS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The welfare and protection of children are fundamental to the social and economic development of any nation. Children are not only the most vulnerable members of society but also the future of our country, deserving of every opportunity for growth, development, and well-being. Despite existing laws that provide for child protection and welfare, there remains a significant gap in the comprehensive, enforceable rights and benefits necessary for children to thrive in an ever-changing world.

The Philippines is a signatory to the United Nations Convention on the Rights of the Child (CRC), which underscores the universal principle that children should grow up in an environment that fosters their holistic development. Yet, according to the Philippine Statistics Authority (PSA), approximately 3.5% Filipino children aged 5-17 are involved in child labor, and many continue to face risks of exploitation, abuse, and neglect. Moreover, child education and health indicators still exhibit wide disparities, particularly for children from marginalized communities. Children in rural areas remain out of school due to lack of support, further exacerbating inequality in access to basic education.

This bill seeks to institutionalize the Magna Carta for Children, a comprehensive legal framework that enumerates the rights of children while establishing realistic benefits and mandates for their protection, survival, and development. It will strengthen implementation mechanisms for child welfare programs, ensuring that they are fully operational and universally accessible to all Filipino children, regardless of their socio-economic background or geographic location.

Key provisions of this bill include:

1. Enumeration of Children's Rights: The Act establishes a broad spectrum of children's rights, including civil, political, economic, social, and cultural rights. Among the rights

guaranteed are the right to life, survival, and development; protection from abuse and neglect; non-discrimination; and the right to participate in decisions affecting their lives.

2. **Access to Education and Healthcare:** It guarantees children's right to free, quality basic education, including early childhood care, as mandated by Republic Act No. 10410. It also ensures access to adequate healthcare services, including vaccinations, nutrition programs, and adolescent health services, as provided for under Republic Act No. 10354 (the Responsible Parenthood and Reproductive Health Act).
3. **Child Protection Programs:** The bill further strengthens child protection mechanisms by supporting the establishment of Child Protection Units at the barangay level, improving responses to cases of child abuse, neglect, exploitation, and trafficking. Republic Act No. 7610, the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, already outlines these protections, but this bill ensures more robust implementation through local government support and the creation of safe spaces for children in distress.
4. **Support for Children's Participation:** Recognizing children as active members of society, the bill promotes their participation in decision-making processes through child-led councils at the school and community levels. It ensures that children's voices are heard on issues impacting their welfare and development.
5. **Programs for Social Protection:** The bill proposes the expansion of social protection programs like the Pantawid Pamilyang Pilipino Program (4Ps), specifically targeting children living in poverty. By guaranteeing access to social services, it aims to break the cycle of poverty and provide opportunities for upward social mobility.

The State, under this Act, will align resources from the Special Education Fund (SEF), public-private partnerships, and local government units (LGUs) to enhance the implementation of these programs. Special attention will be given to underserved regions, with particular emphasis on rural and impoverished areas, to ensure that all children receive the support and protection they deserve.

In terms of implementation mechanisms, the bill mandates the creation of the Child Rights Convergence Program, which will ensure the coordination of efforts between national agencies such as the Department of Social Welfare and Development (DSWD), DepEd, DOH, TESDA, and local government bodies. This multi-agency collaboration will streamline and improve the delivery of child welfare services across the country.

Anti-corruption safeguards will also be put in place to ensure transparency in the disbursement of funds, which will be audited by the Commission on Audit (COA). LGUs will be required to allocate a portion of the SEF for child-focused programs, and those that excel in child welfare will be recognized with the Seal of Child-Friendly Local Governance, promoting a culture of accountability and excellence in local child protection efforts.

In view of the foregoing, the immediate approval of this measure is earnestly sought.

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

SECTION 1. *Short Title.* – This Act shall be known as the "Magna Carta for Children Act."

SEC. 2. *Declaration of Policy.* – The State shall recognize and protect the inherent dignity and inalienable rights of every child, as defined herein, in accordance with the 1987 Constitution, Republic Act No. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and the United Nations Convention on the Rights of the Child. It shall ensure the holistic development of children through comprehensive rights, accessible benefits, and enforceable mandates, prioritizing their survival, protection, participation, and development. The State shall leverage local government unit resources, foster public-private partnerships, ensure anti-corruption safeguards, and align with existing laws to promote child welfare, equity, and empowerment across all sectors of society.

SEC. 3. *Definition of Terms.* – For the purposes of this Act, the following terms are defined as follows:

(a) Child refers to any person below eighteen (18) years of age, or those over eighteen but unable to fully care for themselves due to physical or mental disability, as defined under Republic Act No. 7610;

(b) Child Rights refer to the civil, political, economic, social, and cultural rights of children, as enumerated in this Act, derived from the Constitution, national laws, and international commitments;

(c) Local Council for the Protection of Children (LCPC) refers to the council established under Presidential Decree No. 603, as amended, at the barangay, municipal, city, and provincial levels to coordinate child protection and welfare programs;

(d) Special Education Fund (SEF) refers to the fund established under Republic Act No. 5447, derived from a one percent additional tax on real property, administered by local school boards to support educational programs and facilities;

(e) Child Protection refers to measures and programs to prevent and respond to abuse, neglect, exploitation, and violence against children, as mandated by Republic Act No. 7610 and Republic Act No. 9344;

(f) Holistic Development refers to the integrated promotion of a child's physical, mental, emotional, social, and moral well-being to ensure their full potential;

(g) Child Participation refers to the active involvement of children in decision-making processes affecting their lives, in a manner consistent with their evolving capacities; and

(h) Seal of Child-Friendly Local Governance refers to the recognition awarded by the Council for the Welfare of Children and the Department of the Interior and Local Government to LGUs excelling in the Child-Friendly Local Governance Audit, signifying outstanding performance in child welfare programs.

SEC. 4. *Rights of Children.* – Every child in the Philippines shall be entitled to the following rights, which shall be protected and promoted by the State, local government units, and all sectors of society:

(a) Civil and Political Rights. Children shall enjoy fundamental freedoms and protections. These rights shall include the following:

(1) The right to life, survival, and development shall be upheld, ensuring access to basic needs and safety;

(2) The right to a name, nationality, and legal identity shall be guaranteed through timely birth registration, in accordance with Republic Act No. 10625;

(3) The right to non-discrimination shall be enforced, prohibiting distinctions based on sex, ethnicity, disability, religion, or socioeconomic status;

(4) The right to protection from abuse, neglect, exploitation, and violence shall be ensured through child protection programs; and

(5) The right to participation shall be promoted, allowing children to express their views in matters affecting them, consistent with their age and maturity.

(b) Economic and Social Rights. Children shall have access to resources and services for their well-being. These rights shall include the following:

(1) The right to free and quality basic education shall be provided, including early childhood care and development, as mandated by Republic Act No. 10410;

(2) The right to adequate healthcare shall be ensured, including free vaccinations, nutrition programs, and adolescent health services, under Republic Act No. 10354;

(3) The right to adequate nutrition and food security shall be upheld through school feeding programs and community-based nutrition initiatives;

(4) The right to a safe and healthy environment shall be protected, ensuring access to clean water, sanitation, and safe spaces; and

(5) The right to social protection shall be guaranteed, providing support for children in need through programs like the Pantawid Pamilyang Pilipino Program.

(c) Cultural and Developmental Rights. Children shall have opportunities to develop their talents and identity. These rights shall include the following:

(1) The right to cultural identity shall be respected, particularly for indigenous children, in accordance with Republic Act No. 8371;

(2) The right to play, recreation, and leisure shall be promoted through safe playgrounds and community sports programs;

(3) The right to access information shall be ensured, including age-appropriate digital and media literacy; and

(4) The right to holistic development shall be supported through arts, sports, and values education programs.

SEC. 5. *Benefits and Programs for Children.* – To operationalize the rights enumerated in Section 4, the State shall provide the following benefits and programs, funded through existing agency budgets and the Special Education Fund:

(a) Education and Development. Educational benefits shall ensure access and quality. The following programs shall be implemented:

(1) Free early childhood care and development programs shall be expanded in all barangays, in coordination with the Early Childhood Care and Development Council;

(2) Free basic education, including alternative learning systems for out-of-school children, shall be provided, as mandated by Republic Act No. 10533;

(3) Scholarships for indigent children shall be funded through the Special Education Fund and private sector partnerships; and

(4) Child-friendly learning environments, including accessible facilities for children with disabilities, shall be established in all public schools.

(b) Healthcare and Nutrition. Health and nutrition programs shall promote child survival and well-being. The following initiatives shall be undertaken:

(1) Free vaccinations and primary healthcare services shall be provided through the Department of Health's Universal Health Care Program;

(2) School-based feeding programs shall be expanded to address malnutrition, funded by the Department of Education and the Special Education Fund;

(3) Adolescent reproductive health education shall be integrated into school curricula, in accordance with Republic Act No. 10354; and

(4) Mental health support services for children shall be established in schools and communities, in coordination with the Department of Health.

(c) Child Protection and Social Services. Protection programs shall safeguard children from harm. The following measures shall be enforced:

(1) Child protection units shall be established in all barangays, staffed by trained social workers and linked to Local Councils for the Protection of Children;

(2) Safe spaces and temporary shelters for abused or neglected children shall be funded through the Department of Social Welfare and Development and the Special Education Fund;

(3) Juvenile justice programs, including diversion and rehabilitation for children in conflict with the law, shall be strengthened, as mandated by Republic Act No. 9344; and

(4) Anti-trafficking and anti-online sexual abuse programs shall be implemented, in coordination with the Inter-Agency Council Against Trafficking.

(d) Participation and Empowerment. Participation mechanisms shall amplify children's voices. The following programs shall be instituted:

(1) Child-led councils shall be established in schools and barangays to involve children in local governance;

(2) Digital literacy and online safety programs shall be integrated into school curricula to empower children in the digital age; and

(3) Community-based arts and sports programs shall be supported to foster creativity and leadership, funded by the Special Education Fund.

SEC. 6. *Mandates for Implementation.* – To ensure the effective realization of children's rights and benefits, the following mandates shall be enforced:

(a) National Government Agencies. National agencies shall lead policy implementation. The following responsibilities shall be assigned:

(1) The Department of Social Welfare and Development shall oversee child protection and social services, coordinating with Local Councils for the Protection of Children;

(2) The Department of Education shall integrate child rights education, mental health support, and participation mechanisms into the K-12 curriculum;

(3) The Department of Health shall provide free healthcare and nutrition programs, prioritizing underserved communities;

(4) The Council for the Welfare of Children shall monitor compliance with this Act, administer the Seal of Child-Friendly Local Governance, and submit annual reports to Congress; and

(5) The Commission on Human Rights shall investigate violations of child rights and recommend legal actions.

(b) Local Government Units. LGUs shall operationalize programs through local resources and aim for recognition through the Seal of Child-Friendly Local Governance. The following mandates shall be enforced:

(1) Local Councils for the Protection of Children shall be fully functional at all levels, with trained staff and annual budgets allocated from the Special Education Fund;

(2) A Child Welfare Plan, aligned with the Local Development Plan and approved by the local school board, shall be submitted to qualify for the Child-Friendly Local Governance Audit;

(3) A registry of children, including those with disabilities and in vulnerable situations, shall be maintained in coordination with the Department of Social Welfare and Development;

(4) A portion of the Special Education Fund, as determined by the local school board in accordance with Republic Act No. 5447, shall be allocated for child-focused programs, including education, health, and protection initiatives; and

(5) LGUs achieving the Seal of Child-Friendly Local Governance shall be prioritized for national grants and capacity-building programs, as determined by the Council for the Welfare of Children and the Department of the Interior and Local Government.

(c) Private Sector and Civil Society. Non-government stakeholders shall support implementation. The following roles shall be encouraged:

(1) Private sector partners shall provide scholarships, training, and infrastructure through public-private partnerships;

(2) Civil society organizations shall conduct advocacy, monitoring, and community-based child welfare programs; and

(3) Media organizations shall promote child rights awareness and responsible reporting on child-related issues.

SEC. 7. *Inter-Agency Convergence Program.* – The Child Rights Convergence Program, chaired by the Council for the Welfare of Children, is hereby established, with the Department of Social Welfare and Development, Department of Education, Department of Health, Department of the Interior and Local Government, Department of Budget and Management, Philippine Sports Commission, and Commission on Human Rights as members. The Program shall undertake the following:

(a) An annual Child Rights Implementation Plan targeting high-risk areas for child abuse, poverty, and exclusion shall be published;

(b) Special Education Fund allocations and national agency budgets for child-focused programs shall be coordinated under a unified framework;

(c) The Child-Friendly Local Governance Audit shall be conducted to evaluate LGU performance, with the Seal of Child-Friendly Local Governance awarded to qualifying LGUs; and

(d) LGU performance shall be monitored using the Department of the Interior and Local Government's Seal of Good Local Governance metrics, integrated with Child-Friendly Local Governance Audit results.

SEC. 8. *Anti-Corruption Safeguards.* – Disbursements from the Special Education Fund and national agency budgets for child-focused programs shall comply with Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, and be subject to audit by the Commission on Audit. Local government units, schools, and agencies shall publish fund utilization reports on their official websites to ensure transparency and accountability.

SEC. 9. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the Council for the Welfare of Children, in coordination with the Department of Social Welfare and Development, Department of Education, Department of Health, Department of the Interior and Local Government, and Commission on Human Rights,

shall promulgate the implementing rules and regulations to ensure effective execution of this Act.

SEC. 10. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the Department of Social Welfare and Development, Department of Education, and Department of Health. Subsequent funding shall be included in the annual General Appropriations Act, supplemented by Special Education Fund allocations from local government units.

SEC. 11. *Separability Clause.* – If any provision of this Act is declared unconstitutional, the remaining provisions shall remain in full force and effect.

SEC. 12. *Repealing Clause.* – All laws, decrees, executive orders, rules, and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,