

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 5935



Introduced by **REPRESENTATIVE AUDREY KAY T. ZUBIRI**

**AN ACT
PROVIDING FOR THE MAGNA CARTA OF CHILDREN**

EXPLANATORY NOTE

Children and the youth are the foundation of a nation's future. Their well-being, development, and protection are crucial to building a just, progressive, and inclusive society. In recognition of this, the State affirms its obligation to uphold and promote the rights and potential of all children, ensuring they are provided with sufficient care, support, and opportunities necessary to thrive.

Section 13, Article II of the 1987 Philippine Constitution recognizes the vital role of the youth in nation-building and commits to promoting and protecting their physical, moral, spiritual, intellectual, and social well-being. This commitment is further reinforced by Section 3 (2), Article XV which mandates the State to defend the right of children to assistance - including proper care and nutrition - and to provide special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions detrimental to their development.

However, despite these constitutional provisions and existing child protection policies, available data paints a troubling picture. According to the data in 2022 from the UNICEF, 3 in 5 children or nearly 60% percent of children in the Philippines have experienced at least one form of violent discipline. 11.6 million of which have experienced physical aggression, 9.1

million were subjected to forms of physical punishment while 800,000 of them were subjected to severe physical punishment¹.

To reinforce the State’s commitments, the Magna Carta of Children seeks to enshrine into law the principles and obligations set forth in the United Nations Convention on the Rights of the Child (UNCRC) specifically by recognizing that all persons under 18 as rights holders are entitled to full protection, participation, and development. It obligates governments to ensure every child’s survival, development, protection, and meaningful participation in society.

The Magna Carta of Children establishes a framework for the holistic development of children - encompassing their physical, mental, spiritual, moral, psychological, social, environmental, and cultural growth.

The bill also affirms fundamental rights, including the right to identity, the right to have their best interests upheld, the right to a clean, healthy, and sustainable environment, the right to health and nutrition, and the right to confidential advice. In addition, it introduces stronger protective measures against child abuse, neglect, and early or forced marriage—factors that severely hinder children's well-being and potential.

In view of the foregoing, the passage of this bill is earnestly sought with the goal of establishing a comprehensive legal framework that affirms the State’s constitutional mandate and international commitments for the rights and welfare of Filipino children.


AUDREY KAY T. ZUBIRI
Representative, 3rd District of Bukidnon

¹<https://www.philstar.com/headlines/2024/10/31/2396617/over-half-philippines-kids-suffer-violent-discipline-unicef>

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

CHAPTER I

GENERAL PROVISIONS

SECTION 1. *Short Title.* - This Act shall be known as “*The Magna Carta of Children*”.

SEC. 2. *Declaration of Policy.* — It is hereby declared the policy of the State to:

- a. Recognize children as bearers of human rights, value the dignity of every child, and guarantee respect for the human rights of the child;
- b. Exert every effort to protect, respect, and fulfill the rights of children as unique and valuable human beings with individual personalities, distinct needs, interests, and privacy;
- c. Recognize that children require special protection and care due to their unique and particular vulnerabilities, developing capacities, and evolving psychological maturity;
- d. Acknowledge the crucial role of children in nation-building by actively promoting and protecting their physical, moral, spiritual, intellectual, and social well-being, fostering patriotism and nationalism and encouraging responsible engagement in public and civic affairs;
- e. Ensure that institutions, services, and facilities responsible for the care or protection of children adhere to the standards set by competent authorities;
- f. Undertake and implement all appropriate legislative, administrative, and other measures to uphold the civil and political rights of children;
- g. Protect children from environmental risks and climate change, and provide remedies for related impacts, or challenges, or climate stressors;
- h. Ensure the realization of the United Nations Convention on the Rights of the Child (UNCRC) by respecting, protecting, and fulfilling children's rights and by taking

proactive measures to prevent any actions or omissions that could violate the Convention;

- i. Respect the responsibilities, rights, and duties of parents, parent-substitutes, extended family, or community, as defined by local customs;
- j. Actively discourage harmful traditional and cultural practices that foster discrimination, abuse, and exploitation of children;
- k. Safeguard the fundamental rights of children before, during, and after disasters and emergencies that threaten their survival and development;
- l. Provide special protection to children in situations of armed conflict from all forms of abuse, violence, neglect, discrimination, and other conditions prejudicial to their development, taking into consideration physical and mental capacity, gender, culture, ethnicity, and religion;
- m. Encourage the relevant agencies and organizations to formulate guidelines or standards for the conduct of a mandatory Work with Children Check for employees or personnel directly working or engaging with children to confirm their eligibility and suitability for working with children;
- n. Protect, rehabilitate, and reintegrate children severely threatened by circumstances beyond their control that impact their survival and development; and
- o. Fully implement and comply with all international treaties and conventions on children's rights to which the Philippines is a signatory or State Party. These include the Universal Declaration of Human Rights, the International
- p. Labour Organization (ILO) Convention No. 182 on the Elimination of the Worst Forms of Child Labor, the UN Convention Against Transnational Organized Crime and its Protocols, the ASEAN Convention against Trafficking in Persons, Especially Women and Children, and other relevant human rights instruments.

SEC. 3. Guiding Principles of the Rights of the Child. — The State shall respect, protect, and fulfill children's rights by taking proactive measures to prevent any acts or omissions that may violate the UNCRC as well as adopting a child-rights based approach to childcare and protection. To this end, the State shall be guided by the following principles:

- a. **Non-discrimination.** - The State shall ensure and uphold the rights of all children within its jurisdiction without discrimination of any kind, regardless of the child's or parent's, or parent-substitute's race, gender, sexuality or sexual orientation, color, sex, language, religion, political views or opinion, nationality, ethnicity or social origin, membership in indigenous cultural communities/indigenous peoples (ICCs/IPs), asylum-seeking, refugee or migrant status, property, disability, birth, family situation, or any other status.

The State shall take all appropriate measures to protect children from all forms of discrimination or punishment based on the status, activities, expressed opinions, or beliefs of their parents, parent-substitutes, or family members;

- b. **Life, survival, and development.** - The State shall acknowledge every child's inherent right to life and ensure, to the fullest extent possible, their survival and holistic development, encompassing physical, mental, spiritual, moral, psychological, social, environmental, and cultural growth and development;
- c. **Participation.** - The State shall uphold the right of children to freely express views on matters affecting them, giving due weight to these views based on the child's evolving

capacities. To this end, the State shall ensure that children must have the opportunity to be heard in judicial, legislative, and administrative proceedings, either directly or through a representative, in a manner consistent with existing laws; and

- d. ***Best interest of the child.*** — In all actions concerning children whether undertaken by public or private institutions, courts of law, legislative bodies, or administrative authorities — the best interests of the child shall be a primary consideration.

CHAPTER II

DEFINITION OF TERMS

SEC. 4. *Definition of Terms.* — As used in this Act:

- a. ***Acquired Immune Deficiency Syndrome (AIDS)*** refers to a health condition resulting from infection with the Human Immunodeficiency Virus (HIV), which weakens the immune system, making an individual susceptible to opportunistic infections;
- b. ***Best interest of the child*** refers to the totality of the circumstances and conditions that are most conducive to the survival, protection, and feelings of security of the child and most encouraging to the child's physical, psychological, and emotional development. It also refers to the least detrimental alternative available for safeguarding the growth and development of the child;
- c. ***Child*** refers to a person below eighteen (18) years of age, or persons eighteen (18) years or older who are unable to fully care for or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination due to a physical or mental disability or condition. Existing laws that extend this definition to persons over the age of eighteen (18) shall also be recognized;
- d. ***Child-friendly Healthcare Approach*** refers to a rights-based approach grounded on child-specific developmental needs and evolving capacities, ensuring children's participation at every level of decision-making, in accordance with their age and degree of maturity;
- e. ***Child-friendly Spaces*** refer to spaces where communities create nurturing environments for children to engage in free and structured play, recreation, leisure and learning activities. The child-friendly space may provide health, nutrition, and psychosocial support, and other services or activities which will restore their normal functioning;
- f. ***Child in Conflict with the Law (CICL)*** refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under Philippine laws;
- g. ***Child-Inappropriate Content*** refers to any material that: (a) is illegal, or (b) though not illegal, may nevertheless be harmful, detrimental to, or otherwise endanger, the well-being of children. The term includes content that: (i) exposes children to scams, identity theft, pornography, explicit content, hate speech, harassment, discrimination, cybercrimes, or similar activities; (ii) encourages children to cause

harm or violence upon themselves or to others; or (iii) enables children to acquire goods or services, or to enter into any transaction, which they would otherwise be unable to do in person without the consent of their parents, parent substitutes or legal guardians;

- h. ***Child Labor*** refers to work or economic activities performed by children that subject them to any form of abuse or exploitation; or conditions that deprive them of their childhood, potential, and dignity. It encompasses work and activities that are harmful or dangerous to a child's health, safety, or physical, mental, or psychosocial development. It also includes activities that interferes with children's education by depriving them of the opportunity to attend school, forcing them to leave school prematurely, or requiring them to combine schooling with excessively long and heavy work;
- i. ***Child Protection*** refers to measures, structures, and activities designed to prevent and respond to abuse, neglect, exploitation, and violence affecting children. It includes the promotion of their development and psychosocial well-being;
- j. ***Child Sexual Abuse or Exploitation Material or Child Sexual Abuse Material (CSAEM/CSAM)*** refers to any representation, whether offline, or by, through or with the use of information and communications technology (ICT), by means of visual, video, audio, written, or any combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means, of a child engaged or involved in real or simulated sexual activities, or depicting acts of sexual abuse or exploitation of a child as a sexual object. It shall also include materials that focus on the genitalia or other private body parts of a child;
- k. ***Children At Risk of Statelessness*** refer to children who are not stateless but have difficulty in proving that they meet the legal requirements set by law for the acquisition of nationality, or those whose nationality status are doubtful, undetermined, or unknown;
- l. ***Children in Need of Special Protection*** refer to Filipino children, within or outside the Philippines, who are: abandoned, neglected, abused, or exploited; with disabilities; victims of sexual abuse, exploitation, or other forms of sexual violence; victims of trafficking; runaways; involved in worst forms of child labor; at risk or in conflict with the law; affected by or involved in illicit drug use, possession, or sale; affected by the war on drugs; found in street situations or in armed conflict areas; members of ICCs/IPs; internally displaced; refugees, stateless, or applying for refugee or stateless status, or at risk of statelessness; offsprings of person deprived of liberty; living with HIV/AIDS or other sexually transmitted infections; victims of natural or human-made disasters; or experiencing any analogous condition that is harmful to their development;
- m. ***Children in Street Situations (CISS)*** refer to: (a) children who rely on the streets for livelihood, whether they live or work there alone, with peers, or alongside family members; and (b) a broader group of children who have developed strong connections to public spaces, where the street is integral to their daily lives and identities;

- n. ***Children Seeking Asylum/Asylum-Seeking Children or Children Applying for Stateless Status*** refer to children who have submitted an application for refugee or stateless status, by themselves or with the help of a representative;
- o. ***Children with Disabilities*** refer to children who have long-term physical, mental, intellectual, or sensory impairments, which, in interaction with various barriers may hinder full and effective participation in society on an equal basis with others;
- p. ***Comprehensive Newborn Screening System*** refers to a newborn screening system that includes education of relevant stakeholders; collection and biochemical screening of blood samples taken from newborns; tracking and confirmatory testing to ensure the accuracy of screening results; clinical evaluation and biochemical/medical confirmation of test results; drugs and medical/surgical management and dietary supplementation to address the heritable conditions; and evaluation activities to assess long term outcome, patient compliance and quality assurance;
- q. ***Evolving Capacities of a Child*** refers to the principle that children in different environments and cultures with varying life experiences, acquire competencies at different ages, with the process varying according to circumstances. Competence is not merely a function of age, but shaped by experience, cultural context, and the level of parental support and expectation;
- r. ***Human Immunodeficiency Virus (HIV)*** refers to a retrovirus that infects and impairs cells of the human immune system, compromising their function and leading to a weakened response;
- s. ***Internally Displaced Children*** refer to children who have been forced or obliged to flee their homes or places of habitual residence, due to armed conflict, situations of generalized or organized violence, violations of human rights, implementation of development projects, clan wars, or natural or human-induced or human-made disasters and hazards, or other circumstances without crossing international borders;
- t. ***Non-Refoulement*** refers to a fundamental principle of international human rights and refugee law, which prohibits any State from expelling or returning ("refouler") refugees to a country where their life or freedom would be at risk. This applies specifically when the threat arises due to the individual's race, religion, nationality, membership in a particular social group, or political opinion. Non-refoulement is also recognized as customary international law, making it binding on all States;
- u. ***Online Sexual Abuse or Exploitation of Children (OSAEC)*** refers to the use of ICT as a means to abuse and/or exploit children sexually, which includes cases in which offline child abuse and/or exploitation is combined with an online component. This can also include, but is not limited to, the production, dissemination, and possession of CSAEM; online grooming of children for sexual purposes; sexual extortion of children, sharing image based sexual abuse; commercial sexual exploitation of children; exploitation of children through online prostitution; and live-streaming of sexual abuse, with or without the consent of the victim: Provided, That OSAEC may be used interchangeably with online child sexual exploitation or abuse (OCSEA);

- v. ***Parent-Substitute*** refers to a person other than the biological parent who has custody over a child and is primarily responsible for the child's care, and physical, moral, and intellectual development, such as foster care parents, legal guardians, and care providers: Provided, That surrogate parents shall secure a certification from the proper office of the Department of Social Welfare and Development (DSWD) confirming them as a parent substitute;
- w. ***Participative Network Platform Providers*** refer to any person or entity, including a social media intermediary, that facilitates social communication and information exchanges which are based on online technologies such as web, instant messaging, or mobile technologies, that enable users to contribute to developing, rating, collaborating and distributing internet content and developing and customizing internet applications or to conduct social networking. It may also refer to a person or an entity that provides a platform or site for blogging, video-sharing, picture-sharing, file-sharing sites, online gaming or instant messaging, among others;
- x. ***Physical and Humiliating Punishment*** refers to the use of physical force intended to cause pain or discomfort to a child. It also refers to other forms of punishment that debase, degrade, or demean the intrinsic worth and dignity of the child, or cause a child to feel belittled, humiliated, denigrated, scapegoated, threatened, scared, or ridiculed;
- y. ***Positive Parenting*** refers to a non-violent and solution-focused parenting approach that teaches and guides children while respecting their rights to healthy development, protecting them from violence, and encouraging their participation in learning. This parenting mechanism is achieved by providing a warm and caring environment, building the child's competence and confidence, assisting the child in understanding and abiding by rules, fostering healthy relationships, and teaching the child life-long skills and respect for human rights. It is based on the principles of child's rights and development and effective teaching and parenting;
- z. ***Reasonable Accommodation*** refers to necessary and appropriate modifications and adjustments, provided they do not impose a disproportionate or undue burden. These accommodations are made when needed in specific cases to ensure that children with disabilities can enjoy and exercise all human rights and fundamental freedom on an equal basis with others;
- aa. ***Refugee Child*** refers to a child who, due to a well-founded fear of persecution based on race, religion, nationality, membership in a particular social group, or political opinion, is outside their country of nationality and is unable or, due to such fear, unwilling to avail themselves of the protection of that country; or who, being stateless and outside their country of habitual residence, is unable or, due to such fear, unwilling to return;
- bb. ***Restorative Justice*** refers to a principle that emphasizes resolving conflicts through the active involvement of the victim, the offender, and the community. Its objectives include obtaining reparation for the victim, achieving reconciliation between the offender, the offended, and the community; and ensuring the offender's reintegration into society. Restorative justice also aims to enhance public safety by involving all parties in preventive strategies;

- cc. ***Stateless Child*** refers to a child who is not recognized as a national by any State under the operation of its laws;
- dd. ***Traditional Media*** refers to established forms of communication, such as newspapers, radio, television, and billboards among others;
- ee. ***Unaccompanied Child*** refers to a minor who has been separated from both parents and other relatives and is not being cared for by an adult who, by law or custom, bears responsibility for their care;
- ff. ***Violence Against Children*** refers to any act that inflicts physical, emotional, or sexual harm, Injury, abuse, neglect, maltreatment, or exploitation on children, including commercial exploitation and acts perceived as discipline or tradition. This includes actions that hinder a child's development and result in actual or potential harm to their health, survival, development, or dignity within a relationship of responsibility, trust, or power. Violence against children can occur in various settings, such as the home, school, community, workplace, public spaces, and cyberspace, and may also arise from or be exacerbated by forced displacement and statelessness;
- gg. ***Work with Children Check*** (WWCC) refers to a screening process for institutions, whether government, private, commercial or non-profit, that engage directly with children. This process involves a thorough review of applicants' and employees' relevant personal and professional histories to ensure the protection of children from all forms of harm. By implementing this check, agencies and organizations can help create safer environments and uphold the rights of children; and
- hh. ***Worst Forms of Child Labor*** refer to any of the following:
 - (1) All forms of slavery, as defined under the Republic Act (RA) No. 9208, as amended, otherwise known as the "Anti-Trafficking in Persons Act of 2003", or practices similar to slavery, such as sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including the recruitment of children for use in armed conflict; or
 - (2) The use, procuring, offering, or exposing of a child for prostitution, for the production of pornography or for pornographic performances; or
 - (3) The use, procuring or offering of a child for illegal or illicit activities, including the production and trafficking of dangerous drugs and volatile substances prohibited under existing laws; or
 - (4) Work which, by its nature or the circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children.

CHAPTER III

DUTIES RELATED TO THE HUMAN RIGHTS OF CHILDREN

SEC. 5. *The State as the Primary Duty-Bearer.* — The State serves as the primary duty-bearer of child rights, with the responsibility to respect, protect, and fulfill these rights.

This includes refraining from any form of discrimination or interference with children's rights, preventing violence and abuse, and taking proactive measures to realize these rights. To this end, the State must establish a comprehensive child protection system, ensuring that effective, age-sensitive, and gender-transformative mechanisms are in place.

The State shall take necessary steps to implement the provisions of this Act by adopting child-sensitive policies, guidelines, rules and regulations. This includes ensuring that businesses respect children's rights through appropriate regulation, enforcement, monitoring, coordination, collaboration, and awareness-raising initiatives. The State shall also require businesses to conduct child rights due diligence to identify, prevent, mitigate, and address their impact on children's rights, including their right to a healthy environment.

The provisions of this Act shall not affect other laws, policies, or measures that promote the realization of children's rights and well-being. Customs, traditions, cultural practices, or religious beliefs inconsistent with the rights and obligations outlined in this Act shall be discouraged to the extent of that inconsistency.

The duties of the State shall extend to all agencies, branches, subdivisions, and instrumentalities at all levels of government, including government-owned or controlled corporations, in accordance with the 1987 Philippine Constitution and applicable laws defining the specific responsibilities of concerned state entities.

SEC. 6. *Role of Parents and Parent-Substitutes.* — In the exercise of rights under this Act, a child shall remain under the authority of his or her parents or legal guardians. Nothing in this Act shall be construed as a waiver, diminution, or abrogation of the rights and prerogatives of parents or legal guardians, nor shall it relieve them of their corresponding duties and responsibilities toward their children.

Parents, parent-substitutes, or other persons legally responsible for the child shall provide appropriate direction and guidance that align with the evolving capacities of the child in exercising their rights. They shall promote and employ positive and non-violent parenting techniques in raising their children.

SEC. 7. *Role of the Private Sector.* — The private sector shall respect children's rights and act with due diligence to prevent any infringement upon those rights. They shall assess and identify the impact of their operations on children's rights and conduct their business in a manner that respects, protects, and promotes those rights. They shall support the enforcement of applicable labor laws to ensure that all employed children enjoy a safe and just working environment; are protected from abuse, exploitation, and all forms of violence in the workplace; receive fair compensation, benefits, and entitlements; and are able to participate in matters relating to their employment.

SEC. 8. *Role of the Media and Participative Network Platforms.* — Both traditional media and participative network platforms, whether public or private, shall disseminate information and materials that promote the social, cultural, spiritual, moral, physical, and mental well-being of children. They shall also engage in international cooperation for the production, exchange, and dissemination of such content. They shall take due regard to the linguistic needs of children belonging to minority groups, or ICCs/IPs, and those with disabilities. They shall develop appropriate guidelines to protect children from inappropriate content, information, or material that may harm their well-being while also respecting the

dignity and privacy of children, providing them with a platform for free participation. The best interests of the child shall be prioritized when posting, publishing, or airing any material or data about the child. Furthermore, media and network platforms shall raise public awareness about children's rights, promote positive shifts from harmful attitudes and practices, and inspire action to address and prevent violations of these rights. They are encouraged to feature positive stories of children's individual and collective actions that contribute to community and societal change.

SEC. 9. *Role of Civil Society Organizations (CSOs).* — CSOs play crucial roles in promoting and safeguarding children's rights, and the State shall respect their independence. The CSOs shall ensure safe and inclusive spaces for children's participation; actively listen to and consult with children on programs and initiatives that directly or indirectly impact them; and promote collaboration, convergence, and synergy CSOs, fostering multi-sectoral and interdisciplinary cooperation to effectively address the diverse challenges faced by children.

CHAPTER IV

THE RIGHT TO LIFE AND SURVIVAL

SEC. 10. *General Principles.* — The State shall recognize that every child, regardless of status or background, has the inherent right to life. This encompasses the fundamental necessities for a healthy and fulfilling existence: the right to proper nutrition, adequate clothing, safe shelter, medical attention, and all other essential resources. The State shall ensure, to the maximum extent possible, the survival and development of the child. Respecting the right to life includes safeguarding against deprivation of life, and the death penalty shall not be imposed for crimes committed by children.

TITLE I

NATIONALITY AND IDENTITY

SEC. 11. *Right to Nationality and Registration after Birth.* — Every child has the right to a name and nationality, as well as the right to be promptly registered immediately after birth. Children also have the right to know and be cared for by their parents and families. In cases of delayed registration, the State shall uphold and fulfill children's right to be registered in accordance with their best interests, ensuring that registration occurs without unnecessary delay: Provided, That the State shall facilitate the free, accessible, and timely birth registration for all children, especially in geographically isolated and disadvantaged areas.

SEC. 12. *Right to Identity.* — Every child has the right to identity, encompassing name, nationality, and family relations, including other aspects or dimensions of identity which may lead to discrimination and exclusion, such as sex, gender identity, ethnicity, cultural identity, religion, disability, and social status. To this end, the State shall:

- a. Recognize the right of children to self-identification, according to sex, gender, religion, ethnicity, cultural identity, and disability;
- b. Respect the right of children to preserve their identity, nationality, name, and family relations as recognized by law, free from unlawful interference;

- c. Ensure that the best interests of the child is the paramount consideration in any modifications to the child's identity. The State shall maintain comprehensive records of such modifications and ensure availability and accessibility in perpetuity;
- d. Facilitate the speedy restoration of a child's identity in cases of incomplete or falsified identity, particularly in contexts such as adoption, child marriage, child trafficking, children in situations of armed conflict and in street situations, and similar contexts;
- e. Provide appropriate assistance and protection to children illegally deprived of elements of their identity, aiming for a prompt re-establishment of their identity; and
- f. Take measures to address legal discrimination against children born to unmarried parents.

TITLE II

ADEQUATE STANDARD OF LIVING

SEC. 13. *Right to Adequate Standard of Living.* — Every child has the right to an adequate standard of living, and equal opportunities from the earliest stage of life to support their physical, mental, spiritual, moral, and social development. To this end, the State shall:

- a. Acknowledge that parents are primarily responsible for the upbringing and nurturing of children, always considering the best interests of the child;
- b. Support the natural and primary rights and duties of parents in raising children, thereby fostering moral character and civic responsibility. All family members should strive to create a wholesome and harmonious home environment, recognizing that the atmosphere and conditions significantly influence a child's development;
- c. Ensure that institutions, services, and facilities responsible for the care and protection of children adhere to standards set by competent authorities and provide necessary support and intervention;
- d. Provide assistance to parents and parent-substitutes to enhance the ability to nurture their children's well-being through family strengthening programs and the promotion of positive parenting practices that are free from violence and humiliation; and
- e. Ensure that no child is separated from their parents against their will, except when competent authorities determine, subject to judicial review and in accordance with applicable laws and procedures, that such separation is necessary for the best interests of the child.

TITLE III

CLEAN, HEALTHY, AND SUSTAINABLE ENVIRONMENT

SEC. 14. *Right to a Clean, Healthy, and Sustainable Environment.* — Every child has the right to live in a clean, healthy, and sustainable environment. The fulfillment of this right is grounded on the principle of intergenerational equity, ensuring long-term sustainability and the protection of the rights of both present and future generations. To this end, the State shall:

- a. Protect the climate system for the benefit of children, based on the principles of equity and in accordance with shared but differentiated responsibilities and capabilities;
- b. Implement and enforce laws and regulations that set minimum standards for air quality, water quality, and waste management to protect children 's health and well-being;
- c. Integrate environmental education into school curricula, empowering children to understand environmental issues and encouraging their participation in sustainability initiatives;
- d. Facilitate opportunities for children to engage in community environmental projects, such as tree planting, clean-up drives, and conservation efforts, fostering a sense of responsibility and stewardship;
- e. Conduct regular assessments of environmental conditions in communities, ensuring that impacts to children's health are considered in environmental planning and decision-making;
- f. Guarantee access to safe, clean, and accessible spaces, parks, and recreational areas for children, promoting physical and mental well-being;
- g. Implement measures to identify and mitigate environmental hazards, including pollution, toxic substances, and climate-related risks, that disproportionately affect children;
- h. Create mechanisms for children's voices to be heard in environmental policymaking, ensuring their perspectives and concerns are considered;
- i. Encourage families and communities to adopt sustainable practices, such as recycling, conservation, and responsible consumption, to foster a culture of environmental responsibility;
- j. Guarantee that all children have access to clean drinking water and adequate sanitation facilities, essential for their health and development;
- k. Establish a framework for monitoring and reporting on the realization of children's environmental rights, ensuring accountability and transparency;
- l. Conduct child rights impact assessments at critical stages of the decision-making process, as well as in the follow-up of implemented measures. These assessments shall include the participation of children, with findings published in child-friendly language and in the languages used by the children;
- m. Encourage the media and all platforms to disseminate accurate information and materials regarding the environment, ensuring that children are equipped to understand how climate-related decisions affect their rights; and
- n. Adopt cross-sectoral measures to address the drivers of violence against children linked to environmental degradation.

TITLE IV

HEALTH AND NUTRITION

SEC. 15. *Right to Health and Nutrition.* — Every child has the right to the highest attainable standard of healthcare and access to facilities for the treatment of illnesses and rehabilitation of health, irrespective of age, nationality or lack thereof, social status, relationships, gender, or sexuality. To this end, the State shall:

- a. Ensure that no child is deprived of access to healthcare and services;

- b. Adopt an integrated, child-friendly healthcare approach to encompass the full range of child health activities, taking into consideration the child's family, physical, and social environment;
- c. Deliver health services through an integrated, child-friendly healthcare approach, ensuring that mothers, infants, and children receive essential medical care in both routine and emergency settings under favorable conditions;
- d. Guarantee access to safe, nutritious, and sufficient food to support healthy growth and development;
- e. Eliminate all forms of malnutrition, including stunting during the first one thousand (1,000) days of life and wasting in children under five (5) years of age;
- f. Address the nutritional needs of adolescent girls, pregnant, and lactating women, promote exclusive breastfeeding for the first six (6) months of life, remove barriers to breastfeeding and lactation in all settings, and prohibit the distribution of donations, gifts, articles, utensils, or any items that may promote the use of breastmilk substitutes or bottles for infants in emergencies;
- g. Reduce maternal mortality rate, eliminate preventable deaths of newborns and children under five (5) years of age, and reduce neonatal mortality;
- h. Implement universal and comprehensive newborn screening to identify infants at risk for specific genetic and congenital disorders, facilitating early intervention and support services for families;
- i. Ensure universal access of all children to gender-sensitive and inclusive sexual and reproductive healthcare and services, including family planning, comprehensive sexuality education, and the integration of reproductive health services;
- j. Establish a universal health coverage to ensure access to quality essential health care services and safe, effective, quality, and affordable medicines and vaccines for all, with a focus on routine immunization and the eradication of vaccine-preventable diseases;
- k. Ensure that policies and programs concerning the prevention, care, and treatment of HIV and AIDS adopt a child's rights-based approach, guaranteeing confidentiality, non-discrimination, and non-stigmatization, while ensuring easy access to treatment and care;
- l. Ensure that all segments of society shall have universal and equitable access to safe and affordable drinking water;
- m. Ensure adequate and equitable access to sanitation and hygiene facilities;
- n. Adopt and implement plans, programs, and policies aimed at preventing and reducing non-communicable diseases and their risk factors;
- o. Integrate road safety education into the curriculum as a public health priority;
- p. Mandate the incorporation of children's rights to a clean, healthy and sustainable environment, grounded on the principle of intergenerational equity to ensure the long-term fulfillment of rights for present and future generations;
- q. Establish mental health programs that include public awareness raising and education on mental health rights especially among children, provide training for mental health care providers, and create child-friendly and inclusive referral systems for mental health concerns;
- r. Integrate environmental health concerns relevant to children into national health and environmental plans, policies, and strategies;

- s. Inform and support all segments of society, particularly parents and children, in acquiring knowledge of child health, nutrition, benefits of breastfeeding, hygiene, environmental sanitation, and preventive healthcare; and
- t. Establish environmental health standards in accordance with the best available scientific evidence and all relevant international guidelines.

SEC. 16. *Right to Confidential Medical Counseling and Advice.* - In order to safeguard the safety and well-being of children, the State shall ensure that children have access to confidential medical counseling and advice. Medical professionals are obligated to provide age-appropriate counseling and advice, taking into account the child's level of understanding. Children shall have the following rights:

- a. The right to discuss their health concerns with medical professionals in a private and confidential setting;
- b. The right to be informed about the scope and limits of confidentiality, particularly when their safety is at risk;
- c. The right to access medical counseling and advice without barriers, including any age restrictions or parental consent requirements under specified circumstances;
- d. The right to equal access to confidential medical services;
- e. The right to seek guidance and support on various health issues, including physical, mental, and emotional health, with assurance of confidentiality; and
- f. The right to actively participate in discussions regarding their health, ensuring that their voices and concerns are acknowledged and respected.

CHAPTER V

THE RIGHT TO PROTECTION

SEC. 17. *General Principles.* — No child shall be subjected to any form of violence, abuse, or exploitation, including physical and humiliating punishment. The State shall implement all appropriate legislative, administrative social, and educational measures to protect children from all forms of violence and exploitation while under the care of parents, parent-substitutes, or any individual responsible for the child.

The best interests of the child shall be the primary consideration in all matters involving or affecting children, particularly when they require special protection. This principle shall govern all preventive and protective measures to safeguard the welfare of children. To this end, the State shall:

- a. Protect and provide intervention and support to children, especially children in need of special protection, when they face hardship or distress;
- b. Establish effective procedures for child protection systems in all local government units (LGUs) to provide necessary support for children and parents, parent-substitutes, and persons responsible for the child. This includes prevention, identification, reporting, referral, investigation, treatment, and follow-up of instances of child maltreatment, as well as judicial involvement where appropriate;
- c. Protect all children, especially children in need of special protection, against all forms of exploitation that are prejudicial to any aspects of their wellbeing;

- d. Acknowledge that children are ICT users and are vulnerable to associated risks. The State shall take measures to protect children from perpetrators of violence in digital spaces. It shall also promote the physical and psychological recovery and social reintegration of children who are victims of neglect, exploitation, abuse, cruelty, discrimination, torture, or any other form of cruel, inhumane, or physical or humiliating punishment, environmental harm and climate change, or armed conflicts. This recovery and reintegration shall take place in an environment that fosters the child's well-being, self-respect, and dignity;
- e. Grant procedural rights to children in conflict with the law, ensuring they are adequately informed, provided with legal representation, and allowed to participate in proceedings that affect them before any judicial or administrative authority;
- f. Encourage public and private institutions to require personnel to submit security clearances from appropriate authorities, such as the barangays, police, the National Bureau of Investigation, or the National Coordination Center against OSAEC and CSAEM (NCC-OSAEC-CSAEM) to confirm they are not listed in the OSAEC-CSAEM Offenders Registry; and
- g. Recognize that victims of violations of this Act shall be considered victims of human rights violations.

TITLE I

PROTECTION FROM CHILD LABOR AND ITS WORST FORMS

SEC. 18. *Protection against Child Labor and its Worst Forms.* — The State shall provide special protection to children from all forms of abuse, neglect, cruelty, exploitation, discrimination, and other conditions prejudicial to their development, including child labor and its worst forms. To this end, the State shall:

- a. Recognize children's right to protection from economic exploitation and from performing any work that is likely to be hazardous or harmful to their health, or physical, mental, spiritual, moral, or social development;
- b. Implement and enforce sanctions for violations related to child labor and its worst forms;
- c. Prohibit the employment of children as models in advertisements that directly or indirectly promote alcoholic beverages, intoxicating drinks, tobacco and its by-products, gambling, violence, pornography, or any similar content;
- d. Establish programs for the prevention and deterrence of child abuse, exploitation, and discrimination, including crisis intervention strategies and services to rescue and rehabilitate children;
- e. Strengthen the implementation of the Philippine Program Against Child Labor, led by the National Council Against Child Labor, through intensified social and behavioral change campaigns at the national and local levels, enhanced enforcement of relevant laws, policies, and programs, improved data collection on child labor, and expanded access to services for child laborers and their families;
- f. Intervene on behalf of the children when parents, parent-substitutes, or individuals responsible for their care or custody fail to protect them from abuse, exploitation, or discrimination, or when such acts are perpetrated by these individuals;
- g. Promote awareness within the community regarding the hazards of child labor and its worst forms;

- h. Provide children who are legally permitted to work with opportunities to express their perspectives in child-sensitive environments, ensuring understanding of work conditions and prioritizing their best interests;
- i. Offer assistance to children engaged in child labor to provide exit from these situations and reintegrate into their families and communities, including access to education, vocational and psychosocial support; and
- j. Ensure that children have the right to be heard and participate in the formulation of laws, policies, programs, and interventions, guaranteeing that their best interests and unique needs are considered while addressing the root causes of child labor.

TITLE II

PROTECTION FROM HARMFUL DRUGS AND SUBSTANCES

SEC. 19. *General Principles.* — The State shall take comprehensive measures to protect children from the harmful effects of narcotic drugs and psychotropic substances, in line with relevant domestic and international laws and treaties. To this end, the State shall:

- a. Implement appropriate legislative, administrative, social, educational, and other measures, to protect children from the illicit use of narcotic drugs and psychotropic substances. This includes safeguarding children indirectly affected by drug policies and interventions, as well as preventing their involvement in the illicit production, sale, and trafficking of such substances;
- b. Adopt a public health approach in all interventions related to illicit drugs, prioritizing prevention, treatment, and rehabilitation over punitive measures;
- c. Safeguard children who are involved or alleged to be involved in drug use, possession, sale, and distribution from being placed on Drug Watch Lists and protect them from torture, cruel and degrading treatment, coercion, forced admissions or confessions, arbitrary detention, or exploitation as "assets" in intelligence operations;
- d. Develop age-appropriate and child-sensitive intervention, rehabilitation, and reintegration programs for children who use drugs or are dependent on substances, ensuring that these programs respect the child's dignity and evolving capacities;
- e. Establish support programs for children left behind or orphaned as a result of anti-illegal drug campaigns, and provide adequate care, education, and psychosocial support;
- f. Design, implement, and monitor rights-based community interventions to prevent and address the impacts of direct and indirect exposure of children to substance abuse, ensuring that interventions are tailored to the child's needs;
- g. Mandate LGUs, through the Local Councils for the Protection of Children (LCPCs), to create and implement anti-drug abuse programs tailored specifically for children, taking into account their developmental stages and evolving capacities; and
- h. Establish special education drug centers for street children in each provincial office. These centers shall sponsor drug prevention programs, activities, and information campaigns aimed at educating children about the harmful effects of drug abuse. These programs shall also be adopted in all public and private orphanages and other existing special centers for street children.

TITLE III

PROTECTION FROM SEXUAL ABUSE AND EXPLOITATION OF CHILDREN

SEC. 20. *General Principles.* — The State shall provide special protection to children from all forms of abuse, neglect, cruelty, exploitation, discrimination, and other conditions prejudicial their development. To this end, the State shall:

- a. Enforce stringent sanctions against individuals or entities for acts of abuse, neglect, cruelty, exploitation and discrimination against children;
- b. Implement comprehensive programs for the prevention, deterrence, and crisis intervention concerning child abuse, exploitation, and discrimination, including education and community awareness initiatives;
- c. Intervene on behalf of the child when the parent, parent-substitute, teacher, or any person responsible for the child's care fails to protect the child from abuse, exploitation, or discrimination, or from inappropriate media or platform contents, or when such acts are perpetrated by those individuals;
- d. Protect and rehabilitate children who are gravely threatened or endangered by circumstances beyond their control, especially those that jeopardize their survival, normal development, and overall well-being;
- e. Promote the welfare of children by enhancing opportunities for a fulfilling, safe, and nurturing environment conducive to a healthy and happy life; and
- f. Enact and implement necessary national, bilateral, and multilateral measures aimed at preventing the abduction, sale, or trafficking of children for any purpose or in any form, ensuring compliance with international standards.

SEC. 21. *Online Sexual Abuse or Exploitation of Children and Anti-Child Sexual Abuse or Exploitation Materials.* - The State shall provide comprehensive protection to children from all forms of sexual violence, abuse, and exploitation, especially those facilitated through ICT. To this end, the State shall:

- a. Impose severe sanctions for acts of OSAEC, including the production, distribution, or possession of CSAEM;
- b. Implement programs aimed at prevention, deterrence, and intervention in OSAEC cases or exposure of children to other child-inappropriate contents, ensuring that all individuals in these roles are eligible and suitable for supporting vulnerable children;
- c. Protect children from all forms of sexual abuse, exploitation, or inappropriate contents, regardless of whether these acts are committed with or without the use of LCT. This includes preventing children from being coerced, induced, or involved in online or offline performances, CSAEM, or any other activities related to child sexual abuse or exploitation through whatever means;
- d. Ensure that relevant domestic laws, such as: RA 11930, otherwise known as the "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM Act)"; and RA 7610, as amended, otherwise known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act", are fully implemented and aligned with international obligations; and
- e. Uphold international laws and treaties concerning children's rights to which the Philippines is a signatory or a State party, including, the UNCRC and its Optional Protocols, the ILO Convention No. 182 on the Elimination of the Worst Forms of

Child Labor, the UN Convention Against Transnational Organized Crimes and its Protocols.

TITLE IV

PROHIBITION OF CHILD MARRIAGE

SEC. 22. *Prohibition of Child Marriage.* — The State shall prohibit the facilitation, solemnization or endorsement of child marriage, as well as the cohabitation of an adult with a child. All child marriages shall be deemed *void ab initio*.

The State affirms that marriage shall be entered into only with the free and full consent of both parties who are legally capable. Effective measures, including legislation, shall be put in place to establish a minimum age of marriage at eighteen (18) years old, and to mandate the official registration of all marriages in a government-organized registry.

Child marriage is hereby recognized as a form of child abuse as it debases, degrades, and undermines the intrinsic worth and dignity of children. Violators shall be held accountable under the law, with severe sanctions imposed on those facilitating or perpetuating such practice.

TITLE V

ANTI-TRAFFICKING OF CHILDREN

SEC. 23. *Anti-trafficking of Children.* — The State shall prioritize the protection of children from all forms of trafficking, exploitation, and abuse, reaffirming its commitment to uphold the dignity of children and their individual rights. To this end, the State shall:

- a. Implement comprehensive measures and develop programs to prevent and eliminate trafficking in persons, particularly children, while addressing the root causes of involuntary migration and servitude;
- b. Enact strict laws aimed at eliminating the trafficking of children, with focus on prevention, identification, and prosecution of offenders;
- c. Provide trafficked children with full access to recovery, rehabilitation, and reintegration programs, ensuring that these programs are culturally responsive, gender-sensitive, age-appropriate, and disability-inclusive;
- d. Support the creation of safe spaces and shelters for trafficked children, offering psychological, medical, legal, and social services to aid in their recovery and eventual reintegration into society;
- e. Promote awareness campaigns to educate the public, particularly at the community level, on the dangers of child trafficking and the measures available to combat it; and
- f. Ensure compliance with relevant international instruments and conventions to which the Philippines is a State Party.

TITLE VI

DISASTER AND EMERGENCY PREPAREDNESS AND PROTECTION

SEC. 24. *General Principles.* — The State shall protect the fundamental rights of children before, during, and after disasters and other emergencies that threaten or endanger their survival and normal development. Guided by principles of survival, development, child participation, and in alignment with the UNCRC and the Children's Charter for Disaster Risk Reduction, the State shall establish a comprehensive and strategic program of action to support children, as well as pregnant or lactating mothers affected by disasters and emergencies. This program shall ensure their immediate recovery and protection from violence, discrimination, neglect, abuse, exploitation, and any other acts prejudicial to their interest, survival, development, and well-being.

The State shall also:

- a. Secure an inclusive response and evacuation plan that addresses the developmental needs of all children during and after emergencies;
- b. Ensure that emergency plans and protocols are provided in child-friendly formats and are accessible to children with disabilities, enabling them to make informed views and decisions concerning their safety;
- c. Establish child-friendly spaces in temporary living arrangements for children and their families affected by emergencies;
- d. Uphold children's rights to be heard and to express their views on matters affecting their best interests, even during emergencies, whether natural or human-induced;
- e. Implement a comprehensive program to provide necessary support for children affected by disasters, focusing on their recovery and protection from various forms of harm;
- f. Develop and enforce an emergency program for children at all levels of governance, addressing their needs before (preparedness), during (immediate response), and after (recovery and rehabilitation) an emergency;
- g. Adopt and implement child protection policies, including those addressing sexual exploitation and abuse, and establish codes of conduct for humanitarian actors;
- h. Incorporate accessible and inclusive feedback and accountability mechanisms for children;
- i. Consult children on their situations and gather feedback at key stages of humanitarian responses;
- j. Ensure that evacuation and emergency structures comply with existing laws; and
- k. Establish a preparedness, response, and evacuation plan that will continuously support the well-being and development of children before, during, and after any emergency.

TITLE VII

CHILDREN AFFECTED BY ARMED CONFLICT

SEC. 25. *General Principles.* — The State shall always uphold the human rights of children, prioritize their best interests, and recognize as victims all children involved in, affected by, or displaced due to armed conflict. To this end, the State shall:

- a. Recognize children as zones of peace pursuant to RA 11188, otherwise known as the "Special Protection of Children in Situations of Armed Conflict Act" and RA 7610, as amended;

- b. Affirm that children are entitled to dignity and respect as human beings deserving protection from degradation, humiliation, maltreatment, exploitation, and assault;
- c. Commit to respecting and ensuring adherence to international humanitarian law applicable to children in armed conflicts;
- d. Implement all necessary measures to prevent the recruitment or engagement of children into armed forces or groups and their use in armed conflict;
- e. Ensure the effective implementation and enforcement of RA 11188;
- f. Protect the civilian population, particularly children, during armed conflicts, in accordance with international humanitarian law, and take all feasible measures to safeguard and care for children affected by or displaced by an armed conflict;
- g. Establish safeguards to ensure the security and safety of children in conflict situations, providing adequate psycho-social support during and after such events;
- h. Ensure that child caring facilities and educational institutions are not used for any purposes related to armed conflict;
- i. Pursue long-term and sustainable solutions, in consultation with children, for those who have been forcibly displaced due to armed conflict;
- j. Fulfill responsibilities to end impunity and prosecute those responsible for grave violations of child rights in armed conflict;
- k. Guarantee the participation of children affected by armed conflict in all policies, actions, and decisions concerning their rescue, rehabilitation, and reintegration;
- l. Prohibit the development or retention of unexploded ordinance and ensure the cleanup of areas contaminated by biological, chemical, and nuclear weapons, in line with international commitments;
- m. Ensure that schools are not targeted by armed groups during emergencies caused by severe weather in regions already affected by armed conflict; and
- n. Invest in conflict prevention and peacebuilding efforts that mitigate environmental harm to children resulting from armed conflict, incorporating children's perspectives in these processes.

SEC. 26. *Children as Zones of Peace.* — Children are hereby declared as zones of peace. As such, they shall be treated in accordance with the policies stipulated under RA 11188.

The designation of children as zones of peace extends beyond territorial or geographical boundaries, focusing on the individual rights of each child, which must be promoted and always protected, particularly in situations of armed conflict or violence.

The State, together with all relevant sectors, share the responsibility to resolve armed conflicts to uphold the principle of recognizing children as zones of peace. Community elements, governmental authorities, and, when appropriate, religious leaders, must work to preserve the peaceful integrity of children, exemplifying mutual respect and nonviolent behavior in their presence, and collaborating to foster peace and cooperation.

SEC. 27. *Rights of Children Affected by Armed Conflict.* — Children affected by armed conflict shall have the following rights:

- a. The right to life, survival, and development;
- b. The right to be protected from any form of abuse, neglect, exploitation, and violation, particularly in the context of armed conflict;

- c. The right to be treated as victims, in accordance with this Act and other applicable laws, consistent with State obligations under international law, within the framework of restorative justice and social rehabilitation;
- d. The right to be protected from direct or indiscriminate attacks and acts of violence, particularly from grave violations of children's rights;
- e. The right to be protected from recruitment into government forces or armed groups and from participation in armed conflict, including safeguards against torture or any cruel, inhuman, or degrading practices related to recruitment or participation in armed conflict;
- f. The right to be free from maiming, torture, abduction, rape, and extrajudicial killings;
- g. The right to immediate and safe access to essential, adequate, and culturally appropriate food, nutrition, shelter, clothing, water, sanitation, hygiene, basic health services (including essential drugs, medicines, and vaccines), reproductive health services, education (including religious and moral education), early childhood care and development programs, psychosocial support, and social services. All services must be child-specific, gender-sensitive, and responsive;
- h. The right to freedom of thought, conscience, religion, opinion and expression; to associate freely and participate equally in community affairs; and to communicate in a language they understand, even in situations of armed conflict, whether they are internally displaced or living in evacuation centers or settlements;
- i. The right to humane treatment in all circumstances, without discrimination based on race, color, religion, sexual orientation, gender identity, and expression, birth, wealth, or other criteria;
- j. The right to not to be interned or confined in camps;
- k. The right to care, protection, and assistance for the injured, wounded, sick, disabled, separated, or unaccompanied children, as well as expectant or lactating mothers, addressing their specific needs;
- l. The right to remain with their families, especially with their mothers, during evacuations and while in evacuation centers;
- m. The right to reunification with their families in cases of separation due to armed conflict;
- n. The right to privacy and confidentiality in all proceedings;
- o. The right to liberty of movement and freedom to choose their residence including the right of internally displaced children and their families to move freely in and out of evacuation centers, subject to existing regulations;
- p. The right to have access to justice, including free legal aid when filing cases against perpetrators;
- q. The right to protection of their family's properties and possessions under all circumstances; and
- r. The right to consultation and participation in matters affecting them. Whenever feasible, the views of children, families, and communities should be considered in all stages of assessment, planning, implementation, and evaluation related to preventing the association of children with government forces and armed groups, and developing policies and programs for their rescue, rehabilitation, and reintegration.

The rights enumerated in this section shall not impede the application of other rights recognized and guaranteed in the 1987 Philippine Constitution and existing laws, in keeping with the best interests of the child.

TITLE VIII

CHILDREN AFFECTED BY INTERNAL DISPLACEMENT

SEC. 28. *General Principles.* — The State shall prioritize providing adequate accommodation that ensures safety, nutrition, water, sanitation, health, and hygiene for children affected by displacement. It shall implement measures to protect these children from all forms of violence, exploitation, trafficking, forced labor, slavery, and other violations of children's rights, including child marriage. The State shall also make immediate efforts to reunite children separated from their families due to displacement and take appropriate measures to expedite the process.

SEC. 29. *Rights of Children Affected by Displacement.* - Children affected by displacement, particularly unaccompanied minors or those separated from their families or orphaned, are entitled to the following rights:

- a. The right to protection and assistance tailored to individual needs, considering their unique circumstances;
- b. The right to secure access to humanitarian support, including mother-and-child-sensitive and disability-inclusive facilities, such as breastfeeding stations, temporary educational facilities, and places of worship, among others, whether located within or outside evacuation centers;
- c. The right to free and compulsory early and basic education. Special efforts shall be made to facilitate the full and equal participation of all children, including those with disabilities, in educational programs, while respecting their cultural identity, language, and religion. Educational and training facilities shall be accessible and available to them, regardless of their living situation, as soon as circumstances permit;
- d. The right to return in safety and with dignity, to their homes or places of habitual residence, or resettle voluntarily in another part of the country;
- e. The right to actively engage in the planning and management of their displacement situations, as well as informed decisions regarding return, local integration, or resettlement elsewhere. Their voices and perspectives shall be incorporated into decision-making processes concerning their well-being and future;
- f. The right to seek safety in another part of the country, leave the country, or seek asylum in another country, and be protected against forcible return to any place where their life, safety, liberty, or health would be at risk; and
- g. The right to obtain necessary documents to exercise their legal rights. The State shall expedite the issuance of new documents or the replacement of those lost during displacement, without imposing unreasonable conditions and without discrimination between female and male children, ensuring equal rights to obtain and hold documents in their own names.

TITLE IX

CHILDREN IN CONFLICT WITH THE LAW

SEC. 30. *General Principles.* — The State recognizes the right of children alleged as, accused, adjudged, or recognized to have infringed the penal law to be treated in a manner

that promotes their dignity and worth, considering their age and the importance of their reintegration. To this end, the State shall:

- a. Adopt measures to address issues involving children without resorting to judicial proceedings, ensuring that human rights and legal safeguards are fully respected;
- b. Ensure that no child is subjected to torture or other cruel, inhumane, or degrading treatment or punishment. Capital punishment and life imprisonment without the possibility of release shall not be imposed for offenses committed by a child;
- c. Guarantee that no child is unlawfully or arbitrarily deprived of liberty. Arrest, detention, or imprisonment of a child shall conform with the law and be used only as a last resort and for the shortest appropriate duration;
- d. Treat children deprived of liberty with humanity and respect for their inherent dignity taking into account their age-specific needs. They shall be separated from adults unless it is in their best interest not to do so. They also have the right to maintain family contact through correspondence and visits, except in exceptional circumstances;
- e. Provide children deprived of liberty with prompt access to legal and appropriate assistance. They shall have the right to challenge the legality of their deprivation of liberty before a competent, independent, and impartial authority, receiving a timely decision on such matters;
- f. Ensure that a restorative justice approach is adopted when CICLs enter the criminal justice system. This approach shall prioritize the rehabilitation and reintegration of CICLs, focusing on repairing harm, fostering accountability, and involving the affected community, guided by principles that uphold the dignity, rights, and best interests of the child;
- g. Ensure that:
 - (1) No child shall be alleged, accused, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
 - (2) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
 - (i) To be presumed innocent until proven guilty according to law;
 - (ii) To be informed promptly and directly of the charges against them, and, if appropriate, through their parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of their defense;
 - (iii) To have the matter determined without delay by a competent, independent, and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, with their parents or legal guardians present, particularly considering their age or situation;
 - (iv) Not to be compelled to give testimony or to confess guilt, and to examine or have examined adverse witnesses with the opportunity and to obtain the participation and examination of witnesses on their behalf under conditions of equality;

- (v) If considered to have infringed the penal law, to have the decision and any measures imposed in consequence thereof, reviewed by a higher competent, independent, and impartial authority or judicial body according to law;
 - (vi) To have the free assistance of a translator if the child cannot understand or speak the language used in judicial and administrative proceedings; and
 - (vii) To have their privacy fully respected at all stages of the proceedings.
- h. Provide a variety of disposition measures, such as care, guidance, supervision orders, counselling, probation, foster care, education, and vocational training programs and other alternatives to institutional care, ensuring that children are dealt with in a manner appropriate to their well-being and proportionate to their circumstances and the offense committed; and
 - i. Recognize other rights as provided by RA 9344, as amended, otherwise known as the "Juvenile Justice and Welfare Act of 2006", and other existing laws.

TITLE X

CHILDREN OF INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES

SEC. 31. *General Principles.* — Every child belonging to ICCs/IPs or indigenous origin shall have the right to cultural integrity, to enjoy their own culture, to profess and practice their religion, and to use their language. These rights are recognized as both individual and collective. To this end, the State shall:

- a. Take all appropriate measures to eliminate harmful social and cultural practices that affect the well-being, dignity, normal growth, and development of the child, specifically customs and practices detrimental to the health or life of the child; and discriminate against the child based on sex or other status;
- b. Mandate national government agencies (NGAs) and LGUs to establish intergenerational dialogue programs aimed at preventing and addressing negative attitudes, harmful norms, and behaviors that contribute to violence against children;
- c. Undertake measures to meaningfully engage with ICCs/IPs and their families in addressing environmental harm, including that caused by climate change, by integrating indigenous concepts and traditional knowledge into mitigation and adaptation strategies; and
- d. Prioritize and facilitate the birth registration of children belonging to ICCs/IPs.

SEC. 32. *Rights of Children of ICCs/IPs.* - Every child belonging to ICCs/IPs or of indigenous origin shall have the following rights:

- a. The right to enjoy and practice their own culture, religion, and language;
- b. The right to a name, identity, and connection to their community and heritage, including the preservation of their traditional knowledge and cultural practices;
- c. The right to protection from discrimination based on ethnicity, culture, or any other status;

- d. The right to have access to education that respects and incorporates indigenous languages, cultures, and histories, including access to culturally relevant educational materials and methods;
- e. The right to be involved in decision-making processes that affect their lives and communities;
- f. The right to have access to health services that are culturally appropriate and sensitive to their needs;
- g. The right to recognition of their connection to ancestral lands and resources;
- h. The right to participate in environmental conservation efforts that impact their communities;
- i. The right to have access to social services that address their unique needs, including housing and welfare support; and
- j. The right to maintain family ties and connections to their community.

TITLE XI

CHILDREN IN STREET SITUATIONS

SEC. 33. *General Principles.* — The State shall adopt a comprehensive, rights-based approach to protect and support CISS, ensuring safety, dignity, and development. It shall also aim to safeguard CISS from exploitation, abuse, and harm by addressing the root causes of vulnerabilities, promoting access to public spaces and services, and providing child-centered care. Through alignment with international standards, and collaboration with local communities, the State shall empower CISS to thrive in a supportive environment. To this end, the State shall:

- a. Ensure that children can move safely in the streets without fear of punitive measures against begging, loitering, vagrancy, running away, or other survival behaviors. The State shall not criminalize status offenses or implement punitive measures, such as street sweeps or "roundups", "rescues", "reach-out", targeted violence, harassment, and extortion against CISS;
- b. Guarantee that children have access to public areas, spaces, facilities, and services that meet their diverse needs and capacities, including spaces for economic activities, learning, recreation, social interaction, and essential services;
- c. Implement policies to prevent and respond to exploitation, abuse, harm, and violence against CISS, ensuring that the response mechanisms are accessible and designed to ensure children's safety;
- d. Adopt holistic and long-term strategies that address the root causes of children living in streets, including structural inequalities and family violence. The State shall ensure appropriate budget allocations for the effective implementation of these strategies;
- e. Amend laws and policies to align with the recommendations under UN General Comment No. 21, ensuring a rights-based approach for CISS;
- f. Enhance systems to provide a continuum of child-centered care for CISS, including prevention, early intervention, street outreach, helplines, drop-in centers, child development centers, temporary residential care, family reunification, foster care, and independent living options;
- g. Invest in comprehensive initial and in-service basic training on child rights, protection, and the local context of CISS for all professionals who may come into direct or indirect contact with them. This includes professionals in fields such as

- polycymaking, law enforcement, justice, education, health, social work, and psychology;
- h. Support localized, partnership-based interventions grounded in a child rights approach, ensuring these interventions are adequately funded and led by CSOs with local expertise;
 - i. Provide access to effective legal remedies, including representation, for CISS who have been victims or survivors of human rights violations;
 - j. Develop systematic and participatory mechanisms to collect and share disaggregated data about CISS while ensuring respect for the rights and privacy of the CISS involved; and
 - k. Ensure the participation of children in setting research agendas, gathering information, analyzing data, and disseminating findings to enhance policy and the design of targeted interventions.

TITLE XII

CHILDREN SEEKING REFUGEE STATUS

SEC. 34. *General Principles.* — The State shall take appropriate measures to ensure that children seeking asylum or refugee status, applying for stateless status, and those recognized by the Philippine government as refugees or stateless persons- whether accompanied or unaccompanied, or separated from parents or parent-substitutes receive adequate protection and humanitarian assistance. These children are entitled to the full enjoyment of all rights on an equal basis with other children, as set forth in the UNCRC, the 1951 Convention Relating to the Status of Stateless Persons and its 1967 Protocol, the 1954 Convention Relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, and other relevant international human rights instruments to which the State is a party. To this end, the State shall:

- a. Recognize that asylum-seeking, refugee, and stateless children as well as children applying for stateless status, deserve the same respect and dignity as citizens, free from discrimination based on age, race, gender, language, nationality or lack thereof, country of origin, ethnic or social origin, political beliefs or opinions, religious views, circumstances of birth, disability or other status;
- b. Uphold the principle of best interests of the child by implementing a free, fair, efficient, and non-adversarial Refugee and Stateless Status Determination Procedure. This Procedure shall be governed by the principles of non-refoulement, non-detention of children solely based on their refugee or stateless status or application for such status, and non-penalization of illegal entry or presence in the country, among others;
- c. Promote and preserve family unity for asylum-seeking, refugee, and stateless families, ensuring children's protection in all procedures. It shall refer, through the Department of Justice (DOJ) - Refugees and Stateless Persons Protection Unit (DOJ-RSPPU), or the designated agency for refugee protection and addressing statelessness, unaccompanied and separated children who are refugees, asylum-seekers, or stateless, as well as children applying for stateless status, to appropriate government agencies, intergovernmental organizations, or non-government organizations (NGOs) to secure care, protection, family reunification, and access to

legal services, including representation, counseling, and assistance with applications for refugee or stateless status and naturalization petitions;

- d. Protect unaccompanied and separated children recognized as refugees or stateless persons, or as applicants for such statuses, by appointing a guardian ad litem through judicial or administrative means when required by the best interests of the child. The guardian shall assist the child throughout all stages of the Refugee and Stateless Status Determination Procedure, ensuring proper representation, the child's views are expressed, and that decisions align with the child's best interests. The State shall work closely with the guardian to ensure that the rights of unaccompanied refugee or stateless children, as well as those applying for such status, are protected.

The DOJ-RSPPU, or the concerned government agency responsible for refugee protection and addressing statelessness, shall coordinate with the DSWD or the Local Social Welfare and Development Offices for the referral of unaccompanied or separated children to appropriate child-placing or child-caring agencies for their care and custody, as maybe applicable. Said agencies shall support the child in the process of applying for refugee or stateless status, ensuring that the child's rights and best interests are fully safeguarded and prioritized;

- e. Pursue long-term and sustainable solutions for and in collaboration with asylum-seeking children, children seeking refugee status, children applying for stateless status, and children recognized by the Philippine government as refugees or stateless persons; and
- f. Ensure the identification and protection of children at risk of statelessness and take measures to prevent and reduce statelessness, in partnership with the NGOs, academe, private sector, and other relevant stakeholders, in accordance with the Philippines' National Action Plan to End Statelessness and relevant laws, policies, and rules and regulations.

TITLE XIII

CHILDREN WITH DISABILITIES

SEC. 35. *General Principles.* — The State shall take all necessary measures to ensure that children with disabilities fully enjoy all rights and freedoms defined in this Act. They shall also have the right to reasonable accommodation and protection tailored to their physical and moral needs, promoting dignity, self-reliance, and active child participation in the community. To this end, the State shall:

- a. Affirm that all children are equal under the law and are entitled to protection and benefits without any discrimination;
- b. Prohibit discrimination based on disability and guarantee equal legal protection for children with disabilities against all forms of discrimination;
- c. Ensure that reasonable accommodations are provided for children with disabilities to facilitate their inclusion and participation in all aspects of life;
- d. Guarantee children with disabilities the right to express their views freely on all matters affecting them, giving due weight to their views in accordance with their age and maturity, and provide necessary support to realize this

- e. Implement effective measures to raise awareness about children with disabilities, combat stereotypes and prejudices, and promote respect for their rights and dignity; and
- f. Ensure children with disabilities have equal access to the physical environment, transportation, ICTs, and public facilities and services in urban and rural areas.

CHAPTER VI

THE RIGHT TO DEVELOPMENT

SEC. 36. *General Principles.* — The State shall ensure that children are provided with the best possible conditions for their development. To this end, the State shall:

- a. Assist families and communities in guiding children to learn about and exercise their rights effectively as they grow;
- b. Ensure access to early childhood development services and information, with parents providing essential guidance. Children with special needs shall have equal rights to development and education, empowering them to reach full potential and participate meaningfully in society;
- c. Provide opportunities for children to enhance specialized skills and develop their physical, mental, and emotional abilities, paving the way for a brighter future; and
- d. Eliminate obstacles to children's development, including the harmful effects of climate change, discrimination, violence, any form of abuse, statelessness, and other factors that threaten their well-being.

TITLE I

EDUCATION

SEC. 37. *Right to Education.* — Every child has the right to inclusive education based on equal opportunity reflecting the inherent dignity of the child. Education shall be child-centered, child-friendly, and empowering, encompassing a wide range of learning and life experiences that foster the development of personalities, talents, and abilities for a fulfilling life beyond formal schooling. To this end, the State shall:

- a. Empower children by developing their skills, learning abilities, self-esteem, and self-confidence;
- b. Provide a child-friendly and safe platform for children to contribute to the development of the school curriculum and structure;
- c. Establish and maintain a comprehensive, adequate, and integrated education system that meets the needs of children and society;
- d. Supply age-appropriate materials and activities that promote children's social, intellectual, communicative, and emotional development;
- e. Create mechanisms to support and encourage parental and parent substitutes' participation in local early childhood care and development governance.

- f. Maintain a system of compulsory and free early childhood care and basic education, while respecting parents' rights to raise their children;
- g. Ensure a safe and conducive learning environment in child development centers, schools, and community learning centers, with provision of essential and adequate support services, such as health, nutrition, sanitation, mental health, and reproductive health services, as well as access to functional referral systems for after-school services.
- h. Develop safe, healthy, and resilient infrastructure for effective learning, including pedestrian and biking routes, public transportation to and from schools, and locating schools away from environmental hazards. School buildings must provide adequate heating, cooling, safe drinking water, and sanitation facilities;
- i. Establish a system of scholarship, subsidies, and incentives for deserving students in both public and private schools, particularly for underprivileged children;
- j. Implement measures to encourage regular school attendance and reduce dropout rates;
- k. Ensure that children subjected to disciplinary actions are with humanity and respect, free from physical or humiliating punishment, in line with the UNCRC and this Act;
- l. Promote international cooperation to eliminate ignorance and illiteracy and facilitate access to scientific and technical knowledge and modern teaching methods;
- m. Encourage non-formal, indigenous learning systems, self-learning, and out-of-school study programs to enhance children's capacity to enjoy their full range of rights;
- n. Foster a culture of human rights through a balanced approach that respects diverse values and promotes dialogue to bridge differences in religion, nationality, and culture;
- o. Take appropriate measures to ensure that children who become pregnant before completing their education are given the opportunity to continue their studies based on individual abilities;
- p. Integrate human rights education into the curriculum at all grade levels and in alternative learning systems, covering the UNCRC and its Optional Protocols, as well as other international human rights instruments ratified by the Philippines;
- q. Provide pre-service and continuous in-service training for teachers and child development workers to enhance knowledge and skills in teaching human rights education;
- r. Orient the school community about disabilities and the rights of children with disabilities; and
- s. Ensure that all educational institutions have clear, accessible, and child friendly complaint and grievance mechanisms.

TITLE II

REST, PLAY, CULTURE, AND ARTS

SEC. 38. *Right to Rest, Play, Culture, and Arts.* — Every child shall have the right to rest and leisure; to engage in age-appropriate play and recreational activities; and to participate freely in cultural life and the arts. To this end, the State shall:

- a. Implement effective legislative, administrative, and other measures to ensure that all children, without discrimination, can play and engage in recreational activities in safe, clean, and healthy environments, including parks, playgrounds, and natural spaces;

- b. Respect and promote children's rights to participate fully in cultural and artistic life, encouraging equal opportunities for cultural, artistic, recreational, and leisure activities;
- c. Include children in the development planning process by requiring public and private sectors to consult them on urban and rural development projects, housing and resettlement programs, educational environments, such as public libraries, and the maintenance of public parks, playgrounds, sports facilities, and similar spaces;
- d. Consult children on the accessibility and suitability of various development proposals as well as their impacts on children's access to nature, clean air, and safe environments, and the conservation of their culture;
- e. Provide safe spaces for children to freely express their views on matters affecting their right to play, recreation, sports, and cultural activities. These views shall be given due weight in decision-making processes; and
- f. Ensure that children enjoy their freedom of expression, association, and peaceful assembly by voicing their support or dissent against development proposals that impact their rights to play, recreation, sports, and cultural activities.

TITLE III

FAMILY AND ALTERNATIVE CARE

SEC. 39. *General Principles.* — The State recognizes that parents bear primary responsibility for the upbringing and development of their children, with the best interests of the child as their fundamental concern. To this end, the State shall:

- a. Provide assistance to parents and parent-substitutes in fulfilling their childrearing responsibilities, and ensure the development of institutions, facilities, and services for childcare;
- b. Implement measures to ensure that children of working parents can access eligible child-care services and facilities;
- c. Offer evidence-based positive parenting programs aimed at strengthening parent-child relationships, promoting positive parenting practices free from physical or humiliating punishment, sustaining nurturing relationships, and preventing violence and maltreatment against children at home and in the community;
- d. Design positive parenting programs and interventions to enhance children's mental health;
- e. Foster a child-friendly and safe environment that supports parent-/ parent substitute-child relationships at home, in temporary child-care facilities, and in foster homes, guided by the National Parenting Framework developed by the DSWD;
- f. Uphold the child's right to identity and ensure that their best interests are prioritized in all cases of adoption, alternative care, and custody. The State shall also ensure that alternative care arrangements prevent and reduce statelessness, subject to laws, rules, and regulations;
- g. Include children in residential and other facilities in the formulation, monitoring, and evaluation of policies and programs to ensure responsiveness to their needs; and
- h. Promote age-appropriate interventions and actively consult children when designing and implementing positive parenting mechanisms and practices. This includes building positive teacher-parent-child relationships and advocating for alternatives to

violent discipline, which can contribute to preventing disruptive behaviors, improving school performance, reducing drop-out rates, and alleviating stress and depression among parents and teachers in blended education settings.

CHAPTER VII

THE RIGHT TO PARTICIPATION

SEC. 40. *General Principles.* — Children have the right to participate according to their evolving capacities. They are entitled to be heard, express their views, and have their opinions considered in accordance with their age and maturity. Child participation must be meaningful, ethical, transparent, informative, voluntary, respectful, inclusive, child-friendly, relevant, safe, and sensitive to risks. Adults engaging with children must receive training on effective child participation. To this end, the State shall:

- a. Create a supportive environment that enables children to participate fully at national and local levels in the design, implementation, monitoring, and review of policies and programs affecting them;
- b. Ensure that children can be heard in judicial, administrative, or other proceedings affecting them. They shall have the right to remain silent, with no negative implications for choosing not to speak. Children should be fully informed about the processes and stages involved;
- c. Provide opportunities for children to be heard on issues affecting them, such as education, health, environment, living conditions, and protection, among others;
- d. Create a child-friendly and accessible environment where procedures protect the best interests of the child;
- e. Ensure reasonable accommodation for children with disabilities, enabling effective communication using modes such as sign language, braille, easy read, or other alternative communication methods necessary to facilitate the expression of their views;
- f. Recognize the rights of minority, indigenous, and migrant children, as well as those who do not speak the majority language, to express their views;
- g. Respect non-verbal forms of communication, including play, body language, facial expressions, and creative expressions like drawing and painting, which convey young children's understanding and preferences;
- h. Ensure safe participation in recreational and cultural activities by providing the means and infrastructure necessary for all children, regardless of ethnicity, age, gender, physical and mental states, social class, and geographical location;
- i. Provide institutional support and capacity development for professionals working with children to ensure the implementation of child participation principles aligned with the National Framework on Child Participation and the Guidebook on Child Participation;
- j. Protect children across all platforms to allow them to fully exercise their right to participate;
- k. Ensure that NGAs, LGUs, NGOs, and CSOs, provide sufficient time, skills, and child-friendly information for children to offer their inputs and recommendations;
- l. Consult children with disabilities, children from indigenous communities, and those in vulnerable sectors;

- m. Create safe spaces for children, in schools, out of schools, or elsewhere, regardless of their background, to express their views freely on matters affecting their best interests and rights;
- n. Safeguard the privacy and protection of child witnesses by: (i) adhering to the Rules on Examination of a Child Witness; (ii) prohibiting intimidating or disrespectful questioning; (iii) ensuring that questioning is appropriate to their age and mental capacity; (iv) providing support throughout the judicial, administrative, or any other processes; (v) training personnel who interact with child witnesses; and (vi) providing child-friendly rooms or safe spaces;
- o. Recognize and enable genuine children's participation in national and international platforms by establishing appropriate governmental structures and fostering bilateral and multilateral international cooperation; and
- p. Maintain connections with international child-serving organizations institutions, and counterpart agencies of foreign governments, through the Philippine National Children's Conference (PNCC) to facilitate Filipino children's participation in global functions and affairs.

SEC. 41. *Prohibition on the Curtailment of Freedom of Expression.* - No restrictions shall be placed on children's freedom of expression, except in the interests of national security, public safety, or public health, as provided by law. Any restrictions imposed should not undermine or jeopardize the essence of this right.

TITLE I

MEDIA AND PARTICIPATIVE NETWORK PLATFORMS

SEC. 42. *Right to Safe Space and Freedom of Expression.* - Children shall have safe spaces to express freely their views on matters affecting their rights in traditional and participative networking platforms. They shall have the freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, whether orally, in writing, in print, through art, or any other media of their choice. Their views shall be given due weight in decision-making processes. Parents and parent- substitutes shall be encouraged to guide their children in using these platforms in ways that are age-appropriate, ensuring that their emotional and mental well-being, maturity, and overall development are taken into consideration.

Children shall be informed about complaint mechanisms available if freedom of expression is violated across all platforms. Parents or parent-substitutes should also educate children about how to protect their online rights and navigate platforms safely.

SEC. 43. *Access to Safe and Child-Appropriate Information.* - Children shall have access to safe and child-appropriate information and materials from a variety of national and international sources, particularly those promoting their social, spiritual, moral, physical, and mental well-being. Parents or parent-substitutes shall be responsible for ensuring that the content accessed by children aligns with their developmental stage and maturity level.

SEC. 44. *Access to Culturally Sensitive and Inclusive Information.* - Children shall have access to culturally sensitive and inclusive information, conveyed in a language they understand, including sign language and braille. Parents or parent-substitutes should guide

children in selecting and engaging with content that is suitable for their age, mental state, and maturity, encouraging responsible digital behavior.

SEC. 45. *Child Participation in Media and Network Platform.* - Traditional media companies and participative network platforms shall consult with children in developing policies, programs, or publications that adhere to the principles of child participation. Parents or parent-substitutes shall be actively involved in the decision-making processes regarding their children's engagement with such platforms, ensuring that children's rights are respected while considering their developmental needs.

SEC. 46. *Right to Privacy.* - Children have an absolute right to privacy and their best interests takes precedence in all forms of publicity. Reporting on matters involving children must uphold the highest ethical and professional standards. Parents or parent-substitutes must actively monitor and safeguard their children's privacy in both online and offline spaces, ensuring that the child's consent and best interests are always respected. Media professionals and individuals handling sensitive information about children, particularly in public or journalistic contexts, shall be required to act with the utmost responsibility in managing children's data and privacy.

TITLE II

CHILD PARTICIPATION IN GOVERNANCE

SEC. 47. *General Principles.* — The State shall ensure that children's voices are respected and integrated in governance, supporting the development of more inclusive, child-friendly policies and initiatives. Children should also be seen as partners in governance, working alongside adults to shape policies and programs that impact their lives, fostering mutual respect and collaboration. To this end, the State shall:

- a. Ensure that children's views on laws, policies, judicial, and administrative procedures, and other matters concerning their best interests are given due weight, explaining in child-friendly terms how these views were considered and the outcomes achieved;
- b. Provide children with the information, skills, and platforms to engage in governance for effective participation. This includes training and education to empower them to understand and contribute to policy discussions;
- c. Ensure that children have a genuine role in governance processes, where their views are actively sought, respected, and considered in decision-making;
- d. Mandate all NGAs and LGUs to tag child-focused investment programs, budget proposals, and appropriations to make funds allocated for children transparent and usable in crafting national and local development plans. This information should be presented in child-friendly formats to engage children in budget processes affecting their well-being;
- e. Establish mechanisms to ensure that children's inputs are considered, and that feedback is provided on how their contributions have influenced decisions; and
- f. Publicly provide child-sensitive and disability-inclusive versions of investment programs, appropriations, allotments, obligations, and actual disbursements through various media.

SEC. 48. *Establishment of an Institutional Mechanism for Child Participation in Governance.* - All LGUs at the municipal, city, and provincial levels shall establish mechanisms to ensure children's participation in planning, budgeting, monitoring, evaluation, and child-led advocacy. This body shall provide inputs and recommendations to promote a child-centered approach in developing LGU plans, programs, and activities. The structure, composition, duties, functions, and benefits shall be defined in the implementing rules and regulations (IRR) of this Act.

SEC. 49. *Funding.* — Operational funds necessary to the discharge of functions and conduct of activities of the institutional mechanism shall be included in the LGU projects, activities, and programs funded by the general fund.

CHAPTER VIII

OMBUDSMAN FOR CHILDREN

SEC. 50. *Ombudsman for Children (Child Ombud).* — The Commission on Human Rights (CHR) is designated as the Child Ombud consistent with its constitutional mandate.

The CHR *en banc* shall appoint one (1) focal Commissioner, who, together with the Child Rights Center, shall oversee the CHR's role as the Child Ombud. This includes the formulation of protocols, guidelines, and policies, as well as the implementation of programs aimed at promoting and protecting children's rights.

SEC. 51. *Duties and Functions of the Child Ombud.* — The Child Ombud shall:

- a. Advocate for and ensure the promotion and protection of the human rights of children;
- b. Strengthen its Child Rights Education Program, in alignment with the Department of Education's Rights-Based Education Framework, and establish initiatives to increase children's knowledge of their rights;
- c. Monitor and assess the implementation of children's rights in the Philippines and the government's compliance with the UNCRC and other relevant treaties;
- d. Recommend appropriate policies, programs, or measures to Congress and relevant government agencies for prompt action on matters affecting children;
- e. Establish processes and mechanisms to facilitate the investigation of child rights violations and ensure children's access to legal remedies under this Act and related laws;
- f. Assist in filing cases against individuals, agencies, institutions, organizations, or entities that violate the human rights of children;
- g. Ensure remedies are provided for violations against child human rights defenders;
- h. Ensure that children, including child human rights defenders, are informed about how to access and seek assistance from the Child Ombud. This information should be provided in child-friendly language and available in various accessible formats;
- i. Conduct awareness-raising activities on human rights for children, including those not in school, as well as for their parents and families;

- j. Collaborate with the Philippine Commission on Children (PCCh) in establishing and operationalizing a monitoring, reporting, and response mechanism for children across the country; and
- k. Perform functions that are necessary and proper to carry out the purposes of this Act.

CHAPTER IX

THE PHILIPPINE COMMISSION ON CHILDREN

SEC. 52. *Reorganization of the Council for the Welfare of Children.* — The CWC is hereby reorganized into the Philippine Commission on Children (PCCh), which shall be the central authority on all matters principally relating to the concerns, rights, and welfare of children. It shall be attached to the DSWD.

The CWC appropriations, personnel, programs, and activities, including membership in existing committees, councils, and other inter-agency bodies, shall be transferred to the PCCh. The PCCh shall be organized within one hundred twenty (120) days from the effectivity of this Act.

SEC. 53. *Composition of the PCCh.* — The PCCh shall be composed of a Board of Commissioners, headed by a Chairperson who shall provide leadership in the realization of its vision and mission.

The DSWD Secretary shall be the Ex-Officio Chairperson of the PCCh.

The Board of Commissioners shall be composed of the following:

- a. Heads of the following government offices:
 - (i) Department of Agriculture;
 - (ii) Department of Budget and Management (DBM);
 - (iii) Department of Health (DOH);
 - (iv) Department of the Interior and Local Government (DILG);
 - (v) Department of Justice (DOJ);
 - (vi) Department of Labor and Employment (DOLE);
 - (vii) National Economic and Development Authority (NEDA);
 - (viii) National Nutrition Council;
 - (ix) National Youth Commission (NYC); and
 - (x) Department of Education (DepEd).
- b. Four (4) private individuals recognized as child advocates representing the four (4) core rights of children, namely, Child Protection, Child Health and Nutrition, Child Development, and Child Participation;
- c. One (1) child representative; and
- d. The Executive Director of the PCCh.

The four (4) private individuals shall be selected by the Board of Commissioners through a transparent process, and subsequently appointed through a Board Resolution. They shall serve a term of three (3) years subject to one (1) reappointment.

The Child Representative must be at least fifteen (15) years old and not more than eighteen (18) years old at the time of selection and appointment as an active member of a legitimate children's organization. The child representative shall be selected through a transparent and participatory selection process through the PNCC, and thereafter be appointed through a Resolution by the Board of Commissioners.

The child representative shall serve a term of three (3) years without reappointment.

SEC. 54. *National Children's Advisory Group (NCAG)*. — There is hereby created a NCAG under the PCCh, which shall be headed by the Executive Director as Chairperson. The NCAG shall deliberate on the concerns and recommendations of the sectoral councils, committees, subcommittees, and other relevant structures of the PCCh and submit recommendations to the PCCh on the needed policy guidelines, programs, and projects for the well-being of children. It shall be composed of the following members:

- a. DepEd;
- b. DOH;
- c. Department of Information and Communications Technology;
- d. DILG;
- e. DOJ;
- f. DOLE;
- g. DSWD;
- h. Department of Science and Technology;
- i. NEDA;
- j. CHR;
- k. National Commission on Indigenous Peoples;
- l. National Commission on Muslim Filipinos;
- m. Commission on Population and Development;
- n. National Authority for Child Care;
- o. Early Childhood Care and Development Council;
- p. National Council on Disability Affairs;
- q. Juvenile Justice and Welfare Council;
- r. NYC;
- s. Philippine Sports Commission;
- t. National Anti-Poverty Commission Child Basic Sector Child Representative;
and
- u. Child Representative each from Luzon, Visayas, and Mindanao.

The Child Representatives from Luzon, Visayas, and Mindanao shall be selected through a transparent and participatory selection process through the PNCC and shall serve a term of three (3) years without reappointment.

The members of the NCAG may designate their permanent and alternate representatives, who shall have a rank not lower than a Director or its equivalent, to attend meetings of the NCAG. The NCAG may invite other government agencies or instrumentalities to participate in its proceedings, as it may deem necessary.

SEC. 55. Powers and Functions of the PCCh. — To achieve the objectives of this Act, the PCCh shall have the following powers and functions:

- a. Provide leadership in the formulation of policies and the setting of priorities and direction of all child promotion and development programs and activities;
- b. Act as the leading advocate for child rights and well-being;
- c. Advocate for the integration of child rights and welfare into all relevant government policies, plans, and programs;
- d. Develop integrated plans, policies, programs, projects, and services that promote the general welfare and protect the best interests of children;
- e. Establish guidelines or standards for conducting a mandatory WWCC for employees or personnel directly working or engaging with children to verify their eligibility and suitability;
- f. Oversee the implementation and enforcement of policies, plans, and programs that promote and protect children's rights and welfare;
- g. Create a system of networking and coordination among NGAs, LGUs, NGOs, CSOs, and other stakeholders to ensure effective implementation of plans and strategies for children;
- h. Serve as an oversight body over committees, councils, bodies, and other structures, recommending areas for improved and efficient coordination, information-sharing, and monitoring of child safety and well-being;
- i. Conduct research and studies on children, in collaboration with relevant government agencies, bureaus, offices, or departments;
- j. Review, monitor, and evaluate all domestic or local and international policies, plans, and programs on children's right, establishing a primary system for monitoring, evaluation, and reporting;
- k. Establish a 24/7 monitoring, reporting, and response system for children's concerns;
- l. Advocate for, pilot test, and recommend to the appropriate agencies the nationwide implementation of new and innovative programs and services for children's welfare and protection;
- m. Provide technical assistance and capacity-building at all levels to support the effective implementation of its policies, plans, and programs, especially those involving mechanisms for children;
- n. Maintain strong partnerships with LGUs and communities to enable responsive action, close collaboration, and tailored interventions, addressing the specific needs of children at the grassroots level;
- o. Advocate for the allocation of resources to ensure the efficient and effective utilization of interventions with the greatest impact on children's well-being;
- p. Mobilize resource assistance and call upon NGAs, LGUs, and public and private entities to support its functions;
- q. Ensure convergence of efforts in addressing children's issues and concerns among councils and committees through improved and efficient coordination in planning, data-sharing, and aligning monitoring and oversight practices;
- r. Enter into contracts to facilitate the implementation of undertakings for children;
- s. Submit an annual comprehensive report on its activities and accomplishments to the President and the relevant congressional committees;

- t. Develop child-friendly mechanisms, processes, and platforms, especially during disasters and emergencies, to ensure the dissemination of relevant, inclusive, and culturally sensitive information on government policies and services for children;
- u. Seek reports and feedback from children on the implementation of programs and the delivery of services;
- v. Engage children in the design, planning, budgeting, and monitoring of government plans, programs, and services;
- w. Accept grants, contributions, donations, endowments, bequests, or gifts in cash, or in kind from local and foreign sources to support the development and implementation of child rights and welfare programs and plans: Provided, That in case of donations from foreign governments, acceptance thereof shall be subject to prior clearance and approval of the President of the Philippines upon recommendation of the concerned agency: Provided, further, That such donations shall not be used to fund personal expenditures and other operating expenses of the PCCh;
- x. Establish and formalize the indicators for the Child-Friendly Local Governance Audit, in collaboration with the DILG; and
- y. Perform additional functions necessary to effectively carry out the provisions of this Act.

SEC. 56. *Organizational Structure and Staffing Pattern of PCCh.* - The PCCh shall determine its organizational structure and staffing pattern in accordance with the revised compensation and position classification system subject to the evaluation and approval of the Department of Budget and Management and in compliance with the civil service laws, rules and regulations, and other pertinent laws.

SEC. 57. *Sectoral Committees or Sub-Committees on Children.* — Sectoral committees and sub-Committees on children shall be established to address various facets of child welfare and concerns, operating in accordance with the principles outlined in the UNCRC allowing for in-depth attention to the rights enshrined in the UNCRC. These sectoral and sub-committees shall be structured to cover different domains relevant to child well-being and have the capacity and flexibility to create additional committees or sub-committees to address emerging or specialized issues concerning children.

SEC. 58. *Regional Committees on Children (RCCs).* - To ensure the effective implementation of national plans, policies, and programs for child rights across the Philippines, this Act establishes the RCCs in all geographic regions of the country. The RCCs shall replicate the composition of the Board of Commissioners recognizing the diverse needs of children in different regions. RCCs will address regional specificities while ensuring that national initiatives reach children at both regional and local levels. The RCCs shall perform the following duties and functions:

- a. Facilitate the formulation, adoption, implementation, monitoring, and evaluation of regional plans and policies for children consistent with the goals and targets at the national level;
- b. Advocate for plans, policies, and programs for children, and provide technical assistance to LCPCs;
- c. Ensure the preparation and updating of the Annual Regional Situation Analysis on Children and the Regional State of Children Report and advocate for the use of such for planning and programming purposes;

- d. Develop a strategic plan translated into Annual Work Plans outlining the targets and priorities at the regional level;
- e. Undertake and submit an annual comprehensive report on its activities and accomplishments to PCCh;
- f. Ensure that local plans and investment programs for children align with regional priorities;
- g. Prepare and submit status reports and special reports on incidents, emergencies, and other emerging issues affecting children requiring action at the regional and national levels;
- h. Establish and maintain functional linkages with various stakeholders including NGOs, private sector, academe, faith-based organizations, and CSOs to support the achievement of the regional goals and targets for children;
- i. Monitor the functionality of LCPCs and coordinate the conferment of the Seal of Child-friendly Local Governance by the Board of Commissioners;
- j. Coordinate and lead the annual celebration of the National Children's Month at the regional and local levels; and
- k. Mobilize resources to support the activities of the Committee.

SEC. 59. *RCC Secretariat* — To ensure the effective functioning of the RCCs, a dedicated Secretariat shall be established within each region. This Secretariat will operate under the oversight of the PCCh and serve as the RCC's executive arm, managing its day-to-day operations. The duties and functions of the RCC Secretariat shall be specified in the IRR of this Act.

SEC. 60. *Convergence of Councils and Committees on Children (4Cs)*. — The 4Cs shall be created as a system of collaboration and coordination among all councils and committees specifically addressing concerns on children. It shall ensure effective and harmonious work relationships among all structures on children and address their issues at the national, regional, and local levels.

The 4Cs shall be composed of the Chairpersons of the councils and committees established based on existing laws and issuances. All other councils and committees that shall hereafter be created with direct implications on children shall be part of the 4Cs. The PCCh shall issue a Resolution to formalize membership in the 4Cs.

The 4Cs shall be convened by the Executive Director of the PCCh. It shall convene quarterly to be attended by the Chairpersons or alternate Chairpersons of the member councils and committees, to submit policy recommendations for adoption by the PCCh. All resolutions adopted by the 4Cs shall be officially forwarded to the PCCh.

The PCCh shall oversee the implementation of the resolutions among the members of the 4Cs.

SEC. 61. *Strengthening of Local Interagency Structures*. — The PCCh shall establish and maintain a strong regional presence and collaborative working relationship with the RCCs.

In accordance with RA 4881, entitled "An Act Creating a Council for the Protection of Children in Every City and Municipality of the Philippines and for Other Purposes", there shall be LCPCs at all levels, which shall be responsible for planning and spearheading

programs for children at the local level. It shall spearhead the development and implementation of the Local Development Plan for Children, Local Investment Plan for Children, and the Local Code for Children. The LCPC shall submit to their respective RCCs an annual Local State of Children's Report for consolidation and submission to the PCCh Secretariat. The PCCh shall call upon all LCPCs to draw and implement plans for the promotion of the well-being of the child at the local level.

In recognition of the crucial role of LCPCs in promoting child well-being at the local level, their annual budget allocation shall be increased from one percent (1%) to at least Two percent (2%) of the total annual budget appropriations of their respective LGUs. The Commission on Audit shall, together with the PCCh, conduct an annual audit on the use of the allotted budget to determine the judicious use, efficiency, and effectiveness of interventions in addressing child-related issues towards the realization of the objectives of the country's commitments, plans, and policies on children. Further, the PCCh shall, in coordination with the DILG and other relevant agencies, work to ensure the establishment and strengthening of the LCPC.

SEC. 62. *Transitory Provisions.* — Upon approval of this Act, the officers and staff of the CWC Secretariat shall continue to perform their duties and responsibilities in a holdover capacity and receive their corresponding salaries and benefits. Adherence to the provisions of RA 6656, entitled, "An Act to Protect the Security of Tenure of Civil Service Officers and Employees in the Implementation of Government Reorganization", shall be ensured.

Incumbent employees who are not reappointed or whose positions are not included in the approved new staffing pattern of the PCCh shall be deemed separated from the service. They shall receive retirement benefits to which they may be entitled under existing laws, rules, and regulations. Otherwise, they shall be paid the equivalent of one and one-fourth (1 ¹/₄) month's basic salary for every year of service or the nearest equivalent fraction thereof, whichever is more favorable to them, based on the highest salary received, in addition to the retirement benefits or pensions under the applicable retirement law.

The new position structure and staffing pattern of the PCCh shall be recommended by the Executive Director for approval by the Secretary of the DBM, with due concurrence of the Civil Service Commission within one hundred sixty (160) days from the approval of this Act.

Authorized positions created thereunder shall be filled with regular appointments. The authority of the Executive Director of the PCCh shall be extended to appointments and other personnel actions in accordance with Sections 29 and 30, Chapter 6, Book IV of Executive Order No. 292 or the "Administrative Code of 1987".

SEC. 63. *Establishment of the Philippine National Children's Conference.* - The PNCC shall be a biennial event organized and facilitated by the PCCh, designed to provide a platform for promoting the rights of children to participate in all matters affecting their lives. It shall also serve as a mechanism for consultation on how children can be actively engaged by government agencies and NGOs in addressing children's issues. The PNCC shall be held after the Local and Regional Children's Conference.

The PNCC shall also function as the national selection process for identifying child delegates to represent the country in the ASEAN Children's Forum, ensuring that the voices of Filipino children are heard at a regional level.

SEC. 64. *Tax and Duty Exemptions.* - All grants, bequest, endowments, donations and contributions made to PCCh to be used actually, directly and exclusively for and in accordance with the purposes and functions of PCCh shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross income of the donor, in accordance with the provisions of the RA 8424, as amended, otherwise known as the "National Internal Revenue Code of 1997".

PCCh shall be exempt from customs duties in accordance with RA 10863, otherwise known as the "*Customs Modernization and Tariff Act.*"

CHAPTER X

FINAL PROVISIONS

SEC. 65. *Annual Report.* - The PCCh and other concerned government agencies shall, on or before June 30 of each calendar year, submit an annual report to Congress, giving a detailed account of its proceedings and accomplishments during the year and making recommendations for modifications or improvements to enhance the effectiveness of this Act.

SEC. 66. *Appropriations.* - The amount necessary for the initial implementation of this act shall be charged against the current year's appropriations of the department and agencies concerned. Thereafter, such amount shall be included in the annual General Appropriations Act.

SEC. 67. *Implementing Rules and Regulations.* - The PCCh shall, in consultation with the concerned NGAs, LGUs, NGOs, and CSOs, formulate and issue the IRR within ninety (90) days after the approval of this Act.

SEC. 68. *Congressional Oversight Committee.* - There is hereby created a Congressional Oversight Committee composed of five (5) members from the Senate of the Philippines and five (5) members from the House of Representatives. The members of the Senate shall be composed of the Chairperson of the Senate Committee on Women, Children, Family Relations and Gender Equality and the remaining four (4) members shall be appointed by the Senate President. The members of the House of Representatives shall be composed of the Chairpersons of the Committees on Welfare of Children, Women and Gender Equality, and Population and Family Relations and the remaining two (2) members shall be appointed by the Speaker of the House of Representatives.

The oversight committee shall monitor and ensure the effective implementation of this Act, recommend the necessary remedial legislation or administrative measures, and perform such other duties and functions as may be necessary to attain the objectives of this Act.

SEC. 69. *Suppletory Application.* - For purposes of this Act, Act No. 3815, as amended; Presidential Decree No. 603, as amended; RA 7610, as amended; RA 9208, as amended; RA 11930, and all other applicable laws shall have suppletory application.

SEC. 70. *Separability Clause.* - If any part or provision of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 71. *Repealing Clause.* — All laws, decrees, orders, and rules and regulations inconsistent with the provisions of this Act are deemed amended, modified, or repealed accordingly.

SEC. 72. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,