



Republic of the Philippines
House of Representatives
Quezon City

Twentieth Congress
Second Regular Session

HOUSE BILL NO. 11295



Introduced by Representative Ann Matibag

EXPLANATORY NOTE

The 1987 Philippine Constitution recognizes the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Children, however, experience environmental harm in a distinct, disproportionate, and often irreversible manner due to their physical, mental, and developmental vulnerabilities.

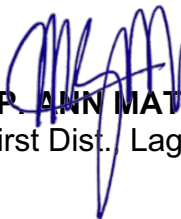
Environmental degradation, climate change, pollution, unsafe water, hazardous living conditions, and disasters directly impair children's rights to life, survival, development, health, education, and dignity. These harms also undermine the ability of future generations to enjoy a safe and sustainable environment.

The Philippines is a State Party to the United Nations Convention on the Rights of the Child (UNCRC), which obliges States to ensure the best interests of the child, the right to survival and development, non-discrimination, and the right of children to be heard in matters affecting them. Recent international standards further recognize the right of the child to a clean, healthy, and sustainable environment as essential to the full enjoyment of all other rights.

This measure seeks to operationalize these commitments by recognizing the environmental rights of children as enforceable legal rights, consistent with the proposed **Protection of Environmental Rights of Children Act**. It defines the substantive and procedural environmental rights of children, clarifies the obligations of State and non-State actors, institutionalizes child participation, strengthens child protection in environmental emergencies, and establishes accountability mechanisms with aggravated penalties when violations affect children.

By adopting a child-centered, rights-based, and intergenerational approach to environmental governance, this bill ensures that environmental protection becomes an instrument for safeguarding the present and future of Filipino children.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



REP. ANN MATIBAG
First Dist., Laguna



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HOUSE BILL NO. 11295

Introduced by **Representative Ann Matibag**

**AN ACT INSTITUTIONALIZING THE PROTECTION OF THE ENVIRONMENTAL
RIGHTS OF CHILDREN, PROVIDING ENABLING MECHANISMS FOR ITS
IMPLEMENTATION, MONITORING, ENFORCEMENT, AND FOR OTHER
PURPOSES**

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

SECTION 1. Title. This Act shall be known as the “**Protection of Environmental Rights of Children Act.**”

SECTION 2. Declaration of Policy. It is hereby declared the policy of the State:

- (a) To recognize, uphold, and protect the inherent dignity and worth of children and their fundamental right to a clean, healthy, safe, and sustainable environment;
- (b) To ensure that children’s rights are taken into account in environmental decision-making processes at all times and in all State instrumentalities, including situational analysis, environmental planning, implementation of interventions, and evaluation of impacts;
- (c) To implement programs, projects, and activities that promote sustainable development and environmental stewardship aligned with the environmental rights and well-being of children;
- (d) To hold relevant government instrumentalities, corporations, and citizens accountable for actions and decisions that adversely affect children’s environmental rights;

- (e) To establish an efficient, effective, and accessible implementing mechanism for the protection and enforcement of children's environmental rights embedded in the functions of relevant government instrumentalities;
- (f) To fulfill the obligations of the State to respect, protect, and fulfill children's environmental rights consistent with the Constitution, existing Philippine laws, and the United Nations Convention on the Rights of the Child (UNCRC)

SECTION 3. Definition of Terms. As used in this Act, the following terms are defined as follows:

- (a) "Child" refers to a person below eighteen (18) years of age, consistent with Republic Act No. 7610 and other applicable laws.
- (b) "Nature" refers to the physical world and all living and non-living components and their interactions.
- (c) "Environment" refers to the natural surroundings and their elements, including air, water, land, ecosystems, biodiversity, and the interrelationship among these resources.
- (d) "Environmental Rights" refers to the rights of children to a clean, healthy, and sustainable environment, including the right to clean air, clean water, healthy food, safe living conditions, and protection from pollution and toxic substances.
- (e) "Environmental Harm" refers to any negative impact on the environment that adversely affects children's health, survival, development, well-being, and safety, including but not limited to air and water pollution, exposure to toxic chemicals and pesticides, climate change, thermal stress from extreme heat events, vector- and water-borne diseases, nutritional deficiencies, and mental health impacts.
- (f) "Best Interest of the Child" refers to the totality of circumstances and conditions most conducive to the survival, protection, participation, and development of the child.
- (g) "Right to a Healthy Environment" refers to the legal entitlement of children to clean air, clean water, safe food, and a safe environment free from hazards threatening their health and development.
- (h) "Precautionary Principle" refers to the principle that where human activities may lead to threats of serious or irreversible environmental damage, lack of full scientific certainty shall not be used as a reason for postponing measures to prevent environmental degradation.
- (i) "Sustainable Development" refers to development that meets present needs without compromising the ability of future generations to meet their own needs.
- (j) "Environmental Governance" refers to the system of rules, practices, and institutions that shape human interaction with the environment.

- (k) “Child Participation” refers to the right of children to participate in decision-making processes affecting their lives and environment through safe, inclusive, age-appropriate, child-sensitive, and disability-responsive mechanisms.

SECTION 4. Scope and Application. This Act shall apply to all children temporarily or permanently residing] within the territory or otherwise under the jurisdiction of the Philippines.

SECTION 5. Substantive Rights of Children. The following substantive environmental rights of children are recognized under this Act:

- (a) Right to Clean Air – the right to breathe clean air free from pollutants and toxins harmful to health and development;
- (b) Right to Clean Water – the right to safe, clean, accessible, and sufficient water for drinking, sanitation, and hygiene;
- (c) Right to Healthy Food – the right to access nutritious, safe, and sufficient food that promotes good health and well-being;
- (d) Right to a Safe and Healthy Environment – the right to live in an ecologically balanced habitat free from pollution, geo-hazards, and environmental threats;
- (e) Right to Protection from the Impacts of Climate Change – the right to protection from the harmful impacts of climate change, including rising temperatures, sea-level rise, and extreme weather events;
- (f) Right to Participate in Environmental Decision-Making – the right to participate in environmental and climate-related decision-making processes affecting their well-being;
- (g) Right to Relevant Information and Environmental Education – the right to receive education and information regarding environmental protection, climate change, biodiversity conservation, and sustainable development consistent with Republic Act Nos. 9155, 9512, and 10533; and
- (h) Right to a Sustainable Future – the right to inherit a sustainable and healthy environment with properly managed and conserved natural resources for future generations.

The rights recognized under this Act shall be interpreted consistent with the Constitution, the United Nations Convention on the Rights of the Child, existing environmental laws, and child protection laws.

SECTION 6. Procedural Rights. Children shall enjoy the following procedural rights:

- (a) Access to Environmental Information – Children, directly or through their representatives, shall have the right to timely, accurate, reliable, child-friendly, and accessible environmental, climate, and disaster-related information;

- (b) Participation in Environmental Decision-Making – Children shall have the right to be heard and to participate safely and meaningfully in environmental decision-making processes through child-sensitive and age-appropriate consultation mechanisms; and
- (c) Access to Justice – Children shall have access to child-sensitive administrative, judicial, and quasi-judicial remedies without discrimination or fear of retaliation.

ARTICLE I

OBLIGATIONS OF THE STATE

SECTION 7. General State Obligations. The State shall recognize, respect, protect, and fulfill the environmental rights of children.

- (a) To respect, the State shall refrain from acts, policies, or omissions that directly or indirectly cause environmental harm affecting children.
- (b) To protect, the State shall prevent, regulate, monitor, and sanction environmental harm to children caused by third parties, including business enterprises.
- (c) To fulfill, the State shall adopt legislative, administrative, budgetary, judicial, and institutional measures necessary to ensure children’s enjoyment of a clean, healthy, and sustainable environment.

SECTION 8. Duty of Prevention, Due Diligence, and Precaution. The State shall exercise heightened due diligence in preventing environmental harm to children.

- (a) The State shall take all appropriate measures to prevent reasonably foreseeable, long-term, cumulative, and intergenerational environmental harm to children.
- (b) The precautionary principle shall apply in all environmental decisions affecting children.
- (c) Environmental decisions affecting children shall be informed by scientific risk assessments and public health evidence.
- (d) The State shall recognize early childhood and other critical stages of development as periods of heightened vulnerability requiring stricter environmental safeguards.

SECTION 9. Child-Sensitive Environmental Standards and Regulation. The Department of Environment and Natural Resources (DENR), in coordination with the Department of Health (DOH), Department of Agriculture (DA), Department of the Interior and Local Government (DILG), and Department of Education (DepEd), shall establish and enforce child-sensitive environmental standards.

- (a) Environmental standards for air quality, water quality, food safety, toxic substances, waste management, and climate risk exposure shall reflect children’s developmental stages and physiological vulnerability;

- (b) Stricter standards and monitoring shall apply in homes, schools, childcare facilities, evacuation centers, playgrounds, and public spaces frequented by children; and
- (c) Compliance and enforcement measures shall consider delayed, latent, cumulative, and intergenerational impacts on children's health and development.

SECTION 10. Mandatory Child Rights Impact Assessments. The DENR, in coordination with the Climate Change Commission (CCC) and National Disaster Risk Reduction and Management Council (NDRRMC), shall require Child Rights Impact Assessments (CRIA) for environmental and climate-related decision-making.

- (a) All proposed and existing laws, policies, programs, projects, plans, budgets, and investments relating to the environment, climate change, disaster risk reduction, land use, infrastructure, energy, and natural resources shall undergo CRIA;
- (b) Assessments shall examine short-, medium-, and long-term, cumulative, irreversible, and intergenerational impacts on children's rights;
- (c) CRIA shall be conducted prior to approval, reviewed during implementation, and evaluated after completion with meaningful participation of children; and
- (d) Findings shall be made publicly available in child-friendly and accessible formats.

The DENR is encouraged to integrate CRIA into its existing Environmental Impact Assessment guidelines.

SECTION 11. Access to Environmental Information. The DENR, in coordination with the Department of Information and Communications Technology (DICT) and DepEd, shall ensure children's access to environmental information.

- (a) Children shall have access to accurate, timely, reliable, and age-appropriate information on environmental risks, climate impacts, disaster hazards, and protective measures;
- (b) Information shall be disseminated in formats accessible to children with disabilities and children in geographically isolated and disadvantaged areas; and
- (c) The State shall protect children from misinformation relating to environmental and climate risks.

SECTION 12. Participation and Protection of Children. The DILG, in coordination with NEDA, CHR, DSWD, and NDRRMC, shall guarantee children's meaningful participation in environmental decision-making.

- (a) Children shall have the right to be heard and consulted in environmental, climate, disaster risk reduction, and land-use decisions affecting them;
- (b) Local Government Units shall establish child-friendly consultation mechanisms in coordination with local development councils;
- (c) The State shall protect children, including child environmental human rights defenders, from harassment, intimidation, retaliation, criminalization, or reprisals.

SECTION 13. Access to Justice and Effective Legal and Non-Legal Remedies. The Department of Justice (DOJ), in coordination with the Supreme Court, DENR, CHR, DepEd, DILG, and Philippine National Police (PNP), shall ensure effective access to justice for environmental harm affecting children.

- (a) Children shall have access to child-friendly, accessible, affordable, and timely remedies, including administrative, judicial, and quasi-judicial mechanisms;
- (b) Provide timely and adequate access to non-legal remedies to enable children or their parents or guardians to pursue the legal remedies of their choice
- (c) Barangay-level complaint mechanisms for any potential or actual environmental harm shall be established, prioritizing those in ancestral domains or communities inhabited by indigenous communities, remote barangays or conflict-sensitive areas
- (d) Existing environmental judicial remedies under the Rules of Procedure for Environmental Cases and other laws shall supplement the remedies provided under this Act.

SECTION 14. Child-Centered Remedies and Reparation. The DSWD, in coordination with DOJ, DOH, CHR, DepEd, and DILG, shall ensure that remedies for violations of children's environmental rights include:

- (a) Medical, psychological, and psychosocial rehabilitation;
- (b) Long-term health and developmental monitoring;
- (c) Environmental remediation and restoration;
- (d) Guarantees of non-repetition; and
- (e) Other forms of reparation proportionate to the severity and long-term impact of the harm suffered.

SECTION 15. Regulation of Business Enterprises. The DENR, in coordination with the Department of Trade and Industry (DTI), Securities and Exchange Commission (SEC), Department of Labor and Employment (DOLE), Department of Education and the Local Government Units (LGUs), shall regulate business activities to prevent environmental harm to children.

- (a) Business enterprises shall conduct child-rights and environmental due diligence appropriate to the size and nature of operations;
- (b) Business enterprises shall undertake periodic reporting and disclosure on environmental and child-rights due diligence measures;
- (c) The State shall prevent and penalize green washing, misleading environmental claims, and unsafe business practices affecting children; and
- (d) Accountability mechanisms shall apply to environmental harm caused by business activities, including transboundary and extraterritorial harm where legally applicable.

SECTION 16. Climate Change and Disaster Risk Obligations. The CCC in coordination with the DENR, DepEd, DSWD. LGUs shall integrate the protection of child rights in all State-led climate action on adaptation and mitigation, specifically:

- a) Children's rights shall be integrated into climate mitigation, adaptation, disaster risk reduction, and loss-and-damage policies.
- b) The State shall establish child-responsive early warning systems, disaster preparedness, response, and recovery measures.
- c) Climate finance, climate projects, and disaster response programs shall be subject to child rights safeguards and assessments.

SECTION 17. Data Collection, Monitoring, and Accountability. The Philippine Statistics Authority (PSA), in coordination with DENR, DSWD, DILG, DepEd, and NEDA, shall strengthen evidence-based environmental governance for children.

- (a) The State shall collect and maintain disaggregated child-specific environmental data by age, sex, disability, location, ethnicity, and socioeconomic status among others.
- (b) Studies shall assess intergenerational impacts of environmental harm;
- (c) Data shall inform legislation, policy-making, budgeting, and enforcement; and
- (d) Periodic public reports shall be published annually.

SECTION 18. Progressive Realization and Non-Retrogression. The State shall take deliberate and concrete steps toward the full realization of children's environmental rights and shall refrain from retrogressive measures weakening existing protections unless fully justified in accordance with the best interest of the child.

ARTICLE II

INSTITUTIONAL ARRANGEMENTS AND IMPLEMENTATION MECHANISMS

SECTION 18. Inter-Agency Council on the Protection of Children's Environmental Rights (IACPCER).

An Inter-Agency Council on the Protection of Children's Environmental Rights (IACPCER) is hereby created to coordinate the implementation of this Act.

The Council shall be chaired by the DENR with all agencies identified under this Act as members, together with accredited child rights organizations and relevant civil society stakeholders.

Within ninety (90) days after the effectivity of this Act, the IACPCER shall develop coordination, accountability, and implementation mechanisms at the national and local levels.

SECTION 19. Powers and Functions of the IACPCER. The IACPCER shall have the following powers and functions:

1. Formulate the IRR of this Act within 90 days from the effectivity of this Act.
2. Formulate, adopt and monitor the implementation of appropriate rules and regulations relevant to the implementation of this Act;
3. Adopt its own rules of procedures relating to meetings, decision-making, among others
4. Undertake regular Inter-agency Coordination Meetings: Planning, Reporting, Assessment
Stakeholder Engagement;
5. Monitor compliance by State and Non-state actors with the standards and regulations provided under this Act;
6. Establish appropriate redress and complaints mechanisms
7. Develop programs for capacity building for stakeholders such as schools, learning institutions, parent-teachers associations, business enterprises among others
8. Consolidate regular updates and reports, and submission of annual report to the President
9. Issuance of relevant directives and guidelines to member agencies, LGUs and other relevant stakeholders
10. Issue emergency health advisories, protective school measures, temporary shutdown orders, or similar emergency directives during environmental or climate emergencies to prevent imminent harm to children.

The exercise of administrative powers under this Act shall be without prejudice to the mandates of existing regulatory agencies.

SECTION 20. Support Agencies. The following government agencies are specifically mandated to support the implementation of this Act:

- (a) **Department of Labor and Employment (DOLE):** Provides support in terms of handling issues on child labor in hazardous environments and ensuring safe working conditions for children.
- (b) **Department of Agriculture:** Provides relevant technical inputs on sustainable and regenerative agricultural practices, reducing the use of hazardous chemicals in food production and ensuring balance between food security and food safety.
- (c) **Department of Justice:** Provides support in enforcing environmental laws and providing legal remedies for specific violations of children's environmental rights.

- (d) **National Commission on the Indigenous People (NCIP):** Provides culture-appropriate guidance for addressing issues regarding the rights of indigenous children, who are often directly exposed to environmental threats.
- (e) **Climate Change Commission (CCC):** Provides technical advice on coordinating, monitoring, and evaluating programs and action plans to address climate change; assists in conducting quasi-judicial investigations looking into child and human rights implications of climate change; and comes up with recommendations to promote climate action and accountability.
- (f) **Commission on Human rights (CHR)** – on rights-based monitoring and accountability;
- (g) **DILG** – on integration of children’s environmental rights into local governance and development councils;
- (h) **Council for the Welfare of Children (CWC)** – on technical assistance and policy guidance; and
- (i) **Committee for the Special Protection of Children (CSPC)** – on coordination of child protection concerns.

SECTION 21. DSWD as Secretariat. The DSWD shall be the Secretariat of the IACPCER. The Secretariat shall have the following functions:

- a) Provide administrative and logistical support, including the preparation of agendas, minutes, resolutions, and official records of the Council;
- b) Conduct or commission technical, legal, and policy research necessary for the effective implementation of this Act;
- c) Coordinate and liaise with member agencies, local government units, and relevant stakeholders to ensure timely and coherent implementation of Council decisions;
- d) Monitor and consolidate reports on compliance with this Act and related policies, and prepare periodic reports for submission to Congress and the public;
- e) Maintain databases, records, and knowledge management systems relevant to children’s environmental rights;
- f) Facilitate inclusive, safe, and child-appropriate consultations and participation processes;
- g) Receive and refer complaints, submissions, or feedback to the members of the Council, without prejudice to their mandates; and
- h) Perform such other functions as the IACPCER may require.

SECTION 22. Children’s Environmental Ombudsperson. The Commission on Human Rights (CHR) is hereby designated as the Children’s Environmental Ombudsperson. It shall receive complaints, monitor compliance, and publish annual accountability reports. Appropriations shall be provided to the Commission in order to perform such function.

SECTION 23. Role of Local Government Units. All LGUs at the province, city, municipality and barangay level are mandated to implement and enforce this Act. Hence, LGUs shall adopt the protection of the environmental right of children as a standard, as appropriate, in regulating all commercial and business activities, enforcement of environmental laws, local development planning and in the performance of other powers granted to them under the Local Government Code of 1991.

ARTICLE III

ENFORCEMENT, REMEDIES, AND PENALTIES

SECTION 24. Aggravated Penalties. When any act or omission penalized under existing environmental, climate change, or disaster risk reduction laws is committed and the offended party is a child, or when the violation directly or indirectly harms children’s health, development, safety, or habitat, the penalties prescribed under such laws shall be automatically increased by one degree higher. The imposition of aggravated penalties under this Act shall be without prejudice to appropriate civil and administrative liability.

SECTION 25. Administrative Powers of the IACPCER. The IACPCER shall exercise the following administrative powers consistent with existing laws:

- (a) Conduct inspections and compliance monitoring in child-sensitive areas;
- (b) Issue cease-and-desist orders and temporary suspensions after due notice and hearing, where practicable, in cases involving imminent harm to children;
- (c) Impose administrative fines and sanctions for non-compliance with environmental standards relating to the protection of environmental rights children.
- (d) Recommend permit suspension or revocation for operations causing environmental harm to children; and
- (e) Undertake emergency health advisories, protective school measures, and emergency interventions during environmental or climate emergencies.

The IACPCER shall provide specific administrative guidelines for the effective performance of the foregoing functions, taking into account the respective mandates and capacity of its members in relation to the performance of such functions.

ARTICLE IV

MISCELLANEOUS PROVISIONS

SECTION 26. Appropriations. The funding requirements for the implementation of this Act shall be included in the annual General Appropriations Act. Annual appropriations shall include budget allocations for relevant member agencies of the IACPCER consistent with the approved Work and Financial Plan.

SECTION 27. Implementing Rules and Regulations. The IACPCER shall convene within ninety (90) days after the effectivity of this Act for the formulation of the Implementing Rules and Regulations, subject to consultation with civil society organizations, schools, children's groups, Indigenous Peoples, and other stakeholders.

SECTION 28. Mandatory Review. The IACPCER, in coordination with Congress, shall undertake a review of the implementation of this Act five (5) years after its effectivity or as circumstances may require.

SECTION 29. Separability Clause. If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected shall continue to be in full force and effect.

SECTION 30. Repealing Clause. All laws, decrees, executive orders, rules, regulations, and issuances inconsistent with the provisions of this Act are hereby amended or repealed accordingly.

SECTION 31. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.