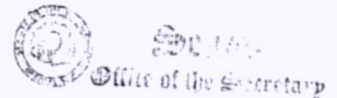


SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE

'18 SEP 20 A11 :15

COMMITTEE REPORT NO. 475

RECEIVED 

Submitted jointly by the Committees on Women, Children, Family Relations and Gender Equality; National Defense and Security; and Finance on SEP 20 2018.

Re: Senate Bill No. 2023

Recommending its approval in substitution of Senate Bill Nos. 1474, 1543, 1697, and 1935, taking into consideration House Bill No. 7442.

Sponsor: Senator Risa Hontiveros

MR. PRESIDENT:

The Committees on Women, Children, Family Relations and Gender Equality; National Defense and Security; and Finance to which were referred Senate Bill No. 1474, introduced by Senators Vicente C. Sotto III and Joel Villanueva:

"AN ACT

**PROVIDING FOR THE SPECIAL PROTECTION OF CHILDREN
IN SITUATIONS OF ARMED CONFLICT AND PROVIDING
PENALTIES FOR VIOLATION THEREOF"**

Senate Bill No. 1543, introduced by Senator Joseph Victor G. Ejercito, entitled:

**"AN ACT
PROVIDING FOR THE SPECIAL PROTECTION OF CHILDREN
IN SITUATIONS OF ARMED CONFLICT AND PROVIDING
PENALTIES FOR VIOLATIONS THEREOF"**

Senate Bill No. 1697, introduced by Senator Grace Poe, entitled:

**"AN ACT
PROVIDING FOR THE SPECIAL PROTECTION OF CHILDREN
IN SITUATIONS OF ARMED CONFLICT AND PROVIDING
PENALTIES FOR VIOLATIONS THEREOF"**

and Senate Bill No. 1935, introduced by Senators Risa Hontiveros and Maria Lourdes Nancy S. Binay, entitled:

**"AN ACT
PROVIDING SPECIAL PROTECTION OF CHILDREN IN
SITUATIONS OF ARMED CONFLICT AND PROVIDING
PENALTIES THEREOF"**

taking into consideration House Bill No. 7442, introduced by Representatives Belmonte (F.), Belmonte (J.C), Dalipe, Tambunting, Nieto, Maceda, Lobregat, Bataoil, Primicias-Agabas, Abayon, Chipeco, Bravo (M.V.), Amatong, Arbison, Palma, Jalosjos, Yu, Fortun, Bulut-Begtang, De Venecia, Alejano, Villarín, Biazon, Nograles (K.A.), Fariñas, Sambar, Del Mar, Go (A.C.), Leachon, Marcoleta, Sacdalan, Go (M.), Salo, Salon, Sarmiento (E. M.), Yap (M.), Aggabao, Barbers, Roa-Puno, Labadlabad, Nava, Villaraza-Suarez, Nograles (J.J.), Macapagal-Arroyo, Villafuerte, Relampagos and Belmonte (R.) entitled:

**"AN ACT
PROVIDING FOR THE SPECIAL PROTECTION OF
CHILDREN IN SITUATIONS OF ARMED CONFLICT AND
PROVIDING PENALTIES FOR VIOLATIONS THEREOF"**

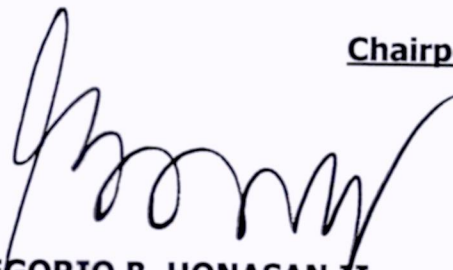
have considered the same and have the honor to report it back to the Senate with the recommendation that Senate Bill No. 2023, prepared by the Committees, entitled:

**"AN ACT
PROVIDING SPECIAL PROTECTION OF CHILDREN IN
SITUATIONS OF ARMED CONFLICT AND PROVIDING
PENALTIES THEREFOR"**

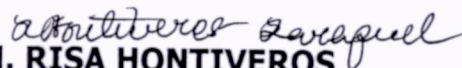
be approved in substitution of Senate Bill Nos. 1474, 1543, 1697 and 1935, taking into consideration House Bill No. 7442 with Senators Sotto III, Villanueva, Ejercito, Poe, Hontiveros, Binay, Honasan and Legarda as authors thereof.

Respectfully Submitted:


Chairpersons:



SEN. GREGORIO B. HONASAN II
Committee on National Defense and Security
Member, Committee on Finance

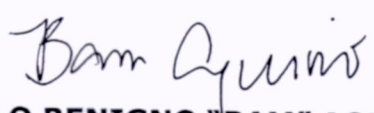


SEN. RISA HONTIVEROS
Committee on Women, Children
Family Relations and Gender Equality
Member, Committees on National
Defense and Security; and Finance




SEN. LOREN B. LEGARDA
Committee on Finance
Vice Chairperson, Committee on National Defense and Security
Member, Committee on Women, Children, Family Relations
and Gender Equality

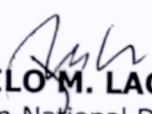
Vice – Chairpersons:




SEN. PAOLO BENIGNO "BAM" AQUINO IV
Committee on Finance
Member, Committees on Women,
Children, Family Relations
and Gender Equality; and
National Defense and Security



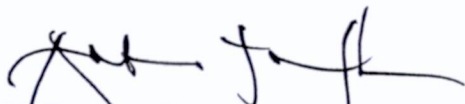
SEN. CYNTHIA A. VILLAR
Committee Finance
Member, Committees on Women,
Children, Family Relations and
Gender Equality; and
National Defense and Security



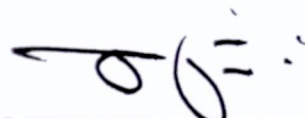
SEN. PANFILO M. LACSON
Committees on National Defense
and Security; and Finance



SEN. SONNY ANGARA
Committee on Finance
Member, Committees on Women,
Children, Family Relations and
Gender Equality; and National
Defense and Security

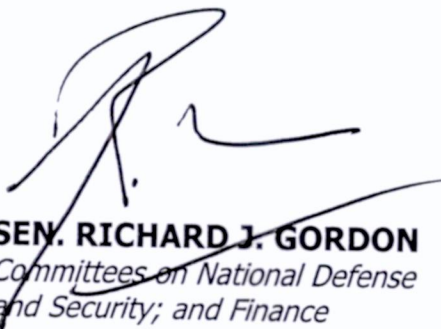


SEN. ANTONIO "SONNY" F. TRILLANES IV
Committee on National Defense and Security
Member, Committee on Finance



SEN. JOSEPH VICTOR G. EJERCITO
Committee on Finance
Member, Committee on National Defense and Security

Members:



SEN. RICHARD J. GORDON
Committees on National Defense and Security; and Finance



SEN. MARIA LOURDES NANCY S. BINAY
Committees on Women, Children, Family Relations and Gender Equality; National Defense and Security; and Finance



SEN. JOEL VILLANUEVA
Committees on National Defense and Security; and Finance



SEN. GRACE POE
Committees on Women, Children, Family Relations and Gender Equality; and Finance

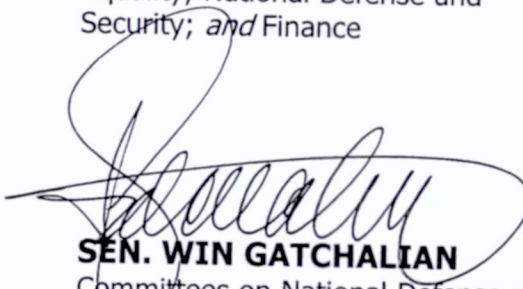


SEN. AQUILINO "KOKO" PIMENTEL III
Committees on National Defense and Security; and Finance

SEN. FRANCIS G. ESCUDERO
Committees on Women, Children, Family Relations and Gender Equality; National Defense and Security; and Finance



SEN. FRANCIS M. PANGILINAN
Committees on National Defense and Security; and Finance



SEN. WIN GATCHALIAN
Committees on National Defense and Security; and Finance



SEN. EMMANUEL "MANNY" D. PACQUIAO
Committee on National Defense and Security

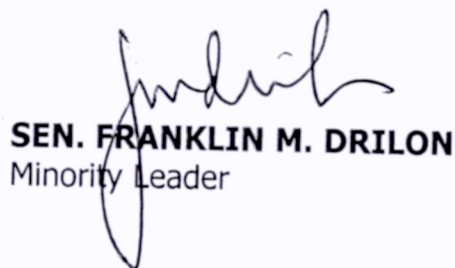
SEN. LEILA M. DE LIMA
Committee on National Defense and Security

Ex-Officio Members:

SEN. RALPH G. RECTO
President Pro-Tempore



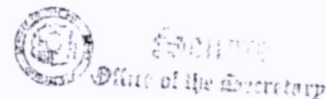
SEN. JUAN MIGUEL "MIGZ" F. ZUBIRI
Majority Leader



SEN. FRANKLIN M. DRILON
Minority Leader

SEN. VICENTE C. SOTTO III
President
Senate of the Philippines

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



SENATE
Senate Bill No. 2023

'18 SEP 20 A11 :15

(In substitution of Senate Bill Nos. 1474, 1543, 1697 and 1935, taking into
consideration House Bill No. 7442)

Prepared and submitted jointly by the Committees on Women, Children, Family
Relations and Gender Equality; National Defense and Security; and Finance, with
Senators Sotto III, Villanueva, Ejercito, Poe, Hontiveros, Binay, Honasan and
Legarda as authors thereof

AN ACT
PROVIDING SPECIAL PROTECTION OF CHILDREN IN SITUATIONS OF
ARMED CONFLICT AND PROVIDING PENALTIES THEREOF

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

CHAPTER I
GENERAL PROVISIONS

1 SECTION 1. **Short Title.** – This Act shall be known as *Special Protection of*
2 *Children in Situations of Armed Conflict Act.*

3 SEC. 2. **Declaration of State Policy.** – It shall be the policy of the State to
4 provide special protection to children in situations of armed conflict from all forms of
5 abuse, violence, neglect, cruelty, discrimination and other conditions prejudicial to
6 their development, taking into consideration their gender, cultural, ethnic and
7 religious background. For this purpose, the State shall:

8 (a) Fully implement the protection guaranteed under the *Convention on the*
9 *Rights of the Child*, its *Optional Protocol on the involvement of children in armed*
10 *conflict* and all other core human rights treaties, particularly, the *International*
11 *Covenant on Civil and Political Rights* and the *Convention Against Torture and Other*

1 *Cruel, Inhuman or Degrading Treatment or Punishment*; other pertinent international
2 instruments such as the *International Labor Organization Convention No. 182*
3 concerning the prohibition and immediate action for the elimination of the worst
4 forms of child labor; the *Geneva Conventions of 1949* and the additional protocols
5 ratified by the Philippines; the *Convention on the Elimination of All Forms of*
6 *Discrimination Against Women (CEDAW)* *General Recommendation 30* and the
7 *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of*
8 *Anti-Personnel Mines and on their Destruction*;

9 (b) Take into account the *United Nations Guiding Principles on Internal*
10 *Displacement*, the United Nations Security Council Resolutions related to children
11 affected by armed conflict, *United Nations Security Council Resolution (UNSCR) No.*
12 *1820 on Women, Peace and Security*, and other pertinent international instruments
13 in the implementation of its treaty obligations and of this Act; respect the human
14 rights of children at all times. It shall be recognized that children are entitled to
15 dignity and respect as human beings in need of protection from degradation,
16 humiliation, maltreatment, exploitation and assault;

17 (c) Consider as paramount the best interests of children, and treat all children
18 involved in, affected by or displaced by armed conflict as victims;

19 (d) Take all feasible measures to prevent the recruitment and use of children in
20 armed conflict and shall take all necessary measures to ensure the effective
21 implementation and enforcement of the provisions of this Act;

22 (e) Take all the necessary measures to address the root causes of armed
23 conflict which include, but are not limited to poor governance, issues of injustice and
24 wide spread poverty and economic inequity that result in involving, affecting or
25 displacing children;

26 (f) Continue to recognize its primary role in providing effective protection and
27 relief to all children in situations of armed conflict;

28 (g) Continue to fulfill its responsibilities to end impunity and to prosecute those
29 responsible especially for grave child rights violations in armed conflict; and

30 (h) Ensure the right to participation of children affected by armed conflict in all
31 its policies, actions, decisions concerning their rescue, rehabilitation and
32 reintegration.

1 SEC. 3. **Scope of Application.** – This Act shall apply to all children involved in,
2 affected by or displaced by armed conflict.

3 The application of this Act shall not affect the legal status of any party to the
4 armed conflict.

5 SEC. 4. **Interpretation of this Act.** – Nothing in this Act shall be construed as
6 precluding provisions in existing Philippine laws, international human rights laws and
7 related instruments, and international humanitarian laws that are more conducive to
8 the realization of the rights of children.

9 SEC. 5. **Definition of Terms** - . As used in this Act:

10 (a) *Abduction of children* refers to the seizure, apprehension, taking in custody,
11 detention or capture of one or more children either temporarily or permanently by
12 force, threat of force or coercion, or deception for the purpose of any form of
13 exploitation of such children in the situations of armed conflict;

14 (b) *Acts of gender-based violence* refer to physical or sexual violence other than
15 rape, and psychosocial harm that is committed against a person as a result of power
16 inequities that are based on gender roles. These include, among others battering,
17 sexual slavery and abuse of children, female genital mutilation, prostitution, forced
18 marriage, forced pregnancy or forced sterilization;

19 (c) *Armed conflict* refers to armed confrontations occurring between
20 governmental armed forces and one or more armed groups, or between such groups
21 arising in the Philippine territory. These shall include activities which may lead to or
22 in preparation of armed confrontation or armed violence that put children's lives at
23 risk and their rights violated;

24 (d) *Armed group* refers to an armed non-state actor or non-state entity
25 engaged in armed violence against the state and/or its governmental armed forces
26 or against other non-state armed groups, actors or non-state entities;

27 (e) *Attacks on schools, hospitals, places of worship, child development or day*
28 *care centers, evacuation centers and other public places such as recreation parks,*
29 *playgrounds and malls* refer to the attacks, occupation, shelling, targeting for
30 propaganda of schools, hospitals or places of worship and their personnel; causing
31 damage to such places, or harm or injury to their personnel; or causing the total or
32 partial physical destruction of such facilities; or disruption of educational activities

1 and health services. It also refers to attacks of such places which have been
2 temporarily abandoned by the community as a result of armed conflict;

3 (f) Camps – refer to structures or spaces occupied by governmental armed
4 forces and armed groups.

5 (g) *Child* refers to:

6 (1) A person below eighteen (18) years of age; or,

7 (2) A person (18) years of age or older but who is unable to fully take care
8 of one's self; or protect one's self from abuse, neglect, cruelty, exploitation or
9 discrimination; and unable to act with discernment because of physical or mental
10 disability or condition;

11 (h) *Child protection* refers to measures, structures and activities that ensure the
12 prevention and response to abuse, neglect, exploitation and violence affecting
13 children. It shall include the promotion of their development and psychosocial well-
14 being;

15 (i) *Children affected by armed conflict* refers to all children population
16 experiencing or who have experienced armed conflict;

17 (j) *Children involved in armed conflict (CIAC)* refers to children who are either
18 forcibly, compulsorily recruited or who voluntarily joined any governmental armed
19 forces or any armed group in any capacity to participate directly in armed hostilities
20 as combatants or as fighters, or take support roles such as scouting, spying,
21 sabotaging, acting as decoys, assisting in checkpoints being couriers, messengers,
22 porters, cooks, and being used for sexual purposes;

23 (k) *Children in situations of armed conflict* refers to all children involved in
24 armed conflict, children affected by armed conflict and internally displaced children;

25 (l) *False branding of children or labeling children as children involved in armed*
26 *conflict-* refers to the voluntary and intentional act of referring to, calling, defining,
27 reporting, or any other form of communication that incorrectly defines children as
28 children involved in armed conflict, when the status or condition of such children are
29 such that they are not involved in armed conflict as defined in this Act;

30 (m) *False reporting of a child in custody* - refers to the voluntary and
31 intentional act of any person of providing false, incorrect, and mistaken information
32 in relation to a child in custody in relation to situations of armed conflict;

1 (n) *Food blockade* refers to an armed conflict tactic of forcibly cutting off entry
2 of food supplies in a particular area where children can be found;

3 (o) *Governmental armed forces* refer to the Armed Forces of the Philippines,
4 together with its reserve and auxiliary forces, including other government forces
5 providing support to governmental armed forces;

6 (p) *Grave child rights violations* refer to the crimes committed against children
7 that constitute flagrant violations of their human rights and have severe
8 consequences on their lives. These crimes include those enumerated in Section 9 of
9 this Act such as killing or maiming of children, recruitment or use of CIAC, rape and
10 other forms of sexual violence against children, abduction of children, attacks
11 against schools or hospitals, or denial of humanitarian access to children;

12 (q) *Hamleting* refers to an armed conflict strategy used by one party involved in
13 armed conflict that isolates a community of importance to the other party which is
14 inhabited by children, including relocating a community away from crucial zones and
15 could be used to control the activities of the people in said areas;

16 (r) *Hospitals or health facilities* refer to any structure including diagnostic clinics
17 or multi-specialty clinics recognized and known by the community as a facility where
18 the sick and wounded are provided with medical or health care services;

19 (s) *Humanitarian access* refers to the right of vulnerable populations to receive
20 international protection and assistance from an impartial humanitarian relief
21 operation to complement efforts of national authorities. Such action is subject to
22 the consent of the State or parties concerned and does not prescribe coercive
23 measures in the event of refusal, however unwarranted;

24 (t) *Humanitarian assistance* refers to any aid that seeks to save lives and
25 alleviate suffering of a crisis-affected population. Humanitarian assistance must be
26 provided in accordance with the basic humanitarian principles of humanity,
27 impartiality, independence and neutrality. Assistance may be divided into three (3)
28 categories: direct assistance, indirect assistance and infrastructure support, which
29 have diminishing degrees of contact with the affected population;

30 (u) *Internally displaced children* refer to children or group of children, whether
31 separated or together with their families, who have been forced or obliged to flee or

1 to leave their homes or places of habitual residence, in particular, as a result of or in
2 order to avoid the effect of armed conflict and situations of generalized violence;

3 (v) *Killing of children* refers to acts of all kinds in the context of armed conflict
4 that result in the death of one or more children. They include the death of children
5 as a result of direct targeting and indirect actions, such as cross-fire, use of
6 landmines and improvised explosive device (IED), cluster munitions, biological
7 weapons of destruction, all other forms and types of explosives; or house
8 demolitions, search and arrest campaigns, suicide attacks and torture; they also
9 include murder, homicide and such other similar crimes as defined in the *Revised*
10 *Penal Code*, as amended, and other special laws;

11 (w) *Law enforcement agency* refers to the Philippine National Police and
12 other law enforcement agencies;

13 (x) *Maiming of children* refers to acts of all kinds in the context of armed
14 conflict that result in serious or permanent or disabling injury, scarring or defacing,
15 or mutilation of children. It shall cover intentional maiming of children where they
16 are directly targeted, and maiming of children which result from indirect actions,
17 such as cross-fire, use of landmines, IED, cluster munitions, biological weapons of
18 destruction, all forms and types of explosives; or in the context of house
19 demolitions, search and arrest campaigns, suicide attacks and torture;

20 (y) *Rape* is a sexual assault that violates a person's right to personal security
21 and bodily integrity with the essential lack of consent and shall include those
22 enumerated in Sec. 2 of Republic Act No. 8353 or the *Anti-Rape Law* of 1997.

23 (z) *Recruitment* refers to compulsory, forced or voluntary conscription or
24 enlistment of children into the governmental armed force or forced or voluntary
25 membership into the armed group;

26 (aa) *Release of children* refers to the process of formal and controlled
27 disarmament and demobilization of children and their release from an armed force
28 or armed group as well as informal ways in which children leave by escaping, being
29 captured or by other means. It entails a disassociation from the armed force or
30 armed group and the beginning of transition from military to civilian life. Release can
31 take place during a situation of armed conflict; it is not dependent on the temporary

1 or permanent cessation of hostilities; it is not dependent on children having weapons
2 to forfeit;

3 (bb) *School* refers to any structure or space, with or without marked visible
4 boundaries, which is recognized and known by the community as a learning space
5 for children; and,

6 (cc) *Zone of peace* refers to a site with sacred, religious, historic,
7 educational, cultural, geographical or environmental importance, which is protected
8 and preserved by its own community. It is not merely a "Demilitarized Zone", but a
9 sanctuary that operates within ethical principles of nonviolence, free from weapons,
10 acts of violence, injustice and environmental degradation; children are declared
11 zones of peace in accordance with the policies stipulated under Article X, Section 22
12 of Republic Act No. 7610 or the *Special Protection of Children Against Child Abuse,*
13 *Exploitation and Discrimination Act.*

14 CHAPTER II

15 RIGHTS OF CHILDREN IN SITUATIONS OF ARMED CONFLICT

16 SEC. 6. ***Children as Zones of Peace*** – Treatment of children as zones of
17 peace shall extend beyond territorial or geographical boundaries and shall focus on
18 the person of the child whose rights shall be promoted and protected at all times,
19 especially in situations of armed conflict or violence. The State and all sectors
20 concerned shall have the responsibility to resolve armed conflict in order to promote
21 the goal of children as zones of peace. As such, the community, governmental
22 authority and, if appropriate, religious leadership shall preserve the peaceful integrity
23 of children, exemplify mutual respect and nonviolent behavior in the presence of
24 children, and share their resources to further peace and cooperation.

25 SEC. 7. ***Rights of Children in Situations of Armed Conflict.*** – Children
26 in situations of armed conflict shall have the following rights:

27 (a) the right to life, survival and development;

28 (b) the right of special respect and protection against any form of abuse,
29 neglect, exploitation and violation, especially in the context of armed conflict;

30 (c) the right to be treated as victims. They shall be treated in accordance with
31 this Act and other applicable laws, consistent with the State obligation under

1 international law, within the framework of restorative justice, social rehabilitation
2 and promotion of their protection;

3 (d) the right to be accorded with special respect and to be protected from any
4 form of direct or indiscriminate attacks and acts of violence especially protection
5 from the grave child rights violations as enumerated in Section 9 of this Act;

6 (e) the right to be protected from recruitment into governmental armed forces
7 or armed groups and from participation in armed conflict including the right to be
8 protected from torture or any cruel, inhuman or degrading practices that compel
9 compliance or punish noncompliance with recruitment or participation in armed
10 conflict;

11 (f) the right to be protected from extra judicial killings, maiming, torture,
12 abduction, and rape;

13 (g) the right to be immediately provided and have safe access to essential,
14 adequate and culturally appropriate food and nutrition; basic shelter and housing;
15 culturally appropriate clothing; water, sanitation and hygiene; basic health services
16 including essential drugs, medicines and vaccines, minimum initial service package
17 for reproductive health, and health professional evaluation and appropriate
18 intervention; education, including religious and moral education; early childhood
19 care and development programs, psychosocial support and social services. All
20 services provided for them must be child-specific and gender sensitive and
21 responsive;

22 (h) the right to enjoy their freedom of thought, conscience, religion or belief,
23 opinion and expression; to associate freely and participate equally in legitimate
24 community affairs; to communicate in a language they understand even in situations
25 of armed conflict and whether or not they have been internally displaced or are
26 living in evacuation centers or settlements;

27 (i) the right to be treated humanely in all circumstances, without any adverse
28 distinction founded on race, color, religion or faith, gender, birth or wealth, or any
29 other similar criteria;

30 (j) the right not to be interned in or confined in camp;

31 (k) the right of the wounded and the sick, those with disabilities,
32 unaccompanied minors, expectant and lactating mothers, to care, protection, and

1 assistance required by their condition; and to prevention, treatment, care, and
2 support for contagious and infectious diseases;

3 (l) the right to be with their families, especially with their mothers, during
4 evacuations and in evacuation centers;

5 (m) the right to be reunited with their families in case of separation due to
6 armed conflict;

7 (n) the right to privacy and confidentiality in all proceedings;

8 (o) the right to nondiscrimination;

9 (p) the right to liberty of movement and freedom to choose their residence; in
10 particular, internally displaced children and their families have the right to move
11 freely in and out of evacuation centers or other settlements, subject to existing rules
12 and regulations in those centers or settlements and to other government regulations
13 and directives;

14 (q) the right especially of internally displaced children and their families to:
15 leave the country; seek safety in another part of the country; seek other service
16 providers; seek asylum in another country; and be protected against forcible return
17 to resettlement in any place where their life, safety, liberty or health would be at
18 risk;

19 (r) the right to obtain necessary document/s to enjoy their legal rights. The
20 State shall have the duty to expedite services in the issuance of new documents or
21 the replacement of documents lost in the course of displacement, without imposing
22 unreasonable conditions and without discrimination against female child and male
23 child, who shall have equal rights to obtain and to be issued the same in their own
24 names;

25 (s) the right of access to justice including free legal aid when filing cases
26 against the perpetrators; and,

27 (t) the right for protection of their family's properties and possessions in all
28 circumstances.

29 (u) The right to be consulted and to participate in all matters affecting them.
30 Whenever feasible, views of children, as well as families and the communities to
31 which these children return, should be sought in all stages of assessment, planning,
32 implementation, and evaluation activities to aimed at preventing the association of

1 children with armed forces and armed groups; as well as in the development and
2 design of policies, programs, and services for the rescue, rehabilitation, and
3 reintegration of children involved in armed conflict.

4 The rights enumerated in this section shall not hinder the application of other
5 rights recognized and guaranteed in the Constitution and other existing laws in
6 keeping with the best interests of the child.

7 CHAPTER III

8 PREVENTION

9 SEC. 8. **Prevention.** – The State shall take all feasible measures to prevent
10 the recruitment, re-recruitment, use, grave violations or displacement of children
11 involved in armed conflict. It shall take all necessary measures to ensure the
12 effective implementation and enforcement of the provisions of this Act. Towards
13 this end, the State shall:

14 (a) prioritize children's issues in the peace program of the government and
15 include children's concerns, specifically the effects of armed conflicts, in peace
16 negotiations;

17 (b) mainstreaming of peace education programs and the promotion of culture
18 of peace and non-violence shall be pursued in both formal and non-formal settings;

19 (c) provide educational assistance, whether formal or alternative learning
20 system, that is child and culturally sensitive. Girls should have an equal right to
21 education irrespective of their status as mothers or wives;

22 (d) develop and implement training programs and campaign towards promoting
23 a culture of peace and respect for human rights and international humanitarian law
24 in collaboration with civil society organizations;

25 (e) provide capacity building on Local Governance and Community
26 Development, and ensure the participation of the Local Councils for the Protection of
27 Children, various organizations, especially of children's and people's organizations at
28 the community level. These organizations shall be involved in consultation and
29 decision-making processes and in the development and implementation of programs,
30 projects and activities established for them;

31 (f) establish livelihood programs which shall be made available to communities
32 in identified priority areas in order to alleviate the living conditions of the people;

(g) make available basic health services in health facilities in all affected areas. Culturally-sensitive nutrition program and activities including supplementary feeding shall also be made available. Efforts to support traditional health practices in indigenous peoples' area shall also be initiated;

(h) establish basic facilities and infrastructure needed;

(i) ensure that child protection mechanisms are present and functional; and,

(j) establish a comprehensive, effective and efficient system for monitoring and reporting and response for violations as provided in Section 9 of this Act.

CHAPTER IV

PROHIBITED ACTS, PENALTIES AND PRESCRIPTION OF CRIME

SEC. 9. ***Prohibited Acts and Penalties.*** –

(a) It shall be unlawful for any person to commit the following acts of grave child rights violations:

(1) killing of children;

(2) torture committed against children. For purposes of this Act, torture shall include those enumerated in Section 4 of Republic Act No. 9745 or the *Anti-Torture Act*;

(3) intentional maiming of children; and,

(4) rape of children and other forms of sexual violence

Any person found guilty of committing any of the acts enumerated in subparagraphs 1, 2, 3 and 4 of Paragraph (a) of this Section shall suffer the penalty of life imprisonment and a fine of not less than two million pesos (P2,000,000.00) but not more than five million pesos (P5,000,000.00).

(b) The following acts of grave child rights violations are also hereby prohibited:

(1) cruel, inhuman and degrading treatment or punishment committed against children. For purposes of this Act, cruel, inhuman and degrading treatment or punishment shall include those acts enumerated in Section 5 of the *Anti-Torture Act*;

(2) abduction of children;

(3) maiming of children;

(4) taking children as hostages or using them as human shield;

- (5) recruitment, conscription or enlistment of children into governmental armed forces and other armed groups;
- (6) acts of gender-based violence against children;
- (7) refusal or denial of humanitarian access and/or assistance to children;
- (8) use or involvement of children involved in armed conflict in any capacity as defined in Section 5(i) of this Act; and,
- (9) attack on schools, hospitals, places of worship, evacuation centers and settlements and other public places such as recreation parks, playgrounds and malls.

Any person found guilty of committing any of the acts enumerated in subparagraphs 1, 2, 3, 4, 5, 6, 7, 8, and 9, of Paragraph (b), of this Section shall suffer the penalty of an imprisonment of not less than fourteen (14) years but not more than twenty (20) years and a fine of not less than one million pesos (P1,000,000.00) but not more than two million pesos (P2,000,000.00).

(c) Where the crimes committed under paragraph (b) of this Section resulted in the killing, torture, maiming or rape of children as enumerated in subparagraphs 1, 2, 3 and 4 of Paragraph (a), Section 9, the penalty imposed shall be that of Section 9 (a) of this Act.

(d) Likewise, it shall be unlawful for any person to commit the following acts:

- (1) hamleting;
- (2) food blockade;
- (3) intentional delayed reporting of a child in custody;
- (4) false reporting of a child in custody;
- (5) false branding of children or labeling children as children involved in armed conflict; and arrest, arbitrary detention or unlawful prosecution of children allegedly associated with armed groups or armed forces.

Any person found guilty of committing any of the acts enumerated in subparagraphs 1, 2, 3, 4, 5 and 6 of Paragraph (d), of this Section shall suffer the penalty of an imprisonment of not less than six (6) years but not more than twelve (12) years and a fine of not less than five hundred thousand pesos (P500,000.00) but not more than one million pesos (P1,000,000.00).

1 SEC. 10. ***Non-implementation or Violation of Any Other Provisions of***
2 ***this Act or the Rules and Regulations in General.*** – Any public officer who
3 shall knowingly and maliciously prevent, prohibit, refuse or discontinue the
4 implementation of any provision of this Act or any rules and regulations promulgated
5 in accordance thereof, or in any other way violate them if such officer has the duty
6 to implement, shall be punished by imprisonment of not less than six (6) years but
7 not more than twelve (12) years and perpetual absolute disqualification from public
8 office.

9 Any such officer who shall prevent, prohibit, refuse or discontinue the
10 implementation of this Act or its rules and regulations, or in any other way violate
11 them by reason of inexcusable negligence or ignorance, shall suffer the penalty of
12 an imprisonment of not less than one (1) month but not more than six (6) months
13 and temporary special disqualification from public office.

14 The public officer liable under this section shall, in addition to the
15 imprisonment, be held administratively liable under existing applicable laws.

16 Any person who shall deliberately commit any other act not covered in Section
17 9, which shall result in prejudicing the rights of children in situations of armed
18 conflict shall suffer the penalty of an imprisonment of not less than six (6) months
19 but not more than six (6) years.

20 SEC. 10. ***Forfeiture of Proceeds, Property and Assets.*** – The court shall
21 order the forfeiture of proceeds, property and assets derived, directly or indirectly,
22 from the crimes defined and penalized in this Act, without prejudice to the rights of
23 the *bona fide* third party. The court shall impose the corresponding accessory
24 penalties under the *Revised Penal Code*, as amended, especially where the offender
25 is a public officer.

26 The liabilities imposed in this Act shall not prejudice the application of other
27 existing criminal, civil and administrative liabilities that may additionally be imposed
28 upon the person.

29 SEC. 12. ***Nonprescription.*** – The crimes defined and penalized under
30 this Act, their prosecution and the execution of sentences imposed on their account
31 shall not be subject to any prescription.

1 CHAPTER V

2 PRINCIPLES OF CRIMINAL LIABILITY AND APPLICATION OF PENALTIES

3 SEC. 13. ***Irrelevance of Official Capacity.*** – This Act shall apply equally to
4 all persons without any distinction based on official capacity. In no case shall the
5 official capacity exempt a person from criminal responsibility or constitute a ground
6 for reduction of sentence.

7 SEC. 14. ***Responsibility of Superiors.*** – In addition to the grounds of
8 criminal responsibility for crimes defined and penalized under this Act, a superior
9 shall be criminally responsible for such crimes committed by subordinates where:

10 (a) the superior either knew or, owing to the circumstances at the time, should
11 have known that the subordinates were committing or were about to commit such
12 crimes; or,

13 (b) the superior failed to take all necessary, legitimate and reasonable
14 measures to prevent or repress their commission or to submit the matter to the
15 competent authorities for investigation and prosecution.

16 SEC. 15. ***Orders from a Superior.*** – The fact that a crime defined and
17 penalized under this Act has been committed by a person pursuant to an order of a
18 superior shall not relieve that person of criminal responsibility unless all of the
19 following elements occur:

20 (a) the person was under a legal obligation to obey orders of the superior in
21 question;

22 (b) the person did not know that the order was unlawful; and,

23 (c) the person acted under duress or coercion.

24 For purposes of this section, orders to commit grave child rights violations
25 enumerated in Sec. 9 are manifestly unlawful and shall be punished under this Act
26 and other applicable existing laws.

27 SEC. 16. ***Unknown Superior.*** – Where the crimes defined and penalized
28 under this Act have been committed by a person pursuant to an order or command
29 of unknown superior, any person who in fact directed the others, spoke for them,
30 signed receipts and other documents issued in their name, or who has performed
31 similar acts on behalf of the armed groups, shall be deemed the superior.

1 CHAPTER VI

2 INVESTIGATION, PROSECUTION AND COURT

3 SEC. 17. ***Court, Prosecutors and Investigators.*** – The Family Courts
4 shall have original and exclusive jurisdiction over the crimes punishable under this
5 Act.

6 The Commission on Human Rights (CHR), the Department of Justice (DOJ) and
7 its attached agencies, the Philippine National Police (PNP) or other concerned law
8 enforcement agencies shall designate prosecutors or investigators, as the case may
9 be, for cases involving crimes punishable under this Act.

10 The State shall ensure that judges, prosecutors and investigators designated
11 for purposes of this Act, receive effective training in human rights particularly on the
12 *Convention on the Rights of the Child and its Optional Protocol on the Involvement*
13 *of Children Involved in Armed Conflict* and related international instruments,
14 *International Humanitarian Law, International Criminal Law* and *National Guidelines*
15 *and Protocols on the Handling and Treatment of CIAC.*

16 SEC. 18. ***Requirement and Procedures on Age Verification and***
17 ***Presumption of Minority.*** – The child involved in, affected by or displaced by
18 armed conflict shall enjoy the presumption of minority and shall enjoy all the rights
19 of a child recognized in this Act and other applicable laws unless proven to be at
20 least eighteen (18) years of age or older.

21 The age of a child may be determined from the child's birth certificate,
22 baptismal certificate or any other pertinent document. In the absence of these
23 documents, age may be based on information from the child, testimonies of other
24 persons, the physical appearance of the child and other relevant evidence such as
25 dental records. In case of doubt as to the age of the child, it shall be resolved in
26 favor of the child being deemed a minor.

27 Any person contesting the age of the child prior to the filing of the information
28 in any appropriate court may file a case in a summary proceeding for the
29 determination of age before the Family Court, which shall decide the case within
30 twenty-four (24) hours from receipt of the appropriate pleadings of all interested
31 parties.

1 If a case has been filed against the child and is pending in the appropriate
2 court, the person shall file a motion to determine the age of the child in the same
3 court where the case is pending. Pending hearing on the said motion, proceedings
4 on the main case shall be suspended.

5 In all proceedings, law enforcement officers, prosecutors, judges and other
6 government officials concerned shall exert all efforts to determine the age of the
7 child involved in armed conflict.

8 SEC. 19. ***Protection of Victims and Witnesses.*** – In addition to existing
9 provisions in Philippine law for the protection of victims and witnesses, the following
10 measures shall be undertaken:

11 (a) the court shall take appropriate measures to protect the safety, physical and
12 psychological well-being, dignity and privacy of child victims and witnesses.
13 Pursuant thereto, the court shall give due regard to all relevant factors, including
14 age, gender and health, and the nature of the crime, particularly where the crime
15 involves sexual or gender-based violence or violence against children;

16 (b) the court shall protect the privacy of child victims and witnesses and
17 observe confidentiality consistent with existing rules on examination of child victims
18 and witnesses;

19 (c) where the personal interests of the child victims are affected, the court shall
20 consider the child victim's views and concerns in accordance with established rules
21 of procedure and evidence; and,

22 (d) where the disclosure of evidence or information may be prejudicial to the
23 security of the child, witness or the family, the prosecution may withhold such
24 evidence or information and instead submit a summary thereof consistent with the
25 rights of the accused to a fair and impartial trial.

26 SEC. 20. ***Reparation to Victims.*** – In addition to existing provisions in
27 Philippine law and procedural rules for reparations to victims, the following measures
28 shall be undertaken:

29 (a) the court shall follow the principles relating to the reparations to, or in
30 respect of, child victims, including restitution, compensation and rehabilitation,
31 taking into consideration the scope and extent of any damage, loss or injury suffered
32 by child victims;

1 (b)the court shall make an order directly against a convicted person specifying
2 appropriate reparations to child victims, including restitution, compensation and
3 rehabilitation; and,

4 (c) before making an order under this section, the court may invite and shall
5 take account of representations from or on behalf of the convicted person, child
6 victims or other interested persons.

7 Nothing in this section shall be interpreted to prejudice the rights of child
8 victims under national or international law.

9 SEC. 21. ***Immunity from Suit for Persons Providing Assistance.*** – Any
10 person who shall take custody of children involved in armed conflict to ensure their
11 safety or provide them any form of assistance shall be exempt from any civil,
12 criminal and administrative liability: *Provided,* That the person taking custody shall
13 report it to the Local Social Welfare and Development Office (LSWDO), the PNP or to
14 the barangay office within forty-eight (48) hours from custody.

15 CHAPTER VII

16 RESCUE, RELEASE, REHABILITATION, AND REINTEGRATION

17 SEC. 22. ***Rescue, Rehabilitation and Reintegration.*** – The State shall
18 institute policies, programs and services for the rescue, rehabilitation and
19 reintegration of children in situations of armed conflict. The programs, which shall be
20 provided by local and national government agencies in partnership with non-
21 government organizations, shall aim at providing services for children while involving
22 their families, communities and other entities to facilitate the children's reintegration
23 process.

24 These services shall include psychosocial support, health and nutrition,
25 education, livelihood for families, other basic and legal services, as may be
26 necessary.

27 Any program intervention shall be designed with due respect to the culture of
28 each child, family and community. The child shall, at all times, be provided with legal
29 assistance and physical security upon rescue.

30 Regardless of the perceived association of those children to one of the side of
31 the conflict, they shall benefit from all available medical, psycho-social, legal, shelter
32 and educational response mechanism services for the victims of armed conflict.

1 The State shall take into account the protocol in the rescue, rehabilitation and
2 reintegration of children specified below:

3 (a) Rescue: The State shall provide for adequate measures and mechanisms to
4 facilitate the recovery, either voluntary or involuntary, of children from armed groups
5 or governmental armed forces. It shall provide legal and physical security to children
6 involved in armed conflict including services such as family tracing and system of
7 referral or response on various psychosocial services needed by the victims;

8 (b) Rehabilitation: The civilian national or local government agencies and civil
9 society organizations shall facilitate the normal development of children victims in
10 their post-involvement phase. It shall provide services including therapeutic
11 counseling, security and protection, educational assistance and livelihood
12 opportunities to their parents, relatives or guardians or to the victims when they
13 become of age;

14 (c) Reintegration: The civilian national or local government agencies and civil
15 society organizations shall bring children back to their families or communities
16 whenever possible. This shall involve services including the provision of alternative
17 parental care. Trainings aimed to enhance community readiness in the reintegration
18 of these children shall also be undertaken. Processes to facilitate the reintegration,
19 healing and reconciliation of CIAC with their communities shall also be undertaken.
20 Whenever possible, interventions for children shall be done with respect to their
21 opinion. Interventions for indigenous peoples (IP) children shall be conducted in
22 recognition of the traditional structures and institutions of their communities.

23 SECTION 23. ***Release of Children Involved in Armed Conflict (CIAC).***

24 – The State shall take all feasible measures to ensure that children recruited or used
25 in armed conflict are demobilized, dissociated or otherwise released from the armed
26 force or armed group.

27 For purposes of this Act, release activities shall be initiated independent of any
28 negotiated peace agreements.

29 The State, through its concerned agencies, in coordination with other
30 stakeholders shall have the following duties:

31 (a) develop a child-specific release program. This release program should not
32 make as a requirement the surrender of arms by CIAC;

1 (b)monitor and document the status of CIAC who undergo either a formal or
2 informal release process;

3 (c)with due regard to the right to privacy of CIAC, their security and safety,
4 and considering the confidentiality of records, there will be data and information
5 sharing between government and nongovernment organizations to assess the needs
6 of released CIAC and to formulate ways to address these needs, and be informed of
7 their status and updates of released CIAC;

8 (d) mobilize and strengthen networks for referrals;

9 (e) provide free legal assistance to released CIAC ensuring that the legal needs
10 of the former CIAC will be addressed, such as the prohibition or stoppage of filing
11 charges or dismissal of cases against CIAC as criminal or political offenders
12 irrespective of their association with any armed group or force; and,

13 (f) ensure the release of CIAC through various approaches such as advocacy
14 of concerned groups, through the Government Peace Negotiating Panel (GPNP), and
15 others.

16 SEC. 24. ***Rescued, Taken into Custody, or Surrendered Children***
17 ***Involved in Armed Conflict (CIAC).*** – Where the CIAC have been rescued, taken
18 into custody, or surrendered, they shall at all times be treated in a child-friendly and
19 sensitive manner. The State, at all times, shall consider the safety and security of
20 the CIAC, and ensure that they are not subjected to tactical interrogation or any
21 similar forms of investigation, especially by the police and military. The following
22 procedures shall apply without prejudice to the application of other existing laws that
23 will uphold the best interests of the child:

24 (a) The identity of rescued CIAC shall be protected. Any identifying information
25 regarding them shall remain confidential;

26 (b)Rescued CIAC shall not be used for any political propaganda nor be
27 unnecessarily exposed to media in violation of child rights to privacy, security and
28 confidentiality of their cases;

29 (c) Upon the rescue or surrender of CIAC, government agencies, in particular,
30 the AFP, the PNP, the Department of National Defense (DND), the local government
31 units (LGUs), other concerned government agencies or non-government
32 organizations in possession of the CIAC shall report immediately within twenty-four

1 (24) hours the incident to the Local Social Welfare Development Office, (LSWDO),
2 Local Council for the Welfare of Children (LCPC) and the Council for the Welfare of
3 Children (CWC);

4 (d) The LSWDO or BCPC shall coordinate with the agency or nongovernment
5 organization in possession of CIAC for the handover of custody of the children to
6 the Department of Social Welfare and Development (DSWD);

7 (e) The handover to the LSWDO shall take place within twenty-four (24) hours
8 or in cases where handover is not possible within the prescribed twenty-four (24)-
9 hour period due to valid reasons and without the fault of the person having custody
10 of the child, the handover shall be done within the next seventy-two (72) hours;

11 (f) The LSWDO shall facilitate the family tracing and coordinate with parents,
12 relatives or guardians of the CIAC to inform them of the handover;

13 (g) The Local Health Office (LHO), in coordination with the LSWDO, shall check
14 and assess the medical and physical condition of CIAC. In cases where medical
15 needs are apparent, the LHO shall ensure that medical services or treatment are
16 received by the CIAC;

17 (h) The LSWDO shall assess the needs of the CIAC and refer to concerned
18 agencies to provide immediate assistance or appropriate services. The LSWDO shall
19 require the parents of the child in situations of armed conflict to undergo counseling
20 or any other intervention that, in the opinion of the court will advance the welfare
21 and best interest of the child. Relevant government agencies should provide social
22 welfare and social protection interventions for parents and children to ensure family
23 support, reintegration and rehabilitation, when necessary.

24 As used in this Act, 'parents' shall mean any of the following:

25 (a) Biological parents of the child; or

26 (b) Adoptive parents of the child; or

27 (c) Individuals who have custody of the child; or

28 (d) A duly licensed foster parent, pursuant to Republic Act No. 10165,
29 otherwise known as the "Foster Care Act of 2012"

30 (i) The LSWDO, in coordination with other agencies, shall enter the CIAC into
31 the child-specific reintegration programs; and,

(j) The CIAC shall be reintegrated into the community and reunited with his or her family, or within a family or community setting where they can be adequately cared for and protected. In cases where reintegration to original community of origin is not feasible for reasons of CIAC's security, a conflict-free foster community or institution shall be identified. For other cases where children associated with armed forces or armed groups remain with their family and community or maintain close ties, reintegration shall entail the reorientation of children towards civilian life.

CHAPTER VIII

INVOLVEMENT OF GOVERNMENT AND NONGOVERNMENT ORGANIZATIONS

SEC. 25. ***Inter-Agency Committee on Children In Situations of Armed Conflict*** - To effectively undertake the protection of the welfare of children in situations of armed conflict and for proper implementation of this Act, the Inter-Agency Committee on Children Involved in Armed Conflict (IAC-CIAC) created in Executive Order No. 138 shall now be known as the Inter Agency Committee on Children in Situations of Armed Conflict (IAC-CSAC). It shall be chaired by the CWC, with the following government organizations (GOs) as members:

- (a) Armed Forces of the Philippines (AFP);
- (b) Commission on Human Rights (CHR);
- (c) Department of the Interior and Local Government (DILG);
- (d) Department of Health (DOH);
- (e) Department of Education (DepEd)
- (f) Department of Justice (DOJ);
- (g) Department of National Defense (DND);
- (h) Department of Social Welfare and Development (DSWD);
- (i) National Commission on Indigenous Peoples (NCIP);
- (j) National Commission on Muslim Filipinos (NCMF);
- (k) National Disaster Risk Reduction and Management Council (NDRRMC);
- (l) Office of the Presidential Adviser on the Peace Process (OPAPP);
- (m) Philippine Commission on Women (PCW);
- (n) Philippine National Police (PNP); and
- (o) Two civil society organizations working in the same field

1 In caring for children in situations of armed conflict, child-focused NGOs, shall
2 take active part in and continually strive to strengthen their programs and
3 capabilities to deliver protection to these children.

4 For proper implementation of this Act, all GOs and NGOs including those
5 identified herein shall provide their respective counterpart support including
6 technical, logistical and financial assistance relative to the implementation of
7 programs, projects and activities for children in situations of armed conflict, in
8 accordance with their mandate and in accordance with existing accounting and
9 auditing rules and regulations.

10 All programs should be participatory and should ensure the involvement of
11 children, their communities, NGOs, faith-based organizations or groups, and other
12 concerned groups.

13 SEC. 26. **Functions of the IAC-CSAC** - The IAC-CSAC shall perform the
14 following functions:

15 (a) ensure that international instruments such as the UN CRC, the optional
16 protocol on the involvement of children in armed conflict and other related human
17 rights treaties are considered as actions taken;

18 (b) formulate guidelines and develop programs, in coordination with
19 concerned agencies, for the handling of children involved in armed conflict and
20 monitor/document cases of capture, surrender, arrest, rescue, or recovery by
21 government forces;

22 (c) conduct human rights training, advocacy and information campaigns
23 and capability building of LGUs;

24 (d) implement a monitoring, reporting and response system for grave child
25 rights violations in situations of armed conflict; and

26 (e) Work closely with concerned agencies in coordinating and monitoring
27 the implementation of the enhanced CSAC program framework.

28 CHAPTER IX

29 MONITORING AND REPORTING

30 SEC. 27. **Monitoring and Reporting System.** – The State, through IAC-
31 CSAC, shall ensure the implementation of the provisions of this Act and shall submit
32 to the President and to Congress of the Philippines the annual report thereof. The

1 IAC-CSAC, through the CWC, shall continue to maintain and strive to improve the
2 database established by EO No. 138 for the monitoring and reporting of children in
3 situations of armed conflict concerns integrated in its monitoring system which
4 should have demographic data on children disaggregated by sex, age, disability and
5 ethnicity.

6 The CWC may hire additional personnel to complement its present secretariat
7 to perform its functions relative to this Act.

8 CHAPTER X

9 TRANSITORY PROVISIONS

10 SEC. 28. ***Dismissal of Criminal Cases.*** – Upon the effectivity of this Act,
11 criminal cases against children involved in armed conflict shall immediately be
12 dismissed and the child shall be referred to the LSWDO. Such office, upon thorough
13 assessment of the child, shall determine whether to release the child to the custody
14 of the parents, or refer the child to prevention, rehabilitation and reintegration
15 programs as provided under this Act. Those with suspended sentences and
16 undergoing rehabilitation at a youth rehabilitation center shall likewise be released:
17 *Provided, That* the Family Court shall, in consultation with concerned agencies,
18 determine and order the appropriate prevention, rehabilitation and reintegration
19 programs the person shall undergo as provided under this Act.

20 SEC. 29. ***Inventory of Custody of Children in Situations of Armed***
21 ***Conflict.*** – The AFP, the PNP, the BJMP, the DSWD, the NCIP, the NCMF and the
22 concerned LGUs are hereby directed to submit to the CWC, within ninety (90) days
23 from the effectivity of this Act, an inventory of all children in situations of armed
24 conflict under their custody.

25 SEC. 30. ***Children Who Reach the Age of Eighteen (18) Years Pending***
26 ***Court Proceedings or in Suspended Sentences.*** – In cases when a child with a
27 pending case reaches the age of eighteen (18) years, the Family Court shall dismiss
28 the case against the person and determine, in consultation with concerned agencies,
29 whether or not there is a need for the person to undergo appropriate rehabilitation
30 and reintegration programs provided under this Act.

31 Those with suspended sentences and undergoing rehabilitation at a youth
32 rehabilitation center shall likewise be released: *Provided, That* the Family Court shall,

1 in consultation with concerned agencies, determine and order the appropriate
2 rehabilitation and reintegration programs the person shall undergo as provided
3 under this Act.

4 SEC. 31. ***Children Who Have Been Convicted and are Serving***
5 ***Sentence.*** – Persons who have been convicted and are serving sentence at the
6 time of the effectivity of this Act and who were below the age of eighteen (18) years
7 at the time of the commission of the offense for which they were convicted, and are
8 serving sentence, shall likewise benefit from the retroactive application of this Act.
9 They shall be entitled to appropriate dispositions provided under this Act, and their
10 sentences shall be adjusted accordingly. They shall be immediately released if they
11 are so qualified under this Act or other applicable law.

12 CHAPTER XI

13 FINAL PROVISIONS

14 SEC. 32. ***Appropriations.*** – The amount necessary to cover the initial
15 implementation of this Act shall be charged against the current year's appropriations
16 of the concerned implementing departments/agencies. Thereafter, the amount
17 necessary for its continued implementation shall be included in the budgets of the
18 concerned departments/agencies in the annual *General Appropriations Act*.

19 SEC. 33. ***Implementing Rules and Regulations.*** – The CWC, together
20 with its member agencies in the IAC-CSAC, in consultation with civil society
21 organizations, shall promulgate the implementing rules and regulations of this Act
22 within ninety (90) days from its approval. All government agencies enumerated in
23 Section 26 of this Act shall be consulted insofar as the drafting of their
24 responsibilities are concerned.

25 Non-government organizations involved in caring for children in situations of
26 armed conflict shall likewise be consulted in the drafting of the *Implementing Rules*
27 *and Regulations* of this Act.

28 SEC. 34. ***Congressional Oversight Committee on Children in***
29 ***Situations of Armed Conflict.*** - There is hereby created an oversight committee
30 on CSAC which shall be composed of the chairpersons of the Committee on Children
31 in the Senate and in the House of Representatives, CWC, OPAPP, CHR, DSWD, and

1 one CSO representative which shall be determined by the aforementioned
2 government agencies.

3 SEC. 35. **Suppletory Application.** – For purposes of this Act, the *Revised*
4 *Penal Code*, as amended, and other applicable laws shall have suppletory
5 application.

6 SEC. 36. **Separability Clause.** – If any part or provision of this Act is
7 declared invalid or unconstitutional, the other parts hereof not affected thereby shall
8 remain valid.

9 SEC. 37. **Repealing Clause.** – Article X, Sections 22 to 26 of Republic Act
10 No. 7610, Executive Order No. 138, all laws, acts, presidential decrees, executive
11 orders, administrative orders, rules and regulations inconsistent with or contrary to
12 the provisions of this Act are deemed amended, modified or repealed accordingly.

13 SEC. 38. **Effectivity.** – This Act shall take effect fifteen (15) days after its
14 publication in the Official Gazette or in a newspaper of general circulation.

15 **Approved,**