

HONORABLE RISA HONTIVEROS

Chairperson

Committee on Children, Women, Family Relations and Gender Equality

Senate of the Philippines

Pasay City

ATTENTION : MS. GEMMA GENOVEVA TANPIENGCO
Committee Secretary

Dear **Senator Hontiveros**,

This refers to your request for comments and recommendations on Senate Bill No. 2612 entitled, "AN ACT PROVIDING FOR THE MAGNA CARTA OF CHILDREN" introduced by Senator Risa Hontiveros.

Fundamentally, there is a need for a comprehensive law that recognizes, protects, and promotes the rights of all Filipino children. The Department of Social Welfare and Development (DSWD) supports the passage of SBN 2612, also known as the Magna Carta of Children, as it aligns with the Department's commitment to promote and protect the rights and welfare of children not only in the Philippines but also children abroad. This legislative measure serves as a crucial framework for ensuring that children, especially those from marginalized sectors, are provided with the necessary protection, support, and opportunities for their holistic development.

In light of the foregoing, the DSWD respectfully submits the following comments and insights for the enhancement of specific provisions:

Provision	Comments and suggestions
<p>Chapter II, Sec. 4 (o)</p>	<p>On the definition of Parent Substitute where it states "<i>provided that surrogate parents shall secure a certification from the office of the DSWD confirming them as parent-substitute</i>". This provision needs to be clarified as all concerns pertaining to alternative parental care is within the</p>

	<p>purview of the National Authority for Child Care, hence, it may be appropriate that the certification be issued by the said office or the concerned Local Social Welfare and Development Office (LSWDO) that can attest or confirm the surrogate parents as the parent-substitute.</p>
<p>Chapter II, Sec. 4 (p)</p>	<p>To clarify the definition of a surrogate parent in comparison to a biological parent to avoid confusion.</p>
<p>Chapter IV, Title II, Section 26</p>	<p>To add the phrase: <i>"in all public and private spaces and institutions where lactating women are found"</i></p>
<p>Chapter V, Title I, Section 33 (c)</p>	<p>To add the phrase <i>"especially during health emergencies"</i></p>
<p>Chapter V, Title V</p>	<p>To change the name of Chapter V Title V as "Children Affected by Armed Conflict" and delete "Displacement" since Chapter V Title VI is already titled "Children Affected by Displacement"</p>
<p>Chapter V, Title VIII, Section 48 (a)</p>	<p>To add the phrase <i>"ensure that the Protocol to Reach Out to Children in Street Situations is followed"</i></p>
<p>Chapter V, Title VIII, Section 49 (e) line 27</p>	<p>To change "Day Care Centers" to "Child Development Centers" as provided for in the Early Years Act of 2013.</p>

<p>Chapter VII, Title VII, Sections 112 and 113</p>	<p>To be moved to Title I of Chapter VII as these are also general guidelines specifically to child participation.</p>
<p>Chapter VII, Title XIV, Section 141</p>	<p>To clearly expound whether the existing Councils and Committees on children will be subsumed under the Philippine Commission on Children (PCCh) to ensure clear delineation of roles and functions.</p>

Finally, the DSWD, as the lead government agency for child welfare together with the Council for the Welfare of Children (CWC), reiterates its position that while the Department is fully supportive of the efforts to modernize and strengthen its organizational structure, the Department strongly advocates for the CWC's continued attachment to the DSWD, even under the proposed Philippine Commission on Children.

For the Chairperson's consideration.

Thank you.

Very truly yours,



REX GATCHALIAN
 Secretary
 Date: 24 JUN 2024

