Philippine NGO Coalition on the UN Convention on the Rights of the Child

ANNUAL REPORT 2012

Engaging the Civil Society and Highlighting the Participation of Children in the Monitoring of the Implementation of the Convention on the Rights of the Child

Members:

Asia Against Child Trafficking • ChildHope Asia Philippines • ChildFund International • Consuelo Foundation • ECPAT Philippines • ERDA Foundation • John J Carroll Institute on Church and Social Issues • Lunduyan Foundation • National Council on Social Development • Open Heart Foundation • Philippines Against Child Trafficking • Plan International • Salinlahi Alliance for Children’s Concerns • Save the Children International • VIDES Philippines • Visayan Forum • World Vision Philippines
VISION

All children enjoy their rights to survival, development, protection and participation in a peaceful, safe, gender-fair and sustainable environment.

MISSION

The Philippine NGO Coalition on the UN CRC commits itself to lead civil society efforts towards the full implementation of the UN CRC by the State.

2012 Objectives:

- Establish our profile as a coalition focused on the monitoring of the implementation of CRC in the country.
- Systematize our monitoring of the CRC through efficient data collection and analysis.
- Lay the groundwork for facilitating participation of children in the monitoring process.
To promote awareness of the UNCRC and to monitor its implementation in the country, the Philippine NGO Coalition on the United Nations Convention on the Rights of the Child (NGO Coalition CRC) undertook activities in 2012 to test the systems and tools for CRC monitoring, build on the capacity of its members to raise their level of understanding of all human rights mechanisms, and mobilize members to include children/young persons in the CRC monitoring. The NGO Coalition CRC actively participated in human rights advocacy in the ASEAN region, asserted its position on key issues affecting children in different situations, disseminating the CRC Concluding Observations, and reviewed the functionalities of the Local Council on the Protection of Children (LCPC).
2012 MILESTONES & KEY EVENTS

- Inputs to CRC General Comments on Health
- Participation in JWC 5-yr Strategic Plan
- Co-Host of Dialogue with UN SRSG-VAC in Manila
- Participation in the ACWC Assembly Meeting in Manila
- Compliance to Annual Gov’t requirements
- Review & Refinement of Data Collection Tool
- Annual Board Meeting

2012 MILESTONES/KEY EVENTS

- Training for Children on CRC Monitoring
- Learning Sessions 1 & 2 (K=12; Child Participation)
- Layout of Guide for CRC monitoring distributed to members
- Orientation Workshop for Thematic Clusters on Data Gathering

- Training on Child Participation in Child Protection in Sri Lanka, Plan Asia
- Learning Session 3: OP3 CRC
- Treasurer Duties to Plan

- Redefining Standards for LCPC Functionality Conceptualize Policy Recommendations
- Participation in the Tripartite Monitoring of the UPR with CHR, PHRC, & CSOs
- Statement to Respect International Agreements on Juvenile Justice

- Inputs to Strengthening the CWC
- Participation in Series of forums/lobbying activities against amendments on JIWA proposed at the Lower House
- Advocacy Communications Plan

- Endorsement of nominee to UNCRC
- Writing/Graphics/Printing of Popular Version of Concluding Observations

- Dissemination of Popular Version of Concluding Observations

- Participation in HR Week Celebration: Forum, ESSCR
- Forum, Child Trafficking in Asia: Workshop, Special Protection of Trafficked Children
- Participation in the JWC Research Findings Presentation
- Learning Session 4: ICESCR
- Translation to Cebuano, Concluding Observations
- Reprints 2000 copies, Tagalog Popular Version of Concluding Observations

GAN meeting GAN meeting Annual Report 2011 GAN meeting

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Testing of Systems and Tools for Monitoring

In February to March, the Systems Working Group focused on polishing the tools that each organization would use in data gathering. It organized an orientation workshop for the thematic clusters held on March 12 at the World Vision office. In this workshop, the thematic clusters tested the data collation tool and provided feedback on how this could be further improved. The Systems Working Group presented a more detailed process from data gathering to dissemination of the alternative report.

The Systems Working Group also came up with a monitoring plan template for each organization as provided below:
A volunteer from VIDES finished the layout of the Guide for CRC Monitoring in May. A soft copy was provided to all members. This Guide will be an evolving publication, with Systems Working Group and Secretariat ensuring updates based on the development of the Coalition’s CRC Monitoring systems and tools.

Education Thematic Cluster continued to polish indicators by second quarter. Some member organizations continued studying the use of the data collation tool anticipating the type of data they can access. The task of data gathering seemed overwhelming to many. Most of the members indicated the need for more guidance and clarification as there was not much progress at yearend.

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**Inputs to the General Comments on Health of the Convention**

There was a call to submit a General Comment on the right to health of a child. As a rule, an issuance of a General Comment hopes to clarify the normative contents of specific rights provided in the UN-CRC and the legally binding obligations of the States parties to the CRC. Led by the Thematic Cluster on Basic Health and Welfare, the coalition forwarded inputs to the Committee on Rights of the Child in January 2012. (See Appendix for full text of the submission)

**Monitoring of CRC and other Human Rights Instruments and their Concluding Observations**

- The Philippines was one of the states under review (SUR) last May 29 at the Universal Periodic Review (UPR). Save the Children Geneva assisted the NGO Coalition in the advocacy/lobbying work to be done before May 29. The advocacy paper drafted by Save the Children, ECPAT, and JJCICSI covered specific issues based on the alternative report -- corporal punishment, juvenile justice amendments, and trafficking/child sexual exploitation/pornography. An advocacy paper was distributed to foreign missions in Geneva to guide them in their recommendations or list of questions for the Philippines. Member organizations aside from Save the Children who have offices in Geneva like VIDES and World Vision also helped in the dissemination. The Secretariat also mailed and emailed the advocacy paper to 33 foreign embassies/consulates in the
country. The embassies of Netherlands, Spain, Switzerland and Sweden responded positively via email. The Norwegian Embassy in Manila held a consultation meeting with the NGO Coalition CRC to discuss issues to bring up at the UPR.

The NGO Coalition CRC participated in the UNDP-sponsored briefing for the Diplomatic Corps which gave us the opportunity to present our recommendations directly with the representatives of foreign missions.

At the UPR interactive dialogue, these states expressed concerns/recommendations on:

- Corporal Punishment: Liechtenstein, Portugal, France, Uruguay
- Child trafficking: Norway, Spain, Latvia, Uruguay
- Juvenile Justice: Norway, Ecuador, Germany

As the NGO Coalition CRC is now able to establish direct communications with CHR’s Director of Government Linkages, the NGO Coalition CRC pushed for the inclusion of the Ratification of the Third CRC Optional Protocol (OP3 CRC) in CHR’s list of recommendations to the Philippines at the UN Human Rights Council’s (HRC) UPR during its follow-up meeting in September.

The Save the Children Geneva representative was given the opportunity to read the NGO Coalition CRC’s statement on the issues of corporal punishment and minimum age of criminal responsibility (MACR).

The Secretariat shared the online video documentation of the Geneva events as it was an opportunity for members to observe the process.

- The secretariat attended the forums facilitated by the Presidential Human Rights Committee (PHRC) through the Tripartite Monitoring of the UPR, a mechanism to monitor the implementation of the recommendations. Launched in July, this cooperation involved the government, CHR, and civil society. The technical working group (TWG) composed of CHR, PHRC, and Philippine Alliance for Human Rights Advocacy (PAHRA) formulated the concept note and framework. During the consultation regarding the pending recommendations, the Secretariat highlighted two recommendations: 1) Not to lower the MACR; and, 2) Ratification of the OP3 CRC.

Under the same mechanism, the NGO Coalition participated in another Tripartite meeting immediately after the 21st session of the HRC organized in September. The
government panel provided updates on the pending recommendations. The Philippines only rejected the recommendation about the visit of the Sub-committee on the Prevention of Torture. However, several recommendations were categorized for further study ("noted recommendations") which included No. 29 “Ensure that the age of criminal responsibility is not lowered (Germany)”.

- Learning sessions on timely subjects were organized and extended to other staff and partners of members.
  - (April 2012) Third Optional Protocol to the CRC (Communications Procedure), Ryan Silverio of Child Rights Coalition Asia as resource person. There were 30 participants and 13 member organizations represented. The treaty that “allows children, groups of children or their representatives, who claim that their rights have been violated by their State to bring a communication, or complaint, before the UN Committee on the Rights of the Child”1, was signed by 34 countries as of yearend. There is no clear indication yet if the Philippines will sign the treaty.
  - (December (2012) International Covenant on the Economic, Social and Cultural Rights, Ms. Rosario Garcia of ESCR-Asia, and Dir. Karen Dumpit of the Commission on Human Rights as resource persons. There were 21 participants, 12 member organizations represented, and 1 partner organization of JJCICSI on the issue of urban poor. The Philippines is due to submit its periodic report in June 2013. In 2008, the NGO Coalition participated in a joint submission of an alternative report with PhilRights. For 2013, it was agreed that the NGO Coalition will submit its own alternative report to make sure children’s issues are raised to the Committee on ESCR.

- Another working group was formed in the Coalition to focus on lobbying/advocacy activities to call on the government to ratify the OP3 CRC. A statement was issued, disseminated through the members, furnished to legislators, and posted on the FB Page.

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1 http://www.ratifyop3crc.org/aboutop3crc/
From July to September, revisions on the popular version of the CRC Concluding Observations were made by the Secretariat together with the services of a graphics artist and a layout artist. A small group of children reviewed the content and editing was done by a professional Filipino children’s book writer. A total of 4,500 copies were printed and immediately distributed to 13 member organizations. Members were expected to disseminate it to children, partner organizations in the communities, academic institutions, and government agencies. From October to December, 2,523 copies were distributed by members/secretariat via partner meetings, consultations, member’s regional offices, while conducting interviews, during community visits, community education, forums, and lobbying activities at the senate.

Groups of Recipients (N=2,523)

- Mothers, 15.46%
- School administrators, 6.35%
- Regional/Provincial Offices, 3.96%
- Children, child-led orgs, 12.68%
- Children, community, 16.83%
- Commission on Human Rights, 0.80%
- Other NGOs, member staff, 20.97%
- Trainers on NFP, 0.40%
- Senators, 2.18%
- Government agencies, 0.44%
- International NGO, 0.08%

Popular Version of Concluding Observations
Total percentage of children = 31.13% of 2,523 copies
Geographic Coverage (N=2,523):

- NCR: 58.90%
- Luzon: 19.22%
- Visayas: 8.32%
- Mindanao: 13.48%
- Europe: 0.08%

The above figures are based on reports from:

- Consuelo Foundation
- ECPAT
- ERDA
- JJICCSI
- Lunduyan
- Plan International
- Save the Children
- VIDES
- Secretariat

1,977 copies or 43.93% of the total copies remain with some members and are expected to be disseminated on the first quarter of 2013. Reprint for another 2000 copies was done in December 2012.

MAKASAKA MO, Inc., a partner organization of World Vision in Misamis Oriental, advised that they are reproducing the poster in tarpaulins for 14 barangays and indicated to conduct advocacy activities related to the Concluding Observations.

Translation in Cebuano began in December and will be ready for printing by first quarter of 2013.

- In September, the Convenor and Secretariat worked on inputs for a joint submission of the alternative report for the International Covenant on Civil and Political Rights (ICCPR). Issues that were raised are corporal punishment as a form of discipline for children, child trafficking, and the amendment to the Juvenile Justice Welfare Act related to lowering the MACR.

- The Secretariat represented the NGO Coalition CRC in the event, “CSO’s Assessment of CHR”, based on the Paris Principles concerning standards for national human rights institutions (NHRI), held in November at the UP National College of Public Administration and Governance (NCPAG). The NGO Coalition cited the value of consultation with key stakeholders i.e. children on CRC implementation. It also cited
the need to optimize the functions of CHR’s Child Rights Center. Around 30 human rights defenders from different parts of the country were present.

- Participation in activities to celebrate Human Rights Week (December)
  - Forum on Child Trafficking in Asia, held at Miriam College and organized by Asia Against Child Trafficking (AsiaACTs), Philippines Against Child Trafficking (PACT), and Miriam College’s Women and Gender Institute
  - ESCR Network’s Forum discussing the highlights of the Covenant, and panelists include human rights defenders on issues on labor, mining, and urban poor
  - Consultation-Workshop with Stakeholders on the Protection of Children, Especially Against Trafficking, organized by PACT, represented by the Vice Convenor. This involved discussions on a proposed set of Standards on the Protection of Children Especially Against Trafficking and Other Forms of Exploitation which shall cover issues of policy environment, trafficking prevention, comprehensive program addressing trafficking, access to justice, child participation, capacity building for service providers and institutional mechanisms.

- Endorsement of candidate to the UN Committee on the Rights of the Child in June through the Council for the Welfare of Children. The NGO Coalition CRC members, through an election via email, agreed to endorse Mr. Ray Dean Salvosa of Consuelo Foundation. However, it was learned during the last quarter of 2012 that the Philippines did not have any nominees.

**Involving Children in CRC Monitoring**

- Co-hosted the Dialogue with the Special Representative of the UN Secretary General on Violence Against Children held at the Museo Pambata, Manila. 100 individuals, both children and adults, from NGOs and government agencies joined the dialogue with Ms. Marta Santos Pais.
Children were invited to the Dialogue to present the outputs of a previous consultation on Violence Against Children (VAC). In this event, Ms. Pais reiterated the importance of the popularization of the CRC Concluding Observations.

- Learning session on child participation, March, held at Consuelo Foundation
- Training for Children on CRC Monitoring, March, held at Ciudad Christia
- Training on Children’s Participation in Child Protection, April, held in Sri Lanka
- Echo of Sri-Lanka Training to Member Representatives and Child Leaders, October, held in Ciudad Christia

**Evaluating Policies affecting children in the school and in the community**

- Members were invited to Don Bosco’s forum on K-12 in March, to understand how the new policy impacts children in different situations\(^2\).
- Redefining standards for LCPC Functionality; Conceptualize policy recommendations. The workshop was held at the Don Bosco School on May 31 attended by 26 representatives from 11 organizations to come up with agreed minimum standards for LCPC functionality, and policy recommendations. The Subgroup organized under the Advocacy Working Group (AWG) presented the comparison of standards issued by DILG and CWC, as well as relevant data gathered by members during the 2011 BCPC Study visits.

Another activity was held in June by the AWG facilitated by the Convenor to polish the Coalition indicators for a functional LCPC. A technical writer was commissioned in December to collate all documentation that will serve as reference for the NGO Coalition’s conceptualization of policy recommendations.

- The NGO Coalition was invited in June to join the meeting of the technical working group to provide inputs on “Strengthening the Role of Council for the Welfare of Children”.

**Position on Current Issues**

- Amendments to the Juvenile Justice Welfare Act. The NGO Coalition issued a statement calling on the government to respect international agreements. It noted that the Concluding Observations from the UN Committee on Rights of the Child included the recommendations not to lower the MACR and to ensure the full implementation of the

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\(^2\) K-12 means adding two more years to the basic education as the government believed that this will ensure quality education and result to more job opportunities for the young people.
Juvenile Justice Welfare Act of 2006. The statement was forwarded in August to several senators, the Commission on Human Rights, and posted on the FB page.

- Charges of Fraud and Falsification of Documents Against Visayan Forum (VF). The NGO Coalition issued a statement on the issue of Visayan Forum’s involvement in a major fraud case being alleged by USAID. Members were concerned about the consequences of the allegations as it could have a negative implication on the NGO Coalition and/or its member organizations. The statement “reaffirms [the NGO Coalition’s] strong commitment to the principle of accountability”.

Advocacy and Networking Activities in the SEA Region

- Inputs to the 5-Year Work Plan of the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children (ACWC), held at Jakarta, Indonesia, in July, represented by AsiaACTs.

- The NGO Coalition was one of the ASEAN civil society organizations (CSOs) that joined the consultation to work on the Joint Submission of inputs to the draft of the ASEAN Human Rights Declaration (AHRD). A two-day consultation was organized by Forum Asia at Bay View Plaza in Manila to consult with civil society organizations. Inputs from ASEAN CSOs represented by some 60 individuals were finalized as a Joint Submission. This was presented to the ASEAN Intergovernmental Commission on Human Rights on inputs (AICHR) in Bellevue Hotel during the “2nd ASEAN Consultation with Civil Society on the AHRD” and was accepted as the official draft for the consultation. The NGO Coalition also attended this event and was able to observe and participate in the process.

Together with other ASEAN NGOs in September, the NGO Coalition signed the open letter appealing to the foreign ministers NOT TO ADOPT the AICHR draft during its ministerial meeting held in New York. The draft did not contain all recommendations from the civil society that were based on the international human rights standards.

In November, the NGO Coalition signed a joint statement with CSOs in the ASEAN region to denounce the AHRD as it falls below the international human rights
standards. The statement was published during the ASEAN Summit that was being held in Cambodia to adopt the AHRD.

- The NGO Coalition also participated in the Asia-wide 5-year project of Plan International “Supporting Civil Society for Consistent and Sustainable Reduction of Poverty through Realization of Children’s Rights in Asia”. Though it was expected that we would have more experience in the CRC monitoring work, it presented opportunities not just for the NGO Coalition and its members, but for the children/young people as well - to be recognized in the region, and learn from the exchanges with counterparts from different cultures and environment. Activities included:
  - CRC Monitoring for Children and selection of participants to the Training in Sri Lanka, March
  - Training on Children’s Participation in Child Protection in Sri Lanka, April
  - Participation in the E-discussion on Community-Based Child Protection Mechanism, August
  - Echo of Training in Sri Lanka, held in October at the Ciudad Christia, in two simultaneous sessions for adults and children.
  - Lunduyan Foundation, as lead organization of the Capacity Building Working Group, attended the Training on UPR and Optional Protocol to the CRC on Communications Procedure, Bangkok, Thailand, held in November.

- There were study visits of child leaders from Cambodia and of our counterparts in Laos to learn from our experiences in CRC monitoring and involving children. The meetings were held at the Plan International office and ECPAT office respectively.
Other Networking Efforts

- Participation in the Juvenile Justice Welfare Council’s activities:
  - 5-year Strategic Planning held in Stotsenberg Hotel, Clark, Pampanga, and post-planning meetings in Quezon City, January and February.
  - Presentation of Results of UP Institute of Government and Law Reform’s Assessment of the Implementation of the Juvenile Justice Welfare Act of 2006 held in UP College of Law, December.

Administrative

- General assembly meetings held in January, February, April, July and September
- Annual board meeting, April
- Endorsement of Finance Duties to new treasurer, April
- Compliance to annual government requirements, January and April
- Annual Report 2011 in soft copy furnished to members as well as to foreign missions, March
- Assessment and Planning, November

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