



The Civil Society Coalition on the Convention on the Rights of the Child Inc. (CRC Coalition) is an alliance of 16 local and international child rights organizations in the Philippines. Through its advocacy and capacity building activities, the CRC Coalition leads civil society efforts towards strengthening government accountability for children’s rights through systematic monitoring of the implementation of the UN Convention on the Rights of the Child (CRC) in the country. It has been submitting NGO Alternative reports to the UN Committee on the Rights of the Child, following the Philippines’ ratification of the CRC in 1990 and to the Human Rights Council (HRC) in relation to the 2nd and 3rd Universal Periodic Reviews (UPR) of the Philippines in 2012 and 2017, respectively. The CRC Coalition has also contributed to civil society joint submissions to other human rights treaty bodies.

This brief provides a short overview of the UPR process, how civil society can engage in the review, and information on the outcomes related to children’s rights from the 3rd UPR of the Philippines.

THE UNIVERSAL PERIODIC REVIEW

The Universal Periodic Review (UPR) is a process which involves a periodic assessment of the human rights situation of all 193 UN Member States. It is a mechanism under the United Nations Human Rights Council (HRC) which is based on equal treatment for all countries.

What are the objectives of the UPR?



The objective of the UPR is to improve the human rights situation in each State so that people can live decent, secure, and peaceful lives.



To attain this goal, the UPR involves evaluating the human rights record of each State with a view to address human rights abuses whenever and wherever they occur.

In the UPR, States share good practices to promote and protect human rights and to provide technical assistance to other States to enhance their competencies and effectively manage human rights challenges on the ground.

Key Facts About the UPR



Conducted every 5 years



Reviews all UN Member States



Also participated in by UN Agencies and other stakeholders (i.e., civil society organizations [CSOs], national human rights institutions, human rights defenders, academic institutions, ombudspersons and regional organizations)



The review is based on three documents:

- 1 Report submitted by the State under Review (SUR)
- 2 Reports of independent human rights expert and groups such as special rapporteurs and human rights treaty bodies
- 3 Information provided by national human rights institutions, CSOs, and other stakeholders



SUR receives recommendations from their peers



SUR can decide to support or note (also means reject) the recommendations



Supported recommendations should be implemented by the next review



States can also work on implementing noted recommendations in this same time frame

SOURCE: UPR INFO, "THE CIVIL SOCIETY COMPENDIUM: A COMPREHENSIVE GUIDE FOR CIVIL SOCIETY ORGANIZATIONS ENGAGING IN THE UNIVERSAL PERIODIC REVIEW"

When will the Philippines have its human rights records reviewed by the UPR?

The Philippines will have its next UPR in 2022.

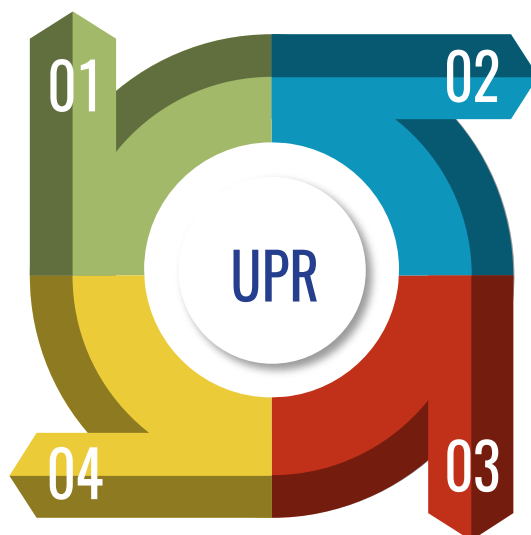
CONDUCT OF UNIVERSAL PERIODIC REVIEW

Preparation of information towards review

This step includes gathering of state information (including broad national consultations and reports), compiling information by the UN, and summarizing stakeholders' submission (i.e. inputs of CSOs, national human rights institutions, academe, etc).

Implementation of outcomes

The State concerned is encouraged to conduct consultations with all relevant stakeholders. The National or regional UN representatives may assist upon the State's request.



Working Group on the UPR

The working group meets in Geneva for three 2-week sessions each year and examines 14 States per session. Interactive dialogue is held with SUR. The working group adopts a report containing recommendations, conclusions and voluntary pledges. The SUR indicates which recommendations it does and does not support.

Human Rights Council regular session

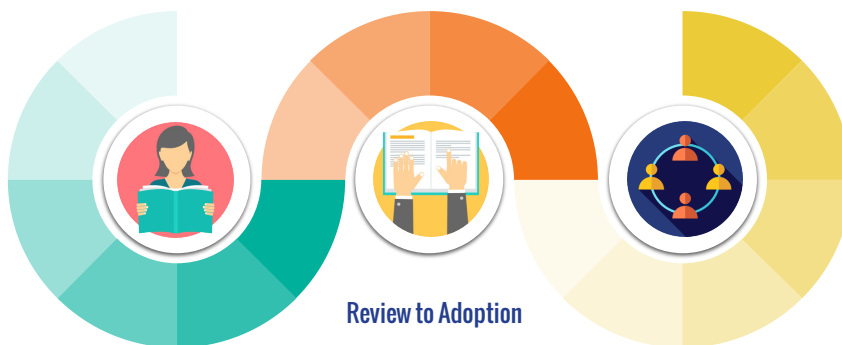
The HRC considers each outcome document for an hour. The SUR, HRC members, observer States, and other stakeholders are given opportunity to express views before adoption of outcome documents. Afterwards, the HRC adopts the outcome document.

SOURCE: OHCHR.ORG, UNIVERSAL PERIODIC REVIEW REPORT OF THE WORKING GROUP ADDENDUM 1

ROLE OF CIVIL SOCIETY

Preparation for the review

CSOs participate in national consultations, submit UPR reports, organize in-country pre-session meetings, conduct advocacy to raise awareness on the UPR, and participate in the pre-session.



Review to Adoption

CSOs attend the UPR pre-session, watch the UN webcast, participate in events around the UPR, hold press briefings, and may deliver an oral statement at the UPR session.

Implementation of Recommendations

CSOs raise awareness on the UPR recommendations, cooperate with other stakeholders for implementation, monitor and report progress (i.e. mid-term report), and submit to the HRC.

SOURCE: UPR INFO, "THE CIVIL SOCIETY COMPENDIUM: A COMPREHENSIVE GUIDE FOR CIVIL SOCIETY ORGANIZATIONS ENGAGING IN THE UNIVERSAL PERIODIC REVIEW"

3RD UPR OF THE PHILIPPINES: RECOMMENDATIONS RELATED TO CHILDREN'S RIGHTS

- ✓ RECOMMENDATIONS SUPPORTED OR ACCEPTED BY THE PHILIPPINE GOVERNMENT
- ✗ RECOMMENDATIONS NOTED OR NOT ACCEPTED BY THE PHILIPPINE GOVERNMENT

Child Rights Law and Policies

Morocco

- ✓ Continue strengthening the national framework for the protection of children's rights

Mexico

- ✓ Ensure that all legislative amendments affecting children's rights take into account the best interest of the child in accordance with international standard

Slovakia and Croatia

- ✗ Ratify and adhere to the Optional Protocol to the UN Convention on the Rights of the Child on a Communications Procedure

Child Labor

Poland and Iraq

- ✓ Continue efforts to combat and eliminate trade of children to exploit them in forced and hazardous labor

Montenegro

- ✓ Undertake necessary legislative and other measures to prevent child labor

SOURCE: OHCHR.ORG, "REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW - PHILIPPINES"



Child Exploitation, Trafficking and Sexual Abuse

Azerbaijan, Iraq, Lebanon, Bosnia and Herzegovina, Egypt, Vatican, Poland, Uzbekistan, South Korea, Algeria, Qatar

- ✓ Strengthen efforts to eliminate all forms of human trafficking, especially women and children

Belarus, Maldives, Belgium

- ✓ Provide services to victims through implementation of “Recovery and Reintegration Programme for Trafficked Persons” and “Monitoring, Reporting, and Response System” for children affected by conflict

Netherlands

- ✓ Improve inter-agency coordination and secure cooperation from the private sector to prevent child online abuse

Cuba, Indonesia, Sierra Leone

- ✓ Continue bilateral, regional, and international partnerships to prevent cross-border trafficking

Canada, Uruguay, Poland, Italy

- ✗ Investigate and prosecute individuals who sexually abuse children and who use children in pornography

Sweden and Canada

- ✗ Raise the age of sexual consent from 12 to 16 years old

Italy

- ✗ Take measures to combat the involvement of children in armed conflict



Violence Against Children

Bosnia and Herzegovina and Spain

- ✓ Continue strategies and programs to end all forms of violence against vulnerable groups, particularly women and children, both online and offline



Education

Vietnam, Venezuela, Saudi Arabia

- ✓ Prioritize allocation of budget for public education

Brunei Darussalam, Vatican, Malaysia, Palestine

- ✓ Intensify efforts to increase access of children to education, especially disadvantaged learners and vulnerable and marginalized children through the Alternative Learning System (ALS) and compulsory free education



Health

Lebanon

- ✓ Continue combating poverty and malnutrition, especially among children

Brazil, Sweden, New Zealand, Denmark

- ✓ Ensure effective implementation of the Responsible Parenthood and Reproductive Health Act to secure access to sexual and reproductive health rights



Children with Disabilities

Ecuador

- ✓ Strengthen labor and economic policies in favor of persons with disabilities

Palestine and Tunisia

- ✓ Ensure that persons with disabilities have equal access to all public facilities, services, social and health insurance

Guatemala and Estonia

- ✗ Ratify Optional Protocol to the Convention on the Rights of Persons with Disabilities

Estonia and Spain

- ✗ Adopt domestic legislative measures that conform to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other human rights instruments, particularly those that guarantee equal access to public services



Children of Indigenous Groups

Tunisia

- ✓ Carry on efforts towards protection of children, namely those of indigenous populations

Guatemala

- ✗ Ratify Convention concerning Indigenous and Tribal Peoples, 1989 (No. 169) of the International Labor Organization



Children in Conflict with the Law

Austria, Canada, Belgium, Sweden, Czech Republic, France, Germany, Kenya, Bulgaria

- ✗ Maintain the minimum age of criminal responsibility (MACR) to 15 years old; refrain from lowering the current MACR

Uganda and Kenya

- ✗ Reform the judicial system, provide rehabilitation and separate detention facilities for children in conflict with the law; take action to reduce overcrowding in detention facilities

Estonia, Kenya, Austria

- ✗ Effectively implement the Juvenile Justice and Welfare Act (JJWA) to guarantee the rights of children in the context of criminal accountability in compliance with the UNCRC; avoid ill-treatment and abuse of children in detention facilities

RECOMMENDATIONS THAT ALSO AFFECT CHILDREN



Death Penalty

Haiti, Mozambique, Luxembourg, Slovakia, Liechtenstein, Moldova, Switzerland, Romania, Norway, Portugal, Ireland, Belgium, Lithuania, New Zealand, Czech Republic, Uruguay, Brazil, Ukraine, France, Italy, Australia, Canada, Bulgaria

- ✗ Refrain from reintroducing the death penalty and abide by obligations under the Second Optional Protocol to the International Covenant on Civil and Political Rights



Extrajudicial Killings and Anti-Illegal Drugs Campaign

Peru, Venezuela, Myanmar, Haiti, USA, Romania, Lebanon, Zambia, Timor-Leste, Egypt, Guatemala, Estonia, Iraq

- ✓ Ensure that all efforts to combat the use of illegal drugs conform with constitutional protections and follow international standards and obligations

China, Thailand, Romania, France, Pakistan

- ✓ Address the root cause of illegal drugs through a comprehensive and human-centered approach, such as appropriate health measures, community-based rehabilitation, and reintegration programs of drug users

China

- ✓ Strengthen international cooperation to combat illegal drugs and human trafficking

Ghana

- ✓ Enhance capacity of the State security forces by providing human rights training

France, Germany, Ghana, Hungary, Latvia, Liechtenstein, Ireland, Lithuania, Bulgaria,

- ✗ Respond positively and unconditionally to the request of the Special Rapporteur on extrajudicial, summary, or arbitrary executions to visit the country

South Korea, Slovenia, Moldova, Guatemala, Angola, Georgia, Chile, Austria, Hungary, Spain

- ✗ Establish and implement a national preventive mechanism as required under Optional Protocol to the Convention against Torture and eliminate obstacles that hinder effective implementation of Anti-Torture Act

Costa Rica, France, Spain, Poland, Slovakia, Netherlands, Lithuania, Canada, Germany, Chile, Ghana, Italy, Hungary, Iceland, Luxembourg, Norway, Iceland, Czech Republic, Croatia, Botswana, USA, Slovenia, Ireland, Portugal, Sweden, New Zealand, Austria, Switzerland, Sierra Leone, Zambia, Australia

- ✗ Take all necessary measures to stop extrajudicial killings, carry out independent, transparent, and impartial investigation into all alleged unlawful killings and other abuses during anti-drug operations, and take steps to eradicate impunity

SOURCE: OHCHR.ORG, "REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW - PHILIPPINES"

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The present moment is crucial. The work to be done is urgent.



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