

Still in the Sidelines: Children's Rights in the Philippines

The monitoring report of the Civil Society Coalition on the Convention on the Rights of the Child (CRC Coalition) on the Implementation of the United Nations Convention on the Rights of the Child (UNCRC)
2009 - 2019

CONTENTS

	Page
Introduction.....	4 – 6
I. GENERAL MEASURES OF IMPLEMENTATION	6 – 14
A. Legislation	6 – 7
B. Coordination	7 – 9
C. National Plan of Action	9
D. Cooperation with Civil Society	9 – 10
E. Allocation of Resources	10 – 12
F. Data Collection	12– 13
G. Independent Monitoring	13
H. Dissemination, Training and Awareness Raising	14
II. GENERAL PRINCIPLES	14 – 20
A. Non – Discrimination	14 – 16
B. Right to Life, Survival and Development	17 – 18
C. Respect for the views of the child	18 – 19
III. CIVIL RIGHTS AND FREEDOM	19 – 21
A. Birth registration, name and nationality	19 – 20
B. Corporal Punishment	20 – 21
IV. FAMILY ENVIRONMENT AND ALTERNATIVE CARE	22 – 24
A. Children of Migrant Workers	22 – 23
B. Children Deprived of a Family Environment	23 – 24
C. Abuse, Neglect and Maltreatment	24

	Page
V. BASIC HEALTH AND WELFARE	24 – 34
A. Children with Disabilities	24 – 27
B. Maternal Newborn and Child Health	27
C. Child Immunization	27 - 28
D. Mental Health of Children	28 - 29
E. Adolescent Health	29 – 30
F. Environmental Health	31 – 32
G. Standard of Living	33 – 34
VI. EDUCATION, LEISURE AND CULTURAL ACTIVITIES	34 – 37
VII. SPECIAL PROTECTION MEASURES	37 – 52
A. Children in Armed Conflict	37 – 40
B. Economic Exploitation including Child Labor	40 – 42
C. Children in Street Situations	42 – 44
D. Commercial Sexual Exploitation, Trafficking, Pornography	44 – 47
E. Rape, Incest and Sexual Harassment	47 – 49
F. Administration of Juvenile Justice	49 – 50
G. Children belonging to minorities and indigenous peoples	50 – 51
VIII. KEY RECOMMENDATIONS	51 – 52
IX. ANNEXES	53 – 68

INTRODUCTION

About CRC Coalition

1. The Civil Society Coalition on the Convention on the Rights of the Child (hereafter, CRC Coalition) consists of 24 non-government organizations (NGOs) working on research and advocacy on children's rights, provides direct services for children and their families, and capacity building for stakeholders working on children's issues. Formerly known as the Philippine NGO Coalition, CRC Coalition monitors the implementation of the United Nations Convention on the Rights of the Child (UNCRC) in the Philippines and provide technical assistance to agencies for the fulfillment of children's rights. It has been submitting reports to the UNCRC Committee since 1994.

2. This NGO Alternative Report presents information, views and recommendations of children and civil society organizations (CSOs) on the situation of children, as well as prevailing and emerging child rights issues. It also gives information supplementing or clarifying the contents of the Philippine government's fifth and sixth periodic report on the compliance with the UNCRC. This report draws information from (a) results of island consultations with children and CSOs in 2017, which was conducted by CRC Coalition in collaboration with Mindanao Action Group for Children's Rights and Protection; and Children Talk to Children; (b) thematic cluster reports prepared by CRC Coalition members; (c) CRC report prepared by a children's coalition; and (d) results of other consultations, workshops, and focus group discussions organized by CRC Coalition from 2009 to 2019.

3. The island consultations involved 128 NGO participants (47 from Luzon, 38 from Visayas, and 43 from Mindanao), and 107 child attendees (39 from Luzon, 33 from Visayas, and 34 from Mindanao).

Overview of Children's Situation in the Philippines

Population

4. As of 2015, the population had totaled 100.98 million, of whom 38% (or 38.38 million) were children, or those aged 0 to 17 years.¹ Boys slightly outnumbered the girls at 52%.

Political Context

¹ Philippine Statistics Authority (PSA), "Philippine population surpassed the 100 million mark (results from the 2015 Census of Population)," PSA website, published 30 June 2017, <https://psa.gov.ph/content/philippine-population-surpassed-100-million-mark-results-2015-census-population>.

5. The period since 2009 had seen three government administrations, from Arroyo, whose focus was on economic growth, to Aquino, who promoted participatory governance, and Duterte, whose administration has made massive physical infrastructure development and the war on drugs top priority. President Duterte's "war on drugs" continues to victimize poor families through the carrying out of extrajudicial killings without safeguards.

6. Armed clashes continue to affect children, particularly in the Autonomous Region in Muslim Mindanao (ARMM) in Southern Philippines. Severe consequences on children include death, injury, displacement, inhumane treatment and detention in relation to the conflict, sexual violence, recruitment into armed forces/groups, deterred from attending school and attacks on education.²

Socioeconomic Context

7. In 2015, poverty incidence in the country was 21.6%, down from 26.3% in 2009.³ However, some 22 million Filipinos—more than one-fifth of the population—still lived below the national poverty line. The incidence of children belonging to poor families declined at 31.4% in 2015 from 35.3% in 2009. More than half of the affected children (61.3%) were found in ARMM.

Environmental Concerns

8. The vulnerability of children becomes even more pronounced in disaster situations. From 1995 and 2015, a total of 274 natural calamities hit the country, including typhoons and earthquakes. These have caused billions worth of damages, affecting millions of people and claiming thousands of lives.⁴ In the World Risk Index 2019, the Philippines placed ninth among countries with the highest disaster risk.⁵ Super Typhoon Haiyan in 2013 has claimed the lives of more than 7,000 people, children and adults alike, and has left 1.9 million people homeless, while an additional 6 million individuals displaced. Strong earthquakes have also rocked the country in multiple provinces, some like the Bohol-Cebu earthquake in 2013 had affected more than 32 million people. It also damaged public infrastructure, roads, bridges and flood control systems totaling to USD 58 million. Of those affected by disasters, children typically constitute 50% to 60%, experiencing loss

² UNICEF, "Situation analysis of children in the Philippines," 2016.

³ Philippine Statistics Authority (PSA), "Farmers, Fishermen and Children consistently posted the highest poverty incidence among basic sectors - PSA," PSA website, published 30 June 2017, <https://psa.gov.ph/content/farmers-fishermen-and-children-consistently-posted-highest-poverty-incidence-among-basic>.

⁵ The World Risk Index calculates the risk for 171 countries worldwide based on the following components: (1) exposure to natural hazards such as earthquakes, hurricanes, flooding, drought, and sea-level rise; and (2) vulnerability as dependent on infrastructure, nutrition, living conditions, and economic circumstances (which includes susceptibility, coping capacities, and adapting capacities). See Bündnis Entwicklung Hilft and Ruhr University Bochum-Institute for International Law of Peace and Armed Conflict, World Risk Report 2019, no date https://reliefweb.int/sites/reliefweb.int/files/resources/WorldRiskReport-2019_Online_english.pdf

of life, diseases related to malnutrition and poor water and sanitation, disrupted schooling, and psychological distress.⁶

General Measures of Implementation

Legislation

9. The Coalition recognizes the progress made in child protection legislation in the country. Despite this, bills have been filed in Congress that undermine children's best interest, such as lowering the minimum age of criminal responsibility from 15 to 12 years old and making the Reserve Officers' Training Corps (ROTC) mandatory for Grades 11 and 12 in private and public schools.

10. Moreover, the Positive and Nonviolent Discipline of Children Bill, ratified by Congress in December 2018, was considered a major breakthrough after more than a decade of lobbying by CSOs and networks, including children's groups. However, President Duterte vetoed it a day before the bill lapsed into law. This was a major setback to government's efforts as a Pathfinder Country that committed to accelerating action to prevent and respond to violence against children (VAC) within a period of five years.⁷

11. Among the bills filed in the 18th Congress but have yet to be passed are those on civil registration and vital statistics, which addresses the accessibility of birth registration; increasing the age for statutory rape; and on teenage pregnancy prevention, which is important given that teenage pregnancy doubled in the last decade.⁸

Recommendations from CSOs and Children

12. Pass a law raising the age of statutory rape (from 12 to 16 or below 18 years old), the Civil Registration and Vital Statistics (CRVS) Bill (birth registration that is accessible and less costly), the Teenage Pregnancy Prevention Act and the Positive Discipline/Anti-Corporal Punishment Act; but do not pass any law lowering the minimum age of criminal

⁶ UNICEF, "National Consultation with Children and Youth on Disaster Risk Reduction held, , 2018, <https://www.unicef.org/philippines/press-releases/national-consultation-children-and-youth-disaster-risk-reduction-held>.

⁷ Steven, David, "Global Partnership to End Violence Against Children: Exploring options for the partnership's design and launch," paper prepared to inform the discussion of a proposed Global Partnership to End Violence Against Children, with support from UNICEF, published 16 June 2015, https://childhub.org/en/system/tdf/news/attachments/global_partnership_options_choices_paper_final.pdf?file=1&type=node&id=11205.

⁸ Philippine Statistics Authority (PSA) and ICF, "Philippines National Demographic and Health Survey 2017: Key Indicators" (Quezon City, Philippines, and Rockville, Maryland, USA: PSA and ICF, 2018), <https://psa.gov.ph/sites/default/files/Philippines%20NDHS%20KIR.pdf>.

responsibility. Do not enact the mandatory ROTC for Grades 11 and 12 in private and public schools as this is tantamount to the Philippines renegeing in past international commitments on the protection of children from recruitment into the armed forces. Introducing mandatory ROTC is also incongruent with existing national and international laws which state schools should not be used for military purposes.

13. Children’s groups, in several consultations, also recommend the immediate passage of the Positive Discipline Bill.

Coordination

14. Coordinative relationships were maintained among relevant government bodies in child rights promotion, protection, and fulfillment. Mechanisms for child-friendly local governance were also established, and efforts to strengthen the Local Councils for the Protection of Children (LCPCs) were taken.

15. The Coalition notes, however, the fragmented efforts among government offices or agencies in addressing children’s issues, despite mandated structures to facilitate and coordinate the implementation of plans and programs. The Council for the Welfare of Children (CWC) seems weakened by the numerous transitions in its leadership, with four executive directors appointed over the last eight years. The budget for CWC has also remained minimal (a mere 0.04% of the budget of the Department of Social Welfare and Development [DSWD], its supervising agency), considering its critical role as the key national agency mandated to develop policies, monitor and assess the situation of children in the country, and coordinate with various agencies concerned. A bill was proposed in the 17th Congress to strengthen CWC and transform it into a Philippine Commission on Children, with stronger authority and mandate. However, the bill has not yet been filed in the 18th Congress, due to concerns about budgetary requirements for the proposed Commission.

16. A study on child protection legislation similarly notes the reactive approach in dealing with child protection issues, with programmatic or legislative actions taken as “stand-alone” responses to a specific child protection issue.⁹ It further mentions the presence of several interagency councils mandated to coordinate and oversee the implementation of various laws, despite the overlap of functions, citing this as one consequence of the “disconnect between the profusion of laws and the continuing incidence of child abuse.”

⁹ Cynthia Arce, “Improving National and Local Systems Towards Better Child Protection in the Philippines,” People Count: PLCPD Policy Brief (Quezon City: PLCPD Foundation, Inc., 2016).

17. The progress of LCPC formation in barangays throughout the country is noteworthy, but a significant number of these are still not functional.¹⁰ They are largely reactive and are not likely to have regular periodic meetings, action plans or approved budget for children, submit periodic reports on children, or engage children in decision making. This observation is supported by comments from participants during the Island Consultations, saying that the LCPC structure is “for compliance only.” The CWC itself noted the weak coordination among member agencies or bodies within the LCPCs, and the low level of capacity, especially in poor areas.¹¹ Programmatic gains are difficult to achieve as it is hindered by the three-year term limit of local chief executives with varying priorities in the local government units (LGUs),¹² as well as the insufficient allotment of resources for LCPC strengthening. Based on latest data from the Juvenile Justice and Welfare Council (JJWC), only 31% of LGUs had allocated at least 1% of their Internal Revenue Allotment (IRA) for the council.

18. A positive step is the enhancement of the Child-Friendly Local Governance Audit (CFLGA), which now includes LCPC functionality as an indicator. The CFLGA is a mandatory audit system for measuring local governance performance in the delivery of services that would generate positive results for children. It is one of the requirements/indicators in the core areas for the Seal of Good Local Governance (SGLG), a much-coveted award among LGUs because of the monetary incentive accompanying it.

Recommendations from CSOs and Children

19. Strengthen CWC by enacting the bill to make it a commission, with stronger authority and mandate, and more effective inter-agency coordination and multi-stakeholder participation, including mechanisms for children’s participation.

20. For the Department of the Interior and Local Government (DILG) to harmonize its memorandum circular issuances on LCPC strengthening, mandate, and function, providing clear guidelines for planning, budgeting, and programming for children’s concerns; to intensify efforts to capacitate LCPCs to perform their functions; and to monitor and evaluate regularly LCPCs’ performance and provide them with technical assistance, when necessary.

21. For the DILG to widely disseminate the Revised CFLGA Handbook among LGUs, build LGUs’ capacity to improve CFLGA performance and regularly monitor LGU performance across the country.

¹⁰ Council for the Welfare of Children (CWC), *National Baseline Study on Violence against Children – Philippines: Executive Summary* (Manila: Council for the Welfare of Children and UNICEF Philippines, 2016), [https://www.unicef.org/philippines/media/491/file/National%20Baseline%20Study%20on%20Violence%20Against%20Children%20in%20the%20Philippines:%20Results%20\(executive%20summary\).pdf](https://www.unicef.org/philippines/media/491/file/National%20Baseline%20Study%20on%20Violence%20Against%20Children%20in%20the%20Philippines:%20Results%20(executive%20summary).pdf).

¹¹ Cited in UNICEF, *Strengthening Child Protection Systems in the Philippines* (Makati City: UNICEF, 2016).

22. Enhance the LCPC structure to ensure its sustainability by establishing permanent office/personnel at the forefront of addressing children’s concerns.

23. Study how to rationalize the role of LCPC vis-à-vis other local inter-agency structures that require its services, in order to improve individual efficiency and effectiveness in carrying out their functions. Local inter-agencies can be lodged as committees within the LCPC, allowing for an integrated approach to programming for children’s rights.

National Plan of Action for Children (NPAC)

24. Noteworthy is the participation of children from various parts of the country, including children with disabilities and children in indigenous communities, in the drafting of the 3rd NPAC 2017–2022 in 2016. This initiative was facilitated by CRC Coalition. Government also included among the target outcomes of NPAC a “Program on Empowering Children to Participate in Monitoring the Implementation of the 3rd NPAC.” The CRC Coalition is working with CWC to determine how children could participate in monitoring progress on the targets based on their situation. However, there is no clear financial plan for the 3rd NPAC, nor is it clearly linked to the national budget.

25. Now on its third year, the 3rd NPAC has not yet been fully disseminated and rolled out at the local level. This was similarly noted by CSOs during the Luzon Island Consultation, who likewise observed token consultations at the local level, non-capacitated local chief executives in terms of child rights, and the lack of functional facilities to address child protection cases.

Recommendation of CSOs and Children

26. For CWC to fast-track, in cooperation with DILG, the rollout of the 3rd NPAC at the local level, including establishing a clear framework/system for the meaningful participation of CSOs and children in NPAC monitoring; for DILG to provide guidance and technical support to LGUs to enable them to integrate this in their local plans and budgets; and for DILG to issue planning guidance to LGUs that includes using a stronger analysis of children’s status at the local level as basis for planning and budgeting.

Cooperation with Civil Society

27. There are various inter-agency committees that provide a venue for stronger coordination and collaboration between the government and civil society toward developing policies, strategies, and programs, such as the National Network to End Violence against Children (NNEVAC). NNEVAC, composed of national agencies and CSOs, developed the Philippine Plan of Action to End Violence Against Children (PPAEVAC). However, at the local level, local CSOs are usually not able to engage LGUs unless they are recognized, accredited to participate and have representation in local governance processes, or unless they have a memorandum of understanding with the LGU. The

accreditation process requires the CSO to register with one of the accrediting agencies, which most grassroots organizations or small CSOs (including children's groups) may not be able to meet.

28. CSOs note that there is shrinking civic space in the country as evidenced by the increased prohibitive regulatory policy for aid agencies/organizations and the risk of being red-tagged by the government. This is reflected in Memorandum Circular No. 15 (Series of 2018) issued by the Securities and Exchange Commission (SEC), which requires all NGOs registered with the Commission to disclose specific information on their programs, operational sites, amounts of funding, donors/sources of funds and beneficiaries. These government actions are posing security threats and reputational risks to NGOs, pressuring them to be more cautious in speaking out on sensitive issues.

Recommendation of CSOs and Children

29. For national agencies and LGUs to create more participation and consultation mechanisms that accommodate children and CSOs, and not just limit these to the formal representation where organizations need to be first accredited.

30. For SEC to consider withdrawing MC 15 as this violates freedom of association and right to privacy as enshrined in the 1987 Philippine Constitution, and further restricts the already shrinking civic space.

Allocation of Resources

31. The State Party Report has cited the significant increase in the allocation for national agencies, particularly the Department of Education (DepEd), DSWD and Department of Health (DOH). However, while the DSWD budget increased over the decade, in 2017-2019, 63% of its budget on the average was allocated to the Conditional Cash Transfer (CCT) program, locally known as the *Pantawid Pamilyang Pilipino* Program (4Ps).¹³ Only around 26% on the average is left for protective services for children and other vulnerable groups, such as center-based services, capacity building, local social welfare services, and financial assistance.

32. Social Watch Philippines estimated the average allocation for child protection in 2015–2017 at PhP 2.43 billion (USD 45.8 million) annually, which accounted for a mere 0.45% of the total child-focused budget and barely one percent (0.09%) of the average national budget for the period.¹⁴ Budget allocation for child protection is very minimal considering the high prevalence of VAC as reflected in the 2015 National Baseline Study on Violence Against Children (NBSVAC).

¹³ Department of Budget and Management. General Appropriations Act of 2017, 2018 and 2019. <https://www.dbm.gov.ph>

¹⁴ Social Watch Philippines, "2019 Budget: Features, Issues, Lessons... and the Proposed 2020 Budget," Usapang Badyet: Dissecting the 2019 Budget and Expenditure Priorities for 2020, Assembly Hall, UP-NCPAG Quezon City, 26 July 2019, 19.

33. At the local level, DILG has issued guidelines for LCPC utilization of the budget (1% of the local government's IRA from the national budget) to ensure the LCPC budget is properly and effectively used in accordance with its intended purpose.¹⁵ Despite this, there are anecdotal reports from CSOs that LCPC budgets (and other budgets earmarked for children, such as education and health budgets) are not fully or properly utilized.¹⁶ Some LGUs admitted that they do not know how to program these budgets.

34. Inefficient government spending also surfaced in a Commission on Audit (COA) report that called out the Housing and Urban Development Coordinating Council (HUDCC) for using Php 5 million (around USD 100,000) of the Php 500 million (USD 10 million) fund intended for rehabilitation projects in Marawi City.¹⁷ The diverted fund was reportedly used to sponsor internally displaced persons of Marawi City in their 2018 pilgrimage to Mecca. This was not among the allowable expenses for this fund and could have instead provided shelter to families from among the more than 100,000 displaced families¹⁸ still remaining without permanent homes.

Recommendations of CSOs and Children

35. Pass a law that will institutionalize the meaningful and genuine participation of CSOs and marginalized groups, including children, in the planning and budgeting processes at national and local levels. Children consulted called on government to take care of [the people's] money, and “to prioritize in the budget those sectors that have the greatest need, namely, children with disabilities, victims of disasters and conflict, street children, children in conflict with the law, and out-of-school children.”¹⁹

36. Enact a law ensuring transparency in the budget process. Disclose data on public spending and publicize progress reports on spending and accomplishments to ensure

¹⁵ Department of Interior and Local Government, Memorandum Circular 2012-120, “Allocation of One Percent (1%) Internal Revenue Allotment for the Strengthening and Implementation of the Programs, Projects and Activities of the Local Councils for the Protection of Children (LCPC) per Section 15 of RA 9344,” 2012.

¹⁶ Local Council for the Protection of Children (LCPC) Consortium, Minutes of the Meeting, 10 November 2015, B Hotel, Quezon City.

¹⁷ Elizabeth Marcelo, “COA flags HUDCC for Marawi fund diversion,” Philstar Global, 2 June 2019, <https://www.philstar.com/headlines/2019/06/02/1922924/coa-flags-hudcc-marawi-fund-diversion>

¹⁸ Sarmiento, Bong S. “Rubble, Unexploded Bombs, and More than 100,000 Displaced: Marawi Two Years On.” *The New Humanitarian*, 23 May 2019.

¹⁹ Civil Society Coalition on the Convention on the Rights of the Child and Save the Children. “Focus Group Discussion: Public Spending on Children's Rights.” January 2015. Unpublished report on the results of focus groups discussions conducted in January 2015 by CSOs with 62 children (34 girls and 28 boys) across the country (Cebu CASAGAL, Civil Society Coalition for the Convention on the Rights of the Child, Mindanao Action Group on Child Rights and Protection, Philippine Partnership for Children With Disabilities, and Save the Children. The report was contributed to “Towards Better Investment in the Rights of the Child: the Views of Children,” a global report produced by the Centre for Children's Rights, Queen's University Belfast, and submitted to the UN Committee on the Rights of the Child for the drafting of the CRC General Comment No. 19.

government transparency and accountability in the use of public funds. The children reminded the government to “refrain from stealing and using public funds for personal interest.”

37. For the Department of Budget and Management (DBM) to adopt child-rights-based budgeting and for DILG to intensify its efforts to raise LGUs’ awareness of child-responsive planning and budgeting and build their capacity for this.

38. For CWC to lead a study to set the benchmark for public investment in child protection, including child protection in emergencies.

Data Collection

39. The State of the Filipino Children Report, which government produces annually, is not widely disseminated.

40. Comprehensive, disaggregated information on children’s rights is inaccessible as there is no effective information management system in place specifically on this. Disaggregated data on children in especially difficult circumstances (CEDC)²⁰ are even more difficult to obtain. Statistics that do not count these vulnerable groups of children masks the real situation of deprivation and disparities prevailing in the country. This then renders ineffective policymaking, planning and budgeting for child-focused services, hindering the equitable delivery of services.

41. The National Economic and Development Authority (NEDA) admits that the lack of data and disaggregation of existing data pose a challenge to government in monitoring and reporting progress on the Sustainable Development Goals (SDGs). Of the 232 SDG indicators, only 94 have available data, 59 are not regularly collected, and 68 are still to be developed.²¹ The indicator on ending abuse, exploitation, trafficking and all forms of violence against, including torture, of children (SDG 16.2) is among those not included in NEDA's first tier of indicators because data for this indicator are not yet being regularly collected.²²

Recommendations of CSOs and Children

²⁰ CEDC includes children in the streets, abandoned and neglected children, battered children, child workers, children with disabilities, children with HIV, children in armed conflict, child mothers, displaced children, sexually abused and exploited children, children in remote areas, children in and so forth.

²¹ National Economic Development Authority (NEDA), “NEDA Vows to Address Data Gaps in Tracking UN SDG Progress,” Media Release, NEDA Official Website, <http://www.neda.gov.ph/neda-vows-to-address-data-gaps-in-tracking-un-sdg-progress/>.

²² NEDA, “List of Philippine SDG Indicators for Initial Monitoring in the Philippines,” PSA website, 18 August 2018, https://psa.gov.ph/content/list-philippine-sdg-indicators-initial-monitoring-philippine-sdgs_

42. For the Philippine Statistics Authority (PSA), NEDA, national line agencies, and LGUs to strengthen their data management systems by ensuring disaggregation of data by sex, age, disability and ethnicity; and consistency of disaggregation with the legal definition of the child. These systems should include mechanisms for capturing, storing, and reporting data disaggregated by disability, ethnicity, sex, age and other relevant characteristics. For PSA to provide technical assistance and supervision to LGUs for managing their monitoring systems as mandated in the Community-Based Monitoring Systems Act of 2018 (RA 11315).

43. For CWC to strengthen its monitoring and evaluation system, add more staff to regularly collect and analyze data on children's situation (e.g., every five years), and widely disseminate the Annual State of the Filipino Children Report. To make available high-quality, timely, and disaggregated data, the CWC must invest in technology and human resources necessary to collect and integrate data from multiple sources. These include developing a data-gathering tool for mapping children's situation at the local level, and building capacity to ensure reliable data-gathering.

44. For LGUs to produce a state of children report regularly and use information on the development of programs and policies for children at the local level.

Independent Monitoring

45. Since issuing an En Banc Resolution A2 007-129 in 2007, the Commission on Human Rights (CHR) has served as the Ombud for Children through its Child Rights Center.²³ In 2018, the CHR adopted a toolkit on monitoring UNCRC implementation to strengthen the Center's capacity to systematically monitor the human rights situation of children as one of its primary functions. While CHR's budget increased by almost 50% over the past 10 years (or an average of 5% per year), this still remains inadequate given the national scope of the Commission, with only PHP 799 million (USD 15.9 million) in 2019, which is barely 1% of the allocation for the CCT Program.²⁴

Recommendations of CSOs and Children

46. For CHR to disseminate widely the mandate and functions of CHR-CRC especially to children and CSOs, and ensure its accessibility as a mechanism for children to report complaints (i.e., a hotline that is accessible to all children especially those who are marginalized).

47. Increase budget allocation for the CHR, especially the Child Rights Center, to enable it to regularly monitor children's human rights situation and adequately respond to and investigate reported cases of violations.

²³ Commission on Human Rights. Toolkit for the Operational Guidelines and Rules of Procedure for Monitoring the Convention on the Rights of the Child. Commission on Human Rights: Quezon City, 2018.

²⁴ Department of Budget and Management. General Appropriations Act of 2009, 2014 and 2016-2019.

Dissemination, Training, and Awareness Raising

48. Government information dissemination and awareness-raising initiatives involved lectures on UNCRC with government agencies and trainings on human rights for judges and court personnel. Law enforcement officers, particularly investigators at the National Bureau of Investigation (NBI), were trained on child development concepts and conducting child-friendly interview of children in suspected abuse cases.

49. Awareness raising on children's rights are still mainly done by NGOs. The lack of appreciation for children's rights affects the prioritization of services for children especially at the local level. The stance of several legislators on child rights issues (e.g., favoring the lowering of the minimum age of criminal responsibility, not supporting the anti-corporal punishment/positive discipline bill) also reveals the lack of appreciation of children's rights within Congress.

Recommendations of CSOs and children

50. For CWC to take the lead in disseminating information about the UNCRC within government, and work with media to popularize child rights information for the public, including children. Use of media should be maximized to disseminate information that is correct, promotes positive values based on Article 17 of the UNCRC, and cautions about practices that are harmful to children. The CWC should also monitor implementation of the Department of Justice (DOJ) Media Guidelines on reporting about children.²⁵

51. Incorporate children's rights in the induction program for new teachers, legislators, newly elected LGU officials, and other duty bearers.

52. A children's group during the island consultations mentioned the importance of celebrating Children's Month in every village to help increase awareness of children's rights and minimize rights violations.

General Principles

Non-discrimination

53. Children continue to experience discrimination from adults and their own peers. The NBSVAC reveals that children get bullied because of their sexual orientation, gender identity and expression

²⁵ Department of Justice, "Guide for Media Practitioners on the Reporting and Coverage of Cases Involving Children, Revised 2008," <https://www.doj.gov.ph/files/2016/THE%20GUIDE%20FOR%20MEDIA%20PRACTITIONERS.pdf>

(SOGIE), physical appearance, economic status, and disability, among others.²⁶ Children in informal settlements in Metro Manila who were relocated far from Manila also reported being discriminated against and called derogatory labels such as “stupid” or “squatter” by their teachers and classmates in their new schools.²⁷

54. Lesbian, gay, bisexual and transgender (LGBT) children are often forced into stressful circumstances—verbal harassment, neglect, sexual assault—often perpetuated by parents, siblings or other relatives. These cases go unreported as children do not know where to report or fear that it would expose them to greater harm (retaliation from perpetrators).²⁸

55. Indigenous children face challenges getting into the mainstream school system, being stereotyped as inferior learners.²⁹ A member of the Talaandig Tribe shared his experience of being called “*ipis*” (cockroach) by other students.³⁰ He felt he was judged for his unfamiliarity with technology or modern transport, and felt that people speak to him in a different tone.

56. The girl child is one of the critical areas of the Beijing Declaration and Platform for Action (BPfA). The latest BPfA government report noted the limited availability of accurate data that would better define the situation of girl children from different settings, including HIV, indigenous peoples, persons with disabilities, children affected by disasters, children in conflict with the law, and violence in school.³¹ This hinders planning of interventions for this specific group of children.

57. Children with disabilities also experience discrimination in school. A study reveals that they are perceived as a ‘curse’ or as “contagious,” with some parents reportedly requesting that their child not be seated next to a child with disability. A teacher was reported to have told a parent not to bother bringing his/her child with disability to class as “she is useless.” Thus, parents of children

²⁶ Council for the Welfare of Children, *National Baseline Study on Violence Against Children*, page 8.

²⁷ Save the Children Philippines and John J. Carroll Institute on Church and Social Issues, *Securing the Rights of Girls and Boys in Urban Poor Relocation Programs* (Manila: Save the Children Philippines, 2015).

²⁸ ASEAN SOGIE Caucus, *Bata at Bahaghari: Experiences of LGBT Children*, ASC Discussion Series No. 1 (Quezon City: ASEAN SOGIE Caucus, 2017), <https://aseansogiecaucus.org/images/resources/publications/Bata%20at%20Bahaghari%20-%20Experiences%20of%20LGBT%20Children%20in%20the%20Philippines.pdf>.

²⁹ Jonathan de Santos, “For Lumad schools, even holding class is a struggle,” Philstar Global, 11 July 2018, <https://www.philstar.com/headlines/2018/07/11/1831716/lumad-schools-even-holding-class-struggle>

³⁰ Lynette Torres, “Indigenous Peoples in the Philippines: Perspectives on Inclusion,” Global Observatory for Inclusion, 15 June 2016, <http://www.globi-observatory.org/indigenous-peoples-in-the-philippines-perspectives-on-inclusion/>.

³¹ Philippine Commission on Women (PCW), *Beijing Platform for Action, BPfA + 20*, Philippine Progress Report on the Implementation of the Beijing Declaration and Platform for Action, and the Outcomes of the 23rd Special Session of the General Assembly (2000) (Manila: PCW, n.d.), https://www.pcw.gov.ph/sites/default/files/documents/resources/BPFA%2B20_progresss_report.pdf

with disabilities tend to prefer that their children attend the Special Education (SPED) Program rather than the regular classes for fear that their children will be bullied.³²

58. Children born out of wedlock have increased in number compared to ten years ago, from 40.7% of registered live births in 2009 to 53.3% in 2017.³³ In response to concerns about discrimination against these children, the government enacted RA 9858 of 2010, allowing the legitimation of children born to parents below marrying age; and RA 9255 of 2004, allowing illegitimate children to use the surname of their father. However, these children continue to be classified under the law as “illegitimate” and they are entitled to carry the surname of their fathers, provided they have been expressly recognized as indicated in their record of birth or in a public (notarized) document or a private handwritten instrument. Moreover, their entitlement to the estate of his father when the latter dies is only half of that of a legitimate child.³⁴

Recommendations of CSOs and Children

59. For DepEd to review and enhance the SPED Program to improve access for children with disabilities and strengthen their inclusion in the mainstream education system; and to strengthen and monitor the implementation of its Child Protection Policy to prevent and address bullying and discrimination in schools

60. For DepEd to integrate discussions on the rights of LGBT children and other excluded groups of children (i.e., children of indigenous peoples and children with disabilities) in the school curriculum; and for DepEd and LGUs to formulate plans to implement awareness raising and education programs to sensitize service providers, adults and children on SOGIE rights. CWC should include specific programs to prevent and address bullying of LGBT children, children with disabilities and IP children in the PPAEVAC.

61. Conduct Gender Sensitivity Training among government service providers and frontliners including teachers, health workers, village security officers and law enforcers.

62. For Congress to address policy gaps in protecting children from discrimination, and to pass the SOGIE Equality Bill.

³² Save the Children. “Kabataang Aralin Sa Lahat Ibahagi (KASALI; Children’s Education, Give Access to All) Project in the Philippines: A study of whether and how children with disabilities are being included in classrooms and early childhood centers. Unpublished, 2019, 22-23.

³³ Philippine Statistics Authority (PSA), “Births in the Philippines, 2017,” PSA website, 18 December 2018, <https://psa.gov.ph/content/births-philippines-2017>; “Three babies born every minute in 2009,” PSA website, 19 October 2011, <https://psa.gov.ph/content/three-babies-born-every-minute-2009>.

³⁴ Rita Linda V. Jimeno, “Rights of illegitimate children,” <http://manilastandard.net/opinion/columns/out-of-the-box-by-rita-linda-v-jimeno/229169/rights-of-illegitimate-children.html>; Persida Acosta, “Inheritance for illegitimate children,” The Manila Times website, 5 February 2019, <https://www.manilatimes.net/2019/02/05/legal-advice/dearpao/inheritance-for-illegitimate-children/506885/506885/>.

Right to Life, Survival, and Development

63. A presidential directive has been issued as a mechanism for the review and resolution of cases of alleged extrajudicial killings (EJK) and other forms of grave violation of one's right to life (Administrative Order No. 35 of 2012), but there is no specific measure implemented to prevent extrajudicial killings of children particularly in relation to the government's anti-illegal drugs campaign.

64. The government claims its anti-illegal drugs campaign is intended to make communities safe, but the outcome has been the opposite.³⁵ Dozens of children are among those killed and placed at risk during police operations, and considered as mere "collateral damage." The youngest of the victims was a three-year-old girl who was killed in June 2019. Thousands have been orphaned, abandoned, or left in the care of relatives, creating a long-term and cross-generational impact on children. The campaign has also emboldened the police to ignore the rights of children they arrest for alleged involvement in the drug trade.

65. Among the effects of the drug war on children are (a) children running in conflict with the law and ending up at police stations or detention centers because syndicates use them in the illegal drugs trade; (b) children becoming traumatized from witnessing violence in their communities and thus are likely to develop mental health problems if left unassisted; and (c) children facing discrimination in their schools and community because their fathers and/or mothers were accused of drug use/peddling, which can lead them to drop out of school or leave their homes.

66. There is no official count of children orphaned as a result of drug-related killings. However, as early as December 2016, DSWD had come up with an estimate of 18,000 children with a parent killed, based on a count of around 6,000 deaths of persons with children and the average number of children in a family (three children). The Ateneo School of Government's study³⁶ estimated 18,398 to 32,395 children whose parents had been killed during the campaign.

Recommendations of CSOs and Children

67. For relevant government agencies to investigate the killings especially those that involved the death of children, hold perpetrators accountable, and make investigation reports accessible to the public. For social welfare offices and law enforcement agencies to work together to aid children affected by the anti-illegal drugs campaign; provide psychosocial interventions and medical assistance to children and families traumatized by having witnessed the death of their loved ones.

³⁵ Melanie Ramos-Llana, "Children and Youth," *Lights & Shadows: The Duterte Administration from the Perspective of Catholic Social Principles* (John J. Carroll Institute on Church and Social Issues (JJICSI), Quezon City, n.d.) <https://sites.google.com/view/ls-children-and-youth/home>.

³⁶ C. David, R. Mendoza, J. Atun, et al., Building a dataset of publicly available information on killings associated with the antidrug campaign, 2018

68. For PNP and Philippine Drug Enforcement Agency (PDEA) to review their protocols in handling children affected by the anti-illegal drugs campaign to ensure that children are protected at all times.

Respect for the views of the child

69. The *National Guidebook on Child and Youth Participation in the Philippines* was published in 2014, providing guidance on how CSOs and government agency workers could facilitate and support children's participation in different aspects, including in governance and at different levels. However, it has not been widely disseminated and it is still unknown to most and is far from being implemented.

70. The Sangguniang Kabataan (SK; local youth council) Reform Act raised the age range of those who can be elected as SK officials from 15-17 to 18-24 years old to protect children elected from exposure to corruption. Despite its good intention, the law abolished the direct representation of children in the LGU, even if they remain as voters. This may further marginalize the agenda of children within the SK, which is now youth dominated.

71. With the weakened representation of children in the SK, the inclusion of indicators on children's participation in the Revised CFLGA is a welcome move that will help institutionalize children's participation in local governance. The indicators include children's representation in the LCPCs and BCPCs, conduct of children's general assembly to select representatives and children's participation in the crafting of local development plans and sectoral plans of the LGUs.

72. In the context of disasters, children want to be systematically included as participants in disaster risk reduction (DRR) programs and to be consulted during hazard and risk assessment, post disaster needs assessment and evaluation. However, in most areas, children are not involved in community meetings to conduct risk mapping, create early warning systems, and plan for disaster preparedness and response.³⁷

73. In 2016, the government enacted the Children's Emergency Relief and Protection Act (RA 10821), signifying its commitment to ensuring children are prepared, protected, and heard during emergencies and in DRR.³⁸ A result of collaborative efforts between civil society and government,

³⁷ Sentro ng Alternatibong Lingap Panligal. "Voices of the Most Vulnerable," Strengthening Child Rights System in Rehabilitation/Disaster Risk Reduction in Haiyan Affected Areas Project, Quezon City, 2015, page 12.

³⁸ Section 4 (h), titled Comprehensive Emergency Program for Children, emphasizes the following: (a) ensuring children are provided with adequate access to age-appropriate information on their roles and responsibilities and those of government agencies before, during, and after disasters and other emergency situations; (b) providing an effective mechanism for training and meaningful participation of children in community disaster risk reduction program; and (c) consulting with the affected children on their needs and priorities for post-disaster relief and recovery. See Official Gazette, Republic Act No. 10821, <https://www.officialgazette.gov.ph/2016/05/18/republic-act-no-10821/>

the law includes among its salient features “increased child involvement and participation in DRR planning and post-disaster needs assessment.”³⁹

Recommendations of CSOs and Children

74. For Congress, NEDA, DBM, DILG, CWC and LGUs to allocate resources to support children’s participation and child-led initiatives at different levels. For LGUs to partner with CSOs in order to engage children/children’s groups meaningfully in its decision-making processes. CWC and DILG should provide LGUs technical support to ensure that they meet the CFLGA indicators on child participation.

75. Children call for providing a venue in the LGUs where they could present updates on their own activities that should be supported by local authorities, and to support the formation of children’s organizations that could represent the real concerns of children in the community, and the creation of a counterpart adult organization that would guide them in their activities.

76. Children are clearly interested to be involved in consultations and be allowed to articulate issues affecting them for consideration in project planning and problem resolution. LGUs should strengthen the LCPC and the SK to enable this. The SK should ensure children’s groups are represented in the Local Youth Development Council and have a strong voice in the *Katipunan ng Kabataan* (Youth Alliance). Barangay officials should support the suggestions of the SK instead of telling them what to do, respect the opinions of the youth, and not merely treat them as “props.”

77. For DSWD and DILG to monitor the implementation of RA 10821, especially efforts to institutionalize children’s participation in community DRR programs and emergency responses. LGUs should include child participation initiatives in their local DRRM plans.

Civil Rights and Freedoms

Birth registration and name and nationality

78. More than 5 million Filipinos remain unregistered as of February 2019, 40% of whom were children aged 0 to 14 years.⁴⁰ The Child Rights Network (CRN) noted the largest number of

³⁹ Perfecto Raymundo Jr., “Gov’t assures child protection in emergency situations,” Philippine News Agency website, 11 October 2018, <https://www.pna.gov.ph/articles/1050737>

⁴⁰ Angel Movide, 5 million Pinoys without birth certificate: PSA, ABS-CBN News website, 27 February 2019, <https://news.abs-cbn.com/news/02/27/19/5-million-pinoys-without-birth-certificate-psa>

unregistered Filipinos in Muslim communities and indigenous population groups. Plan International identified around 970,000 residents in the ARMM without birth certificates.

79. Congress has also been slow in enacting the CRVS Bill, which was proposed in the 16th Congress to amend existing CRVS laws and strengthen the civil registration system. Having a comprehensive, inclusive, and efficient CRVS in place means bringing birth registration closer to people, making the process culturally sensitive, standardizing and modernizing procedures, and removing or minimizing the fees required for birth registration.

Recommendations of CSOs and children

80. For PSA and LGUs to conduct regular awareness raising among parents and caregivers about the importance of birth registration and the implications if a person does not possess this document. Budget should be allocated for capacitation of LGU personnel, community health centers, community health workers, and traditional birth attendants for recording and managing the demographic and biographic information of the residents, especially registering children. Household visits and interviews by barangay officials must extend to relocation areas.

81. Since many parents are not willing to forgo time for productive activities or childcare to attend to birth registration, faster processes must be instituted and be brought closer to them. The Barangay Civil Registration System (BCRS) needs to be established in all communities, especially in far-flung areas where accessing municipal services is a challenge to the residents because of the distance and the costs entailed.⁴¹

82. Fees should be waived for correcting information in birth certificates, such as spelling or gender, and for reconstructing birth certificates destroyed during emergencies, as cost is a primary factor affecting willingness to process birth registration.

83. For government to facilitate the enactment of the CRVS Bill and remove the birth certificate among the requirements for accessing basic services, such as health care and education, especially for children of migrant workers.

Corporal punishment

84. According to the NBSVAC, 3 of 5 child respondents (66.3%) had experienced some form of physical violence during their childhood, and 3 of 5 (59.2%) had been verbally abused, threatened, and/or abandoned by their parents or guardians. More than half of the physical violence happened

⁴¹ The BCRS was conceptualized to bring civil registration closer to the barangays, with barangay secretaries providing assistance in filling out forms, particularly to those who are illiterate and with language barriers, as well as visiting households that failed to report newly born babies for registration (http://nap.psa.gov.ph/ncs/9thncs/papers/goodPractices_Making.pdf).

in the home environment and was inflicted as a form of corporal punishment. Mothers were the most common perpetrators, but fathers were responsible for the most severe physical violence.⁴² In school, a number of children still claimed to be victims of physical violence (14.3%) and psychological violence (23%), despite DepEd's Child Protection Policy.

85. In the data gathering undertaken by Children Talk to Children (C2C) in 2009, 2011 and 2015, child victims of corporal punishment said their experience had caused them to have low self-esteem, attempt suicide, express anger toward their parents, and be aggressive toward other children. They also identified this as the root of other issues such as early pregnancy, trauma, dropping out of school, and non-participation in community activities.⁴³ Some children during the island consultation workshops revealed the distress they experience from physical and verbal abuse by their elders, with others even saying they have developed resilience and tend to accept it "as a way of life."

86. The Anti-Corporal Punishment Bill had been ratified by Congress but was vetoed by the President a day before it lapsed into law.

87. The *Positive Discipline in Everyday Teaching* (PDET) Primer was developed through a cooperative effort between DepEd and CSOs.⁴⁴ This publication is intended to guide teachers in classroom management, with steps they can follow and scenarios they can use as reference in applying positive and non-violent discipline. Dissemination of this primer, however, is limited to trainers at the national level.

Recommendations of CSOs and children

88. For government to pass a law promoting positive discipline and banning corporal punishment, and engage more with CSOs in strengthening awareness raising and increasing access to information on positive discipline, particularly among parents. For LGUs to pass a local ordinance banning corporal punishment and promoting positive discipline.

89. Cascade training of PDET from the region to the school level, with DepEd allocating the necessary budget. The School Improvement Plan should include the rollout of PDET during school learning action cells. For teaching institutions to include PDET in their curriculum and in-service training.

⁴² CWC, *National Baseline Study on Violence against Children in the Philippines*.

⁴³ C2C, "Ulat ng Mga Bata Ukol sa Pagpapatupad ng Karapatang Pambata sa Pilipinas."

⁴⁴ Department of Education, E-Net Philippines, and Save the Children, *Positive Discipline in Everyday Teaching (PDET): A Primer for Filipino Teachers* (Bangkok, Thailand: Save the Children, 2015), <https://resourcecentre.savethechildren.net/sites/default/files/documents/4802.pdf>

Family Environment and Alternative Care

Children of Migrant Workers

90. The Philippines is one of the world's leading source countries for migrant workers, which can be attributed to the lack of employment opportunities in the Philippines. In April–September 2018, PSA estimated the number of overseas Filipino workers (OFWs) to be 2.3 million of which 55.8% are females.⁴⁵ The material benefits of migration (i.e., remittances) to the family are known and well documented, but the social costs, particularly the impact on the family left behind, are seldom accounted for. Studies of the effects of international migration on Filipino families commonly found the children to be the most vulnerable and most affected.⁴⁶ Separation from the parent, especially the mother, can cause children emotional trauma, delay their psychological development, and give them a feeling of alienation. Lacking parental supervision, children left behind are also considered to be at “greater risk to suicide attempts, perpetrators of bullying, drug abuse, teenage pregnancy, psychosocial problems and violent behavior.”⁴⁷

91. There is lack of social welfare attachés in select countries to attend to children of migrants. Foreign Service Posts should be able to monitor and care for children of OFWs who are both unable to care for them or the parent who is available but is unable.

Recommendations of CSOs and Children

92. Initiate a comprehensive study of the effects of migration on children and develop appropriate programs that respond to the needs of children left behind, implement the recommendations detailed in the Country Migration Report of 2013, and address the challenges that hinder the development and implementation of the Shared Government Information System for Migration (SGISM).

93. Include in the pre-departure orientation for migrant workers the effects of the new setup on the family, especially the children, so they are aware of the measures they need to take to mitigate such effects.

94. Key government agencies to develop a program to provide psychosocial support/counselling services to the children, financial literacy for family members left behind

⁴⁵ Philippine Statistics Authority (PSA), “Total number of OFWs estimated at 2.3 million (results from the 2018 Survey on Overseas Filipinos),” PSA website, 30 April 2019, <https://psa.gov.ph/content/total-number-ofws-estimated-23-million-results-2018-survey-overseas-filipinos>

⁴⁶ Center for Migrant advocacy. “Contribution of Philippine Migrant NGOs and Other CSOs, Returned Domestic Workers, Wives of OFWs and Children of OFWs,” Submission for General Comment on the Rights of the Child in the Context of Migration,, 29 February 2016.

⁴⁷ UNICEF, “Children and Migration,” Global Forum on Migration and Development website, n.d., [gfmd_brussels07_contribution_unicef_children_and_migration_en.pdf](#)

so that they will wisely spend the money provided by their OFW loved one, scholarship opportunities or other forms of educational assistance for children of OFWs, and parenting education for parents/relatives caring for children left behind, to include ensuring children are timely, appropriately, and adequately informed/consulted and prepared for a parent's migration as early as the planning phase.

95. Ensure the availability of trained social workers in Foreign Service Posts and capacity building for their officials and staff on human-rights-based approach. There should be sufficient resources, including facilities and funds, in order to respond to the needs of children of OFWs and other Filipino migrants and children.

Children Deprived of a Family Environment

96. According to UNICEF, about 1.8 million children in the country, or more than 1% of its entire population, are “abandoned or neglected.” They include victims of extreme poverty, natural disasters, and armed conflicts.⁴⁸

97. In 2018, DSWD allocated PHP 2.3 billion for repairs, reconstruction, and rehabilitation of its 71 centers and residential facilities for underprivileged men, women, children and elderly.⁴⁹ While facilities are upgraded to accommodate more individuals, there remains a lack of comprehensive and reliable data on children in private and government-managed residential facilities, children without parental care, and children in foster care, more importantly, the situation of children in alternative care, the short and long-term effects of institutionalization.

98. Despite passage of the Foster Care Act of 2012, there is still a limited number of foster parents. In 2013, DSWD reported that there were 2,118 children in child-caring agencies needing foster parents.⁵⁰

Recommendations of CSOs and Children

99. For DSWD to ensure standards of all residential care facilities managed by government and private entities, and the quality of care provided by staff. A study should be conducted to determine the total number of children needing parental care, their situation in residential care facilities, and the impact of short and long-term institutionalization. And for DSWD to implement its Policy on Deinstitutionalization of Children (Memorandum Circular 22, series of 2004).

⁴⁸ Jonathan Kaiman and Sunshine De Leon, “The Philippines has 1.8 million abandoned children—Here’s what keeps many from adoption,” Los Angeles Times website, 28 May 2016, <https://www.latimes.com/world/asia/la-fg-philippines-orphans-adv-snap-story.html>.

⁴⁹ DSWD, “DSWD upgrades centers, facilities for vulnerable sectors,” Philippine Information Agency website, 14, January 2019, <https://pia.gov.ph/news/articles/1017091>

⁵⁰ Balita, “The joy of being foster parents,” Balita website, 27 May 2013, <http://balita.ph/2013/05/27/the-joy-of-being-foster-parents-feature/>

100. For DSWD to collaborate with DILG in promoting foster care and identifying qualified foster parents.

Abuse, Neglect, and Maltreatment

101. Government created mechanisms to support the implementation of the Anti-Violence Against Women and their Children Act, strengthened further by the launch of the Philippine Plan of Action to End Violence Against Children (PPAEVAC 2017–2022) in 2018. A response to the findings of NBSVAC,⁵¹ the formulation of this plan involved the multi-sectoral effort of government agencies, NGOs, parents, and children, under the leadership of CWC and UNICEF.⁵² The PPAEVAC spells out the commitment of all key actors in target result areas. However, there is some delay in its implementation. Now on its third year, the localization of the PPAEVAC is still being piloted in one province, one city and one municipality in partnership with the CRC Coalition, through the support of UNICEF. It is not clear if implementation in other areas are being monitored, documented and consolidated.

Recommendations of CSOs and Children

102. Fast track localization of VAC-related laws, with corresponding budget allocated for this, as well as for monitoring that should involve children. For CWC and DILG to intensify efforts to rollout the PPAEVAC outside of the pilot areas and support LGUs in incorporating PPAEVAC programs in local investment plans.

103. Children recommend the implementation of more initiatives and policies to assist child victims of abuse, including the application of appropriate sanctions for the perpetrators. Also, they urge the government and the civil society to provide counselling to child victims of abuse and orient them on their rights and what to do when they experience abuse or maltreatment.

Basic Health and Welfare

Children with Disabilities

104. Despite the relevant achievements reported by government to secure their welfare, children with disabilities continue to experience challenges in accessing basic social services and

⁵¹ Highlights of the findings are captured on page 5 of this report.

⁵² Council for the Welfare of Children (CWC), “CWC, UNICEF, partner agencies launch 1st PH plan to end violence against children,” CWC website, <https://www.cwc.gov.ph/news/136-cwc,-unicef,-partner-agencies-launch-1st-ph-plan-to-end-violence-against-children.html>

protection. A UNICEF-commissioned study identifies key barriers and deprivations which keep them from exercising their rights fully: (1) lack of consistent and common understanding of disability in the country (see Magna Carta for Persons with Disabilities vs. IRR of RA 10070); (2) no common understanding and acceptance of the categorization of disabilities; (3) no consolidated comprehensive action plan for children with disabilities, with programs and services currently subsumed under the broader program for persons with disabilities; (4) inclusive programs for children with disabilities not part of DRR schemes (that is, mapping of households with children with disabilities are not a priority in the pre-disaster plan); (5) no clear plan for inclusive education and how this will be implemented in the country; (6) children with disabilities rarely targeted in national social protection programs despite the strong correlation between disability and poverty in childhood; (7) personal beliefs, misconceptions, and attitudes of parents and caregivers toward disability that limit the family's health-seeking behavior and access to social services; (8) lack of services for children with disabilities at the LGU level; referral pathways for children with disabilities; community-based rehabilitation programs managed by non-government organizations exist, but not implemented on a national scale; and (9) limited number of development pediatricians with expertise to help children with disabilities.⁵³

105. Based on UNICEF Policy Brief No. 2018-06, in 2017, children comprised about 27% of poor Filipinos with disabilities. They continue to be hidden from society even by their own parents, and suffer from sexual abuse, bullying, and difficult access to education and employment. Not all municipalities were noted to have a Persons with Disability Affairs Office (PDAO), and while there is an executive order on community-based rehabilitation for children with disabilities, it does not have teeth, only "enjoining" LGUs to adopt such initiative and to allocate necessary funds. There were likewise not enough services targeting persons with intellectual and psychological disabilities.⁵⁴

106. The implementation of the Magna Carta for Persons with Disabilities is weak and the budget support insufficient. Not all programs are inclusive of children with disabilities, and not all LGUs have a system in place to provide service to them.

107. The 20 percent discount and exemption from value-added tax as provided for by law are helpful only to those who have access to the prescribed goods and services, such as hotel accommodations, restaurants, recreation facilities, and air travel. Infrastructure and transportation facilities remain largely inaccessible to children with disabilities.

⁵³ UNICEF, "Children with disabilities: Finding the way to an inclusive service framework," UNICEF-Philippines Policy Brief No. 2018-06 (Manila: UNICEF, AusAID and DSWD), <https://reliefweb.int/sites/reliefweb.int/files/resources/CWDSitanPolicyBrief.pdf>.

⁵⁴ Philippine Coalition on the U.N. Convention on the Rights of Persons with Disabilities, Parallel Report 2013: United Nations Convention on the Rights of Persons with Disabilities," submitted to the Committee on the Rights of Persons with Disabilities on the Implementation of the Convention in the Republic of the Philippines from 2008-2013, 6 December 2013.

108. There is no uniform classification of disabilities in the country. According to UNICEF, the National Council on Disability Affairs identifies seven types of disability, but some government agencies and LGUs use their own categories. While there is data on the prevalence of disability from the national census of the population and households, the disability is not specified. There is also poor information dissemination on the process of newborn screening increasing the likelihood that many newborns are not screened.

109. The children have a similar observation on the lack of facilities and inaccessibility of health centers despite government's declaration of prioritizing children with disabilities.

Recommendations of CSOs and Children

110. Strengthen government's awareness campaign on the Implementing Rules and Regulations of the Act Expanding the Benefits and Privileges of Persons with Disability, targeting schools and communities. This should include disability sensitivity orientation in schools, barangays and other establishments, intensive training on handling of children with disabilities for teachers, and capacity building of barangay health workers and child development daycare workers to teach them how to ask the right questions when assisting or interviewing children with disabilities.

111. Ensure implementation of RA 10070 on the creation of PDAO in all LGUs and task them to assist in collecting relevant and disaggregated data on children with disabilities. To ensure efficiency of data collection, PSA and DOH should train barangay health workers and field enumerators in the conduct of the survey.

112. Allocate a specific budget for children with disabilities at the local level, and provide appropriate venues where they can avail themselves of programs and services. These include creating a PDAO in all municipalities and setting up health centers near the communities, making them truly accessible, especially to those with mobility constraints.

113. Increase the number of PhilHealth-accredited hospitals offering the Z benefit package, which is intended for children with disabilities, mainly to "prevent the catastrophic spending of the poor and marginalized who are enrolled in the National Health Insurance Program while ensuring quality healthcare services."⁵⁵ As of now, there are only two such hospitals, one in Quezon City in the National Capital Region and another in Davao City in Mindanao.

114. For LGUs to invest in community-based rehabilitation and in disability-friendly infrastructure to improve accessibility as well as enforce strict compliance with mechanisms

⁵⁵ Philippine Health Insurance Corporation, "PhilHealth Introduces Z Benefit Package for Children with Developmental Disabilities," PhilHealth website, 2 March 2018, https://www.philhealth.gov.ph/news/2018/zben_cdd.html.

for establishing Person with disability-friendly schools and classrooms, especially in the provinces.

Maternal Newborn and Child Health (MNCHN)

115. The Coalition notes the various maternal and child health care and nutrition interventions of government, such as the maternal, neonatal, and child health and nutrition (MNCHN) strategy in the first one thousand days of life (RA 11148) and extending maternity leave for working mothers to 105 days (RA 11210), and various other administrative issuances in support of child healthcare programs. The Philippine Plan of Action for Nutrition 2017–2022 was also launched, aiming to reduce protein–energy malnutrition in children, among its other objectives.

116. Children during the island consultations report the presence of facilities for prenatal and postnatal care in their communities, feeding programs to combat malnutrition, and medical missions offering free health consultation, medicines, and so forth.

117. The CSOs, however, observe inadequacies of efforts to ensure child health and nutrition in some communities. There are public hospitals, for instance, that reportedly have no assigned pediatricians. The limited number of trained health workers hinders the coverage of emergency nutrition services and information on severe acute malnutrition cases. Moreover, not all communities are reached by supplementary food programs.

Recommendations of CSOs and Children

118. Implement the newly signed First 1,000 Days Law and the Expanded Maternity Leave Law.

119. Conduct awareness raising on the importance of breastfeeding and provide support to lactating mothers, including the setting up of more breastfeeding stations in public places.

120. Improve identification of severe acute malnutrition of children in communities and ensure that there is relevant data for targeting children needing intervention. Give greater attention to children who are malnourished, underweight and stunted so that they could receive the nutrition they need early on.

Child Immunization

121. In its 2018 study, UNICEF pointed to low immunization coverage, even declining in some cases. From 2013 to 2015, this decreased from 89% to 62%. Consequently, there was also higher incidence of vaccine-preventable diseases, such as rubella (2011) and measles (2014). Less than a

fourth of children in ARMM were receiving all basic vaccinations (2017), unlike in other areas where coverage reached nearly 90%.⁵⁶

122. In 2019, DOH declared measles outbreaks in a number of regions in the country.⁵⁷ According to the World Health Organization (WHO), more than 12,700 cases were officially reported by DOH, with 203 deaths, from 1 January to 23 February 2019 alone. Over half of them were children under 5, with a median age of 2 years.⁵⁸ WHO estimates that 2.6 million children under 5 are not protected from measles, with a decline in the first dose of measles vaccine from above 80% in 2008 to below 70% in 2017.

Recommendations of CSOs and Children

123. For the government to properly allocate resources that will support the appropriate transportation and storage of vaccines in community health centers and enabling the latter to provide free vaccines and medicines to children in a timelier manner.

124. Government to lead in combatting misinformation and improve public understanding of the critical importance and safety of vaccines and to provide psychosocial services to both parents and child victims, in order to regain the people’s trust in the government’s immunization programs.

Mental Health of Children

125. The Coalition acknowledges the efforts of government to craft a comprehensive child and adolescent mental health policy, reinforced by the Philippine Mental Health Act, which was signed into law in 2017. The DOH further issued national guidelines on psychosocial support, which covers children with mental deficiencies, as well as created the National Program Management Committee and Program Development and Management Teams to ensure the sustainability of the government’s mental health programs.

126. The WHO Global School-based Student Health Survey of the Philippines reveals that mental health problems, most commonly depression or anxiety, will affect about 20% of adolescents in any given year.⁵⁹ In the 2015 survey of students aged 13–15 years, 11.5% disclosed having

⁵⁶ Ibid.

⁵⁷ Department of Health (DOH), “DOH expands measles outbreak declaration to other regions,” DOH website, 2019, <https://www.doh.gov.ph/node/16647>.

⁵⁸ World Health Organization (WHO), “Questions and answers on the measles outbreak in the Philippines,” WHO website, 26 February 2019, <https://www.who.int/philippines/news/feature-stories/detail/questions-and-answers-on-the-measles-outbreak-in-the-philippines>.

⁵⁹ Department of Health (DOH), “Global School-Based Student Health Survey (GSHS), Philippines, 2015: Country Report” (Manila: DOH), 2015, https://www.doh.gov.ph/sites/default/files/publications/2015GSHS_PHL_FinalCountryReport_0.pdf.

seriously considered attempting suicide in the past 12 months before the survey. Nearly the same proportion planned on how they would attempt suicide, and a higher proportion attempted suicide once or more in the past 12 months. Nonetheless, the numbers were significantly lower than those from the 2003 survey, where 16.3% of the students seriously considered attempting suicide during the past 12 months prior to the survey.

Recommendations of CSOs and Children

127. For DOH to treat mental health assistance as a universal health service and give greater attention to mental health issues, considering the prevailing cases of depression and other mental health problems among children and youth. Support services and mechanisms should be developed for responding to children with mental health concerns, and surveys must be conducted to improve statistics on mental health. The Universal Health Care Bill should include mental health assistance, such as medicines and services, and local government must provide mental health facilities as part of the rural health unit, especially since not all affected children and youth can afford the high fees of mental health professionals and medicines. The government should also consider working with private sectors and experts on mental health to provide support to parents and children in communities as well as include mental health awareness in the FDS under the 4Ps.

Adolescent Health

128. The Responsible Parenthood and Reproductive Health Act (RPRH Law) was passed in 2012, but the Supreme Court pronounced some provisions as unconstitutional. The Supreme Court prohibits minors from accessing modern contraceptives without the written consent of a parent or a legal guardian, but allows them to receive RH counseling and information. A bill has been filed in congress, in support of a national policy on preventing teenage pregnancies and institutionalizing social protection for teenage parents.

129. According to the 2017 National Demographic and Health Survey, the incidence of adolescent pregnancies remains considerable, with about 9% of women aged 15 to 19 years reported to have already started childbearing.⁶⁰

130. The Coalition notes that there are still communities where reproductive health services are not available to teenagers below 18. With no access to modern contraceptives, the tendency for teenage unintended pregnancy is high, increasing the likelihood that the adolescent girl will resort to abortion.

⁶⁰ Dom Galeon, "The pregnant teen: a growing problem?" Manila Bulletin website, 13 May 2018, <https://news.mb.com.ph/2018/05/13/the-pregnant-teen-a-growing-problem/>.

131. Government is on the sixth phase of AIDS Medium-Term Plan (2017–2022), which includes among its targets increased knowledge of HIV transmission, prevention, and services among those aged 15 to 24 years to 90%, and the prevention of new HIV infections among people in this age group. It also passed the HIV/AIDS Policy Act allowing minors (or those aged 15 years to below 18) who engage in risky behaviors and are pregnant to undergo HIV testing without parental consent, but with the assistance of a licensed health worker or social worker. Written consent to perform HIV testing should also be obtained from the person taking the test.

132. The case is the same with children and youth suffering from HIV/AIDS. Limited knowledge of preventive methods and access to protective measures make them all the more vulnerable to contracting the disease. Number of diagnosed cases increased from 1 a day in 2008 to 38 a day in 2019. According to DOH, in April 2019, there were 840 newly confirmed HIV-positive individuals, 29% of which were aged 15 to 24 years.⁶¹ Those who were newly-diagnosed were predominantly male.

Recommendations of CSOs and Children

133. Enact the Adolescent Pregnancy Prevention Bill, which will strengthen reproductive health education among adolescents; capacitate teachers, parents and service providers on how to effectively educate adolescents; and establish local adolescent centers for health and development in every municipality or city.

134. Intensify comprehensive sexuality education in schools, as well as orientation on responsible parenthood and young pregnant mothers in the communities. For DSWD and DepEd to integrate into existing modules the strengthening of communication between parents and children so that they could discuss adolescent and reproductive health related issues with more confidence. The peer education program of DepEd, DSWD, DOH and Population Commission should likewise be intensified to prevent teenage pregnancies, with the corresponding budget provided for conducting the modules.

135. Localize the RH law and have an RH code in local areas. Local health service providers should be trained in adolescent-friendly approaches in dealing with children and young people seeking information and accessing reproductive health services. There has to be a safe space in health facilities where children could talk to service providers in confidence about these matters.

136. Implement the HIV/AIDS Policy Act, including provisions on the HIV testing of children, accessibility and availability of testing centers, and establishment of more testing centers that could be a partnership between LGUs and NGOs.

⁶¹ Department of Health, Epidemiology Bureau, “HIV/AIDS & ART Registry of the Philippines (HARP),” April 2019, https://www.aidsdatahub.org/sites/default/files/publication/EB_HIV_April_AIDSreg2019.pdf.

Environmental Health

137. In the Philippines, the climate crisis has already affected millions of vulnerable people, including children, making it difficult for the government to sustain its achievements in terms of children's rights. The government has issued significant legislation to support climate change adaptation. Mitigation projects initiated include disaster preparedness, water-related improvements to reduce child mortality and improve health, and promoting the purchase of products with minimal adverse environmental impact. The Philippines also ratified the Paris Agreement on Climate Change. In 2018, NEDA reported a 24% reduction in persons directly affected by disasters since 2015, highlighting the partnership between government and the academe in climate action initiatives, such as Project NOAH.⁶²

138. In September 2009, typhoon Ondoy caused devastation in Metro Manila and some parts of Luzon, submerging many areas in floods. One of the worst natural disasters to hit the country, it affected nearly one million families and claimed hundreds of lives.⁶³ In the aftermath of the storm, relief efforts served to address the immediate needs of affected families, somehow overlooking the specific needs of children, especially in restoring normalcy in their lives.⁶⁴ A child rights impact assessment notes that the implementation of urban relocation programs had not done much to improve the quality of life of the families and the children.⁶⁵ Among the issues identified were lack of consultation with children before, during and after relocation, whether within the community or the household; poorly equipped resettlements sites with no electricity, lack of water sources, no nearby schools, and inadequate health centers; and lack of economic opportunities.

139. Typhoon Yolanda, which hit the country in 2013, affected nearly 6 million children.⁶⁶ Girls and boys faced risks of injury, illness, separation from families, psychosocial trauma, disruption to education, child labor, trafficking and even death. In the aftermath of the storm, all they wanted

⁶² National Economic and Development Authority (NEDA), "NEDA reports PH accomplishments in SDG implementation," NEDA website, 19 July 2019, <http://www.neda.gov.ph/neda-reports-ph-accomplishments-in-sdg-implementation/>.

⁶³ National Disaster Coordinating Council, "NDDC Update: Final Report on Tropical Storm Ondoy and Tropical Storm Pepeng" (NDCC, Quezon City), 2009, http://ndrrmc.gov.ph/attachments/article/1543/Update_Final_Report_TS_Ondoy_and_Pepeng_24-27SEP2009and30SEP-20OCT2009.pdf.

⁶⁴ United Nations Children's Fund (UNICEF), "At a glance: Philippines — Restoring normalcy for children in aftermath of tropical storm Ondoy," UNICEF website, 19 October 2009, https://www.unicef.org/emergencies/philippines_51459.html.

⁶⁵ John J. Carroll Institute on Church and Social Issues (JJCISI), "Securing the rights of girls and boys in urban poor relocation programs: A child rights impact assessment of the Philippine government's relocation program on children living in informal settlements along Metro Manila waterways," Final draft report prepared for Save the Children (Ateneo de Manila University, Quezon City), 2015, https://resourcecentre.savethechildren.net/node/8778/pdf/final_draft_cria_report_2015.pdf.

⁶⁶ Save the Children, Plan, World Vision and UNICEF, "After Yolanda: What children think, need and recommend," (Makati City: Save the Children Philippines), <https://reliefweb.int/sites/reliefweb.int/files/resources/after-yolanda-english.pdf>

was to rebuild their homes, return to school, and restore electricity. The children were said to have played “a crucial role in the evacuation and preparedness that saved thousands of lives before the storm, and many were taking on new roles and responsibilities to help their families and communities to recover.”

140. UNICEF’s 2017 Climate Landscape Analysis for Children in the Philippines, children from indigenous communities are among the most vulnerable to climate change impacts in the Philippines due to their high dependence on natural resources, their location in remote areas and their already marginalized situation.

Recommendations of CSOs and Children

141. For government to increase investment in renewable energy and lower carbon footprint. It should also revisit its climate change action plan to address the climate crisis urgently, taking into consideration recent information about the climate crisis.

142. For LGUs to work with barangay officials in communities that still have no access to clean water, and to provide proper dumpsites and promote sustainable practices in waste management. Better attention to maintaining proper sanitation, including toilets, should be prioritized.

143. Conduct awareness raising on RA 10821 and localize the Comprehensive Emergency Programs for Children. LGUs should provide venues for children’s participation in disaster assessment, planning, monitoring and evaluation. LGUs should be capacitated on developing quality DRRM plans, incorporating children’s concerns and harmonizing it with the school DRRM plan. The children call on LGUs to hold sessions for children to help them recover from the trauma they have experienced during a disaster.

144. Observe judicious use of the 5% budget for DRMM in LGUs. Together with national agencies, LGUs should integrate protection risks, including gender-based violence in hazard and risk assessments, as basis for DRMM planning. Investment must be made in the first two pillars of DRMM, which are prevention and mitigation, and preparedness.

145. Consider meaningful inclusion of CSOs in government’s strategic response planning (SRP). They are usually among the first to deploy first aid and relief during disaster and are thus valuable to the SRP process.

146. Assess the impact of massive relocations and similar development projects on children. There should be data on displacement resulting from the government’s Build, Build, Build Program. The National Resettlement Strategy needs to consider children’s concerns and make out-of-city resettlement a last option.

Standard of Living

147. Filipino children continue to experience multiple deprivations and vulnerabilities that impede their rights. Aside from lacking in basic needs, some live in geographically isolated and disadvantaged areas (GIDAs), their physical or socioeconomic condition, or religious or ethnic identities, often having limited access to basic services. In 2015, 31.4% of children were reportedly living below the poverty line, with poverty rates twice higher in ARMM at 63.1%.⁶⁷ While staggering, the figure was nonetheless a decline from 35.2% in 2012. The World Bank attributed poverty rate declines to such factors as “expansion of jobs outside agriculture, government transfers, in particular to qualified poor Filipinos through the government’s Conditional Cash Transfer (CCT) program, and remittances.”⁶⁸

148. The CCT program, also known as *Pantawid Pamilyang Pilipino* Program (4Ps), provides cash grants (health and education grants) to the poorest of the poor, on the condition that their children would stay in school and be taken to the community health care facility for regular checkups, growth monitoring, and vaccination.⁶⁹ According to the World Bank 2018 Poverty Assessment, the 4Ps accounts for a quarter of the total poverty reduction in the country, as well as increased school enrollment among children aged 12–17 years, reduction in enrollment gap between boys and girls aged 6–14 years, and increased access of poor women to maternal and child health services such as antenatal care.⁷⁰ The World Bank noted, however, that the 4Ps was falling behind the target in four of seven indicators, and raised its concern about the lower number of families covered as well as the inefficient distribution channels. There are also claims of discrimination and non-inclusion of the most vulnerable families in some communities. Moreover, the promised services to beneficiaries in exchange for meeting the conditions to qualify for the program were not all in place or of good quality, such as health centers and schools.

⁶⁷ UNICEF, “Situation analysis of children in the Philippines: A summary report,” page 15.

⁶⁸ The World Bank, “Philippines’ poverty rate declines; more well-paying jobs and opportunities needed,” *The World Bank Group website*, 30 May 2018, <https://www.worldbank.org/en/news/press-release/2018/05/30/philippines-poverty-rate-declines-more-well-paying-jobs-and-opportunities-needed>.

⁶⁹ Other conditions include prenatal care for pregnant women, use of professional health workers as birth attendants, attendance of parents or guardians in the monthly community-based Family Development Sessions to learn about positive child discipline, disaster preparedness, and women’s rights. Selection of beneficiary households is based on the National Household Targeting System for Poverty Reduction. Begun in 2008, the program is implemented by the Department of Social Welfare and Development, in partnership with the Department of Health, the Department of Education, and the National Economic and Development Authority. For more information on this initiative, see the Philippine Official Gazette on <https://www.officialgazette.gov.ph/programs/conditional-cash-transfer/>.

⁷⁰ The World Bank, “World Bank approves US\$300 million additional funding for the Philippines’ Conditional Cash Transfer Program,” *The World Bank website*, 27 June 2019, <https://www.worldbank.org/en/news/press-release/2019/06/27/world-bank-approves-us300-million-additional-funding-for-the-philippines-conditional-cash-transfer-program>.

149. In May 2019, RA 11310 was passed, institutionalizing 4Ps as the “government’s primary poverty reduction initiative.”⁷¹ Government has mandated the Philippine Institute for Development Studies to do an impact assessment of 4Ps every three years, evaluating its effectiveness, the veracity of the beneficiaries list, and program implementation.

Recommendations of CSOs and Children

150. For DSWD to regularly update the list of beneficiaries and improve targeting to reach the poorest households; ensure prompt disbursement of cash transfers. It should also review the CCT program approach to ensure equity in participation. This covers only up to three children per family. Families with numerous children are forced to choose which of their children can be the beneficiary of this program. It should also strengthen livelihood and economic empowerment programs for the poorest households to supplement 4Ps, and work closely with LGUs ensure that children beneficiaries have access to quality services.

Education, Leisure and Cultural Activities

152. The Coalition recognizes efforts of government to achieve its goal of Education for All (EFA), including reducing school dropout rates; increasing the number of school and other learning facilities; implementing programs for out-of-school youth, children in remote areas and indigenous communities, and other vulnerable groups of children; and improving the quality of education through teacher training.

153. The government, however, failed to achieve some of its EFA goals by 2015. In summary, the education system is still beleaguered by lack of school facilities, difficult access to the schools for those living in remote areas and children with disabilities, and indirect costs that parents could not afford. In schools, teachers are not enough for the number of students and lack training and incentives. Environment is not conducive for learning, and implementation of reform in curriculum has been a challenge. In addition to this, there are “low investments due to debt servicing, inefficiencies in spending the available budget, and disasters.”⁷² Incidence of bullying and corporal punishment remains and children have no opportunity to participate in school governance and development.

154. In ECCD, challenge remains in achieving 100% coverage among the poorest 0 to 5-year-olds, including children with disabilities. CSOs note that child development center facilities are generally not designed for inclusive education.

⁷¹ Jose Cielito Reganit, “New 4Ps law boosts Duterte admin’s anti-poverty efforts,” PNA website, 30 May 2019, <https://www.pna.gov.ph/articles/1071094>.

⁷² Psychosocial Support and Children’s Rights Resource Center (PST CRRC) and Fundación Educación y Cooperación (Educo), *Factors in enabling rights to, in and through education: A Child Rights Situation Analysis (CRSA) of Bicol Region* (Legazpi City: Educo), 2018.

155. The implementation of K to 12, which started in 2012, also needs to improve. In School Year (SY) 2016-17, the National Achievement Test (NAT) average scores of grades 6 and 10 students were lower than those in SY 2015-16,⁷³ belying the students' inability to transition and process the curriculum adequately. This is compounded by the declining quality of teachers, with low passing rates in the Licensure Exams for Teachers (LET), at 22% in 2018.

156. In 2017, the percentage of out-of-school children and youth (OSCY) aged 6 to 24 years was 9.1% of 39.2 million, down from 9.8% of 39.0 million in 2016.⁷⁴ Based on the Annual Poverty Indicators Survey (APIS), children are not in school for various reasons, including marriage or family matters, high cost of education or financial concerns, and lack of personal interest. CSOs further attributes the high dropout and low completion rates to "reliance on girls for domestic chores and caregiving, early pregnancy and/or marriage, child labor and other forms of exploitation, illness or disability, and lack of quality education leading to children's disinterest in their schooling."⁷⁵ There is also a gap in systematic information systems which excludes out-of-school-youth, especially those with disabilities, from accessing government programs.

157. The World Bank noted the increase in number of learners enrolled in DepEd's ALS program, from 537,666 in 2016 to 641,584 in 2017.⁷⁶ This, however, constituted only about 10% of the 6.6 million potential ALS enrollees aged 15 to 30 years.⁷⁷ In addition, of these enrollees, only about 60% regularly attended classes and about 20% passed the ALS Accreditation and Equivalency (A&E) exam.

158. RA 10665 is another government initiative to address the issue of participation rate, bringing the schools to where the learners are. Also known as the Open High School System Act, it seeks to provide more learners with access to secondary education through the open learning modality. To date, however, the Implementing Rules and Regulations (IRR) for this law has yet to be issued.

⁷³ Camille Aguinaldo, "K to 12 review finds declining test scores, skills mismatch," BusinessWorld website, 6 March 2019, <https://www.bworldonline.com/k-to-12-review-finds-declining-test-scores-skills-mismatch/>.

⁷⁴ Philippine Statistics Authority (PSA), "One in every ten Filipinos aged 6 to 24 years is an out of school child and youth," Annual Poverty Indicators Survey, PSA website, 13 June 2017, <https://psa.gov.ph/content/one-every-ten-filipinos-aged-6-24-years-out-school-child-and-youth>.

⁷⁵ The Freeman, "Flexible learning programs for disadvantaged children," Philstar Global website, 18 November 2017, <https://www.philstar.com/the-freeman/cebu-lifestyle/2017/11/18/1760154/flexible-learning-programs-disadvantaged-children>.

⁷⁶ The World Bank, "The Philippines Alternative Learning System: A second chance to develop the human capital of out-of-school youth and adults," The World Bank website, 20 September 2018, <https://www.worldbank.org/en/country/philippines/publication/the-philippines-alternative-learning-system-a-second-chance-to-develop-the-human-capital-of-out-of-school-youth-and-adults>.

⁷⁷ Sofia Tomacruz, "Expert says DepEd's ALS 'not fully effective,'" Rappler, 29 July 2018, <https://www.rappler.com/nation/208383-world-bank-expert-deped-alternative-learning-system-not-fully-effective>.

159. Beyond resource constraints, schooling can be disrupted during disasters, emergencies or armed conflict, such as when families relocate or schools are used as evacuation centers. The national policy framework on learners and schools as zones of peace is worthy of note, with its goal of creating safe, inclusive and conflict-sensitive learning environments. In Davao City, however, Lumad groups and child rights advocates protested against the DepEd order in July 2019 to close fifty-five Lumad schools in the region permanently. This action was based on allegations that they deviated from the basic curriculum, required the students to join anti-government rallies, and taught them to rebel against the government, with the schools serving as recruitment facilities of the New People's Army⁷⁸ (NPA).⁷⁹ The Save Our Schools Network claims no proper investigation was conducted and the schools were not given a chance to respond to the allegations.⁸⁰

Recommendations of CSOs and Children

160. Ensure the DepEd teacher assessment and provision of teacher professional development are addressing the unique and distinct needs of disadvantaged learners, such as those with disabilities, at risk of dropping out, who are multilingual, multi-grade, belonging to indigenous communities, in far-flung areas, in conflict areas, etc.

161. Increase the budget for hiring more teachers to provide a better learning environment for children, as well as non-teaching or support staff to give the teachers more time to prepare for their lessons and classes. Schools should be monitored as well if they provide child-friendly spaces and protective learning environments for children.

162. Invest in the primary givers of care to children—the parents and teachers or service providers—by conducting awareness raising among parents about the importance of ECCD and capacity building among day care center staff, with special attention to teaching methodologies for inclusion. Explore further collaboration among DepEd workers and National Child Development Centers and daycare center workers for capacitation.

163. Allocate sufficient budget to improve the implementation of programs for OSCY, such as the Dropout Reduction Program and ALS. Vocational training and ALS content should likewise be linked to jobs or provide pathways to lifelong learning or higher education. There is a need to strengthen the capacity of government to collect, generate and use data to inform programming on OSCY.

⁷⁸ The NPA, or the New People's Army, is the military arm of the Communist Party of the Philippines.

⁷⁹ Merlina Hernando-Malipot, "Children's welfare group asks DepEd to lift suspension of 55 lumad schools in Davao," Manila Bulletin website, 27 July 2019, <https://news.mb.com.ph/2019/07/27/childrens-welfare-group-asks-deped-to-lift-suspension-of-55-lumad-schools-in-davao/>.

⁸⁰ Ratzel San Juan, "No due process in DepEd order to close Lumad schools — child rights NGO," Philstar website, 9 October 2019, <https://www.philstar.com/headlines/2019/10/09/1958785/no-due-process-deped-order-close-lumad-schools-child-rights-ngo>.

164. Strengthen the DepEd Zero Dropout Policy through flexible learning sessions. Consider taking a whole-of-society approach, mobilizing not just the government but also the academe and the private sector, to address the needs and concerns of OOSCY, including those who are working (private industry). At the micro level, this would entail ensuring the efficiency and effectivity of local school boards (LSBs), which are mandated to include representatives from children, parents, teachers, LGU, schools and others. The LSBs should be expanded to include representatives from the academe and private sector.

165. Adopt the IRR for the Open High School System Act, and restore the budget of open high school in alternative delivery modes for services.

166. Pass the law on inclusive education and remove barriers to learning among the most deprived and marginalized children, such as those with disabilities, children in conflict with the law, OSCY, those living in extreme poverty, belonging to indigenous communities, affected by armed conflict, and living on the streets, migrant and trafficked children, etc. This means teachers should also be capacitated on inclusive classroom management and teaching approaches, and ensure regular schools have sufficient and compliant centers or facilities supporting the needs of children with disabilities. Aside from the capacity building of teachers, programs need to include school management (to ensure the development of inclusive school improvement plans and equitable budget allocation), social and emotional learning (e.g. peer orientation, protection from bullying), physical protection, and parent and community engagement (e.g., sensitization and home support to children with disabilities).

167. Increase the number of teachers trained in SPED and those who can avail of DepEd scholarships offered for teacher training.

168. As violence in schools remains prevalent, DepEd should include modules on child protection (including psychological first aid) and positive discipline in their in-service training program for teachers and school administrators; ensure implementation of DepEd Order No. 40, s. 2012 (Child Protection Policy); and strengthen coordination with the barangay (village) mechanisms, such as the BCPCs and the women and children's desks, to ensure reported cases are addressed.

Special Protection Measures

Children in Armed Conflict (CIAC)

169. The Coalition remains deeply concerned at the continuing and increasing displacement of children and their limited access to basic social services as a result of the adverse effects of internal armed conflict. Under the Oplan *Kapayapaan* (Peace), the government's counter-insurgency

program, forcible evacuations, closure of schools, and fake and forced surrenders are happening in Mindanao. In 2018, there were eighteen incidents of forced evacuations, and 38 schools in Caraga Region were forcibly closed because of military encampments, threats, and harassments experienced by teachers and students, affecting 1,338 students and 4,068 individuals. Evacuees also experience food blockades, as the military restricts entry of support from CSOs and government institutions, saying that these will only be given to the NPA. At the evacuation center, many children got sick because of poor living conditions. The Lumad continue to be the subject of threats and harassments from the military. In Lianga, Surigao del sur, 1,600 Lumad had to walk 90 kilometers from their current evacuation center because of such maltreatment from the military.

170. Two years after the Marawi siege, nearly 2 million children still face uncertainties, living in war-torn homes and schools, with their parents not having stable jobs or livelihoods. In February–March 2019, the number of displaced children in the affected provinces has reached 77,000.⁸¹ Cases of *Rido* or clan wars, which stem from political disputes, contestations over landownership, or even simple personal grudges, likewise pose a threat to the safety, security, and livelihoods of the affected communities. In some communities in Aleosan Cotabato, families had to leave their homes and children stopped schooling because of *Rido*.

171. In a children’s consultation organized by CRC Coalition, the children shared their experiences in living in communities affected by war. These include abandoning their homes and staying for months at evacuation centers, stopping schooling because of unsafe areas, going hungry because their parents could not work, and losing their loved ones due to armed conflict.

172. In Marawi and other conflict areas, psychosocial counselling is being provided by some government agencies, but stories from the ground say it is limited and does not cover all those who need it. PASALI, a CSO in Mindanao, piloted a program in partnership with DepEd, creating child-friendly spaces where children can share their experiences. Teachers provide support to students who exhibit traumatized behaviors.

173. Child soldiers are not uncommon in the Philippines. Some are trained as combatants while others serve supporting or political organizing functions. Children are convinced to join armed groups owing to a combination of the following factors: (a) poverty and government neglect; (b) membership and affiliation of other family members in the armed group; (c) victim of abuse and injustice; (d) belief in the political ideology; and (e) secessionist advocacy and support for the Holy War.⁸² The Special Representative of the Secretary-General for Children and Armed Conflict reported that the Moro Islamic Liberation Front and Bangsamoro Islamic Armed Forces pursued

⁸¹ ZENIT Staff, “Two years after Marawi siege in Philippines, 1.8 million children face threats of conflict in Mindanao,” Zenit website, 28 May 2019, <https://zenit.org/articles/two-years-after-marawi-siege-in-philippines-1-8-million-children-face-threats-of-conflict-in-mindanao/>. See also Ian Nicolas Cigaral, “Children in conflict-affected Mindanao areas continue to suffer deaths, injury — group,” Philstar Global website, 16 February 2019, <https://www.philstar.com/headlines/2019/02/16/1894199/children-conflict-affected-mindanao-areas-continue-suffer-deaths-injury-group>.

⁸² Reuben James Barrete, “Children as combatants in the Philippines,” Rappler website, 27 June 2017, <https://www.rappler.com/thought-leaders/174075-children-combatants-philippines>.

the recruitment and use of children as part of their action plan.” In 2016, the UN verified the recruitment of boys aged 13 to 17 years: eight boys by armed groups; five boys by the Moro National Liberation Front (MNLF); and three boys by the NPA.⁸³

174. In 2016–2017, child rights groups recorded 98 cases of murder, 216 cases of frustrated murder, 220 cases of illegal arrest, and 74 cases of torture in Mindanao alone. From July 2013 to September 2017, the Council for the Welfare of Children received reports of 129 grave child rights violation (GCRV) cases.

175. In 2013, the DepEd issued Memorandum No. 221, which allowed the AFP to conduct activities in schools during situations of armed conflict. This perpetuated militarization of learning institutions, particularly in Lumad and Moro communities.⁸⁴ The document was used by the AFP as a legitimate excuse to enter schools “for military purposes” or “for civil-military operations.” Some military personnel even reportedly conduct lectures on the government’s counter-insurgency program.⁸⁵ After a series of protests from the Lumad population, this memorandum was rescinded and a new one was implemented in 2017,⁸⁶ which declared schools as zones of peace. Despite this, however, military encampments and harassments persisted in a number of Lumad schools based on the military’s reasoning that these were not DepEd-accredited.

Recommendations of CSOs and Children

176. Provide psychological first aid to children traumatized by armed conflict.

177. Disseminate information on the newly-enacted Special Protection of Children in Situations of Armed Conflict Act (Republic Act No. 11188) and ensure its full implementation.

⁸³ United Nations General Assembly, “Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict,” Human Rights Council, Thirty-seventh session, Agenda item 3, Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, 8 January 2018, https://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/37/47&Lang=E&Area=UNDOC)%20/%20Report%20of%20the%20Secretary-General%20for%20Children%20and%20Armed%20Conflict%20(27%20AUG%202017)%20(http://www.un.org/ga/search/view_doc.asp?symbol=S/2017/821&Lang=E&Area=UNDOC.

⁸⁴ DepEd Memorandum No. 221, series of 2013, “Guidelines on the Protection of Children during Armed Conflict,” 13 December 2013, https://www.deped.gov.ph/wp-content/uploads/2013/12/DM_2013_221.pdf

⁸⁵ See KARAPATAN (Alliance for the Advancement of People's Rights), “AFP, DepEd engage in doubletalk in guidelines on military activities in schools to justify AFP attacks vs children - Karapatan,” Press statement, KARAPATAN website, 27 January 2014, <https://www.karapatan.org/AFP,+DepEd+engage+in+doubletalk+in+guidelines+on+military+activities+in+schools+to+justify+AFP+attacks+vs+children+-+Karapatan>.

⁸⁶ DepEd Memorandum No. 57 series of 2017, “Policy on the Protection of Children during Armed Conflict”, <https://www.deped.gov.ph/2017/11/21/do-57-s-2017-policy-on-the-protection-of-children-in-armed-conflict/>

178. DILG to review the policy and implementation of the Local Culture and Arts Council for alignment with RA 11188. DepEd to contextualize the curriculum so that it will be culturally sensitive, and promotes peace education in the school.

179. Provide opportunities for community involvement of children and youth (child participation) to prevent them from joining armed groups.

180. Implement long-term programs for the recovery and rehabilitation of families affected by armed conflict, especially children. Programs and services should reach rural areas, which could include livelihood and educational assistance.

Economic Exploitation, including Child Labor

181. Despite the strong legal framework against child labor and its worst forms, child labor continues to persist in the country. The 2011 Survey on Children showed that 3.2 million children ages 15-17 engaged in child labor; 2million of them worked in hazardous conditions.⁸⁷ Children land in this dismal state not just because of poverty, but also as a result of human trafficking and armed conflict.

182. A 2016 situational analysis of child trafficking for labor exploitation showed that child respondents in selected areas engaged in various types of work, such as vending in the market/streets, mining, farming, fishing, house help, and working in restaurants. Among the common reasons for working cited by the children were to help their families and to have money to support their own needs. More than half of the respondents said it was their own initiative to find work. It seemed acceptable to both children and their parents for children to work at young age, since family incomes were scarce.⁸⁸

183. Children's employment in extractive industries is considered one of the worst forms of child labor. In 2009, the International Labor Organization reported that over 18,000 girls and boys worked in Philippine mines. According to Human Rights Watch, children who work in these areas experience "back pain, skin infections, and muscle spasms consistent with symptoms of mercury poisoning."⁸⁹ Although the government has ratified treaties and enacted laws to combat the worst forms of child labor, it has yet to implement these on a scale that will have an impact. No monitoring is done on child labor in mining and employers are not penalized for violations of laws, nor are children withdrawn from these hazardous work environments.

⁸⁷ Philippine Statistics Authority, "Survey on Children 15-17 years old".

<https://psa.gov.ph/sites/default/files/2011%20Survey%20on%20Children%205-17%20Years%20Old%20%28Final%20Report%29.pdf>

⁸⁸ The selected areas were those identified as having high incidence of child labor. See Mayette Macapagal, "A Situational Analysis of Child Trafficking for Labor Exploitation in Selected PACT Areas," Full Research Report Submitted to Philippines against Child Trafficking (PACT), 2016.

⁸⁹ Mark Z. Saludes, "What ... if something went wrong?" Hazardous child labor in small-scale gold mining in the Philippines," Human Rights Watch, 29 September 2015, <https://www.hrw.org/report/2015/09/29/what-if-something-went-wrong/hazardous-child-labor-small-scale-gold-mining>.

184. While the government has established institutional mechanisms to enforce laws and regulations to combat child labor, gaps still exist in terms of the following: lack of resources to conduct inspections; limited number of inspectors especially in the rural areas where there are many unregistered vendors; insufficient enforcement of child protection in the informal sector, small-/medium-sized enterprises, and also in private homes where many children work as "kasambahays (house helpers); lack of training of investigators; and insufficient programs to care for and rehabilitate child laborers.⁹⁰

185. The Coalition is likewise concerned that the data on child labor in the Philippines is old and needs to be updated. Recently, DOLE identified three emerging forms of child labor in the country: own-use production work, unpaid trainee work, and volunteer work.⁹¹

Recommendations of CSOs and Children

186. Further review of RA 9231 (Anti-Child Labor Act) particularly the sanctions on violators among establishments and the inclusion of child workers in the informal sector. There should also be strict monitoring and implementation of this law, given that the problem of child labor continues to persist. LCPCs need to be strengthened, with the necessary funding allocation, so they could carry out their mandate in terms of combating child labor.

187. Provide parents with livelihood/job opportunities and skills development so they can provide for their families, send their children to school and refrain from asking children to work.

188. Monitor child labor in mining, agriculture, households, the informal sector, and in the emerging areas of child labor such as own-use production work, unpaid trainee work, and volunteer work. Moreover, monitor child labor as a result of child trafficking (for economic or commercial sexual exploitation) and armed conflict.

189. Establish a comprehensive services delivery system to assist child laborers and their families.

190. Improve data collection on the number and situation of child laborers in various settings, especially those who are trafficked for economic and commercial sexual exploitation and those involved in the worst forms of child labor.

⁹⁰ US Department of Labor. 2018 Findings on the Worst Forms of Child Labor: Philippines.

<https://www.dol.gov/agencies/ilab/resources/reports/child-labor/philippines>

⁹¹ Mayen Jaymalin, "DOLE: New forms of child labor emerging," Philstar Global website, 1 April 2019, <https://www.philstar.com/headlines/2019/04/01/1906323/dole-new-forms-child-labor-emerging>.

191. Increase resources to conduct labor inspections and augment the number of labor inspectors, particularly in rural areas where child labor is prevalent.

192. Address child labor protection for children employed in the informal sector, small-medium enterprises and in agricultural work.

Children in Street Situations

193. There are no clear data on children in street situations (CiSS, or street-connected children), with government estimates of their number seemingly deceptively low. Rapid appraisals producing this data have focused on counting children congregating in highly visible roads and public areas and exclude many street-connected children in informal settlements and less-visible areas.⁹² A 2002 UNICEF-commissioned study identified 250,000 CiSS, or 3% of children in the country,⁹³ while another noted the national prevalence to have increased from 250,000 to 1.5 million in 1990s, with an estimation of 50,000 to 75,000 in Manila alone in 2002.⁹⁴

194. While we commend DSWD and CWC for developing guidelines and protocols for serving and rescuing CiSS, including the requirement of social preparation of licensed social workers before “reach out” is conducted, there seems to be no significant effort to disseminate these new guidelines at the grassroots level. Violations continue to be committed by those taking part in the rescue/reach out operations, which are not sufficiently monitored.⁹⁵ The lack of a gatekeeping mechanism for taking children into protective custody exacerbates their vulnerability and exposure to risk.⁹⁶

⁹² For example, the rapid appraisal of street children conducted by DSWD identified 4,000 children in key areas, all of which were highly visible areas. See Department of Social Welfare and Development (DSWD), “Report streetchildren for rescue via twitter @savestreetkids – DSWD,” DSWD website, 22 November 2012, <https://www.dswd.gov.ph/report-streetchildren-for-rescue-via-twitter-savestreetkids-dswd/>.

⁹³ Lamberte, Exaltacion E. *Ours to protect and nurture: The care of children needing special protection* (Manila: UNICEF), 2002, page 269.

⁹⁴ Coram International, at Coram Children’s Legal Centre, “Situation of Children in the Philippines,” a study commissioned by UNICEF Philippines (Manila: UNICEF Philippines), 2018, page 295.

⁹⁵ For example on 24 January 2019, a “reachout” was conducted in a playground in Manila at around 11:00 p.m., involving officials from the city of Manila as well as various barangay officials. The process of “reachout” violated nearly every requirement of the protocol even though there was a government social worker present. When asked, the government officials involved said they were not aware of the existence of the protocol.

⁹⁶ See for example, the case of “Frederico” in the Reception and Action Center, which is managed by the Manila Department of Social Welfare. He had been at RAC for seven months when a photo was taken of him severely malnourished and naked inside the center. This photo led to the closure of RAC by DSWD for failure to meet the standards of accreditation. See Fritzie Rodriguez, “Finding ‘Frederico,’” Rappler website, 30 October 2014, <https://www.rappler.com/move-ph/73464-rac-manila-frederico>.

A gatekeeping system can prevent children from being unnecessarily separated from their parents and families or placed in alternative care. It can help reintegrate children already in alternative care back into their own families and communities. Normally this would have appropriate checks and balances in place to make sure the children are not unnecessarily being separated from their families. It should also be subject to independent review. The way that

195. Conditions within government shelters remain a high concern, with children frequently complaining of physical and sexual abuse, inadequate services, and being detained, mostly against their will.⁹⁷ Moreover, not all shelters are able to meet the government-mandated ratio of social workers to CiSS, which is 1:15, owing to insufficient budget. The forced removal of children from the streets, without social preparation, and their subsequent placement in locked centers, often outside their city of residence,⁹⁸ without parental knowledge or consent, leads to the disruption of family connections and education.⁹⁹

196. There have been incidences of children experiencing violence or torture in the hands of those detaining them for curfew violations and other offenses, as well as even in government-run shelters after they were “rescued.” In some cases, children were killed while in custody and no official investigation was made and no one was held accountable.¹⁰⁰

197. Alternative care options for street-connected children are limited, as many shelters are not appropriately adapted to enable them to transition into residential care. While there are informal foster/adoptive families willing to keep the children, they are unable to make this arrangement legal because of the high threshold for licensing as a legal foster/adoptive family.¹⁰¹ With no monitoring mechanism in place for monitoring these informal cases, children are left extremely vulnerable to exploitation and abuse.

Recommendations of CSOs and Children

198. Clarify the responsibilities of government agencies that have conflicting roles and mandates in relation to CiSS,¹⁰² reactivate the National Network on CiSS, and ensure

rescue/reachout is conducted is completely arbitrary with random, untrained officials simply grabbing children and removing them from their families.

⁹⁷ See the documentary “Running from Rescue,” which provides first-hand testimony of children sharing about their experiences in detention.

⁹⁸ For example, in Manila, children are taken to a government-run shelter in Marikina City, which is inaccessible to parents due to the distance and high cost of transport. Moreover, even when parents make contact, the shelters are frequently unable to confirm if a child is in their custody, exacerbating the difficulties for families in locating their children.

⁹⁹ Children are often absent from school for several weeks before they are released from government shelters. Normally, there is no formal education offered in government shelters.

¹⁰⁰ There was even a case of a child killed by other children in Manila’s RAC, which was documented in some national media post-Frederico. See Nathaniel R. Melican, “Boy beaten to death by other wards in Manila shelter for street children,” inquirer.net website, 18 November 2014, <https://newsinfo.inquirer.net/651335/boy-beaten-to-death-by-other-wards-in-manila-shelter-for-street-children>.

¹⁰¹ Requirements to qualify as a foster/adoptive family are excessively rigid. These include financial capacity, housing, etc. Bahay Tuluyan has had cases with two professional parents living in their own house and earning two incomes, but did not meet the minimum requirements for fostering.

¹⁰² See, for example, the analysis in Catherine Scerri, *Sagip or huli? Rescue of street children in Caloocan, Manila, Pasay and Quezon Cities* (Manila: Bahay Tuluyan, 2009), pp. 37–53 and 139–142.

children’s participation in the process of producing the national plan of action. Mechanisms such as the Street Children’s Congress (organized by NGOs) could be used as a forum for allowing street-connected children to be involved and help drive change.

199. Each shelter should have a child protection policy, meet government standards for accreditation, and have a centralized gatekeeping mechanism. DSWD also needs to monitor shelters it has accredited. All government agencies should follow in adopting this as well.

200. Abolish the imposition of curfew on children.

201. Implement targeted interventions for CiSS and their families, with the highly specialized skills and services necessary to cater to their complex and diverse needs, such as harm reduction education, livelihood training, parenting capacity training, positive discipline, among others. Also establish more drop-in centers and night centers for CiSS that will help them transition into alternative care. Helpful to this process is a centralized gatekeeping system for children in protective custody, with a regular review of individual cases by an independent body, together with children and an independent child advocate.¹⁰³ There should likewise be a system for recognizing, regulating, supporting, and subsidizing informal foster placements to prevent children from going back to institutions.

Commercial Sexual Exploitation, Trafficking, Pornography

202. Commercial sexual exploitation of children (CSEC), often as a result of child trafficking, remains to be a serious problem in the Philippines. The NBSVAC found that 1 in 5 Filipino children are victims of different forms of sexual abuse and exploitation.¹⁰⁴ Women and children from rural communities, conflict and disaster-affected areas, and impoverished urban centers are most vulnerable to sex trafficking, domestic servitude, and other forms of forced labor around the country. Child sex tourism is also widespread in tourist destinations.¹⁰⁵ ECPAT Philippines recorded over 200 media reports of child sexual exploitation nationwide from 2013 – August 2019, more than half are girls. The actual number is presumably higher as some reports don’t have information on victims.

¹⁰³ This refers to someone who will independently represent them as a child and his or her needs, not someone representing the state or the family. A comparable role in the US system is called a CASA/GAL – Court Appointed Special Advocate or Guardian Ad-Litem.

¹⁰⁴ National Baseline Study on Violence Against Children: Philippines (2015).
[https://www.unicef.org/philippines/media/491/file/National%20Baseline%20Study%20on%20Violence%20Against%20Children%20in%20the%20Philippines:%20Results%20\(executive%20summary\).pdf](https://www.unicef.org/philippines/media/491/file/National%20Baseline%20Study%20on%20Violence%20Against%20Children%20in%20the%20Philippines:%20Results%20(executive%20summary).pdf)

¹⁰⁵ Department of State USA 2019 Trafficking in Persons Report, Narratives N-S, page 383. Available at <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>

203. The Philippines has been dubbed as “the global epicenter of the live-stream sexual abuse trade.”¹⁰⁶ It is the top global internet source of online commercial sexual abuse and exploitation of children (OSAEC). OSAEC is so rampant that it has become a family business, where parents and relatives are identified as perpetrators. Children are induced to perform sex acts at the direction of paying foreigners and local Filipinos for live Internet broadcasts which usually take place in small Internet cafes, private homes, or windowless dungeon-like buildings commonly known as “cybersex dens.” The Department of Justice’s Office of Cybercrime (DOJ-OOC) received about 66,000 reports of OSAEC in the Philippines from the National Center for Missing and Exploited Children (NCMEC) from 2014-2016, and 26,000 reports in the first quarter of 2017.¹⁰⁷

204. OSAEC thrives in the country due to high incidence of poverty, familial obligation, cheap and easy access to mobile devices and internet connectivity, prevailing social norms (i.e., my child, my property; there is no physical contact anyway; it’s a private family affair), shift in parenting dynamics (external and internal migration), high proficiency in English which makes it easier for perpetrators to communicate with clients, weak enforcement of existing laws, high demand for pornographic materials, barriers on wiretapping and privacy laws, lack of facilities, and inadequate capacity of law enforcement agencies in case and evidence management.¹⁰⁸

205. Problems in combating CSEC and OSAEC in the country also stem from the lack of an efficient monitoring system to determine the real scope and magnitude of the problem in communities. The Philippines Anti-Trafficking Database, which is mandated by the Expanded Anti-Trafficking in Persons Act of 2012 to monitor trafficking cases in LGUs has not been operationalized. Executive Order (EO) No. 893, series, of 2010¹⁰⁹ on upgrading the Information and Communications Technology (ICT) infrastructure of the Philippines, which can assist in monitoring and catching perpetrators, has not been implemented. Moreover, despite the government mandate for internet service providers (ISPs) to notify the police and preserve evidence of child sexual abuse and to install filtering software to block the transmittal of child pornography, “none of the major ISPs have reportedly installed such software.”¹¹⁰ Anecdotal evidence also suggests that ISPs do not preserve evidence of OSAEC, as this may violate the Data Privacy Act of 2012.

¹⁰⁶ United Nations Children's Fund (UNICEF), “Safe from harm: Tackling online child sexual abuse in the Philippines,” 3 June 2016, At a glance: Philippines, UNICEF website, https://www.unicef.org/protection/philippines_91214.html.

¹⁰⁷ Inter-Agency Against Child Pornography Report at the ASEAN Conference on Cybercrime, 28 June 2017. Available at: <https://doj.gov.ph/files/2017/OOC/day2/07%20IACACP.pdf>

¹⁰⁸ Based on the presentation of Plan International at the Child Rights Network (CRN) session; See also Down to Zero 2016 Baseline report.

https://www.terredeshommes.nl/sites/tdh/files/uploads/baseline_report_dtz_28436.pdf

¹⁰⁹ <https://dict.gov.ph/wp-content/uploads/2014/09/20100618-EO-0893-GMA.compressed.pdf>

¹¹⁰ UNICEF, *Child protection in the digital age: National responses to online child sexual abuse and exploitation in ASEAN Member States*, Strengthening Child Protection Systems Series, No. 6 (Bangkok: UNICEF EAPRO), 2016, page 76 (https://www.unicef.org/eap/sites/unicef.org/eap/files/2018-03/Child_Protection_in_the_Digital_Age.pdf).

Recommendations of CSOs and Children

206. Implement Executive Order 893, series of 2010, on upgrading the ICT infrastructure of the Philippines to help monitor and catch perpetrators of OSAEC.

207. Conduct a national baseline study on the scope and magnitude of sexual abuse and exploitation of children in the Philippines (online and offline).

208. Establish a community-based quick response team dedicated to handling cases of sexual exploitation of children; and a comprehensive and proactive community-based healing and recovery program at the community level to ensure OSAEC victims are identified and able to access justice and legal remedies.

209. Strengthen capacities of law enforcers to manage OSAEC cases and increase budget allocation for collecting evidence of OSAEC.

210. Enact local ordinances mandating tourism establishments to develop child protection policies and mechanisms to respond to actual cases of sexual exploitation in travel and tourism.

211. Establish helpdesks in strategic public transportation terminals and capacitate personnel who will be assigned in these areas.

212. Conduct a massive information drive on the negative impact of sexual abuse and exploitation of children, online safety, and reporting mechanisms on CSEC and OSAEC, targeting schools, tourist destinations, churches, recreational facilities and the wider public. Establish referral pathways to provide services to victims of CSEC and OSAEC.

213. Strengthen collaboration between the Inter Agency Council Against Trafficking (IACAT) and the Inter Agency Council Against Child Pornography (IACACP) and with the private sector to combat child trafficking, sexual exploitation, and abuse.

214. IACAT to fully operationalize the Philippine Anti-Trafficking Database as mandated by the Anti-Trafficking in Persons Act. The National Recovery and Reintegration Database, which was envisioned to provide such data, should be used by service providers at the local level.

215. Pass the Human Trafficking Preventive Education Act to institutionalize public awareness on Trafficking in Persons (TIP) in schools and communities.

216. Increase the budget of DSWD-run shelters and enable them to cater to child victims of trafficking. Provide training for LSWDOs on case management of child victims of trafficking.

217. Continue to investigate, prosecute, and convict perpetrators of trafficking in all its forms and establish an effective and responsive mechanism to ensure the full protection of child victims and witnesses, as well as their families, including the provision of financial support to victims throughout the legal process.

Rape, Incest, and Sexual Harassment

218. The Coalition wishes to highlight one key weakness of Philippine laws pertaining to the minimum age to determine statutory rape, which is currently pegged at 12 years old. This means that a child who is 12 to below 18 years is said to be mature enough to agree to engage in consensual sexual relations. The Philippines has one of the lowest age to determine statutory rape in the world. Perpetrators of sexual violence escape from prosecution because evidentiary requirements to prove rape are quite complex that victims often decide to drop their cases or not press charges for fear of stigma and the disruption that long arduous court proceedings will cause in their lives.

219. Moreover, boys who are victims of rape are not afforded equal protection under Philippine laws. Rape committed against boys is only considered rape through sexual assault. This carries a lesser penalty as compared to rape through sexual intercourse committed against girls. Penalties for rape committed against children, whether they are boys or girls, need to be equalized to protect all children from sexual violence.

220. Under the Rape Victim Assistance and Protection Act of 1998 (i.e., Republic Act No. 8505), DSWD, together with DOH, DILG, DOJ and NGOs are mandated to establish Rape Crisis Centers (RCC) in every province and city. These RCCs are to provide psychological counselling, medical & health services, and legal aid to rape victims. Sadly, many provinces and cities still do not have RCCs.¹¹¹

221. In 2013, the DOH issued Administrative Order No. 2013-0011 instructing all government hospitals to establish Woman and Child Protection Units (WCPUs) to provide aid to abused women and children. The WCPU is a child-friendly and gender-sensitive facility manned by a multidisciplinary team that provides comprehensive services for victims of sexual violence. As of date, there are 106 WCPUs in 55 provinces and 10 cities in the country.¹¹² Twenty-six (26) provinces still do not have WCPUs.

¹¹¹ Clara Rita Padilla, Dangerous times for women in a culture of rape in the PH, 2017, <https://www.rappler.com/thought-leaders/177403-dangerous-times-women-philippine-culture-rape>.

¹¹² Child Protection Network website. <https://www.childprotectionnetwork.org/wcpu-directory/>

222. Many child sexual abuse victims choose not to report their harrowing ordeal to proper authorities due to social stigma, fear of revenge from perpetrators,¹¹³ apprehensions of being blamed for the offense,¹¹⁴ and feelings of indebtedness to their offenders.¹¹⁵ There is also the ‘secondary victimization’ often experienced by victims in reporting to law enforcement agencies that are not trained to handle cases of sexual abuse. The process of testifying in court can also be extremely traumatic to a child, since he or she is forced to recount the assault done against him/her in a public setting.¹¹⁶ While Philippine courts are required to follow child-friendly procedures in securing the testimony of a child under the Supreme Court’s *Rule on Examination of Child Witnesses*, these processes are often not followed. Moreover, very few court rooms use video conferencing technology that allows the testimony of the child to be collected in a place outside the court room, which can alleviate the trauma brought by testifying in a traditional court room setting.¹¹⁷ Presently, there are 121 designated family courts in the country. Not all of them are filled. Moreover, judges need further training to properly handle cases of child sexual abuse.

Recommendations of CSOs and Children

223. Enact a law to increase the age to determine statutory rape from 12 to at least 16 years old. Equalize penalties for rape committed against girls and boys.

224. Establish more Child Protection Units (CPUs) in hospitals and in all provinces and provide sufficient budget for their operation.

¹¹³ Apprentis d’Auteuil Foundation, CAMELEON Association Inc. (CAI), Center for the Prevention and Treatment of Child Sexual Abuse (CPTCSA) and Action Against Violence and Exploitation, Inc. (ACTVE), *Child Sexual Abuse and Sexual Exploitation in the Philippines (Joint Submission to the Universal Periodic Report 2017, 27th Session, Human Rights Council)*, September 2016, https://www.upr-info.org/sites/default/files/document/philippines/session_27_-_may_2017/js3_upr27_phl_e_main.pdf

¹¹⁴ Thailand Institute of Justice and University of Cambridge, *Women’s access to justice: Perspective from ASEAN region*,” 2016, http://www.tijthailand.org/useruploads/files/womens2j_asean_final.pdf

¹¹⁵ Apprentis d’Auteuil Foundation, CAMELEON Association Inc. (CAI), Center for the Prevention and Treatment of Child Sexual Abuse (CPTCSA) and Action Against Violence and Exploitation, Inc. (ACTVE), *Child Sexual Abuse and Sexual Exploitation in the Philippines (Joint Submission to the Universal Periodic Report 2017, 27th Session, Human Rights Council)*, September 2016, https://www.upr-info.org/sites/default/files/document/philippines/session_27_-_may_2017/js3_upr27_phl_e_main.pdf

¹¹⁶ GS Goodman, et al., “Testifying in Criminal Court: Emotional Effects on Child Sexual Assault Victims,” *Monographs of the Society for Research in Child Development* 57, no. 5 (1992): 1-142, discussion 143-61, <https://www.ncbi.nlm.nih.gov/pubmed/1470193>

¹¹⁷ Apprentis d’Auteuil Foundation, CAMELEON Association Inc. (CAI), Center for the Prevention and Treatment of Child Sexual Abuse (CPTCSA) and Action Against Violence and Exploitation, Inc. (ACTVE), *Child Sexual Abuse and Sexual Exploitation in the Philippines (Joint Submission to the Universal Periodic Report 2017, 27th Session, Human Rights Council)*, September 2016, https://www.upr-info.org/sites/default/files/document/philippines/session_27_-_may_2017/js3_upr27_phl_e_main.pdf

225. Appoint more family court judges and train them to properly handle cases of sexual abuse. Maximize the use of video-conferencing whenever children are required to appear in court to lessen their trauma during court proceedings.

Administration of Juvenile Justice

226. Children in Conflict with the Law (CICL) are put at risk because of constant efforts from Congress to lower the minimum age of criminal responsibility (MACR), the age at which an individual can be charged in court and be put behind bars. The Philippine National Police and some legislators continue to disproportionately highlight children's involvement in crimes despite the reduction of CICL cases (from 14,387 recorded cases in 2016, to 11,324 in 2018) and the lower proportion of cases committed by children (less than 2%) relative to the total crime volume.¹¹⁸

227. Lowering the MACR from 15 to 9 or 12 years old is among the priority legislative agenda of the Duterte Administration and is being pushed by President Duterte himself, citing reports that girls and boys are being used by syndicates in illegal drug trade. Child rights and human rights advocates strongly oppose the proposal, believing that this will only criminalize children at a young age and would lead to children being put in facilities that lack appropriate programs and trained staff. This will mainly affect boys, as 94% of the 26,0907 children who surrendered as a result of the anti-illegal drug campaign within the period July 2016 to April 2018 are boys (Philippine National Police).¹¹⁹ With pressure from the advocacy efforts of CSOs through the #ChildrenNotCriminals campaign, a movement mounted to block the lowering of the MACR, and negative public reaction on the issue, the 17th Congress did not pass the proposed bills to lower the MACR. Despite this, the MACR issue resurfaced in the 18th Congress. With the election of pro-administration legislators in the May polls, it is likely that many of them will vote in favor of lowering the MACR to follow the President's bidding. Still, there are champions in the Senate and in the House of Representatives that are resolved to maintain the MACR at 15 years old and would rather advocate for the effective implementation of existing juvenile justice laws.

228. While the Coalition welcomes the passage of the Juvenile Justice and Welfare Act of 2006 (JJWA), and its amendment (RA 10630) in 2013, the implementation of the law is slow and uncoordinated. Among the gaps identified include the lack of capacities of duty bearers to perform their responsibilities under the law, misconceptions of JJWA's provisions, insufficient Bahay Pag-Asa (BPA) to house and rehabilitate children, lack of licensed social workers to handle cases of children in the justice system, and the absence of updated data on the number of children in the justice system in the country.¹²⁰ The CHR also reported that hundreds of children were still

¹¹⁸ 2018 report of the Juvenile Justice and Welfare Council presented to Congress during the Committee hearings

¹¹⁹ Clarissa C. David and Ronald U. Mendoza. Children and "the anti-illegal drugs campaign: When the cure is worse than the disease." by ABSCBN News, 2018, <https://news.abs-cbn.com/focus/09/13/18/children-and-the-anti-illegal-drugs-campaign-when-the-cure-is-worse-than-the-disease>

¹²⁰ 2018 Report from the Juvenile Justice and Welfare Council (JJWC) provided during committee hearings in Congress

detained with adult offenders in deplorable and congested prisons despite prohibitions under the JJWA.¹²¹

Recommendations of CSOs and Children

229. Block all moves to lower the MACR and instead fully implement the JJWA.

230. Hire more licensed social workers (i.e., one social worker per barangay) to assist children in the justice system and provide comprehensive training to all duty-bearers tasked to implement the JJWA.

231. Local governments to include in their Annual Investment Plans (AIPs) policies, projects and activities that specifically cater to the needs of children in the justice system. Ensure that a minimum of 1% of their internal revenue allotment be earmarked to strengthening programs to benefit these children.

232. Conduct a comprehensive research to determine the number and actual situation of children in the justice system to aid in policy reforms and program planning and implementation.

Children belonging to minorities and indigenous peoples

233. Children belonging to minorities and indigenous peoples are at stake when it comes to issues related to ancestral domains. It is seen to be one of the biggest challenges because threats to their land, for example, affect their food security. Political conflicts threaten their communities' safety because insurgent or military groups often camp near their areas of residence. Access to education is also a prevailing issue for the Indigenous learners. There are instances wherein education takes a backseat because work is a priority. Other cultural practices related to their mobility and health also affect their education. For example, Indigenous Peoples who are mobile may face difficulties in schooling schedules. Food stability also influences their education.¹²²

234. Implementation of Indigenous Peoples' Rights Acts (IPRA) remains a challenge owing to the lack of financial and human resources of the National Commission on Indigenous Peoples (NCIP). The lack of accurate data on indigenous children further makes it difficult to design evidence- and results- based programs for them.

235. The Coalition appreciates government's initiatives to improve the welfare of the minorities and IPs, such as the DSWD program for Badjaos and the support given by the local government of Mabalacat, Pampanga, to the Aetas. However, in DepEd textbooks, there is misinformation on

¹²¹ CHR report (2018) submitted to the Senate Committee on Justice during MACR hearings

¹²² Global Observatory for Inclusion, "Indigenous People in the Philippines: Perspective on Inclusion" 15 June 2016, <http://www.globi-observatory.org/indigenous-peoples-in-the-philippines-perspectives-on-inclusion/>

the facts about minorities and IPs (e.g., geographical locations, dialects, and ethnic tribes). It was also noted that discrimination still persists and displacement occurred in the name of development of business establishments and mining companies.

236. With all the issues aforementioned, child marriages appear to be rampant as one of the solutions to poverty. While the Family Code of the Philippines sets the legal age of marriage at 18 years old, it allows child marriages to happen in indigenous and Muslim communities (see Sections 15 and 65-70 of IPRA and Articles 16 [1-3]; 137-159 of the Code of Muslim Personal Laws). A study on early marriage reports that in Region 12 (South Central Mindanao), the average age of marriage for females is around 13 years due to the practice of *buya*, or giving a baby girl away to a man as repayment for a loan; and marrying a girl to an older man with wealth in order to assure a high dowry (*sunggud*).¹²³ Early marriages have negative impacts especially to girls, who are susceptible to sexually transmitted disease and other health risks. They also experience mental health problems and gender-based violence such as marital rape and abuse at a young age.

Recommendations of CSOs and Children

237. The Coalition urges government to popularize the UNCRC in relation to its non-discrimination principles and the IPRA Law; intensify efforts to fully implement the IPRA Law; raise awareness of IPs of their rights; strengthen the NCIP; and adopt the culturally sensitive curriculum developed by SALINLAHI.

238. Enact a law banning early and forced marriages in the Philippines and penalize those who officiate such practices. Raise awareness among tribal leaders and IP communities on the negative impacts of early marriage on children especially girls.

KEY RECOMMENDATIONS

239. We urge the government to strengthen systems and mechanisms necessary to fulfil the UNCRC, starting with CWC and LCPCs. Their transformation requires increasing the workforce, enhancing capacities, and allocating appropriate funds for operations.

240. Institutionalize a child-rights based approach in planning and budgeting. Regular monitoring and evaluation must be conducted to determine effectiveness and efficiency of programs. We urge the government to apply the budgeting principles for the realization of children's rights (General Comment No. 19).

¹²³ Save the Children. "The Impact of Early Marriage Practices: A Comparative Study of Two Indigenous Communities in South-Central Mindanao (T'boli and B'laan) from a Human Rights Perspective." Unpublished Report.

241. Mechanisms to systematically generate and analyze data on children must be in place. We urge CWC to regularly analyze and disseminate child situational reports to public.

242. We call on the government to increase opportunities for children to participate in discussions and decision-making on matters affecting them. More collaborative action between and among government and CSOs is recommended for a wider coverage of the UNCRC implementation and monitoring.

ANNEX A

List of Key Recommendations

General Measures of Implementation

Legislation

1. Pass a law raising the age of statutory rape (from 12 to 16 or below 18 years old), the Civil Registration and Vital Statistics (CRVS) Bill (birth registration that is accessible and less costly), the Teenage Pregnancy Prevention Act and the Positive Discipline/Anti-Corporal Punishment Act; but do not pass any law lowering the minimum age of criminal responsibility. Do not enact the mandatory ROTC for Grades 11 and 12 in private and public schools as this is tantamount to the Philippines reneging in past international commitments on the protection of children from recruitment into the armed forces. Introducing mandatory ROTC is also incongruent with existing national and international laws which states schools should not be used for military purposes.
2. Children's groups, in several consultations, also recommend the immediate passage of the Positive Discipline Bill.

Coordination

3. Strengthen CWC by enacting the bill to make it a commission, with stronger authority and mandate, and more effective inter-agency coordination and multi-stakeholder participation, including mechanisms for children's participation.
4. For the Department of the Interior and Local Government (DILG) to harmonize its memorandum circular issuances on LCPC strengthening, mandate, and function, providing clear guidelines for planning, budgeting, and programming for children's concern; to intensify efforts to capacitate LCPCs to perform their functions; and to monitor and evaluate regularly LCPCs' performance and provide them with technical assistance, when necessary.
5. For the DILG to widely disseminate the Revised CFLGA Handbook among LGUs, build LGUs' capacity to improve CFLGA performance and regularly monitor LGU performance across the country.
6. Enhance the LCPC structure to ensure its sustainability by establishing permanent office/personnel at the forefront of addressing children's concerns.
7. Study how to rationalize the role of LCPC vis-à-vis other local inter-agency structures that require its services, in order to improve individual efficiency and effectiveness in carrying out their

functions. Local inter-agencies can be lodged as committees within the LCPC, allowing for an integrated approach to programming for children's rights.

National Plan of Action (NPAC)

8. For CWC to fast-track, in cooperation with DILG, the rollout of the 3rd NPAC at the local level, including establishing a clear framework/system for the meaningful participation of CSOs and children in NPAC monitoring; for DILG to provide guidance and technical support to LGUs to enable them to integrate this in their local plans and budgets; and for DILG to issue planning guidance to LGUs that includes using a stronger analysis of children's status at the local level as basis for planning and budgeting.

Cooperation with Civil Society

9. For national agencies and LGUs to create more participation and consultation mechanisms that accommodate children and CSOs, and not just limit these to the formal representation where organizations need to be first accredited.

10. For SEC to consider withdrawing MC 15 as this violates freedom of association and right to privacy as enshrined in the 1987 Philippine Constitution, and further restricts the already shrinking civic space.

Allocation of Resources

11. Pass a law that will institutionalize the meaningful and genuine participation of CSOs and marginalized groups, including children, in the planning and budgeting processes at national and local levels. Children consulted called on government to take care of [the people's] money, and "to prioritize in the budget those sectors that have the greatest need, namely, children with disabilities, victims of disasters and conflict, street children, children in conflict with the law, and out-of-school children."¹²⁴

12. Enact a law ensuring transparency in the budget process. Disclose data on public spending and publicize progress reports on spending and accomplishments to ensure government transparency and accountability in the use of public funds. The children reminded the government to "refrain from stealing and using public funds for personal interest."

¹²⁴ Civil Society Coalition on the Convention on the Rights of the Child and Save the Children. "Focus Group Discussion: Public Spending on Children's Rights." January 2015. Unpublished report on the results of focus groups discussions conducted in January 2015 by CSOs with 62 children (34 girls and 28 boys) across the country (Cebu CASAGAL, Civil Society Coalition for the Convention on the Rights of the Child, Mindanao Action Group on Child Rights and Protection, Philippine Partnership for Children With Disabilities, and Save the Children. The report was contributed to "Towards Better Investment in the Rights of the Child: the Views of Children," a global report produced by the Centre for Children's Rights, Queen's University Belfast, and submitted to the UN Committee on the Rights of the Child for the drafting of the CRC General Comment No. 19.

13. For the Department of Budget and Management (DBM) to adopt child-rights-based budgeting and for DILG to intensify its efforts to raise LGUs' awareness of child-responsive planning and budgeting and build their capacity for this.

14. For CWC to lead a study to set the benchmark for public investment in child protection, including child protection in emergencies.

Data Collection

15. For the Philippine Statistics Authority (PSA), NEDA, national line agencies, and LGUs to strengthen their data management systems by ensuring disaggregation of data by sex, age, disability and ethnicity; and consistency of disaggregation with the legal definition of the child. These systems should include mechanisms for capturing, storing, and reporting data disaggregated by disability, ethnicity, sex, age and other relevant characteristics. For PSA to provide technical assistance and supervision to LGUs for managing their monitoring systems as mandated in the Community-based Monitoring Systems Act of 2018 (RA 11315).

16. For CWC to strengthen its monitoring and evaluation system, add more staff to regularly collect and analyze data on children's situation (e.g., every five years), and widely disseminate the Annual State of the Filipino Children Report. To make available high-quality, timely, and disaggregated data, the CWC must invest in technology and human resources necessary to collect and integrate data from multiple sources. These include developing a data-gathering tool for mapping children's situation at the local level, and building capacity to ensure reliable data-gathering.

17. For LGUs to produce a state of children report regularly and use information on the development of programs and policies for children at the local level.

Independent Monitoring

18. For CHR to disseminate widely the mandate and functions of CHR-CRC especially to children and CSOs, and ensure its accessibility as a mechanism for children to report complaints (i.e., a hotline that is accessible to all children especially those who are marginalized).

19. Increase budget allocation for the CHR, especially the Child Rights Center, to enable it to regularly monitor children's human rights situation and adequately respond to and investigate reported cases of violations.

Dissemination, Training, and Awareness Raising

20. For CWC to take the lead in disseminating information about the UNCRC within government, and work with media to popularize child rights information for the public, including children. Use of media should be maximized to disseminate information that is correct, promotes positive values based on Article 17 of the UNCRC, and cautions about practices that are harmful to children. The CWC should also monitor implementation of the Department of Justice (DOJ) Media Guidelines on reporting about children.¹²⁵

21. Incorporate children's rights in the induction program for new teachers, legislators, newly elected LGU officials, and other duty bearers.

22. A children's group during the island consultations mentioned the importance of celebrating the Children's Month in every village to help increase awareness of children's rights and minimize rights violations.

General Principles

Non-discrimination

23. For DepEd to review and enhance the SPED Program to improve access for children with disabilities and strengthen their inclusion in the mainstream education system; and to strengthen and monitor the implementation of its Child Protection Policy to prevent and address bullying and discrimination in schools

24. For DepEd to integrate discussion on the rights of LGBT children and other excluded groups of children (i.e., children of indigenous peoples and children with disabilities) in the school curriculum; and for DepEd and LGUs to formulate plans to implement awareness raising and education programs to sensitize service providers, adults and children on SOGIE rights. CWC should include specific programs to prevent and address bullying of LGBT children, children with disabilities and IP children in the PPAEVAC.

25. Conduct Gender Sensitivity Training among government service providers and frontliners including teachers, health workers, village security officers and law enforcers.

26. For Congress to address policy gaps in protecting children from discrimination, and to pass the SOGIE Equality Bill.

Right to Life, Survival, and Development

27. For relevant government agencies to investigate the killings especially those that involved the death of children, hold perpetrators accountable, and make investigation reports accessible to the public. For social welfare offices and law enforcement agencies to work together to aid children

¹²⁵ Department of Justice, "Guide for Media Practitioners on the Reporting and Coverage of Cases Involving Children, Revised 2008,"

<https://www.doj.gov.ph/files/2016/THE%20GUIDE%20FOR%20MEDIA%20PRACTITIONERS.pdf>

affected by the anti-illegal drugs campaign; provide psychosocial interventions and medical assistance to children and families traumatized by having witnessed the death of their loved ones.

28. For PNP and Philippine Drug Enforcement Agency (PDEA) to review their protocols in handling children affected by the anti-illegal drugs campaign to ensure that children are protected at all times.

Respect for the views of the child

29. For Congress, NEDA, DBM, DILG, CWC and LGUs to allocate resources to support children's participation and child-led initiatives at different levels. For LGUs to partner with CSOs in order to engage children/children's groups meaningfully in its decision-making processes. CWC and DILG should provide LGUs technical support to ensure that they meet the CFLGA indicators on child participation.

30. Children call for providing a venue in the LGUs where they could present updates on their own activities that should be supported by local authorities, and to support the formation of children's organizations that could represent the real concerns of children in the community, and the creation of a counterpart adult organization that would guide them in their activities.

31. Children are clearly interested to be involved in consultations and be allowed to articulate issues affecting them for consideration in project planning and problem resolution. LGUs should strengthen the LCPC and the SK to enable this. The SK should ensure children's groups are represented in the Local Youth Development Council and have a strong voice in the *Katipunan ng Kabataan* (Youth Alliance). Barangay officials should support the suggestions of the SK instead of telling them what to do, respect the opinions of the youth, and not merely treat them as "props."

32. For DSWD and DILG to monitor the implementation of RA 10821, especially efforts to institutionalize children's participation in community DRR programs and emergency responses. LGUs should include child participation initiatives in their local DRRM plans.

Civil Rights and Freedoms

Birth registration and name and nationality

33. For PSA and LGUs to conduct regular awareness raising among parents and caregivers about the importance of birth registration and the implications if a person does not possess this document. Budget should be allocated for capacitation of LGU personnel, community health centers, community health workers, and traditional birth attendants for recording and managing the demographic and biographic information of the residents, especially registering children. Household visits and interviews by barangay officials must extend to relocation areas.

34. Since many parents are not willing to forgo time for productive activities or childcare to attend to birth registration, faster processes must be instituted and be brought closer to them. The Barangay Civil Registration System (BCRS) needs to be established in all communities, especially in far-flung areas where accessing municipal services is a challenge to the residents because of the distance and the costs entailed.¹²⁶

35. Fees should be waived for correcting information in birth certificates, such as spelling or gender, and for reconstructing birth certificates destroyed during emergencies, as cost is a primary factor affecting willingness to process birth registration.

36. For government to facilitate the enactment of the CRVS Bill and remove the birth certificate among the requirements for accessing basic services, such as health care and education, especially for children of migrant workers.

Corporal punishment

37. For government to pass a law promoting positive discipline and banning corporal punishment, and engage more with CSOs in strengthening awareness raising and increasing access to information on positive discipline, particularly among parents. For LGUs to pass a local ordinance banning corporal punishment and promoting positive discipline.

38. Cascade training of PDET from the region to the school level, with DepEd allocating the necessary budget. The School Improvement Plan should include the rollout of PDET during school learning action cells. For teaching institutions to include PDET in their curriculum and in-service training.

Family Environment and Alternative Care

Children of Migrant Workers

39. Initiate a comprehensive study of the effects of migration on children and develop appropriate programs that respond to the needs of children left behind, implement the recommendations detailed in the Country Migration Report of 2013, and address the challenges that hinder the development and implementation of the Shared Government Information System for Migration (SGISM).

¹²⁶ The BCRS was conceptualized to bring civil registration closer to the barangays, with barangay secretaries providing assistance in filling out forms, particularly to those who are illiterate and with language barriers, as well as visiting households that failed to report newly born babies for registration (http://nap.psa.gov.ph/ncs/9thncs/papers/goodPractices_Making.pdf).

40. Include in the pre-departure orientation for migrant workers the effects of the new setup on the family, especially the children, so they are aware of the measures they need to take to mitigate such effects.

41 Key government agencies to develop a program to provide psychosocial support/counselling services to the children, financial literacy for family members left behind so that they will wisely spend the money provided by their OFW loved one, scholarship opportunities or other forms of educational assistance for children of OFWs, and parenting education for parents/relatives caring for children left behind, to include ensuring children are timely, appropriately, and adequately informed/consulted and prepared for a parent's migration as early as the planning phase.

42. Ensure the availability of trained social workers in Foreign Service Posts and capacity building for their officials and staff on human-rights-based approach. There should be sufficient resources, including facilities and funds, in order to respond to the needs of children of OFWs and other Filipino migrants and children.

Children Deprived of a Family Environment

43. For DSWD to ensure standards of all residential care facilities managed by the government and private entities, and the quality of care provided by the staff. A study should be conducted to determine the total number of children needing parental care, their situation in residential care facilities, and the impact of short and long-term institutionalization. And for DSWD to implement its Policy on Deinstitutionalization of Children (Memorandum Circular 22, series of 2004).

44. For DSWD to collaborate with DILG in promoting foster care and identifying qualified foster parents.

Abuse, Neglect, and Maltreatment

45. Fast track localization of VAC-related laws, with corresponding budget allocated for this, as well as for monitoring that should involve children. For CWC and DILG to intensify efforts to rollout the PPAEVAC outside of the pilot areas and support LGUs in incorporating PPAEVAC programs in local investment plans.

46. Children recommend the implementation of more initiatives and policies to assist child victims of abuse, including the application of appropriate sanctions for the perpetrators. Also, they urge the government and the civil society to provide counselling to child victims of abuse and orient them on their rights and what to do when they experience abuse or maltreatment.

Basic Health and Welfare

Children with Disabilities

47. Strengthen government's awareness campaign on the Implementing Rules and Regulations of the Act Expanding the Benefits and Privileges of Persons with Disability, targeting schools and communities. This should include disability sensitivity orientation in schools, barangays and other establishments, intensive training on handling of children with disabilities for teachers, and capacity building of barangay health workers and child development daycare workers to teach them how to ask the right questions when assisting or interviewing children with disabilities.

48. Ensure implementation of RA 10070 on the creation of PDAO in all LGUs and task them to assist in collecting relevant and disaggregated data on children with disabilities. To ensure efficiency of data collection, PSA and DOH should train barangay health workers and field enumerators in the conduct of the survey.

49. Allocate a specific budget for children with disabilities at the local level, and provide appropriate venues where they can avail themselves of programs and services. These include creating a PDAO in all municipalities and setting up health centers near the communities, making them truly accessible, especially to those with mobility constraints.

50. Increase the number of PhilHealth-accredited hospitals offering the Z benefit package, which is intended for children with disabilities, mainly to "prevent the catastrophic spending of the poor and marginalized who are enrolled in the National Health Insurance Program while ensuring quality healthcare services."¹²⁷ As of now, there are only two such hospitals, one in Quezon City in the National Capital Region and another in Davao City in Mindanao.

51. For LGUs to invest in community-based rehabilitation and in disability-friendly infrastructure to improve accessibility as well as enforce strict compliance with mechanisms for establishing Person with disability-friendly schools and classrooms, especially in the provinces.

Maternal Newborn and Child Health (MNCHN)

52. Implement the newly signed First 1,000 Days Law and the Expanded Maternity Leave Law.

53. Conduct awareness raising on the importance of breastfeeding and provide support to lactating mothers, including the setting up of more breastfeeding stations in public places.

¹²⁷ Philippine Health Insurance Corporation, "PhilHealth Introduces Z Benefit Package for Children with Developmental Disabilities," PhilHealth website, 2 March 2018, https://www.philhealth.gov.ph/news/2018/zben_cdd.html.

54. Improve identification of severe acute malnutrition of children in communities and ensure that there is relevant data for targeting children needing intervention. Give greater attention to children who are malnourished, underweight and stunted so that they could receive the nutrition they need early on.

Child Immunization

55. For the government to properly allocate resources that will support the appropriate transportation and storage of vaccines in community health centers and enabling the latter to provide free vaccines and medicines to children in a timelier manner.

56. Government to lead in combatting misinformation and improve public understanding of the critical importance and safety of vaccines and to provide psychosocial services to both parents and child victims, in order to regain the people's trust in the government's immunization programs.

Mental Health of Children

57. For the DOH to treat mental health assistance as a universal health service and give greater attention to mental health issues, considering the prevailing cases of depression and other mental health problems among children and youth. Support services and mechanisms should be developed for responding to children with mental health concerns, and surveys must be conducted to improve statistics on mental health. The Universal Health Care Bill should include mental health assistance, such as medicines and services, and local government must provide mental health facilities as part of the rural health unit, especially since not all affected children and youth can afford the high fees of mental health professionals and medicines. The government should also consider working with the private sector and experts on mental health to provide support to parents and children in communities as well as include mental health awareness in the FDS under the 4Ps.

Adolescent Health

58. Enact the Adolescent Pregnancy Prevention Bill, which will strengthen reproductive health education among adolescents; capacitate teachers, parents and service providers on how to effectively educate adolescents; and establish local adolescent centers for health and development in every municipality or city.

59. Intensify comprehensive sexuality education in schools, as well as orientation on responsible parenthood and young pregnant mothers in the communities. For DSWD and DepEd to integrate into existing modules the strengthening of communication between parents and children so that they could discuss adolescent and reproductive health related issues with more confidence. The peer education program of DepEd, DSWD, DOH and Population Commission should likewise be intensified to prevent teenage pregnancies, with the corresponding budget provided for conducting the modules.

60. Localize the RH law and have an RH code in local areas. Local health service providers should be trained in adolescent-friendly approaches in dealing with children and young people seeking information and accessing reproductive health services. There has to be a safe space in health facilities where children could talk to service providers in confidence about these matters.

61. Implement the HIV/AIDS Policy Act, including provisions on the HIV testing of children, accessibility and availability of testing centers, and establishment of more testing centers that could be a partnership between LGUs and NGOs.

Environmental Health

62. For government to increase investment in renewable energy and lower carbon footprint. It should also revisit its climate change action plan to address the climate crisis urgently, taking into consideration recent information about the climate crisis.

63. For LGUs to work with barangay officials in communities that still have no access to clean water, and to provide proper dumpsites and promote sustainable practices in waste management. Better attention to maintaining proper sanitation, including toilets, should be prioritized.

64. Conduct awareness raising on RA 10821 and localize the Comprehensive Emergency Programs for Children. LGUs should provide venues for children's participation in disaster assessment, planning, monitoring and evaluation. LGUs should be capacitated on developing quality DRRM plans, incorporating children's concerns and harmonizing it with the school DRRM plan. The children call on LGUs to hold sessions for children to help them recover from the trauma they have experienced during a disaster.

65. Observe judicious use of the 5% budget for DRMM in LGUs. Together with national agencies, LGUs should integrate protection risks, including gender-based violence in hazard and risk assessments, as basis for DRMM planning. Investment must be made in the first two pillars of DRMM, which are prevention and mitigation, and preparedness.

66. Consider meaningful inclusion of CSOs in government's strategic response planning (SRP). They are usually among the first to deploy first aid and relief during disaster and are thus valuable to the SRP process.

67. Assess the impact of massive relocations and similar development projects on children. There should be data on displacement resulting from the government's Build, Build, Build Program. The National Resettlement Strategy needs to consider children's concerns and make out-of-city resettlement a last option.

Standard of Living

68. For DSWD to regularly update the list of beneficiaries and improve targeting to reach the poorest households; ensure prompt disbursement of cash transfers. It should also review the CCT program approach to ensure equity in participation. This covers only up to three children per family. Families with numerous children are forced to choose which of their children can be the beneficiary of this program. It should also strengthen livelihood and economic empowerment programs for the poorest households to supplement 4Ps, and work closely with LGUs ensure that children beneficiaries have access to quality services.

Education, Leisure and Cultural Activities

69. Ensure the DepEd teacher assessment and provision of teacher professional development are addressing the unique and distinct needs of disadvantaged learners, such as those with disabilities, at risk of dropping out, who are multilingual, multi-grade, belonging to indigenous communities, in far-flung areas, in conflict areas, etc.

70. Increase the budget for hiring more teachers to provide a better learning environment for children, as well as non-teaching or support staff to give the teachers more time to prepare for their lessons and classes. Schools should be monitored as well if they provide child-friendly spaces and protective learning environments for children.

71. Invest in the primary givers of care to children—the parents and teachers or service providers—by conducting awareness raising among parents about the importance of ECCD and capacity building among day care center staff, with special attention to teaching methodologies for inclusion. Explore further collaboration among DepEd workers and National Child Development Centers and daycare center workers for capacitation.

72. Allocate sufficient budget to improve the implementation of programs for OSCY, such as the Dropout Reduction Program and ALS. Vocational training and ALS content should likewise be linked to jobs or provide pathways to lifelong learning or higher education. There is a need to strengthen the capacity of government to collect, generate and use data to inform programming on OSCY.

73. Strengthen the DepEd Zero Dropout Policy through flexible learning sessions. Consider taking a whole-of-society approach, mobilizing not just the government but also the academe and the private sector, to address the needs and concerns of OOSCY, including those who are working (private industry). At the micro level, this would entail ensuring the efficiency and effectivity of local school boards (LSBs), which are mandated to include representatives from children, parents, teachers, LGU, schools and others. The LSBs should be expanded to include representatives from the academe and private sector.

74. Adopt the IRR for the Open High School System Act, and restore the budget of open high school in alternative delivery modes for services.

75. Pass the law on inclusive education and remove barriers to learning among the most deprived and marginalized children, such as those with disabilities, children in conflict with the law, OSCY, those living in extreme poverty, belonging to indigenous communities, affected by armed conflict, and living on the streets, migrant and trafficked children, etc. This means teachers should also be capacitated on inclusive classroom management and teaching approaches, and ensure regular schools have sufficient and compliant centers or facilities supporting the needs of children with disabilities. Aside from the capacity building of teachers, programs need to include school management (to ensure the development of inclusive school improvement plans and equitable budget allocation), social and emotional learning (e.g. peer orientation, protection from bullying), physical protection, and parent and community engagement (e.g., sensitization and home support to children with disabilities).

76. Increase the number of teachers trained in SPED and those who can avail of DepEd scholarships offered for teacher training.

77. As violence in schools remains prevalent, DepEd should include modules on child protection (including psychological first aid) and positive discipline in DepEd's in-service training program for teachers and school administrators; ensure implementation of DepEd Order No. 40, s. 2012 (Child Protection Policy) in schools; and strengthen coordination with the barangay (village) mechanisms, such as the BCPCs and the women and children desks, to ensure reported cases are addressed.

Special Protection Measures

Children in Armed Conflict (CIAC)

78. Provide psychological first aid to children traumatized by armed conflict.

79. Disseminate information on the newly-enacted Special Protection of Children in Situations of Armed Conflict Act (Republic Act No. 11188) and ensure its full implementation.

80. DILG to review the policy and implementation of the Local Culture and Arts Council for alignment with RA 11188. DepEd to contextualize the curriculum so that it will be culturally sensitive, and promote peace education in the school.

81. Provide opportunities for community involvement of children and youth (child participation) to prevent them from joining armed groups.

82. Implement long-term programs for the recovery and rehabilitation of families affected by the armed conflict, especially children. Programs and services should reach the rural areas, which could include livelihood and educational assistance.

Economic Exploitation, including Child Labor

83. Further review of RA 9231 (Anti-Child Labor Act) particularly the sanctions on violators among establishments and the inclusion of child workers in the informal sector. There should also be strict monitoring and implementation of this law, given that the problem of child labor continues to persist. LCPCs need to be strengthened, with the necessary funding allocation, so that they could carry out their mandate in terms of combating child labor.

84. Provide parents with livelihood/job opportunities and skills development so they can provide for their families, send their children to school and refrain from asking children to work.

85. Monitor child labor in mining, agriculture, households, the informal sector, and in the emerging areas of child labor such as own-use production work, unpaid trainee work, and volunteer work. Moreover, monitor child labor as a result of child trafficking (for economic or commercial sexual exploitation) and armed conflict.

86. Establish a comprehensive services delivery system to assist child laborers and their families.

87. Improve data collection on the number and situation of child laborers in various settings, especially those who are trafficked for economic and commercial sexual exploitation and those involved in the worst forms of child labor.

88. Increase resources to conduct labor inspections and augment the number of labor inspectors, particularly in rural areas where child labor is prevalent.

89. Address child labor protection for children employed in the informal sector, small-medium enterprises and in agricultural work.

Children in Street Situations

90. Clarify the responsibilities of government agencies that have conflicting roles and mandates in relation to CiSS,¹²⁸ reactivate the National Network on CiSS, and ensure children's participation in the process of producing the national plan of action. Mechanisms such as the Street Children's Congress (organized by NGOs) could be used as a forum for allowing street-connected children to be involved and help drive change.

¹²⁸ See, for example, the analysis in Catherine Scerri, *Sagip or huli? Rescue of street children in Caloocan, Manila, Pasay and Quezon Cities* (Manila: Bahay Tuluyan, 2009), pp. 37–53 and 139–142.

91. Each shelter should have a child protection policy, meet government standards for accreditation, and have a centralized gatekeeping mechanism. DSWD also needs to monitor shelters it has accredited. All government agencies should follow in adopting this as well.

92. Abolish the imposition of curfew on children.

93. Implement targeted interventions for CiSS and their families, with the highly specialized skills and services necessary to cater to their complex and diverse needs, such as harm reduction education, livelihood training, parenting capacity training, positive discipline, among others. Also establish more drop-in centers and night centers for CiSS that will help them transition into alternative care. Helpful to this process is a centralized gatekeeping system for children in protective custody, with a regular review of individual cases by an independent body, together with the children and an independent child advocate.¹²⁹ There should likewise be a system for recognizing, regulating, supporting, and subsidizing informal foster placements to prevent children from going back to institutions.

Commercial Sexual Exploitation, Trafficking, Pornography

94. Implement Executive Order 893, series of 2010, on upgrading the ICT infrastructure of the Philippines to help monitor and catch perpetrators of OSAEC.

95. Conduct a national baseline study on the scope and magnitude of sexual abuse and exploitation of children in the Philippines (online and offline).

96. Establish a community-based quick response team dedicated to handling cases of sexual exploitation of children; and a comprehensive and proactive community-based healing and recovery program at the community level to ensure OSAEC victims are identified and able to access justice and legal remedies.

97. Strengthen capacities of law enforcers to manage OSAEC cases and increase budget allocation for collecting evidence of OSAEC.

98. Enact local ordinances mandating tourism establishments to develop child protection policies and mechanisms to respond to actual cases of sexual exploitation in travel and tourism.

99. Establish helpdesks in strategic public transportation terminals and capacitate personnel who will be assigned in these areas.

¹²⁹ This refers to someone who will independently represent them as a child and his or her needs, not someone representing the state or the family. A comparable role in the US system is called a CASA/GAL – Court Appointed Special Advocate or Guardian Ad-Litem.

100. Conduct a massive information drive on the negative impact of sexual abuse and exploitation of children, online safety, and reporting mechanisms on CSEC and OSAEC, targeting schools, tourist destinations, churches, recreational facilities and the wider public. Establish referral pathways to provide services to victims of CSEC and OSAEC.

101. Strengthen collaboration between the Inter Agency Council Against Trafficking (IACAT) and the Inter Agency Council Against Child Pornography (IACACP) and with the private sector to combat child trafficking, sexual exploitation, and abuse.

102. IACAT to fully operationalize the Philippine Anti-Trafficking Database as mandated by the Anti-Trafficking in Persons Act. The National Recovery and Reintegration Database, which was envisioned to provide such data, should be used by service providers at the local level.

103. Pass the Human Trafficking Preventive Education Act to institutionalize public awareness on Trafficking in Persons (TIP) in schools and communities.

104. Increase the budget of DSWD-run shelters and enable them to cater to child victims of trafficking. Provide training for LSWDOs on case management of child victims of trafficking.

105. Continue to investigate, prosecute, and convict perpetrators of trafficking in all its forms and establish an effective and responsive mechanism to ensure the full protection of child victims and witnesses, as well as their families, including the provision of financial support to victims throughout the legal process.

Rape, Incest, and Sexual Harassment

106. Enact a law to increase the age to determine statutory rape from 12 to at least 16 years old. Equalize penalties for rape committed against girls and boys.

107. Establish more Child Protection Units (CPUs) in hospitals and in all provinces and provide sufficient budget for their operation.

108. Appoint more family court judges and train them to properly handle cases of sexual abuse. Maximize the use of video-conferencing whenever children are required to appear in court to lessen their trauma during court proceedings.

Administration of Juvenile Justice

109. Block all moves to lower the MACR and instead fully implement the JJWA.

110. Hire more licensed social workers (i.e., one social worker per barangay) to assist children in the justice system and provide comprehensive training to all duty-bearers tasked to implement the JJWA.

111. Local governments to include in their Annual Investment Plans (AIPs) policies, projects and activities that specifically cater to the needs of children in the justice system. Ensure that a minimum of 1% of their internal revenue allotment be earmarked to strengthening programs to benefit these children.

112. Conduct a comprehensive research to determine the number and actual situation of children in the justice system to aid in policy reforms and program planning and implementation.

Children belonging to minorities and indigenous peoples

113. The Coalition urges government to popularize the UNCRC in relation to its non-discrimination principles and the IPRA Law; intensify efforts to fully implement the IPRA Law; raise awareness of IPs of their rights; strengthen the NCIP; and adopt the culturally sensitive curriculum developed by SALINLAHI (a member of the Coalition)

114. Enact a law banning early and forced marriages in the Philippines and penalize those who officiate such practices. Raise awareness among tribal leaders and IP communities on the negative impacts of early marriage on children especially girls.