

**COMMITTEE ON THE  
RIGHTS OF THE CHILD**

WRITTEN REPLIES BY THE GOVERNMENT OF PHILIPPINES CONCERNING THE LIST OF ISSUES (CRC/C/Q/PHL/2) RECEIVED BY THE COMMITTEE ON THE RIGHTS OF THE CHILD RELATING TO THE CONSIDERATION OF THE SECOND PERIODIC REPORT OF PHILIPPINES (CRC/C/65/Add.31).

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**CRC/C/RESP/84**

## STATUS OF THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD IN THE PHILIPPINES

### PART I: Statistical Data

#### 1. Number of Filipino Children Under 18\*

In 2003 the proportion of population below 15 years old is larger in rural than in urban areas (41 and 35 percent, respectively). This indicates a younger structure of the rural population. There are slightly more males than females in the 0 to 19 age group.

**2003 Population Ages 0 to 19**

Age	Urban			Rural			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
<5	12.2	11.3	11.7	13.0	13.3	13.2	12.6	12.2	12.4
5-9	12.4	10.9	11.6	14.1	13.9	14.0	13.3	12.3	12.8
10-14	11.8	11.6	11.7	13.9	14.1	14.0	12.8	12.8	12.8
15-19	10.4	10.3	10.4	10.3	8.4	8.4	10.4	9.4	9.9
<b>TOTAL</b>	<b>46.6</b>	<b>44</b>	<b>45.5</b>	<b>51.3</b>	<b>49.7</b>	<b>50.6</b>	<b>49.1</b>	<b>46.7</b>	<b>47.9</b>

\* Data based on the 2003 National Demographic and Health Survey. Age disaggregation for children is up to 19, instead of 18, years old.

#### 2. Budget Allocations

Government's budget for basic education has declined from 13.62 percent of the total budget to 12.35 percent.

##### a. Education

**Basic education yearly budget of the Department of Education**

Year	Budget (PhP million)	Proportion to National Budget (%)
2003	106,481	13.24
2004	109,067	13.62
2005	112,043	12.35

**Budget by Type of Basic Education (PhP million)**

	2002	2003	2004
Preschool	153,736	157,824	157,824
Elementary	63,639,860	63,394,834	63,383,082
Secondary	22,394,847	23,929,126	23,919,798

*b. Health Care\**

Health Service/Program	2003		2004	
	Budget	%	Budget	%
<b>National</b>	95,084,000	.96	95,084,000	.99
1. Family Health and Primary Health Care				
2. Maternal and Child Care	20,000,000	.20	25,000,000	.26
3. Expanded Program on Immunization	316,960,000	3.2	316,960,000	3.3
4. STIs, HIV/AIDS				
5. Family Planning	4,019,400.23	0.4	2,143,964	0.2
<b>Regional</b> Budget is lumped under Health Operations	60,710,000	.61	76,914,431.53	.80
	200,698,000	2.3	198,551,000	2.08

\*Data provided by the National Center for Disease Prevention and Control.

*c. Support Programs for Children Needing Alternative Care*

Data available relate only to expenditures for child placement services steadily increased from P197,332 in 2001 to P500,736 in 2002 and P617,589 in 2003. No data were available for 2004.

**Expenditures for Child Placement Services**

2001	2002	2003
P197,332	500,736	617,589

*d. Program and Activities for the Protection of Children from Child Abuse, Sexual Exploitation and Child Labor*

Budgetary allocations for 2002 and 2003 covered specific activities, which are listed below:

Activity	2002	2003
Physical and psychological recovery and social integration of affected children	1,445,801	765,698
Parental counseling and education	36,000	36,000
Production of IEC materials on child rights vis-à-vis family life	3,750	6,000
Provision of placement	126,500	260,375

services		
Special protection and assistance by type of support		36,000
Financial assistance	122,500	242,000
Legal assistance	24,500	24,000
<b>TOTAL</b>	<b>1,759,051</b>	<b>1,334,073</b>

e. *Program and services for children among minorities and indigenous peoples (IPs) or groups*

- Child Care Development Program
- Non-formal Education Program
- Support to Medical and Dental Missions
- Support to IP Hospitalization
- Support to Child Care with Supplemental Feedings
- Training on Primary Health Care
- Day Care Program
- Nutrition and Health Care Program

f. *Juvenile justice and rehabilitation of juvenile offenders*

The absence of reasonable space, bedding, and clothing in rehabilitation cells reflects the extremely inadequate budget allocated by government to meet these basic needs. The average daily budget for each resident offender is PhP30 (approximately 54 US cents), which is enough only for one meal consisting of rice and fish or vegetables.

### 3. Children Separated from their Parents or Families

With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by gender, age groups, if possible ethnic groups, urban and rural areas) for the years 2002, 2003 and 2004 on the number of children:

a. *Separated from parents (by age group and gender)*

Age	2003	
	Male	Female
0-2	331	432
3-5	255	366
6-12	350	418
13-14	118	192
15-17	96	174
<b>TOTAL</b>	<b>2,732</b>	

b. *Placed in institutions*

In 2003 a total of 2,686 children separated from their parents were brought to institutions. Of this number, males comprised the majority, 1,655, and females, 1,031.

c. *Placed with foster families (by age group, gender)*

Age	2003	
	Male	Female
0-2	281	368
3-5	127	130
6-12	76	84
13-14	51	84
15-17	20	39
TOTAL	255	715
Both Sexes	970	

d. *Adopted domestically or through inter-agency adoptions*

Age	2003	
	Male	Female
0-2	188	276
3-5	163	251
6-12	272	313
13-14	88	133
15-17	78	131
TOTAL	798	1,104
Both Sexes	1,902	

4. **Children with Disabilities**

In 2003 a total of 3,951 children attended special education classes in regular schools while 120,426 children enrolled in 159 special schools all over the country.

5. **Child Health and Mortality**

Live births in 2002 totaled 866,521 among males and 800,252 among females. Of these figures, infant deaths numbered 13,955 among males and 9,868 among females.

a. *Infant and child mortality*

The total rate of infant and child mortality in 2003 was placed at 2,048, with under-five mortality making up the biggest number, 755.

	2003
Neonatal	292
Post-neonatal	237
Infant mortality	526
Child mortality	238
Under-five mortality	755
Total	2,048

*b. Rates of immunization*

Immunization coverage in 2003 is higher for children living in urban areas than for those in rural areas (74 and 65 percent, respectively). Slightly more females (71.3 percent) received complete vaccinations than males (68.4 percent).

Background Characteristic	2003
	All*
<b>Residence</b>	
Urban	74.4
Rural	65.1
<b>Gender</b>	
Male	68.4
Female	71.3

\* BCG, measles, and three doses each of DPT and polio vaccine

*c. Rates of malnutrition (0-5 years old)*

Since 1998 the rate of malnutrition among children ages 0 to 5 has steadily declined, as the following data will show. No other figures are available.

	1998	2001	2003
Total	32.0	30.6	27.6

*d. Children infected with and/or affected by HIV/AIDS*

The number of HIV/Ab seropositive cases increased from 1,451 in 2000 to 2,200 in December 2004. Epidemiologists and experts estimate that the actual number of HIV cases is around 10,000. Despite the increasing number of cases, the prevalence rate remains consistently at 1 percent.

As of May 2004, the HIV/AIDS registry of the National Epidemiology Center confirmed 2,073 HIV/Ab seropositive cases, of which 4 percent (or 40 cases) were below 19 years old.

*e. Adolescent health, including sexually transmitted infections*

**f. Prevalence of STIs in General Population  
2002 RTI/STI Prevalence Survey in Selected Sites in the Philippines**

Population Group	Sexually Transmitted Infection						
	Chlamydia Trachomatis	Neisseria Gonorrhoea	Syphilis	Hepa B	Trichomonas Vaginitis	Candida Albicans	Bacterial Vaginitis
Women	5.6	.8	.2	3.2	3.2	17.2	28.6
Men	4.4	1.1	.2	9.6	-	-	-
Female Youth	7.7	.7	-	-	-	-	-
Male Youth	9.0	1.7	-	-	-	-	-

**6. Child Abuse**

**a. Number of reported cases of child abuse**

From 2001 to 2004, rape constituted more than 50 percent of abuses committed against children filed formally with the Department of the Justice, as shown by the following data.

No. of Child Abuse Cases	2001		2002		2003		2004	
	Male	Female	Male	Female	Male	Female	Male	Female
Rape	4	133	5	107	0	16	8	116
Other forms of child abuse	21	119	11	83	1	29	15	235
<b>TOTAL</b>	144		206		46		374	

**b. Number and percentage of reports which have resulted in court decisions and other actions**

Of the numerous cases of child abuse or crimes against children that were reported during the period 2002-2003, the following are the figures corresponding to the succeeding actions taken:

	2002	2003	2004
Cases received*	540	601	670
Filed directly in court	191	91	81
Referred to the legal [of?] division for evaluation	31	110	126
Closed	304	385	355

\* It is not known what actions were taken on other cases received and which formed part of the total for each year included here.

## 7. Children's Education

### a. Literacy rate, by gender (10 years old and over)\*

#### Simple Literacy

Year	Male	Female	Total
2000**	92.1	92.47	92.28
2003***	81.9	94.6	93.9

#### Functional Literacy

Year	Male	Female	Total
2003***	81.9	86.3.6	84.1

\* No data available for children below 10 years old. Literacy data on an annual basis are not available.

\*\* Based on 2000 Census of Population and Housing

\*\*\* Based on the Functional Literacy, Education and Mass Media Survey (FLEMMS).

### b. Rate of enrolment in primary and secondary schools

	SY 2002-2003 (%)	SY 2003-2004* (%)
Elementary (Primary)	90.05 (83.30)**	81.72
Male	82.58	80.88
Female	84.04	82.59
Secondary	45.56	47.03
Male	41.76	42.97
Female	49.44	51.19

\*Public schools only

\*\* Data in parenthesis and sex-disaggregated data cover public schools only.

### c. Percentage of children completing primary and secondary education (by gender)

	SY 2002-2003	SY 2003-2004*
Elementary	66.85	62.06
Male	62.0	57.76
Female	71.0	66.86
Secondary	59.79	56.07
Male	51.0	48.77
Female	66.0	63.70

\* Data cover public schools only. So do sex-disaggregated data.

### d. Percentage of dropouts and repetitions

	SY 2002-2003	SY 2003-2004*
Elementary	7.34 (1.34)*	1.37
Male	1.69	
Female	0.98	
Secondary	13.10 (6.58)	6.40
Male	8.92	
Female	4.31	

\* Cover public schools only. So do sex-disaggregated data.



e. *Teacher-pupil and classroom-pupil ratios and class size*

**Teacher-Pupil Ratio By Level**

	SY 2002-2003	SY 2003-2004*
Elementary	1:40	1:36
Secondary	1:71	1:42

**Average Class by Level**

	SY 2002-2003	SY 2003-2004*
Elementary	40.41	38.19
Secondary	55.44	56.13

8. **Children in Conflict with the Law**

a. *Reported cases of individuals below 18 suspected of having committed a crime*

In 2004 a total of 3,836 crimes were alleged to have been committed by persons below 18. The most common crimes committed during the year included theft/qualified theft, inflicting physical injuries, rape, homicide, murder, and illegal use of drugs. In 2003, children in conflict with law numbered 3,950. Of this number, the great majority, 88.6 percent, were males and 11.3 percent were females.

b. *Persons below 18 who were charged with a crime and sentenced to imprisonment*

A total of 2,223 individuals under 18 were detained in 2004, of whom an overwhelming majority, numbering 2,121, were females and 102 were males. Sentenced to imprisonment were 87 males and 3 females. It is not known what sanctions or punishments were meted out to those who were sentenced to imprisonment.

c. *Detention facilities for persons below 18 in conflict with the law*

	2004
Jails with separate cells for females	355
Jails with separate cells for minors	179
Jails without separate cells for females	554
Jails without separate cells for minors	730

Children in conflict with the law detained in these facilities comprised 102 males and 2,121 females. No data were available indicating the capacities of these facilities.

9. **Special protection measures**

a. *Victims of sexual exploitation*

An overwhelming majority of the victims of sexual abuse in 2002 and 2003 were females. Sexually abused children who received appropriate recovery measures totalled 4,129 in 2002 and 4,097 in 2003. The needed recovery assistance was also extended to 284 victims in 2002 and 311 in 2003.

	2002		2003	
	Male	Female	Male	Female
Sexually abused				

	64	4,065	50	4,047
Rape	29	2,230	30	2,365
Incest	5	1,327	8	1,181
Acts of lasciviousness	30	508	12	501
<b>TOTAL</b>		<b>4,129</b>		<b>4,097</b>

*b. Victims of child labor*

2002		2003	
Male	Female	Male	Female
151	207	100	168

*c. Children in armed conflict*

	2002		2003	
	Male	Female	Male	Female
Affected	19	4	82	74
Involved	45	22	26	26
<b>TOTAL</b>	<b>64</b>	<b>26</b>	<b>108</b>	<b>100</b>

As of November 2004, a total of 116 children in armed conflict were provided services ranging from counselling, financial and legal assistance to skills training and protective custody, according to the Department of Social Welfare and Development.

*d. Unaccompanied asylum-seeking, refugee and displaced children*

According to the Department of Justice's Refugee Processing Unit, it has not encountered cases of unaccompanied asylum-seeking children, saying most asylum seekers on record came to the Philippines either with their parents or siblings of legal age.

## STATUS OF THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD IN THE PHILIPPINES

### Part I (B). GENERAL MEASURES OF IMPLEMENTATION

#### 1. Specific actions taken to implement the UN Committee's recommendations on the following:

##### a. *Minimum age of criminal responsibility and sexual consent*

The proposed Comprehensive Juvenile Justice System Act, which is still pending in Congress, will raise the age of criminal responsibility from 9 to 12. This proposed law stipulates that children between the ages of 12 and 15 shall likewise be exempt from criminal liability unless they acted with discernment, in which case they shall be subjected to a delinquency prevention program.

##### b. *Discrimination against children born out of wedlock*

In 2004 a law mandating the use of the father's surname by illegitimate children, or Republic Act 9255, was passed to guarantee their equal protection under the law.

##### c. *Lack of a comprehensive juvenile justice system*

As stated above, a legislative measure that will fill this gap has been filed in Congress. The proposed law is the Comprehensive Juvenile Justice System Act, which is pending in both the Senate and the Lower House.

##### d. *Lack of a monitoring system for the Convention on the Rights of the Child (CRC)*

Measures to coordinate and monitor the implementation of the CRC at various levels include the following:

- Creation of national and sub-national committees under the aegis of the Council for the Welfare of Children involving government and non-government agencies, private individuals and child representatives
- Development of a Macro Monitoring System to generate data that will facilitate the monitoring of the CRC implementation
- Establishment of Local Councils for the Protection of Children, which monitor the implementation of the Convention at the barangay or community level

##### e. *Prohibition of torture, violence and ill treatment of children, including sexual abuse*

Measures to intensify the campaign against all forms of violence against children include:

- Creation of the Special Committee for the Protection of Children from all forms of neglect, abuse, cruelty, exploitation, discrimination and other conditions prejudicial to their development under Executive Order No. 275, 1995.

- Celebration of the National Awareness Week on the Prevention of Child Sexual Abuse and Exploitation every second week of February

f. Prevention of child labor

Since 2001 various policy issuances have been issued by the Department of Labor and Employment (DOLE) to address this issue, namely:

- Administrative Order No. 171, series of 2001, creating a Steering Committee that will ensure the implementation of a program called Visayas + Plan, which was formulated to reduce the migration and illegal recruitment of children from the Visayas, one of three major regions in the country.
- Department Order No. 33, series of 2002, formulating Guidelines and Operational Procedures on the Masterlisting of Child Laborers). Such guidelines provide for the use of a master list to ensure an official and uniform system of recording information on child laborers benefiting from the services of the National Program Against Child Labor.
- DOLE Advisory, dated December 17, 2002, to all employers and recruiters of entertainers, guest relations officers and other similar or related service workers on the Prohibition of Employment of Persons Below 18 Years of Age in Hazardous Service Work.
- DOLE Advisory, dated March 6, 2002, to TV program producers/executives urging them to put a tag line at the end of each program or show as proof of compliance with Republic Act no. 7658. The advisory is proposed to read: "The Department of Labor and Employment has issued the necessary working child's permit to the child/children engaged in the show in compliance with RA 7658."

## 2. Efforts to Harmonize Domestic Legislation with the Principles of the CRC

Continuing efforts to review existing Philippine laws to make sure they are consistent with the CRC and that the Philippines fully adheres to the principles of the CRC have resulted in the enactment of the following legislation and executive ordinances over the last two years. These on top of previously enacted laws.

Year Passed	Law	Objective
2004	<p>A Comprehensive Policy and National System for Ensuring Newborn Screening (Republic Act No. 9288)</p> <p>Anti-Violence Against Women and Children Act (RA 9262)</p> <p>An Act Allowing Illegitimate Children to Use the Surname of their Father (RA 9255)</p> <p>Executive Order 286, which directs all government agencies to support and implement programs relating to the Bright Child Programme</p>	<p>To institutionalize a national screening system for all newborn children to ensure that they are free from any adverse health conditions, including mental retardation.</p> <p>To protect women and their children against abuses and domestic violence.</p> <p>To enable illegitimate children to use the surname of their father provided certain conditions are met.</p> <p>To ensure the successful implementation of the BC program, which aims to ensure the optimum growth and development of children</p>

<p>2004</p>	<p>An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child (RA 9231)</p> <p>Tobacco Regulation Act (RA 9211)</p> <p>Anti-Trafficking in Persons Act (RA 9208)</p> <p>EO 266, "Establishment of the Strong Republic School (SRS), a Distance Learning School to Bring Educational Opportunities to Identified Disadvantaged Communities"</p>	<p>To prohibit the employment of children in the worst forms of child labor and regulate the activities of working children.</p> <p>To regulate the packaging, sale, distribution, and advertisement of tobacco products to protect the youth from being initiated to cigarette smoking and tobacco use.</p> <p>To prevent trafficking in of persons, especially women and children, and establish the necessary mechanisms for the protection and support of individuals.</p> <p>Part of the implementation mechanisms for this law is formulation of the National Strategic Plan of Action Against Trafficking in Persons. This six-year blueprint of action contains specific strategies in several areas, namely, protection, prevention, law enforcement and prosecution, recovery and reintegration.</p> <p>Several task forces or units have also been created since the law was enacted. These include the Philippine Center on Transnational Crime and Presidential Anti-Illegal Recruitment Task Force.</p> <p>To provide, among others, disadvantaged sectors, including poor children, access to the formal school system through distance learning technologies and alternative learning systems.</p>
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As far as laws are concerned, there are areas of concern that remain unaddressed. The Non-government Organization Coalition, which helps government monitor the implementation of the CRC, has identified them as follows:

- Some laws enacted to implement the CRC tend to be too general.
- The implementation of some laws like RA 7610 and RA 7858 remains weak.
- Many from the ranks of the military and police are still unaware of the relevant laws on child protection.
- Public awareness of certain laws on children is low, if not entirely lacking.

### Legislative Agenda

The government recognizes that there are still areas involving children that need to be enhanced through appropriate policies and legislation. These are included in the priority Legislative Agenda for Children of the 13<sup>th</sup> Congress:

- Passage of the Comprehensive Juvenile Justice System Act
- Strengthening the Law Against Child Pornography and Pornographic Materials
- Amending certain provisions of Republic Act No. 7610
- Legitimizing Children Born to Underage Parents (Amending the Family Code)
- The Foster Care Bill (Strengthening of Family and Providing Alternative Parental Care Arrangements)
- Removing the Offense and Penalty for Minors Violating the Tobacco Regulation Act
- Decriminalizing Vagrancy among Children

For the effective implementation of Republic Acts 9262 and 7610, former President Fidel Ramos issued Executive Order no. 275, dated September 1995, "Creating a Committee for the Special Protection of Children from All Forms of Neglect, Abuse, Cruelty, Exploitation, Discrimination and Other Conditions Prejudicial to Their Development. This is an interagency committee tasked to 1) monitor child abuse and exploitation cases/complaints; and 2) extend to child victims all the necessary legal assistance and similar forms of support.

On August 16, 2004 the Department of Justice issued Department Order No. 338, creating a Task Force of Prosecutors on Women and Children, whose sole task is to attend to cases of child and women abuse.

### Localization of Child 21

Since the country adopted *Child 21* as its national framework for planning programs and interventions seeking to promote the rights of Filipino children, efforts to enjoin local government units to integrate it in their development plans have yielded significant results. Today there are now:

- 34 Local Development and Investment Plans for Children
- 24 Local Codes for Children
- 26 Local Development and Investment Plans for Children
- 28 Local Codes for Children

- 24 Local Development and Investment Plans for Children
- 16 Local Codes for Children
- 25 State of the Children Reports in the provinces
- 13 State of the Children Reports in the cities
- 7 State of the Children Reports in municipalities

### 3. Cases where the CRC has been directly invoked in domestic courts [?]

Courts do not directly invoke the CRC. It invokes laws passed primarily to protect the rights of children, which are based primarily on the CRC.

### 4. Measures to Strengthen Data Collection

To enhance data gathering on children, the government has adopted or will soon adopt the following tools:

- a. *Macro Monitoring System on Children.* This system seeks to ensure the generation and evaluation of information on the implementation status of the Convention on the Rights of the Child. This should facilitate, among others, the timely release of the yearly State of the Filipino Children Report and the Philippine Implementation Report on the Convention on the Rights of the Child, published every five years.

To ensure the efficient generation of data from specific sources, the CWC has signed a memorandum of agreement with a number of government agencies like the Department of Labor and Employment and the Department of Social Welfare and Development. CWC is set to forge similar agreements with other partner agencies.

- b. *Micro Monitoring System on Children.* This is a community-based monitoring system designed to ensure the timely generation of data from the local government units, notably the barangay council for the protection of children. Toward this end, monitoring sites at the *barangay* or community level will be set up with the help of the private sector and NGOs.
- c. *DevInfo Software.* This is a monitoring tool that tracks the Philippines' compliance with international commitments such as those relating to children. International indicators, which include the World Fit for Children [programme?], are included in the DevInfo database, which is used extensively by the National Economic and Development Authority.

### 5. The National Strategic Framework for Plan Development for Children 2001-2025

The Philippine National Strategic Framework for Plan Development for Children, otherwise known as *Child 21*, is a comprehensive guide for various stakeholders in designing their plans and programs for Filipino children. Using the CRC as its framework, *Child 21* follows a rights-based approach to achieving its vision of a child-sensitive and child-friendly society.

To integrate *Child 21* in local and national development planning, the government has embarked on a program called "Mainstreaming *Child 21*" through the conduct of advocacy and planning sessions. In this regard, it has undertaken the following activities at the local and national levels:



**Mainstreaming *Child 21***

Level of Implementation	Activity	Accomplishment
Local	Conduct of: a. Consultations cum advocacy fora in local government units on the adoption of <i>Child 21</i> b. Mainstreaming workshops among key local government officials and NGO representatives c. Advocacy sessions with local government structures	Eleven advocacy sessions with local chief executives and officers, among others, have been conducted to date. A total of 28 Local Government Units have received technical assistance and funding in the formulation of local development plans for children, five of which are now in the process of finalizing their plans.
National	Conduct of advocacy sessions and Mainstreaming <i>Child 21</i> workshops in the relevant agencies of government	Eight national agencies, where mainstreaming workshops have been conducted, have issued a department order outlining their commitment to <i>Child 21</i> . Other agencies have developed programs that fleshing out their commitment to <i>Child 21</i> .

Other programs adopted to enhance measures to promote *Child 21* are as follows:

- *Bright Child*. This program seeks to ensure that children 0 to 6 years old will get the best available services and opportunities that will ensure their optimum growth. The program includes supplemental feeding, livelihood projects for mothers, nutrition education, and food production.
- *Search for Child-Friendly LGUs*. To encourage local government units to provide a child-friendly environment for the children in their localities, the government, by virtue of Executive Order 184, grants a Presidential Award to LGUs that have been found child-friendly based on certain criteria. Forty out of 150 participating LGUs have received this award.

**6. Contents and Results of Specific Programs for Children**

- a. *Third Elementary Education Programme (TEEP)*. This program seeks to increase the number of school-aged children enrolled in elementary education, *improve the six-year completion in elementary schools [what does this mean?]*, and increase academic achievement in the poorest provinces in the country. The project also supports the decentralization and modernization thrusts of the Department of Education.

To date, the TEEP has:

- Built 4,651 and repaired 12,992 classrooms under what it calls the School Building program with the involvement of school heads and local governments.
  - Distributed 17.2 million textbooks and other instructional materials; 75,721 sets of schools kits (e.g, learning tools, visual aids); 406,771 desks and armchairs; and 16,192 pieces of office equipment;
  - Trained 61,317 school heads and teachers;
  - Funded 1,835 school-based innovations under the School Improvement and Innovation Facility, which seeks to address specific learning problems in schools, with the participation of the communities;
  - Rolled out School-Based Management (SBM) in 6,299 TEEP schools; promoted inclusion of community participation in school improvement planning; and allocated P33 million in cash grants from the SBM Fund to SBM pilot sites; TEEP School-Based Management Fund drilled down 4,473 schools."
  - Introduced decentralization in procurement through the School-Based Procurement of Furniture;
  - Enabled schools to post higher learning outcomes, as seen in the results of the 2003 National Sample-Based Assessment post-Test and the 2004 National Achievement Test.
- b. *The Supreme Court's Rule on Examination of a Child Witness of 2000*. This comprehensive document sets the rules for dealing with children who are 1) witnesses to a crime, 2) victims of a crime, and 3) accused of a crime. These rules are now being applied in family courts.
- c. *Community-Based Rehabilitation Program*. This Department of Social Welfare and Development-spearheaded program extends community-based protective and rehabilitative services to individuals and families in difficult circumstances.

Since it started, the program has had a total of 190,583 beneficiaries, including children in need of special protection, children in conflict with the law, and children with disabilities. Of this figure:

- 51,504 children in need of special protection have received protective services in communities and DSWD centers

- 10,996 cases of child abuse and exploitation have been given appropriate interventions in their communities and DSWD centers.
- 18,047 children in conflict with the law and youth offenders have obtained assistance such as after-care services
- 6,932 children with disabilities have been provided psycho-social services in Area Vocational Rehabilitation Centers (AVRCs) and communities
- 102,348 other children and out-of-school youths have been extended livelihood and educational assistance

To intensify efforts to help children with disabilities are concerned, the Department of Social Welfare and Development has developed a program called Tuloy Aral, Walang Sagabal (Continuous Education, No Obstacle), which seeks to mainstream these children in regular schools to afford them opportunities to interact with other children.

#### d. Reproductive Health Programme

The reproductive health program in the Philippines covers a broad range of priority health care services or components, namely:

- Family planning
- Maternal and child health and nutrition
- Prevention and treatment of reproductive tract infections, including STIs, HIV/Aids
- Education and counseling on sexuality and sexual health
- Breast and reproductive tract cancers and other gynecological conditions
- Men's reproductive health
- Adolescent reproductive health
- Violence against women
- Prevention and treatment of infertility and sexual disorders

In the absence of indicators to monitor access to reproductive health services, the Philippines uses proxy variables such as the number of pre-natal check-ups, percentage of deliveries attended by health professionals, percentage of women given postpartum check-ups, total fertility rate, contraceptive prevalence, and unmet needs for family planning, among others.

Following are the findings of the 2003 National Demographic Health Survey (NDHS) where access to reproductive health services is concerned:

- Only seven out of ten women who gave birth five years prior to the conduct of the 2003 NDHS survey received a minimum of four prenatal check-ups.
- Between 2001 and 2003, the total fertility rate (TFR) was 3.5, or a 0.2 decline from the 3.7 TFR during the period 1996-1998.
- The contraceptive prevalence rate (CPR) in 2003 was 49 percent, indicating a slight increase from 47 percent in 1998. Prospects for improving the CPR appear dim in view of some donor agencies' recent withdrawal of support for contraceptive procurement.
- Unmet need for family planning services among married women declined from 20 percent in 1998 to 17 percent in 2003.

- Only 19 and 21 percent among female and male youth, respectively, sought medical help for any reproductive health problem they might have experienced in 2002. Childbearing teenage women made up 10 percent of the female respondents to the survey. Though still relatively low, this figure reflects an increase from that of the previous survey.

e. National AIDS Prevention and Control (NAPC) Programme

The NAPC program aims to reduce mortality and morbidity resulting from reproductive tract infections and HIV/AIDS. Such an effort assumes greater significance in light of the following:

- Although the rate of increase of HIV cases appears slow and prevalence is low, the preconditions to a full-blown epidemic are already present:
  - 1) Prevalence of sexually transmitted infections
  - 2) Growing rural-urban migration, which includes children
  - 3) Relatively young sexually active population
  - 4) Thriving sex industry in selected areas
- The prevalence of premarital sex among the youth rose from 18 percent in 1994 to 23 percent in 2002.
- Level of awareness of HIV/AIDS varies across the country. A substantial proportion of youth still has misconceptions about the disease. Twenty-seven percent of the respondents said it is curable while 73 percent believe they will never contract AIDS.

f. Education for All Programme of Action (EFA) and Child-Friendly School System (CFSS). The EFA is designed to implement the Basic Education Act of 2001, which encourages local initiatives to improve the quality of basic education in their communities and empowers local schools to undertake learning activities best suited to their children.

At least 1,608 barangays have been identified as having no access to elementary education while six municipalities do not have secondary schools. Consistent with the goals of EFA, the Department of Education hopes to fill these educational needs.

Other programs designed to improve access to free elementary and secondary education are:

- *Provision of Pre-School and Early Childhood Services.* Under the pre-school program, a total of 1,428 preschools have been set up all over the country, while 914 were established under the Preschool Service Contracting Scheme.
- *Curriculum Reform.* In 2001 the Department of Education launched a restructured Basic Education Curriculum (BEC), designed to improve the quality of basic education in the country. It also mandated the use of English

language as the primary medium of instruction in all public and private elementary and high schools.

- *Adopt-a-School Program.* Government has tapped private sector support in its efforts to boost access to education in the country. Since the program was launched in [?], government has generated a yearly average of P360 million worth of assistance from private donors. Donor assistance has come in various forms, namely, classroom construction, teaching skills development, provision of basic school supplies, school feeding programs, etc.
- *Education for Children in Indigenous Cultural Communities.* Government recognizes the value of using culturally sensitive instructional materials and indigenous resources in providing basic education, especially to indigenous communities. Toward this end projects like the Basic Education Assistance for Mindanao (BEAM) and the Fifth Country Program for Children have components supporting the provision of relevant basic education to such communities.
- *Drop-out Intervention Program.* This is designed to reduce the dropout rate and improve pupil performance in some of the poorest areas in the country. The relevant interventions include school feeding for younger pupils to help improve their physical and mental development and their nutritional health status, thereby improving school attendance and improve academic performance.
- *Effective and Affordable Secondary Education Project.* This program extends assistance to secondary students who, for reasons owing to poverty, are forced to be absent from school for a considerable period of time.
- *Multigrade program.* The program which aims to democratize access to elementary education has already organized 3,465 multigrade classes last school year 2002-2003 and another 1,197 classes are on-going where 315 Multigrade teachers, schoolheads, and supervisors were provided with training.
- *Special Education Services.* A total of 147 special education centers have been set up in the country for the benefit, while 525 schools nationwide are offering SPED classes.
- *Strong Republic Schools Distance Learning Program.* Launched in June 2003, this is a program designed to strengthen access to education among priority sectors or areas such as the rural poor, indigenous peoples, conflict-affected sites, and other equally disadvantaged communities.

The Child-Friendly School System (CFSS), on the other hand, aims to transform all elementary schools into child-friendly schools by providing children aged 6 to 12 with a learning environment that is conducive to their physical, mental, and emotional growth.

Some 3,533 public elementary schools in 20 provinces and five cities have been declared models of child-friendliness since CFSS is part of the Country Programme for Children V covering the years 1999-200. Forty percent of all teachers nationwide and 72 percent of principals/supervisors have received training on child-friendly pedagogy and dealing with children in difficult situations.

- g. *The Comprehensive Program Framework for Children Involved in Armed Conflict of 2001.* This framework seeks to strengthen government's compliance with the CRC provision prohibiting the recruitment of children in armed conflict, or their use as spies, couriers and guides.
- h. *National Program Against Child Labor.* This is a framework for developing, implementing, monitoring and evaluating programs and services for children, particularly those in the worst forms of child labor.

One of the steps taken in pursuit of this program is the adoption by the Department of Labor and Employment of the Philippine Time Bound Program (PTBP). The PTBP aims to strengthen the enabling environment for the elimination of the worst forms of child labor.

RA 9231, An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amending for the Purpose R.A. 7610, Otherwise Known as the "Special Protection of Children From Abuse, Exploitation and Discrimination Act" was also passed.

Following are some of the specific programs implemented under the NPACL program of the government:

- a. An Action Plan project titled "Defining the Strategic Framework of the Philippine Time-Bound Program through Area-based Action Planning Workshops and Providing Support for Policy Direction and Monitoring Mechanism at the National Level." Funding for this program comes from the International Labour Organization—International Program for the Elimination of Child Labor.

As part of this project, site visits to and consultations meetings in ten target areas nationwide have been conducted, resulting in the formulation of proposed plans, programs, and projects for the implementation of the PTBP.

- b. The DOLE (Department of Labor and Employment) Visayas [one of three major islands in the country] + Plan, which seeks to reduce the incidence of migration and illegal recruitment of children from and to different localities in the Visayas region, and reintegrate more children with their families.
- c. The Eliminating Child Labor in the Tobacco Industry Project, which aims to eliminate child labor through a comprehensive program for children employed in the tobacco industry in Region 1 [considered the hub of the industry].
- d. Joint initiatives between DOLE and its partners under the NPACL program. These initiatives include:

- The development of teaching modules by the Bureau of Alternative Learning System (BALS) of the Department of Education for parents of working children in three pilot sites.
  - Expansion of BALS' flagship projects—Basic Literacy Program and Non-Formal Education Accreditation—to include child laborers and their parents.
- e. The Trade Union Congress of the Philippines' child-labor specific programs such as workers' education, institution building and provision of support services for child workers and their families. The TUCP has also launched its Anti-Trafficking project called "Combating Trafficking of Women and Children in the Philippines to assist the government in its implementation of the Republic Act 9208, or the Anti-Trafficking in Persons Act of 2003.
- f. The Visayan Forum (VF) Foundation, Inc., a non-government organization, which has been accredited by the government to provide temporary shelter for children who are likely to become victims of child labor or prostitution. VF has half-way houses in several major ports in Manila, where unaccompanied children are usually founding disembarking from inter-island vessels.
7. **Lingua Franca Project.** This is a national bridging program designed to develop literacy and numeracy skills among grades 1 and 2 pupils, using their own language.

Since the implementation of the program, there have been significant findings among the target pupils. These include the following:

- They understand concepts easier and learn to read faster, being already familiar with the language used;
- Learning in their own language boosts their self-confidence and makes the school more conducive to learning;
- They show greater interest in performing their school activities. Better comprehension and oral communication is evident among many students since the project was introduced.
- Spontaneity in classroom discussions/interactions is evident in lingua franca classes.

While problems have been encountered in the implementation of the project, specific recommendations have been proposed to address them.

#### 8. **Proposed Comprehensive Juvenile Justice System and Delinquency Prevention Act**

Violations of the rights of children in conflict with the law continue unabated despite persistent efforts to arrest them by concerned sectors. The proposed Comprehensive Juvenile Justice System and Delinquency Act, which has been pending in both Houses of Congress for years, is aimed to address this concern. Among others it will humane treatment of child and youth offenders and introduce vital reforms in our juvenile justice system, making it reformatory and restorative rather than punitive in nature.

Following are some of the salient provisions of the bill:

- Raise the age of criminal responsibility from 9 to 12 years old.
- Prohibit detention of children with adults and imposition of capital punishment and life imprisonment without possibility of parole or release on children.
- Redirect cases of petty or victimless crimes from the courts to diversion programs. The arrest, detention, or imprisonment of a child shall be used only as a measure of last resort and for the shortest period of appropriate time.
- Require the establishment of an Office of the Juvenile Justice and Delinquency Prevention whose duties and functions will include advising the President on all matters relating to juvenile justice and delinquency and formulating policies in consultation with children themselves for the prevention of juvenile delinquency and rehabilitation of children in conflict with the law.
- Incorporate elements of restorative justice in the juvenile justice system. This means children under detention shall engage in meaningful activities and programs that will foster their sense of responsibility and encourage those attitudes and skills that will enable them to become productive members of society.

#### Updated Information on Efforts to disseminate the CRC

Measures taken toward this end include:

1. Integration of the CRC in the basic education curriculum and training programs for police and local officials
2. Ensuring that training modules are gender-sensitive and child rights-oriented.
3. Proposal to the Commission on Higher Education to require the integration of the CRC in Family Life teaching modules for college.
4. Mainstreaming *Child 21*, which is based on the CRC, in local development plan.

#### 9. Updated information on cooperation between the Philippines and international agencies and other parties vis-à-vis CRC Implementation

Continuing cooperation between the Philippines and other agencies is born out by the following programs and activities:

- a. *The Educational Facilities Improvement Project V (Phases A & B)*. This joint undertaking between the Department of Education and Japan International Cooperation Agency seeks to improve access to quality education through the provision of educational facilities and construction of primary and secondary schools using locally available construction materials and conventional construction methods.
- b. *Vulnerable Groups Facility (VGF)*. Funded by AusAID, this program aims to provide basic social services to vulnerable groups like street children. Its Street and Urban Working Children Project, for instance, provides rice as an incentive to street children who avail themselves of educational and training opportunities.



- c. *Fifth Country Program for Children—Child-Friendly School System (CPC 5-CFSS)*. This is a UNICEF-assisted five-year program designed to develop a network of systems and community support that will facilitate the establishment of child-friendly schools. The project covers 20 priority provinces and five cities.
- d. Continuing joint efforts between the Council for the Welfare of Children and some non-government organizations like Plan Phil, Save the Children-UK on Child Protection, World Vision, ERDA-Educational Research and Development Assistance Foundation, Christian Children's Fund, Plan Phil on Child Participation, and local NGOs.

**10. Issues affecting children that the Philippines considers to be priorities**

In view of the wide disparities between the country's current performance and its 2010 targets, following are the issues requiring more persistent efforts from government:

- Maternal mortality
- Birth registration
- Child immunization
- Day care school attendance
- High school attendance and completion rate

By sector, these groups of children need greater attention from government:

- Children in various forms of disability
- Children in conflict with the law
- Children as victims of commercial sexual exploitation, pornography and pornographic materials including the growing phenomenon of prostitution and pornography in the internet
- Children in situations of armed conflict
- Children of indigenous peoples

## Part III

**A. Newly Enacted Legislation Beneficial to Children**

Between 2001 and 2004 Congress initiated the following legislative measures directly addressing the issues confronting children:

1. **The Anti-Trafficking in Persons Act (Republic Act 9208)** is an affirmative action measure to protect women and children against trafficking.
2. **An Act Providing Illegitimate Children the Right to Use the Surname of their Father (Republic Act 9255)**
3. **An Act Prohibiting Employment of Children in Hazardous Areas (Republic Act 9231)** imposes stiff penalties on those who employ children below 15 years of age in risky work places.
4. **The Tobacco Regulation Act or an Act Regulating the Packaging and Advertisements of Tobacco (Republic Act 9211)** aims to promote a healthy environment, regulate and subsequently ban all tobacco advertisement and sponsorships, and regulate the labeling of tobacco products to protect people, specially children, from the harmful effects of tobacco products.
5. **The Anti-Violence Against Women and their Children Act of 2004 (Republic Act 9262)** seeks to prevent all forms of violence against women and children to secure their physical, sexual and psychological well-being.
6. **The Newborn Screening Act (Republic Act 9288)** establishes the essential public health program for the early identification of disorders that can lead to mental retardation and death
7. **Dangerous Drugs Act of 2002 (Republic Act 9165)** establishes an education program for schoolchildren on ill effects of drugs, among other major measures to combat illegal drug use.

Several proposed laws seen to promote the rights of children are currently pending in Congress. These are intended to:

- a) Enforce preventive measure against abortion
- b) Legitimize children born to underage parents
- c) Institutionalize pre-school education
- d) Institute a children's welfare fund for the rehabilitation of abandoned, abused and sexually exploited children
- e) Increase allocation for the Special Education fund
- f) Create a Magna Carta for Day Care workers
- g) Prohibit the sale or distribution of cigarettes and tobacco products to minors
- h) Prohibit involuntary servitude in any form
- i) Establish a Comprehensive Juvenile Justice System
- j) Strengthen and propagate foster care for abandoned and neglected children

- k) Organize centers for street children in every region
- l) Establish a National Strategic Missing Children Recovery Program
- m) Define pedophilia as a crime and imposing penalties
- n) Establish a national program for Filipino gifted children
- o) Set up crisis intervention centers for women and children
- p) Require Philippine embassies and consulates to educate children of migrant Filipinos on Philippine history, culture, etc.
- q) Impose media regulations on showing of movies and advertisements depicting violence and sex
- r) Penalize parents or guardians for child begging and prostitution
- s) Make mandatory feeding of children enrolled in all public elementary schools
- t) Provide a comprehensive psychological and scholarship program for child combatants
- u) Establish a resource development center for women and children
- v) Set up a college education trust fund for members of GSIS and SSS
- w) Standardize pre-school education
- x) Grant incentives and privileges to foster families and children under foster care programs

**B. Newly Established Institutions Catering to Children**

Since 2001 a number of institutions have been added to strengthen the country's commitment to promoting the rights of children. These include the following:

*1. National Committee on the Filipino Family (NCOFF)*

The NCOFF was created in 2003 through Executive Order No. 238 and is mandated to promote awareness of the importance of the family through appropriate programs and activities.

*2. Inter-Agency Committee Against Trafficking (IACAT)*

Following the passage of Republic Act 9208 in 2003, otherwise known as the "Anti-Trafficking in Persons Act of 2003," the IACT was established to formulate a comprehensive and integrated program to prevent the trafficking in persons.

*3. Inter-Agency Council on Violence Against Women and their Children (IAC-VAWC)*

The IAC-VAWC is tasked to formulate programs and projects, as well as monitor all initiatives, designed to eliminate violence against women and their children.

**C. Newly Implemented Policies.** (Please refer to the recently enacted laws listed under A, which reflect these policies.)

**D. Newly Implemented Programs and Projects**

*1. Birth Registration Project*

This joint undertaking of the National Statistics Office and Plan Philippines aims to achieve 100 percent birth registration of children to protect the right of every child to a name and

nationality. As part of this program, a Barangay Civil Registration System will be institutionalized nationwide.

*2. Kapit-Bisig Laban sa Kahirapan – Comprehensive and Integrated Delivery of Social Services (KALAHI-CIDSS).*

This flagship poverty alleviation program of the national government is a community-driven initiative that seeks to enhance the people's capability to undertake livelihood activities that are responsive to their needs.

Launched in January 2003, KALAHI-CIDSS is divided into four phases and covers 177 municipalities.

*3. Bright Child*

This program, jointly undertaken by select national agencies, local government units, NGOs, and people's organizations, is designed to ensure the optimum growth and development of all Filipino children aged 0 to 17.