



The decade in review: Child rights advocates present ‘NGO Alternative Report’ on status of children’s rights in PH

November 27 – As the COVID-19 pandemic rages on, the Civil Society Coalition on the Convention of the Rights of the Child (CRC Coalition) today presented an updated monitoring report on the implementation of the United Nations Convention on the Rights of the Child (UNCRC) for the years 2009 to 2019, including updates on the state of children’s welfare during the first half of 2020.

Drawing from a series of nationwide consultations, workshops, and focus group discussions, the CRC Coalition made the “NGO Alternative Report” together with the 24 non-government organizations (NGOs) working on research and advocacy on children’s rights under the CRC Coalition. The said report is part of the CSOs’ effort to ensure that the Philippine government, as a state party to the UNCRC, delivers its responsibilities and obligations.

The said report was first submitted last February 28 to the UNCRC in the Philippines to accompany the Philippine Government Report in 2019. However, due to circumstances brought about by the pandemic, the CRC Coalition was able to draft updates to the report to cover the period January to June of 2020, which covers the critical period when the COVID-19 pandemic spread across the globe.

The report’s findings and recommendations revolve around four themes: UN CRC implementation, special protection measures, education and development, and basic health and welfare.

UNCRC implementation

The report highlighted several gaps in how the Philippine government adhered to the UNCRC.

While progress has been made in child protection legislation, several bills that undermine children’s interests have been filed in Congress, including the proposal to lower 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. CSOs and children call on Congress to drop these pending bills and instead focus on passing important bills concerning civil registration and vital statistics, increasing the age for statutory rape, and teenage pregnancy prevention.

In the past decade, the national government was also able to maintain coordination among relevant government bodies in child rights promotion, protection, and fulfillment. However, the various concerned government offices still address children’s issues in a fragmented manner, thus requiring further harmonization, strengthening key agencies, especially the Council for the Welfare of Children (CWC), and the wide adoption of the Child-Friendly Local Governance Audit (CFLGA).

Special protection measures

One of the highlights of the NGO Alternative Report is the resounding issues on child protection, including corporal punishment, online child abuse and exploitation, children in situations of armed conflict, and children in conflict with the law.

The report noted a finding by the 2015 National Baseline Study on Violence Against Children (NBSVAC), which revealed that 3 in 5 Filipino children had experienced some form of physical



violence during their childhood. The NGO Alternative Report called on Philippine Congress to pass a law promoting positive discipline and banning corporal punishment.

The report also discussed in length the constant efforts from Congress to lower the minimum age of criminal responsibility (MACR), one of the highly contested children's rights issues in the past decade and have given rise to the #ChildrenNotCriminals campaign.

Instead of passing the MACR Bill, the Coalition recommends that the government address gaps in the existing Juvenile Justice and Welfare Act (JJWA), which 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.

The issue of online sexual abuse and exploitation of children (OSAEC) was also discussed in length, with the Philippines emerging as a leading source of child sexual exploitation materials globally, with around 2 out of every 10 children at risk of OSAEC.

The updates submitted by the CRC Coalition noted that during community quarantine induced by the COVID-19 pandemic, the prevalence of OSAEC was observed. A report of the Department of Justice on OSAEC stated that the reported incidence of OSAEC tripled during the last three months of community quarantine with 279,166 cyber tips from March to May 2020 compared to 76,561 cyber tips over the same period in 2019.

Recommendations of the Coalition on this matter included the immediate upgrading of the ICT infrastructure of the Philippines to help monitor and catch perpetrators of OSAEC, the conduct of a national baseline study on the scope and magnitude of sexual abuse and exploitation of children in the Philippines (online and offline), and strengthening the capacities of law enforcers to manage OSAEC cases and increase budget allocation for collecting evidence of OSAEC.

Other child protection-related issues discussed in the report include the growing number of children who fall victim to the Duterte administration's anti-illegal drugs campaign, the issue of children in armed conflict, and the growing clamor for Congress to increase the minimum age to determine statutory rape from 12 to at least 16 years old.

Education and development

The CRC Coalition also noted several issues regarding basic education, including the 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.

The NGO Alternative Report stated that national budget allocation for education programs be increased. The passage of a law on inclusive education was also recommended. Meanwhile, the report also identified several issues related to family and alternative care, including the lack of social welfare attachés in select countries to attend to children of migrants, and the lax monitoring of the quality of residential care facilities provided by the government and private entities, thus further marginalizing children deprived of a family environment.

While the government created mechanisms to support the implementation of the Anti-Violence Against Women and their Children Act, the report noted that its implementation has lagged in the past years. The CRC Coalition recommended that the government fast track the national implementation and localization of laws related to tackling violence against children.

Basic health and welfare

While the CRC Coalition noted that various government interventions related to child health care were pursued in the past years, including the passage of the First 1,000 Days Law (RA 11148) and the Expanded Maternity Leave Law (RA 11210), several inadequacies of efforts to ensure



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child health and nutrition in some communities were still observed including the limited number of pediatricians and health workers, the limited coverage of supplementary food programs, and the declining immunization coverage in the country.

In fact, 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%. In 2019, the Department of Health even declared measles outbreaks in several regions in the country, partly attributable to the shrinking immunization coverage.

“The Coalition calls for immediate implementation of newly enacted laws and policies, as well as improving identification and targeting of efforts for health intervention. The government is also urged to properly allocate resources for its vaccine and immunization program,” the NGO Alternative Report stated.

“As we approach the next decade, let this report serve as a reminder for all child rights defenders – from civil society to the government – on the steps we have successfully taken in the past years, and the challenges we need to immediately address to catapult children’s welfare to greater heights. The recommendations in the NGO Alternative Report may seem daunting, but we need to address these issues head-on as we move forward,” according to Allan Lee Nunez, Convener of the CRC Coalition.

Media Liaison:
Pauline Giselle D. Navarro
09064557265
pgnavarro@csc-crc.org
CRC Coalition