



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD
Fifty-second session
14 September – 2 October 2009

**IMPLEMENTATION OF THE CONVENTION
ON THE RIGHTS OF THE CHILD**

**List of issues to be taken up in connection with the consideration of
the third and fourth periodic reports of the Philippines (CRC/C/PHL/3-4)**

**Under this section the State party is requested to submit in written form
additional and updated information, if possible, before 3 August 2009.**

PART I

1. Please clarify which institution is responsible for coordinating the implementation of the rights of the child at the national level (former Council for the Welfare of Children, CWC) and the tasks incumbent upon the Local Councils for the Protection of Children (LPCP) at *barangay* municipal, city and provincial levels, and upon the Regional Sub-Committees for the Welfare of Children (RCWC). Kindly indicate their respective budgetary allocations and territorial coverage by regions (please specify the number per regions and their names).

2. Please outline the content of the National Plan of Action for Children (NPAC) for the periods 2005-2010 and 2011-2015 and the sixth and seventh Country Programmes for Children for the periods 2005-2009 and 2010-2014. Could you please provide examples of their local implementation, namely the local development plans, annual investment plans and local codes for children, as well as an update on the number and percentage of provinces, cities and municipalities having adopted such plans?

3. Please provide information on (a) the mandate, composition, main activities, financial and human resources of the Child Rights Centre and the Child Rights Units,

and (b) the Focal Person on Children, created within the Philippine Commission on Human Rights (PCHR) and its regional offices.

4. Please explain what measures are being taken to assess the impact of the economic and financial crisis on children, including a possible decrease in migrant workers' remittances, to ensure that gains on child and maternal health, nutrition, education and well-being are being protected and allocations to child-related budget lines/key indicators/classifiers are maintained or increased.

5. Please indicate how the effects of likely reductions in foreign aid are being mitigated in the social sectors and whether there is a systematic effort to protect these sectors with public investment, especially for pro-poor policies and programmes.

6. Please indicate whether the Convention on the Rights of the Child has been directly invoked or referred to in domestic courts and, if so, provide examples of such cases.

7. Please provide information on the content of training curricula for judges, prosecutors and law enforcement officials, including training on the provisions of the Convention and its two Optional Protocols, and on the new national legislation for their implementation.

8. With regard to non-discrimination, please inform the Committee on:

(a) Progress made in redressing prejudices and addressing discrimination against the girl child and in updating and mainstreaming the Girl Child Plan;

(b) The measures adopted to address discrimination against Muslim children and children belonging to minorities and indigenous peoples, in particular on the Medium-Term Philippine Development Plan for Indigenous Peoples (MTPDP-IP) 2004-2008 and the follow-up to the MTPDP-IP envisaged;

(c) The steps undertaken to abolish discriminatory and harmful traditional practices, in particular early marriage, affecting primarily indigenous children and children belonging to minorities;

(d) The measures envisaged to ensure children born out of wedlock the right to equal treatment, including the right to equal inheritance and the abolition of the discriminatory classification of these children as "illegitimate".

9. Please indicate what steps have been taken to investigate and to prosecute acts of torture, ill-treatment and extrajudicial killings against children. Please indicate the number of cases which have resulted in a conviction and what protection is provided to witnesses of such crimes, including in the framework of the Witness Protection Programme. Please also indicate what measures are taken to prevent similar incidents from occurring in the future?

10. Please briefly describe the findings of the studies conducted by the CWC on violence against children in the home and in school? Please provide further

information on the mandate of the Inter-agency Council on Violence Against Women and Children (IAC-VAWC) and on cases it has dealt with. Please also specify the conditions required to benefit from the provisions of Republic Act No. 7309 creating a Board of Claims under the Department of Justice for victims of violent crimes, and indicate whether children victims of such crimes have been granted compensation.

11. With respect to children in armed conflict, please provide an update on measures taken:

(a) To implement the Comprehensive Programme for Children Involved in Armed Conflict (CP-CIAC) and on the work of the Inter-Agency Committee on Children Involved in Armed Conflict (IAC-CIAC);

(b) To protect internally displaced children, in particular regarding access to basic services, and the work of the National Disaster Coordinating Council and the Sub-Committee on Children Affected by Armed Conflict and Displacement (SC-CAACD);

(c) To address the lack of prosecution for recruitment or use of children in armed conflict.

12. Which policies and programmes are being implemented to address the situation of the nearly 250,000 street children, including assessment of their situation and root causes. Please specify the work of the Local Government Units (LGUs) and the National Network for Street Children (NNSC) in this regard.

13. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

PART II

Under this section, the State party is to briefly update (three pages maximum) the information provided in its report with regard to:

- New bills or enacted legislation
- New institutions
- Newly implemented policies
- Newly implemented programmes and projects and their scope.

Please provide specific information on:

(a) Progress made towards reaching the enactment of the pending Bills No. 5846 criminalising torture, No. 4119 on Reproductive Health Care, No. 682 on Anti-Corporal Punishment, No. 2317 on Child Pornography, and No. 2172 on the Age of Statutory Rape and Acts of Sexual Abuse;

(b) The recently adopted Foster Care Bill No. 263 and Republic Act No. 9523 on Adoption;

(c) Progress made towards amending the Child Protection Act of 1992 (Republic Act No. 7610) in order to penalize all forms of child abuse.

PART III

Data and statistics, if available

1. In the light of article 4 of the Convention, please provide updated data on budget allocations and trends (in absolute figures and percentages of the national and regional budgets) for the years 2007, 2008 and 2009 regarding the implementation of the Convention, notably in the areas of education and health.
2. Please provide disaggregated data for the last three years (by age, sex, professional activity) on the number of persons under 18 eighteen involved in child labour, formal and informal sectors.
3. Please provide data covering the last three years on the number of children subjected to sexual exploitation, including prostitution, pornography and trafficking, and the number of children who were provided access to recovery and reintegration services, specifying the type of services. Please kindly indicate the number of cases dealt with by the Inter-agency Council Against Trafficking (IACAT) as well as the percentage of cases which resulted in a prosecution and conviction.
4. With reference to child abuse, please provide disaggregated data (by age, sex, and types of violations reported) for the years 2006, 2007 and 2008 on the number of child abuse cases reported, the number and percentage which have resulted in either a court decision or other types of follow-up and the number and proportion of victims who have received counselling and assistance for recovery.
5. Since the adoption in April 2006 of the Juvenile Justice and Welfare Act (JJWA), please provide updated information on the number of persons under 18:
 - (a) Who have allegedly committed a crime, reported to the police;
 - (b) Who have been convicted for a criminal offence and the sanction the offender has been sentenced to;
 - (c) Referred to intervention or diversion programmes and type of programme;
 - (d) Detained in adult facilities, released from custody and transferred to rehabilitation centres;
 - (e) In pre-trial detention and the average length of their detention;
 - (f) Who have reported abuse and ill-treatment during their arrest and detention and the action taken as a result.

PART IV

The following is a preliminary list of major issues (which does not contain issues already covered in Part I) that the Committee may take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive, as other issues might be raised in course of the dialogue.

1. Monitoring, evaluation and follow-up.
2. Dissemination and awareness-raising efforts.
3. Non-discrimination.
4. Right to life, survival and development, including strategies to reduce poverty.
5. Birth registration.
6. Violence against children.
7. Parental responsibilities, adoption, family reunification, recovery of maintenance and children affected by migration.
8. Children with disabilities, access to social, health services and education, rehabilitation and societal attitudes towards children with disabilities.
9. Educational system, including drop-out rates, availability of qualified teachers and geographic disparities in access to education.
10. Access to social and health services, under-five and maternal mortality, breastfeeding, pre- and post-natal health care, nutrition, immunization, environmental health and access to safe water and sanitation in rural areas.
11. Adolescent and reproductive health issues, including access to contraception, substance abuse and mental health.
12. HIV/AIDS: exposure, risks of infection and expansion.
13. Children in armed conflict.
14. Economic exploitation, including child labour and children exposed to hazardous work conditions.
15. Sexual exploitation, child pornography and trafficking.
16. Administration of juvenile justice, including establishment of specialised courts, pre-trial and unlawful detentions, access to basic legal safeguards, conditions of detention, rehabilitation and reintegration.
17. Ratification of international treaties.
