



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### List of issues in relation to the combined fifth and sixth periodic reports of the Philippines\*

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 June 2021. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

#### Part I

1. Please describe the measures taken to:
  - (a) Ensure the protection of children's rights in the context of the coronavirus disease (COVID-19) pandemic and mitigate the adverse impacts of the pandemic;
  - (b) Ensure the effective enforcement of the legislation pertaining to children, including the Special Protection of Children Against Abuse, Exploitation and Discrimination Act and the 29 new laws mentioned in paragraph 9 of the State party's report (CRC/C/PHL/5-6) that were enacted during the reporting period. Please clarify the timelines for the adoption of the legislation to prohibit discrimination and corporal punishment, address the status of children born to unmarried couples and through assisted reproductive technology and surrogacy arrangements, raise the age of consent and the age under which statutory rape would apply and decriminalize consensual non-exploitative sex between adolescents;
  - (c) Address the exploitation of children in drug trafficking, and please also clarify the applicability of bill 4727.
2. Please describe:
  - (a) Measures taken to strengthen the Council for the Welfare of Children and local and regional councils and subcommittees for the protection and welfare of children;
  - (b) The outcomes of, and follow-up action in relation to, the national plan of action for children, 2017–2020, and the child-friendly Philippines framework, as well as monitoring and evaluation mechanisms for the plan of action, children's participation therein and plans to facilitate the participation of non-governmental organizations in children's rights matters;
  - (c) The status of the charter of the Commission on Human Rights and the impact of the budgetary increase on the Commission in terms of fulfilling its constitutional mandate.
3. Please specify the measures taken to:
  - (a) Establish universal birth registration;

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\* Adopted by the pre-sessional working group on 8 October 2020.



(b) Prevent and address discrimination regarding children born to unmarried couples, children in street situations, lesbian, gay, bisexual and transgender children, indigenous children, children affected by armed conflict and children in conflict with the law;

(c) Ensure the effective implementation of the national framework for children's participation, in particular at the local level.

4. Regarding the State party's campaign against illegal drugs, please elaborate on:

(a) Measures taken to prevent the killing of children, encourage reporting of and effectively investigate such cases and bring to justice those responsible;

(b) Measures taken to address the impact of the campaign against illegal drugs on children and provide assistance to child victims and witnesses who were affected by the campaign;

(c) The use of lists of child offenders in the Davao region.

5. Please specify the achievements in the implementation of the national action plan to end statelessness, 2017.

6. Please provide information on:

(a) Progress in the implementation of the plan of action to end violence against children;

(b) Measures taken to establish a multi-agency and child-friendly infrastructure at the local level to address child sexual abuse and neglect of and violence against children, including reporting and prosecution of such cases;

(c) The availability and accessibility of services for boys and girls who are victims of violence or abuse and access to school for such children;

(d) Measures taken to prevent and address the stigmatization and intimidation of children who are victims and witnesses.

7. Please specify:

(a) The impact of the memorandum of understanding and the programme regarding the children left behind by Filipino overseas workers ;

(b) Efforts made to improve data collection on children in care, promote foster care and phase out institutionalization.

8. Regarding children with disabilities, please describe:

(a) Measures taken to adopt a comprehensive strategy and action plan, develop and ensure access to inclusive education, ensure their participation in matters concerning them, provide financial support for parents and address discrimination;

(b) Deinstitutionalization plans.

9. Please specify progress in:

(a) Providing access to qualified children's health professionals and nutrition programmes in rural and remote areas, strengthening immunization coverage and facilitating access to civil registrars and health insurance;

(b) Eliminating mother-to-child HIV transmission, ensuring access to testing and HIV treatment without parental consent and to reliable and age-appropriate information on sexuality and adopting the policy on children's mental health;

(c) Protecting children from the impact of air pollution and the negative effects of climate change and developing, with the participation of children, a natural disaster strategy integrating children's needs and vulnerabilities.

10. Please describe the measures taken to:

(a) Ensure that schools are not closed and/or used for military purposes and address the reasons behind school non-attendance;

- (b) Strengthen teacher quality, school infrastructure and transportation;
- (c) Increase enrolment in development centres, preschools, schooling through alternative delivery modes and senior high school;
- (d) Ensure the availability and accessibility of safe, public outdoor play spaces;
- (e) Introduce environmental health education curricula and programmes in schools.

11. Please provide additional information on:

- (a) Measures to protect and support children of incarcerated parents;
- (b) The achievements of the Philippine programme against child labour and specify the measures taken to:
  - (i) Ensure the implementation of the anti-child labour legislation;
  - (ii) Strengthen monitoring and labour inspections, especially in the mining, agricultural and informal sectors of economy;
  - (iii) Ensure that children are withdrawn from child labour and provided with services;
- (c) Regarding children in street situations, plans to ensure the right to freedom of assembly, establish a monitoring and gatekeeping mechanism for children removed from the street, improve shelter conditions and ensure access to complaint mechanisms;
- (d) Measures taken to ensure:
  - (i) Competent social workers, judges and relevant professionals in the child justice system;
  - (ii) The separation of child offenders from victims and from adult offenders;
  - (iii) Recovery and integration services;
  - (iv) That the age of criminal responsibility, currently at 15 years of age, is maintained.

12. Regarding the concluding observations of the Committee on the initial report of the State party submitted under article 8 of the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/PHL/CO/1), please specify the progress made in strengthening data collection on children in armed conflict and ensuring that children are not criminalized for having been recruited or used in hostilities. Please provide data on prosecutions for the recruitment or use of children in military activities and extraterritorial jurisdiction in such cases. Please also elaborate on the measures taken to protect children in armed conflict.

13. Regarding the concluding observations of the Committee on the initial report of the State party submitted under article 12 of the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/PHL/CO/1), please specify progress made in establishing a coordinating body to monitor implementation of the Optional Protocol, regulating the tourism sector, addressing official complicity and ensuring the recovery and integration of children who are victims. Please also specify the efforts made to:

- (a) Abolish the commercial sexual exploitation of children and to combat the tolerance and encouragement of it;
- (b) Establish a centralized monitoring mechanism on human trafficking and a hotline for reporting child sexual abuse and material online through INHOPE.

## Part II

14. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report regarding:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

### **Part III**

#### **Data, statistics and other information**

15. Please provide consolidated information for the past three years on the budget lines regarding children and the social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

16. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic and national origin, geographical location and socioeconomic status, for the past three years, on:

- (a) Cases of abuse and violence against children, including torture, inhuman or degrading treatment, all forms of corporal punishment, child sexual abuse in and outside the home, domestic violence, bullying and online and sexual violence and abuse, as well as prosecutions and sentences handed down in the State party in such cases;
- (b) Cases of enforced disappearance of children and their outcome;
- (c) Cases of child deaths due to accidents, child abuse and suicide;
- (d) Cases of children living with HIV;
- (e) Cases of child marriage and adolescent pregnancies;
- (f) Cases of “simulated births”;
- (g) Indigenous children;
- (h) Stateless children;
- (i) Asylum-seeking, refugee and migrant children;
- (j) Working children, including in the informal sector;
- (k) Children in street situations;
- (l) Children living in poverty.

17. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic and national origin and geographical location, regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

- (a) Separated from their families, including the duration of their separation;
- (b) Left behind by Filipino overseas workers;
- (c) Placed in institutions under all relevant ministries, as well as the number of institutions, and data on children in each institution;
- (d) Placed with foster families;
- (e) Available for adoption;
- (f) Adopted domestically and through intercountry and private adoptions, including data on the countries of the adoptive family.

18. Please provide data, disaggregated by age, sex, type of disability, ethnic and national origin and geographical location, for the past three years, on the number of children with disabilities who are or have been:

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- (a) Living with their families;
  - (b) Living in institutions;
  - (c) Attending day care;
  - (d) Attending preschool;
  - (e) Attending primary school;
  - (f) Attending secondary school;
  - (g) Attending high school;
  - (h) Attending schooling through use of alternative delivery modes;
  - (i) Receiving individualized support;
  - (j) Attending special schools;
  - (k) Out of school;
  - (l) Abandoned by their families.

19. Please provide, if available, updated statistical data, disaggregated by age, sex, type of offence, ethnic and national origin, geographical location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) In pretrial detention;
- (d) Detained for drug-related offences;
- (e) Detained for status offences;
- (f) Detained with adults;
- (g) Detained with children who have been victims of sexual abuse;
- (h) Convicted and serving a sentence in detention and the length of the sentence.

20. Please provide information on how a child rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and how those measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

21. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

22. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.