



Convention on the Rights of the Child

CRC/C/OPAC/PHL/Q/126 February
2008

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD Forty-eighth session

19 May – 6 June 2008

OPTIONAL PROTOCOL ON THE INVOLVEMENT

OF CHILDREN IN ARMED CONFLICT

**List of issues to be taken up in connection with the consideration of the initial report of the Philippines
(CRC/C/OPAC/PHL/1)**

Under this section the State Party is requested to submit in written form additional and updated information, if possible, before 31 March 2008

Please provide more information on the role and mandate of the Office of the Ombudsman and clarify whether it has jurisdiction over military personnel, including the power to initiate preliminary investigation, and eventually prosecution, on cases which may be filed before it.

Please inform the Committee on investigations, convictions and sanctions imposed in the last five years for the crimes provided under sections 53 and 56 of the Republic Act No. 9208, which prohibit the recruitment, transport or adoption of a child to engage in armed activities in the Philippines or abroad.

Please provide detailed information as to whether the State party assumes extraterritorial jurisdiction over the war crime of conscripting or enlisting children under the age of 15 into the armed forces or using them to participate actively in hostilities. Also in relation to extraterritorial jurisdiction, please indicate whether Philippine courts have jurisdiction in case of compulsory recruitment or involvement in hostilities of a person under 18 if committed outside the Philippines, by or against a Philippine citizen.

Please clarify the meaning of “direct participation” in hostilities in the State party’s legislation and practice.

GE.08-40757

Please provide further information with respect to the one-year compulsory Citizen’s Army Training (CAT) which is required for high school students aged 15 and 16. What kind of training is given during this year and what is its rationale?

Please provide information on the measures taken to implement the Committee’s recommendation upon consideration of the State party’s second periodic report and related to children in armed conflict (CRC/C/15/Add.259, paragraphs 75-78). In this respect, please provide more information on measures taken to ensure that persons within the State party’s jurisdiction recruited or used in hostilities contrary to the present Protocol are demobilized or otherwise released from service and are accorded all appropriate assistance for their physical and psychological recovery and their social reintegration.

Please provide more information on the treatment received by children who are arrested for reasons related to the armed conflict, including for being associated with an armed group. In particular, please clarify what is the legislation and practice in this respect and whether these children may be subjected to criminal trials. If so, please inform the Committee on the number of prosecutions and convictions as well as the sanction imposed in this respect.

Please indicate how children recruited by the Moro Islamic Liberation Front (MILF) have been demobilized, granted the necessary physical and psychological recovery and socially reintegrated.

Please explain how the access to arms is regulated within the State party. Also, please inform on what are the rules regulating the production, sale and distribution of small arms and other weaponry.
