



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined fifth and sixth periodic reports of the Philippines*

I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of the Philippines¹ at its 2652nd and 2653rd meetings,² held on 13 and 14 September 2022, and adopted the present concluding observations at its 2668th meeting, held on 23 September 2022.

2. The Committee welcomes the submission of the fifth and sixth periodic reports of the State party and the written replies to the list of issues,³ which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the State party's accession to the Convention on the Reduction of Statelessness in 2022, to the Convention on the Civil Aspects of International Child Abduction in 2016 and to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2012, its ratification of the Convention relating to the Status of Stateless Persons in 2011, and its adoption of various child protection laws, including provisions increasing the age of statutory rape to 16 years and prohibiting online sexual exploitation and abuse, and the Expanded Anti-Trafficking in Persons Act of 2022 (Republic Act No. 11862).

III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: right to life, survival and development (para. 17); birth registration, name and nationality (para. 20); violence against

* Adopted by the Committee at its ninety-first session (29 August–23 September 2022).

¹ [CRC/C/PHL/5-6](#).

² See [CRC/C/SR.2652](#) and [CRC/C/SR.2653](#).

³ [CRC/C/PHL/RQ/5-6](#) and [CRC/C/PHL/RQ/5-6/Corr.1](#).



children (para. 23); children deprived of a family environment (para. 26); children with disabilities (para. 30); and education (para. 35).

5. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

6. The Committee calls upon the State party to ensure the effective enforcement of the Special Protection of Children against Abuse, Exploitation and Discrimination Act (Republic Act No. 7610) and other legislation pertaining to children, and to align its legislation fully with the Convention and the Optional Protocols thereto, including by expediting the adoption of the bills on preventing teenage pregnancy, prohibiting discrimination and corporal punishment and promoting positive parenting.

Comprehensive policy and strategy

7. The Committee, welcoming the adoption of the third National Plan of Action for Children (2017–2022) for the implementation of the National Strategic Framework for Plan Development for Children (2000–2025), recommends that the State party strengthen the coordination, monitoring and evaluation of, and the allocation of resources to, the Plan in order to alleviate identified weaknesses and ensure its effective implementation at all levels, including locally, and to adopt a follow-up national plan of action upon its expiry.

Coordination

8. The Committee, noting the initiative to transform the Council for the Welfare of Children into the Philippine Commission on Children, under the Office of the President, urges the State party:

- (a) To ensure that the Philippine Commission on Children has strong authority, adequate resources and a clear mandate to coordinate all activities regarding implementation of the Convention;
- (b) To address overlapping mandates of inter-agency councils;
- (c) To strengthen the coverage and effective operation of local and regional councils and subcommittees for the protection of children.

Allocation of resources

9. While noting the increase in child-related budget allocation and the establishment of the budget-tagging system for children, the Committee recalls its general comment No. 19 (2016) and urges the State party:

- (a) To integrate a child-rights perspective into budgeting by ensuring transparent and participatory budgeting processes that are accessible to children and all interested parties, establishing a tracking system to evaluate resource allocation and ensuring that such budgets are protected in times of crisis, disaster or national emergency;
- (b) To strengthen efforts to address corruption at all levels, including by re-establishing and resourcing an independent anti-corruption mechanism.

Data collection

10. The Committee, welcoming the development of a harmonized monitoring and evaluation system regarding the implementation of the Convention, recommends that the State party expand its system of data collection and analysis and make it publicly accessible, to include disaggregated data on children with special protection needs, including girls, children with HIV, children belonging to indigenous groups, children with disabilities, children in alternative care, children in street situations, victims of child labour, children affected by disasters, climate change and armed conflict, children in conflict with the law and child victims of violence.

Independent monitoring

11. The Committee calls on the State party to expeditiously adopt the charter of the Commission on Human Rights of the Philippines and allocate adequate human and financial resources to its Child Rights Center to enable it to effectively fulfil its mandate.

Cooperation with civil society

12. The Committee recommends that the State party further strengthen the participation of non-governmental organizations, child-rights groups and child human rights defenders in children's rights matters, including at the local level, and in the development, monitoring and evaluation of laws, policies and programmes related to children and reporting to the Committee, and that it review its policies and regulations accordingly.

B. Definition of the child (art. 1)

13. The Committee, welcoming the adoption of Republic Act No. 11596 of 2021, prohibiting the facilitation and solemnization of child marriages and cohabitation with a child, urges the State party to ensure the implementation and monitoring of the Act throughout its territory, including in Muslim and indigenous communities.

C. General principles (arts. 2–3, 6 and 12)

Non-discrimination

14. Noting the programme on diversity and inclusion and the dedicated inter-agency committee, the Committee recommends that the State party:

(a) Strengthen its efforts to combat discriminatory attitudes and ensure access to health care, education and basic services for girls, children living in poverty, children born to unmarried couples, children in street situations, lesbian, gay, bisexual and transgender children, children belonging to indigenous groups, children living in rural and conflict-affected areas, children in conflict with the law and other children in vulnerable situations;

(b) Ensure that all cases of discrimination against children are investigated and prosecuted and that perpetrators, including school personnel where appropriate, are held accountable.

Best interests of the child

15. Recalling its general comment No. 14 (2013), the Committee recommends that the State party:

(a) Continue to consistently interpret and apply the right of the child to have his or her best interests taken as a primary consideration in administrative and judicial proceedings, decisions, policies, programmes and projects concerning children;

(b) Continue to develop and implement procedures and criteria on, and provide systematic training and guidance for all relevant professionals to assess and

determine, the best interests of the child in every area covered by the Convention and to give the principle due weight as a primary consideration.

Right to life, survival and development

16. The Committee remains extremely concerned about:

(a) Grave violations against children, such as killing and maiming, the recruitment and use of children by armed forces and armed groups, sexual violence against children, the detention of children and attacks on schools and hospitals in conflict-affected areas, particularly in Mindanao;

(b) The high number of extrajudicial killings and other adverse effects on children of the campaign against illegal drugs since 2016, in particular parental loss, poverty, psychological trauma, increased school dropout rates, discrimination and bullying, in the light of the lack of accountability and of assistance for child victims and witnesses;

(c) Poverty affecting a large number of children, especially in Mindanao.

17. **The Committee urges the State party:**

(a) **To ensure the protection of the children's right to life, survival and development by, inter alia, taking all the measures necessary to prevent grave violations against children, encouraging reporting, especially by victims, thoroughly investigating such allegations, bringing the perpetrators to justice, ensuring that the armed and security forces fully respect the rights of children and strengthening the capacity of social workers and other actors to provide support and services to child victims;**

(b) **To provide tailored assistance to child victims and witnesses in the context of the campaign against illegal drugs, including health care, psychological support, recovery and integration, adequate family and income support, and placement in care, preferably family-based, in the event of parental loss;**

(c) **To support continuous learning and the return of children to school, and address bullying and discrimination, including through awareness-raising campaigns on the impacts of the anti-drugs campaign;**

(d) **To develop and implement a poverty reduction strategy and an action plan for children, with their participation, and ensure that children and their families living in poverty receive adequate financial support and free, accessible services without discrimination.**

Respect for the views of the child

18. **While welcoming the establishment of the Child-friendly Local Governance Audit, the Committee recommends that the State party:**

(a) **Ensure the effective implementation of the National Framework for Children's Participation, promote and facilitate meaningful participation of all children within the family, communities and schools, including in *Sangguniang Kabataan* (local youth councils), and in judicial, administrative and other procedures and environmental matters;**

(b) **Ensure that the Anti-Terrorism Act of 2020 (Republic Act No. 11479) is not used to suppress the right to freedom of expression and assembly.**

D. Civil rights and freedoms (arts. 7–8 and 13–17)

Birth registration, name and nationality

19. The Committee welcomes the launch of the National Action Plan to End Statelessness (2017–2024), the adoption in 2012 of the Rules Establishing the Refugee and Stateless Status Determination Procedure and the Supreme Court's approval on 15 February 2022 of its Rule on Facilitated Naturalization of Refugees and Stateless Persons (AM No. 21-07-22). However, the Committee is seriously concerned that the large number of children,

particularly Muslim children, children belonging to indigenous groups, children of Indonesian and Japanese descent and Filipino children of overseas migrant workers, remain unregistered, which may lead to statelessness and deprivation of the right to a name and nationality and of access to basic services.

20. The Committee urges the State party:

(a) **To expeditiously establish an efficient, accessible and free birth registration system and a mechanism to encourage and provide for late registration without fees, with particular attention to children in vulnerable situations;**

(b) **To ensure the delivery of birth certificates and access to essential services;**

(c) **To strengthen the collection and analysis of data on children at risk of statelessness and ensure access to essential services;**

(d) **To ensure protection against statelessness, including by enacting the bill on civil registration and vital statistics and Senate Bill No. 379 on protection of refugees and stateless persons and by implementing the National Action Plan to End Statelessness.**

E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Torture and other cruel, inhuman or degrading treatment or punishment

21. While welcoming the adoption of the Anti-Torture Act of 2009 (Republic Act No. 9745) and the Anti-Enforced or Involuntary Disappearance Act of 2012 (Republic Act No. 10353) and the creation of the inter-agency committee tasked with the investigation, prosecution and reporting of such cases, the Committee remains concerned about the absence of data about cases of torture and other cruel, inhuman or degrading treatment of children. The Committee urges the State party:

(a) **To enforce the prohibition of torture and ensure that allegations of torture and other cruel, inhuman or degrading treatment or punishment of children are duly investigated, that perpetrators are punished in a manner commensurate with the gravity of their acts and that child victims receive adequate remedies and support;**

(b) **To ensure that children have access to confidential and child-friendly complaints mechanisms for the reporting of all such cases in children's detention centres, alternative care settings and facilities for asylum-seeking, refugee and migrant children;**

(c) **To ensure that the national preventive mechanism is established and has the capacity to monitor all facilities where children are detained, and provide it with adequate human, technical and financial resources.**

Violence against children

22. The Committee notes the adoption of the Anti-Bullying Act of 2013 (Republic Act No. 10627), Republic Act No. 11930, prohibiting online sexual abuse or exploitation of children, the Philippine Plan of Action to End Violence against Children (2017–2022), the Child Online Safeguarding Policy of the Department of Information and Communications Technology, and the Child Protection Policy (Department of Education Order No. 40, s. 2012), aimed at monitoring and alleviating cases of violence against children, as well as other measures taken in this regard. However, the Committee is concerned about:

(a) **The high prevalence of all forms of violence against children, including corporal punishment, bullying and abuse in schools, domestic and sexual violence and exploitation, particularly online;**

(b) **The increase in online sexual violence and exploitation of children, especially in the context of the coronavirus disease (COVID-19) pandemic, and the lack of efforts to address it;**

(c) The failure to prohibit all forms of violence against children, including corporal punishment;

(d) The lack of implementation, monitoring and evaluation of the Philippine Plan of Action to End Violence against Children;

(e) Low rates of reporting, intervention, investigation, prosecution and conviction in cases of child sexual exploitation and abuse;

(f) The lack of investigation into cases of alleged sexual abuse of children by military personnel from the Philippines in the United Nations missions;

(g) The lack of specialized services and access to schools and extracurricular activities for child victims of abuse.

23. Recalling its general comments No. 8 (2006) and No. 13 (2011), the Committee urges the State party:

(a) To develop a comprehensive strategy for preventing and combating all forms of violence against children;

(b) To enact, implement and monitor legislation to prohibit all forms of violence against children, including Bill No. 682 to prohibit corporal punishment; and promote positive, non-violent and participatory forms of child-rearing and discipline, including through awareness-raising campaigns;

(c) To ensure, including through adequate allocation of human, financial and technical resources, that the Philippine Plan of Action to End Violence against Children and its follow-up action plan are implemented in all parts of the country and are regularly and systematically monitored and evaluated;

(d) To establish mechanisms, procedures and guidelines, including a multi-agency and child-friendly infrastructure, to ensure and promote mandatory reporting and multi-agency intervention in all cases of violence, sexual exploitation and abuse against children, and strengthen teachers and health professionals training to prevent, detect and address different forms of violence and abuse and identify and refer victims accordingly;

(e) To ensure that children have access to confidential and child-friendly complaints mechanisms, including helplines, for the reporting of all forms of violence and abuse, and encourage children to make use thereof;

(f) To ensure that all cases of violence against children are promptly investigated and prosecuted, applying a child-friendly and multisectoral approach, and that children's testimony is audiovisually recorded without delay and allowed as evidence in court proceedings;

(g) To investigate and prosecute cases of sexual abuse of children by military personnel from the Philippines who contributed to the United Nations Mission in Liberia and the United Nations Stabilization Mission in Haiti, bring the perpetrators to justice and address paternity and child maintenance claims;

(h) To provide specialized child-friendly and gender-sensitive services and access to information about compensation for children who are victims of violence, including psychosocial services, shelters and aftercare services to ensure their recovery and reintegration;

(i) To ensure access to school and extracurricular activities for children victims of violence, appropriately address cases of discrimination among school personnel and collect data on school dropout rates among children in such situations;

(j) To address stigmatization, victimization and intimidation of child victims of violence, including through awareness-raising activities targeting teachers, health-care workers and other professionals and regular training for judges, lawyers, prosecutors, the police and other professional groups on standardized and gender- and child-sensitive procedures for dealing with child victims and witnesses.

F. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))

Family environment

24. Reiterating its concern about the high number of children left behind by migrant parents, which makes them vulnerable to being subjected to violence or exploitation and dropping out of school, among other risks, the Committee reiterates its recommendations that the State party:

- (a) Undertake a comprehensive study on the situation of children of migrant families;
- (b) Ensure the collection and analysis of disaggregated data in this regard and operationalize the Shared Government Information System on Migration;
- (c) Consolidate the existing programmes and initiatives, including the interdepartmental memorandum of understanding, family development support programmes, family circles and overseas Filipino workers' help desks, in a comprehensive strategy to address the fragmentation of interventions and ensure protection and enjoyment of the rights of children left behind;
- (d) Continue to address the impact of emigration on the well-being of children left behind, and facilitate the resettlement, reintegration and family reunification of returning migrant workers.

Children deprived of a family environment

25. While welcoming the adoption of the Foster Care Act of 2012 (Republic Act No. 10165), the Committee is concerned about:

- (a) The lack of information about the number and situations of children living in institutions, including children with disabilities, the reasons for their placement, and deinstitutionalization plans, and of children leaving care;
- (b) The lack of implementation of the Foster Care Act, especially locally, and the shortage of foster parents, specifically to care for adolescents and children with specific needs;
- (c) The lack of quality standards for care and of monitoring of placements.

26. Recalling the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

- (a) Identify and support families in vulnerable situations with a view to preventing family separation, and ensure that children are only separated from their family if it is in their best interests and after a comprehensive assessment of their situation and that poverty and disability are never the sole justification for family separation;
- (b) Collect data on children in alternative care, including in private institutions and in foster care, and develop a deinstitutionalization strategy and an action plan, including the systemic transformation of the childcare, welfare and protection systems, and allocate adequate resources for their implementation;
- (c) Ensure sufficient alternative family-based and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources for foster care and adoption and facilitating the reunification of children with their families when possible;
- (d) Raise public awareness about and monitor the implementation of the Foster Care Act and promote and strengthen the capacity of foster care, including by conducting a national recruitment campaign for foster parents and providing regular and adequate training for them before and during the placement of children, especially on fostering children with special needs, child victims of exploitation and abuse, adolescents, and children in conflict with the law;

(e) Establish quality standards for all alternative care settings, ensure regular, periodic and substantive review of the placement of children in institutional and family-based childcare facilities and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying maltreatment of children;

(f) Ensure adequate support for children leaving care, and develop community-based services to help them to start independent lives.

Adoption

27. The Committee, noting the adoption in 2019 of the Simulated Birth Rectification Act (Republic Act No. 11222), recommends that the State party:

(a) Continue to strengthen its measures to identify, prevent and combat “simulated births” and bring to justice those responsible for the fraudulent registration of births;

(b) Ensure that the best interests of the child are the paramount consideration in adoption procedures;

(c) Take measures, including awareness-raising, to encourage domestic adoptions in accordance with the subsidiarity principle, and ensure that intercountry adoption procedures comply with the Convention and the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption and that children in the adoption process are protected against the risks of private arrangements, sale, trafficking and abuse;

(d) Develop and implement guidelines for the consistent and objective assessment of the suitability of children for adoption, domestically and abroad, and ensure that adoption procedures are transparent and of an adequate length;

(e) Ensure post-adoption monitoring and services;

(f) Strengthen the collection and analysis of disaggregated data on adoptable children and children adopted domestically and abroad.

Children of incarcerated parents

28. The Committee recommends that the State party continue to develop policies and programmes to support children of incarcerated parents and ensure their visitation rights, including by providing adequate and child-friendly premises for in-person meetings.

G. Children with disabilities (art. 23)

29. The Committee welcomes the adoption of the National Strategic Plan on Children with Disabilities (2018–2022). However, the Committee is concerned about:

(a) The lack of information about the outcomes of the implementation of the strategic plan and about any deinstitutionalization strategy;

(b) The lack of a uniform definition of disability and categorization of disabilities;

(c) The lack of disaggregated data on children with disabilities;

(d) The lack of social and community-based services and family support, to enable parents to care for their children;

(e) The lack of access to quality health care, and a shortage of experienced paediatricians with knowledge of disability issues;

(f) The absence of a clear action plan for inclusive education and the segregation of children with disabilities into special education centres, and the requirement for an expensive health-care assessment for access to mainstream school;

(g) Negative attitudes and discrimination against children with disabilities that hamper access to family support, education, social services and participation in matters concerning them;

(h) Cases of violence and sexual abuse against children with disabilities and their lack of access to justice, including owing to insufficient sign-language interpreters and misconceptions about disability.

30. Recalling its general comment No. 9 (2006), the Committee urges the State party to adopt a human rights-based approach to disability and:

(a) **To set up, on the basis of evaluation of the National Strategic Plan on Children with Disabilities, a comprehensive strategy for the inclusion of children with disabilities at all levels;**

(b) **To adopt a uniform definition of disability and classification of disabilities in compliance with the Convention on the Rights of Persons with Disabilities, and expeditiously enact the bill instituting services and programmes for learners with disabilities;**

(c) **To organize the collection of disaggregated data on children with disabilities and develop an efficient and harmonized system for disability assessment in order to facilitate access for children with all types of disabilities to accessible services, including to education and health, social protection and support services, and inform its policies and programmes;**

(d) **To strengthen support for the parents of children with disabilities and ensure the right of those children to grow up in their family environment, including by increasing the availability of early care, home nursing and relief services, providing timely and adequate socioeconomic support to all children with disabilities and improving outreach to parents about the services available;**

(e) **To ensure access to timely and affordable health care, including by providing early detection, intervention and rehabilitation programmes, creating a network of community and outpatient health-care services, and training and ensuring an adequate number of health-care personnel, including paediatricians and other appropriate medical experts, at the national, regional and local levels;**

(f) **To develop and implement without delay a national action plan for inclusive education, and ensure that all children with disabilities have access to inclusive education in mainstream schools and that schools are equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities;**

(g) **To undertake awareness-raising campaigns to combat stigmatization and promote a positive image of children with disabilities as rights holders;**

(h) **To ensure and promote opportunities for children with disabilities to express their views on matters affecting them, including at school, and have their views taken into account;**

(i) **To urgently investigate and prosecute cases of violence and sexual abuse against children with disabilities and ensure access for victims to child-friendly reporting channels, reparation, free assistance of interpreters, including in sign language, and ensure that all criminal proceedings involving sexual offences against children with disabilities are conducted impartially and fairly and without prejudices or stereotypical notions regarding the victim's gender, age and disability.**

H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Health and health services

31. Welcoming the implementation of High-Impact Breakthrough Interventions (Hi-5) focusing on reducing infant, under-5 and maternity mortality rates, halting

HIV/AIDS and increasing health-care networks in poor communities, the Committee remains concerned about the rates of neonatal, infant, under-5 and maternal mortality rates and child hunger. The Committee urges the State party:

- (a) To pursue its efforts to further reduce neonatal, infant, under-5 and maternal mortality rates, including by improving access to prenatal and postnatal services and facilities, particularly in rural and remote areas and in Mindanao, and to eliminate mother-to-child HIV transmission;
- (b) To facilitate access to civil registrars in cases of newborn deaths and stillbirths;
- (c) To ensure that all children have access to quality health care, including by allocating adequate resources to health care, expanding health insurance coverage and ensuring the availability of an adequate number of skilled health-care personnel in all parts of the country;
- (d) To strengthen immunization coverage, including through implementation of the Mandatory Infants and Children Health Immunization Act of 2011 (Republic Act No. 10152) and awareness-raising among parents about the benefits of vaccination;
- (e) To strengthen measures to address child hunger and malnutrition, including by providing access to qualified child-health professionals and nutrition programmes in rural, remote and conflict-affected areas, and promoting, protecting and supporting breastfeeding.

Adolescent health

32. Welcoming the adoption of the Mental Health Act (Republic Act No. 11036) in 2018, the implementation of the Adolescent Health and Development Programme and the introduction of sex education in schools, the Committee recommends that the State party:

- (a) Develop and implement a comprehensive child and adolescent mental health policy;
- (b) Strengthen the identification and referral of children in need of mental health support, in particular of adolescents, of children whose parents were victims of extrajudicial killings and at the local level, with a view to preventing and addressing mental health concerns, including those that contribute to suicidal behaviour, and the impact of the COVID-19 pandemic;
- (c) Increase the availability and accessibility of child psychiatrists and child psychologists and establish an adequate number of child-friendly mental health centres, particularly in barangays, and take measures to provide those services without stigmatization;
- (d) Raise awareness among children and parents of tuberculosis, including through information campaigns;
- (e) Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure sexual and reproductive health education at school, with special attention to preventing early pregnancy, sexually transmitted infections and HIV/AIDS and on sexual orientation and gender identity;
- (f) Ensure that adolescents have access to modern contraception and to confidential testing and HIV treatment without parental consent, and review the Responsible Parenthood and Reproductive Health Act of 2012 (Republic Act No. 10354) accordingly;
- (g) Legalize abortion and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their views are always heard and given due consideration as a part of the decision-making process, and develop and implement a policy to protect the rights of pregnant teenagers;

(h) **Further strengthen alternative solutions to addressing drug addiction in children and adolescents by, inter alia, providing children and adolescents with accurate and objective information and life-skills education on preventing substance abuse, and develop accessible and youth-friendly drug-dependence treatment.**

Environmental health

33. **While welcoming the ratification in 2017 of the Paris Agreement on climate change, the adoption in 2016 of the Comprehensive Emergency Programme for Children, the work of the Commission on Human Rights of the Philippines regarding the “carbon majors” inquiry, and environmental health education in school, the Committee recommends that the State party:**

- (a) **Ensure the implementation of the emergency programme;**
- (b) **Continue addressing the negative impact of pollution and environmental degradation and improve access to safe drinking water and sanitation facilities, taking into account children’s needs and vulnerabilities;**
- (c) **Implement the recommendations of the Commission on Human Rights of the Philippines regarding the “carbon majors” inquiry;**
- (d) **Take into consideration children’s views in its mitigation and adaptation plans.**

I. Education, leisure and cultural activities (arts. 28–31)

Education

34. **The Committee welcomes the establishment and expansion of preschool education, the expansion of compulsory education to 12 years, the school curriculum reform, the development of alternative delivery modes to enable access to secondary and vocational education for out-of-school students over 12 years of age and other measures taken to improve access to education, which has resulted in increased school enrolment and completion rates and decreased school dropout rates. However, the Committee is concerned about:**

- (a) **The lack of access to quality education at all levels for children with disabilities, children belonging to indigenous groups, children from economically disadvantaged families, children in street situations and children living with HIV;**
- (b) **School dropout rates, as 9 per cent of children, particularly girls, are out of school, including owing to marriage, pregnancy, disability, disinterest or high costs of education;**
- (c) **Challenges in implementing curriculum reform and senior high school enrolment, the shortage of trained teachers, school materials and supplies, inadequate infrastructure and lack of transport, especially in rural and remote areas, and the impact thereof on the quality of education;**
- (d) **The disruption of schooling during disasters, emergencies, including the COVID-19 pandemic, and armed conflict and the use of schools for military purposes during armed conflicts in the southern Philippines, in Mindanao and in Marawi in particular;**
- (e) **The lack of opportunities for leisure and play.**

35. **The Committee recommends that the State party:**

- (a) **Ensure access to quality preschool, primary and secondary education for children with disabilities, children belonging to indigenous groups, children from economically disadvantaged families, children in street situations, children living with HIV and other children in vulnerable situations;**
- (b) **Continue to take targeted measures to address school dropout rates and the causes, giving particular attention to girls, ensure that all children, including**

pregnant teenagers and adolescent mothers, are retained in and finish school, including by allocating adequate resources and individualized support in that respect, and support children's transition to secondary schools, including by expanding the coverage of the Open High School Programme and of alternative delivery modes to all parts of the country and to children under 12 years of age, and monitoring their implementation;

(c) Strengthen the quality of education and pursue the reform of school curricula, promoting and supporting transition to senior high school (the "K-12" programme), reducing class sizes, providing adequate school materials and supplies and creating incentives for learning; integrate human rights and the Convention into the school curriculum and teachers' training; ensure the availability of an adequate number of qualified teachers and provide high-quality pre-service and in-service training for them; and ensure that schools are equipped with educational technologies and are safely accessible to all, including by providing school transport, water, electricity and sanitary facilities in all schools;

(d) Adopt a policy to mitigate the impact of disasters, emergencies and armed conflict on schooling and ensure that schools are not used for military purposes, including by thoroughly implementing the Special Protection of Children in Situations of Armed Conflict Act (Republic Act No. 11188) and the National Policy Framework on Learners and Schools as Zones of Peace (Department of Education Order No. 32, s. 2019);

(e) Address the inequalities generated by the crisis of the COVID-19 pandemic, including by ensuring preparedness for any future crises, including through the availability of computer equipment and sufficient Internet access, giving particular attention to children in vulnerable situations;

(f) Allocate adequate financial, human and technical resources to expand the coverage, capacity and monitoring of preschool education, including development centres and kindergartens, and ensure access thereto, including in rural and remote areas, giving particular attention to children with disabilities and children from economically disadvantaged families;

(g) Ensure the right of all children to leisure and play and provide public outdoor play spaces that are accessible and safe.

J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

Asylum-seeking and refugee children

36. The Committee recognizes efforts made by the Philippines judiciary to formulate rules regarding the reception, care and regularization processes for asylum-seeking and refugee children, and calls on the State party to provide further information in its next periodic report on the enjoyment of their rights under the Convention, disaggregated by age, sex, nationality, disability and residence, and to develop legislation and regulations to address the needs of refugee and asylum-seeking children and children with irregular status, including unaccompanied and separated children, as previously recommended.

Children belonging to minority and indigenous groups

37. Noting with concern that children accounted for a third of those displaced as a result of the conflicts in Mindanao and in Marawi in particular, the Committee recommends that the State party:

(a) Collect data on and ensure the protection of children belonging to indigenous groups;

(b) Allocate adequate financial and human resources to the implementation of the Indigenous Peoples' Rights Act of 1997 (Republic Act No. 8371);

(c) Prevent and combat children's displacement and the recruitment of children by armed forces and armed groups, and ensure the effective implementation of Republic Act No. 11596 of 2021, prohibiting the practice of child marriage.

Economic exploitation, including child labour

38. While welcoming the ratification in 2012 of the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization, and noting the Philippine Programme against Child Labour, the Committee is concerned about the very high number of children subjected to child labour, including in hazardous conditions, and about the acceptance of child labour by children and their parents. The Committee urges the State party:

(a) To allocate adequate human, financial and technical resources to effectively implement the legislation against child labour and address the root causes of the phenomenon;

(b) To undertake awareness-raising about the adverse effects of child labour on children;

(c) To intensify labour inspections and training of investigators, particularly in the mining, agricultural and informal sectors of economy and regarding *kasambahay* (domestic workers), and ensure the imposition of sanctions in case of violation of the legislation;

(d) To intensify efforts to withdraw children from child labour and strengthen reintegration and access to education.

Children in street situations

39. While noting the launch in 2015 of the Comprehensive Programme for Children and Families at Risk on the Streets, and the revitalisation in 2017 of the National Network on Street Children, the Committee remains concerned about the high number of children in street situations. Recalling its general comment No. 21 (2017), the Committee recommends that the State party:

(a) Allocate adequate resources to improving the collection and analysis of data on children in street situations and, on the basis of that analysis and with the participation of children, develop a comprehensive strategy to address the root causes of the phenomenon in order to prevent it, to protect children living in the street, to ensure their recovery and social reintegration and to provide support for their reunification with their families, when in their best interests;

(b) Strengthen measures to ensure that children in street situations are not arrested or detained for non-criminal actions or status offences, including regarding curfew infringements;

(c) Establish a monitoring and gatekeeping mechanism for children removed from the street and ensure access to complaints mechanisms;

(d) Improve shelter conditions, and ensure access to adequate educational and psychosocial services.

Sale, trafficking and abduction

40. While welcoming the sustained efforts made by the State party to eliminate trafficking in persons, including the Expanded Anti-Trafficking in Persons Act of 2012 (Republic Act No. 10364), the National Strategic Action Plan against Trafficking in Persons (2017–2021), the establishment of a centre for cyber monitoring of trafficking in persons and the launch of a hotline, the Committee remains concerned about the widespread trafficking in children that reportedly increased during the COVID-19 pandemic. The Committee urges the State party:

(a) To ensure the systematic collection and assessment of data on children who are victims of any form of trafficking;

(b) To provide adequate resources to ensure the effective implementation, monitoring and evaluation of the updated action plan (2023–2027);

(c) To strengthen efforts to effectively investigate and prosecute cases of trafficking of children and ensure appropriate penalties for perpetrators, including for official complicity;

(d) To build the capacity of labour inspectors, law-enforcement officials, prosecutors and judges to identify, assess and refer children who are victims of trafficking;

(e) To allocate adequate resources to ensure that children who are victims of trafficking have access to specialized services and compensation;

(f) To enhance awareness-raising activities to prevent trafficking, with particular attention to the areas of risk, and make parents and children aware of the dangers of trafficking.

Administration of child justice

41. Welcoming the efforts made by the State party to maintain the age of criminal responsibility at 15 years of age and to promote diversion, the Committee recalls its general comment No. 24 (2019) and recommends that the State party:

(a) Ensure the implementation of the Juvenile Justice and Welfare Act of 2006, as amended in 2012 by Republic Act No. 10630, with coordination between the relevant authorities, including by ensuring an adequate number of social workers and continuing capacity-building for relevant professionals in the child justice system;

(b) Strengthen the collection and analysis of disaggregated data on children in the child justice system with a view to informing its policies;

(c) Ensure that procedural safeguards, including access to the file and the provision of legal assistance, are respected for all children, including those arrested on drugs charges;

(d) Ensure that the presumption of minority is enforced;

(e) Continue to promote diversion for children accused of criminal offences from the earliest opportunity after the child comes into contact with the system;

(f) Ensure that detention is never used for status offences;

(g) For the few situations where deprivation of liberty is used as a measure of last resort, ensure that it is for the shortest possible period of time and is reviewed on a regular basis, with a view to its withdrawal, that child offenders are separated from victims and from adult offenders, that detention conditions are compliant with international standards, and that all detention facilities undergo continuous independent monitoring.

K. Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention

Optional Protocol on the sale of children, child prostitution and child pornography

42. The Committee welcomes the adoption of the Anti-Child Pornography Act of 2009 (Republic Act No. 9775), the launch of the #StopChildPornPh campaign and the launch of the eProtectKids hotline for reporting child sexual abuse and material online. The Committee urges the State party:

(a) To explicitly define and criminalize all offences in accordance with articles 2 and 3 of the Optional Protocol;

(b) To strengthen its efforts to eliminate commercial sex, and tolerance and encouragement of the sexual exploitation of children;

(c) To strengthen the regulation and monitoring of the tourism industry and the online environment;

(d) To strengthen the identification, investigation, prosecution and punishment of cases covered by the Optional Protocol;

(e) To establish and apply criminal liability of legal persons and extraterritorial jurisdiction;

(f) To strengthen protection of the rights of child victims and witnesses in court proceedings and provide adequate services to ensure their recovery and integration.

Optional Protocol on the involvement of children in armed conflict

43. The Committee welcomes the improvements in the situation regarding children in armed conflict in the State party and the adoption in 2019 of the Special Protection of Children in Situations of Armed Conflict Act. However, the Committee is concerned that children continue to be affected by the conflicts between the Government and armed military groups, predominantly in the Mindanao region, and that many children have been detained for alleged association with such groups. The Committee urges the State party:

(a) To prevent the recruitment and use of children by armed forces and armed groups, investigate and prosecute such cases and bring the perpetrators to justice;

(b) To ensure that children are not criminalized for having been recruited or used in hostilities and that they are not detained in military camps;

(c) To strengthen the measures aimed at the demobilization, physical and psychological recovery and social reintegration of children in conflict-affected areas, including measures to address displacement and detention, to prevent re-recruitment to and reassociation with armed groups and to ensure access to social and health services, education and development;

(d) To facilitate access to conflict-affected areas for child-protection actors for monitoring and reporting;

(e) To implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

L. Ratification of the Optional Protocol on a communications procedure

44. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol on a communications procedure.

M. Ratification of international human rights instruments

45. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.

N. Cooperation with regional bodies

46. The Committee recommends that the State party cooperate, among others, with the Association of Southeast Asian Nations Commission on the Promotion and Protection of the Rights of Women and Children.

IV. Implementation and reporting

A. Follow-up and dissemination

47. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

48. The Committee recommends that the State party strengthen its national mechanism for reporting and follow-up, the Presidential Human Rights Committee Secretariat, and ensure that it has the mandate and adequate human, technical and financial resources to coordinate and prepare reports to and engage with international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that the Presidential Human Rights Committee Secretariat should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the Commission on Human Rights of the Philippines and civil society.

C. Next report

49. The Committee invites the State party to submit its combined seventh and eighth periodic reports by 19 September 2027 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines⁴ and should not exceed 21,200 words.⁵ In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.

50. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents,⁶ and paragraph 16 of General Assembly resolution 68/268.

⁴ [CRC/C/58/Rev.3](#).

⁵ General Assembly resolution 68/268, para. 16.

⁶ [HRI/GEN/2/Rev.6](#), chap. I.