
PHILIPPINES COUNTRY REPORT ON THE WELFARE AND PROTECTION OF CHILDREN

I. EXECUTIVE SUMMARY

The Philippines' commitment to the welfare and protection of Filipino children, particularly on the rights to survival, protection, development and participation of children has long been embedded in the Constitution, in the international agreements entered into and in the various domestic laws it has enacted.

The Philippine Constitution explicitly affords special treatment to children in providing that the State shall defend the rights of children to assistance, proper care and nutrition, special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.

The Philippine Government as a signatory to significant international agreements related to the recognition and protection of children's rights, promotes and upholds the best interests of children in all its actions towards the enhancement of their opportunities for a useful and happy life.

The country enacted its first child welfare-related law on July 8, 1907. Act No. 1670 "Authorized Trustees or Directors of Asylums and Institution Where Poor Children are Maintained at Public Expense to Place Them in the Charge of Suitable Persons and Provides for Their Adoption".

The numerous other laws and executive issuances issued thereafter found codification in Presidential Decree No. 603 or the Child and Youth Welfare Code issued on December 10, 1974. The Code defines the rights, responsibilities and opportunities of children to ensure and to enable their fullest development physically, mentally, emotionally, morally, spiritually and socially, and in conditions of freedom and dignity appropriate to their corresponding developmental stage. PD 603 is a milestone piece of legislation which also spells out the rights and responsibilities of parents, as well as roles of the home, church, community and the state. It protects special categories of children –dependent, neglected and abandoned, those with physical and mental disabilities and offenders below 18 years old.

Among the key provisions of PD 603 is the establishment of the Council for the Welfare of Children (CWC) under the Office of the President as the policy-making body of the Government on the promotion of child and youth welfare.

In 1989, the United Nations Convention on the Rights of the Child (UNCRC) was approved by the United Nations (UN). In 1990, the Philippine Government

became the 31st State to ratify the Convention by virtue of Senate Resolution 109. After ratifying the UNCRC, the country through the Council for the Welfare of Children (CWC) formulated a children's welfare policy framework embodied in the National Plan for Children which until now is the basis of the continuing efforts undertaken by the Government to achieve realization of the nation's vision for child protection and development.

Today, the Philippines has made remarkable strides in enacting legislative measures to uphold the best interests of children. Our country's initiatives on the protection and welfare of children are also in line with the Millennium Development Goals (MDGs), particularly in achieving universal primary education.

The Philippine Government has made significant efforts in responding to the needs of children in the promotion of their well-being and in the protection of their rights and opportunities. The country has a solid policy framework for child welfare and protection and its implementation is carefully evaluated and monitored periodically to ensure the realization of the country's goals toward attaining a holistic and sustained protection and advancement of the welfare and protection of children not only for this generation but for the next generations to come.

Through collaborative partnerships with families, Non-Government Organizations (NGOs) and the private sector, the State seeks to fully ensure the survival, protection, development and participatory rights of children.

II. POLICY FRAMEWORK: FOR THE BEST INTERESTS OF CHILDREN

The children are among the members of society whose protection and best interests are of paramount concern. They are the most vulnerable sector to global challenges such as economic crisis, climate change, migration, epidemics, crime, war, energy and food insufficiency who need State protection. Violence against children is the most common form of abuse which occurs in homes, schools, places of work and entertainment, and in care and detention centers. It happens across borders regardless of race, class, religion and culture.

As a state party to the UNCRC, the Philippines is committed to uphold the rights of children, ensure and promote the indivisibility of their rights, protect them from violence and ensure that all Filipino children have access to services and venues where they can participate meaningfully (CWC, 2009:9). The country has made remarkable national initiatives in strengthening its policies on children's protection and welfare through the Legislative Department which made considerable strides in enacting various legislative measures crucial to

the whole well-being of children. A number of laws were crafted, some of which are:

i. Republic Act No. 6972 – An Act Establishing a Day Care Center in Every Barangay, Instituting Therein a Total Development and Protection of Children Program, Appropriating Funds Therefor, and for Other Purposes (1990)

The law provides for the education at the family and community levels of Filipino children up to six (6) years of age. It provides for the total development and protection of children, including proper care and nutrition. RA 6972 also mandates the local government units to establish one (1) day care center in every barangay. The Department of Social Welfare and Development (DSWD) is the lead agency tasked to monitor the implementation of day care service program of the local government units (LGUs).

With the enactment of RA 6972, the number of day care centers has increased. Based on statistical data of the DSWD, there are around “36,338 day care centers”¹ providing children psychosocial stimulation and socialization exercises including formation of values.

ii. Republic Act 7610 – An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violations and for Other Purposes (1992)

RA 7610 invokes the principle of *parens patriae* to provide special protection to children from all forms of abuse like child prostitution and sexual abuse, child trafficking, obscene publications and indecent shows; other acts of abuses and circumstances which threaten or endanger the survival and normal development of children.

As a result of the implementation of RA 7610, the Department of Justice (DOJ) and the Department of Social Welfare and Development (DSWD) in coordination with other government agencies are carrying out prevention and crisis intervention programs, like, “rehabilitation and temporary shelter programs; medical and dental services; psychological and psychiatric intervention; and legal services”² for victims of child abuse, exploitation and discrimination.

Programs that mobilize and utilize family and community to respond to a problem, need, issue or concern of children and youth are also being implemented. First is the Child Protective Services in which, preventive and rehabilitation services are provided to children who are victims of abuse, neglect and exploitation. These include provision of immediate

intervention for children's early recovery and reintegration to their families. Second is the Therapy Services for Abused Children. Therapeutic interventions and approaches are provided to children to overcome the negative effects of abuse which aim to maximize their potentials towards living a normal and productive life.

iii. Republic Act No. 8043 – An Act Establishing the Rules to Govern Inter-Country Adoption of Filipino Children (1995)

The enactment of RA 8043 is based on the Hague Convention and implements Article 21 on adoption of the Convention on the Rights of the Child. It ensures that the best interest of the child shall be the paramount consideration when he or she is trans-racially uprooted from his or her country of origin. The law also provides that every neglected and abandoned child shall be provided with love and care as well as opportunities for growth and development when the child is placed with an adoptive family in the Philippines. Under this Act, foreigners are allowed to adopt Filipino children in the absence of qualified Filipino citizens provided they possess all the qualifications necessary for the best interests of the child.

The inter-country adoption program is being implemented by the Inter-Country Adoption Board (ICAB), an attached agency of the Department of Social Welfare and Development (DSWD), which serves as the central authority for inter-country adoption.

In 2009, the country's Inter-Country Adoption System was hailed by the Hague Conference on Private International Law (HCCH) for its exemplary practices in the field of international adoption. The said international organization which works for the progressive unification of the rules of private international law cited the country for its good practices on inter-country adoption, thus, the Philippines' inter-country adoption system is included in the new "Inter-Country Adoption Guide to Good Practice" of the Permanent Bureau of the HCCH.

iv. Republic Act No. 8980 – An Act Promulgating A Comprehensive Policy and a National System for Early Childhood Care and Development (ECCD), Providing Funds Therefor and for Other Purposes (December 2000)

RA 8980 reflects the State policy to promote the rights of children to survival, development and special protection with full recognition of the nature of childhood and its special needs; and to support parents in their roles as primary caregivers and as their children's first teachers. The law institutionalizes a National System for Early Childhood Care and Development (ECCD) that is comprehensive, integrative and sustainable,

involving multi-sectoral and inter-agency collaboration at the national and local levels.

In line with the provisions of RA 8990 and with the emergence of modern technologies, the Department of Social Welfare and Development (DSWD) in partnership with the United Nations Children's Fund (UNICEF) recently created the Early Childhood Care and Development Information System (ECCD-IS) to monitor the nationwide implementation of the ECCD – a comprehensive, integrative and sustainable program addressing the holistic needs of children five years old and below. According to the DSWD, ECCD-IS is a new automated and web-based reporting system that will generate reliable, comprehensive and timely information on the ECCD Program from service providers such as day care workers at the city and municipal levels.

III. NATIONAL INITIATIVE: PANTAWID PAMILYANG PILIPINO PROGRAM (4Ps), AN EDUCATIONAL OPPORTUNITY FOR CHILDREN

The Pantawid Pamilyang Pilipino Program (4Ps) of the national government is a poverty reduction and social development strategy that provides conditional cash grants to extremely poor households to improve their health, nutrition and education particularly of children aged 0-14. Conditions for cash grant include sending of children to school and bringing them to health centers on a regular basis and providing pre-natal and post natal care and delivery by a skilled attendant to pregnant women. The program aims to provide social assistance to the poor to alleviate their immediate needs. It also operates as a social development tool which endeavors to break the intergenerational poverty cycle through investments in human capital.

The 4Ps is internationally known as the Conditional Cash Transfer (CCT) Program adapted in many developing countries like Latin America as a poverty reduction strategy which provides cash grants to extremely poor households to allow members of the families to meet certain human development goals, especially malnutrition and low schooling of children.

The program which started in 2008 is in consonance with the country's commitment to the global agenda of the Millennium Development Goals (MDGs) with particular focus on children's protection, to include eradication of extreme poverty and hunger, achieving universal primary education, promoting gender equality, reducing child mortality and improving maternal health.

The program is already on its third year of implementation. Among its accomplishments is the education of the poorest of the poor children reaching to about 1.5 million beneficiaries from different parts of the country. According to a

study conducted by the Social Weather Station (SWS) on 4Ps, the program shows improvements in school attendance and enrollment rate. “Students come to school prepared and well-nourished making them more active in classrooms. The study also revealed that the program has been observed to play a major role in reducing child labor especially in rural areas, as many poor parents are now able to send their children to school”.³

Along with this, the Department of Social Welfare and Development (DSWD), Department of Interior and Local Government (DILG) and National Statistics Office (NSO) signed a Memorandum of Agreement (MOA) on the free birth registration of unregistered children of Pantawid Pamilya family beneficiaries. Children will now enjoy their rights to a name and nationality as the birth registration program of the government waives all fees for the late registration of birth of Pantawid Pamilya families identified through the National Household Targeting System for Poverty Reduction (NHTS-PR).

As a social policy tool, 4Ps operates in eighty (80) provinces, seven hundred thirty four (734) municipalities and sixty-two (62) key cities covering one (1) million households. In the 2011 National Budget, the government has allocated P23 billion pesos for the program with the Department of Social Welfare and Development (DSWD) as the lead agency in partnership with the Department of Education (DepEd) and Department of Health (DOH).

At present, the DSWD is maximizing its efforts together with other various national and local agencies to strengthen and sustain the program by continuous investment of resources to improve the health and education needs of children in poorest families and at the same time ensuring that only deserving and eligible recipient will benefit from the program. The 4Ps is a remarkable program that enhances the welfare of the Filipino children by slowly eradicating poverty in the country which hinders their opportunities to education.

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(Endnotes)

¹ Data provided by the Department of Social Welfare and Development (DSWD)

² Interview with Danny Deinla, Social Welfare Officer III, Program Management Bureau, Department of Social Welfare and Development

³ Based on the report of the Philippine Information Agency