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COMMITTEE ON THE RIGHTS OF THE CHILD  
Thirty-ninth session  
Pre-sessional Working Group  
31 January - 4 February 2005

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of  
the second periodic report of **the Philippines** (CRC/C/65/Add.31)

PART I

**Under this section the State party is requested to submit in written form additional and updated information, if possible, before 6 April 2005.**

**A. Data and statistics, if available**

1. Please provide disaggregated statistical data (by gender, age groups, ethnic and indigenous groups, urban and rural areas) covering the years 2002, 2003 and 2004 on the number and percentage of children under 18 living in the Philippines;
2. In the light of Article 4 of the Convention, please provide disaggregated data on budget allocations and trends (in absolute figures and percentages of the national and regional budgets) for the years 2003, 2004 and 2005 regarding the implementation of the Convention evaluating also the priorities for budgetary expenditures given to the following:
  - a. education (different types of education, i.e. pre-primary, primary and secondary education)
  - b. health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care, HIV/AIDS and other health care services for children, including social insurance);
  - c. programmes and services for children with disabilities;
  - d. support programmes for families;
  - e. support for children living below the poverty line;
  - f. protection of children who are in need of alternative care including the support of care institutions;
  - g. programmes and activities for the prevention of and protection from child abuse, child sexual exploitation and child labour;

- h. programmes and services for children belonging to minorities and indigenous peoples;
- i. programmes and services for children in armed conflict;
- j. programmes and services for abandoned children, including street children; and
- k. juvenile justice and the rehabilitation of juvenile offenders.

Please also indicate the estimated expenses of the private sector, in particular for health and education.

3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by gender, age groups, if possible ethnic groups, urban and rural areas) for the years 2002, 2003 and 2004 on the number of children:

- a. separated from their parents;
- b. placed in institutions;
- c. placed with foster families;
- d. adopted domestically or through inter-country adoptions; and
- e. separated from one or both parents working abroad.

4. Please specify the number of children with disabilities, up to the age of 18, disaggregated by gender, age groups and, if possible, ethnic groups, urban and rural areas, covering the years 2002, 2003 and 2004:

- a. living with their families;
- b. living in institutions;
- c. placed with foster care;
- d. attending regular schools;
- e. attending special schools; and
- f. not attending schools.

5. Please provide disaggregated statistical data (by gender, age groups, if possible ethnic groups, urban and rural areas) covering the years 2002, 2003 and 2004:

- a. rates of infant and child mortality;
- b. rates of immunization;
- c. rates of malnutrition;
- d. children infected with and/or affected by HIV/AIDS;
- e. adolescent health, including early pregnancy and sexually transmitted infections (STIs), mental health and suicide, drug, alcohol and tobacco abuse; and
- f. number of health professionals working in the health care services for children.

6. With reference to child abuse, please provide disaggregated data (by age, gender, if possible ethnic groups and types of child abuse reported) covering the years 2002, 2003 and 2004 on the:

- a. number of reported child abuse cases;

- b. number and percentage of reports which have resulted in either a court decision or other types of follow-up; and
  - c. number and proportion of child victims that have received counselling and assistance in recovery.
7. With reference to the right to education, please provide disaggregated statistical data (by gender, age groups, if possible ethnic groups, urban and rural areas, immigrant children) covering the years 2002, 2003 and 2004 in percentage of the relevant age group on the:
- a. rates of literacy, below and over 18 years;
  - b. rate of enrolment in pre-primary schools, primary schools and in secondary schools;
  - c. percentage of children completing primary and secondary education;
  - d. number and percentage of drop-outs and repetitions; and
  - e. ratio teacher per children and number of children per class.
8. Please provide disaggregated statistical data (including by gender, age and type of crime) covering the years 2002, 2003 and 2004, in particular on the number of:
- a. persons below eighteen, who have allegedly committed a crime, reported to the police;
  - b. persons below eighteen who have been charged with a crime and of them those who are sentenced, and the type of punishment or sanctions related to offences including length of deprivation of liberty;
  - c. detention facilities for persons below eighteen in conflict with law and their capacity;
  - d. persons below eighteen detained in these facilities and persons below eighteen detained in adult facilities;
  - e. person below eighteen kept in pre-trial detention and the average length of their detention;
  - f. reported cases of abuse and maltreatment of persons below eighteen occurred during their arrest and detention;
  - g. persons under 18 tried and sentenced as adults.
9. With reference to special protection measures, please provide statistical data (including by gender, age, if possible ethnic group, urban and rural areas) for the years 2002, 2003 and 2004 on the number of children:
- a. involved in sexual exploitation, including prostitution, pornography and trafficking and the number of children provided with access to recovery and other assistance;
  - b. involved in substance abuse and the number of children who received treatment and rehabilitative assistance;
  - c. involved in child labour;
  - d. involved in armed conflicts; and
  - e. unaccompanied asylum-seeking, refugee and displaced children.

## **B. General Measures of Implementation**

1. The Committee would appreciate to receive detailed information on activities meant to implement recommendations contained in the Committee's previous concluding observations (CRC/C/15/Add.29 of 15 February 1995) on the initial report of the Philippines (CRC/C/3/Add.23), which have not yet been fully implemented, in particular those related to the minimum age of criminal responsibility and sexual content (para.18), discrimination against children born out of wedlock (paras.18 and 23), the lack of comprehensive juvenile justice system (paras.18 and 27), the lack of a monitoring system for the Convention (para.20), the prohibition of torture (para.18), violence and ill-treatment of children, including sexual abuse (para.24), measures to prevent and combat child labour in the country (para.26) etc. Please explain the obstacles to implementation and how the State party envisages overcoming them.
2. Please provide more information on the efforts undertaken by the State party to further harmonize domestic law with the provisions and principles of the Convention.
3. Please provide information on cases, if any, where the Convention has been directly invoked in domestic courts, and if so, please provide examples of such cases.
4. Please describe measures undertaken to strengthen data and statistics collection mechanisms and procedures with regard to the implementation of all provisions of the Convention.
5. Please provide information on the measures taken to implement the National Strategic Framework for Plan Development for Children 2001-2025, adopted in 2000 and known as Child 21, and to monitor and evaluate its implementation.
6. Please provide information on the content and the (results of) implementation of
  - a. the Third Elementary Education Programme (TEEP);
  - b. the Supreme Court's Rule on Examination of a Child Witness of 2000;
  - c. the Programme on Community-Based Rehabilitation;
  - d. the Reproductive Health Programme;
  - e. the National AIDS Prevention and Control Programme (NAPCP);
  - f. the Education for All (EFA) Programme of Action and the Child-Friendly School System (CFSS);
  - g. the Comprehensive Programme Framework for Children in Armed Conflict of 2001 (Presidential Executive Order No. 56); and
  - h. the National Programme against Child Labour (NPACL).
7. As regards local minority and indigenous languages, please provide information on the content and implementation of the Lingua Franca Project.
8. Please provide accurate information on the proposed bill on Comprehensive Juvenile Justice System and Delinquency Prevention Programme.

9. Please provide updated information on efforts to disseminate the Convention and the State party report.

10. Please provide updated information on efforts made to provide training, awareness on the Convention and on human rights in general, to children, parents, teachers, social workers and other professionals working with and for children.

11. Please provide updated information on the cooperation between the State party and the international community including non-governmental organisations, in the efforts to implement the Convention.

12. 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**

**Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages or the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.**

## **PART III**

**Under this section, the State party is to briefly (3 pages maximum) up-date 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.

## **PART IV**

**The following is a preliminary list of major issues (that does not contain issues already covered in Part I) that the Committee may take up during the dialogue with the State party. They do no require written answers. This list is not exhaustive as other issues might be raised in course of the dialogue.**

1. The enforcement of national legislation relating to the rights of the child.
2. Non-discrimination in general and in particular discrimination against girls, children with disabilities, children living in poverty, children born out of wedlock, children belonging to minorities and indigenous children, children in conflict with law, street children and children living in rural areas.

3. Birth registration, with a particular regard to children living in rural areas.
4. Right to life, survival and development.
5. Violence against children, including domestic violence, corporal punishment in the family, schools and other institutions.
6. Parental responsibilities, adoption, family reunification and the recovery of maintenance.
7. The situation of children with disabilities, access to social and health services, equal opportunities to education, rehabilitation and recreation, public attitudes towards children with disabilities..
8. Access to social and health services, infant, under-five and maternal mortality, pre- and post-natal health care, nutrition, HIV/AIDS, environmental health and access to safe water and sanitation in rural areas.
9. Adolescent health concerns and reproductive health issues, alcohol abuse, mental health care services.
10. Educational system, including equal access to education by all children, free primary education, literacy, drop-out rates, schooling facilities, enrollment in secondary education.
11. Leisure, recreation and cultural activities.
12. Children in armed conflict both as recruits and victims of hostilities and kidnapping.
13. Substance abuse.
14. Economic exploitation, including child labour.
15. Sexual exploitation, child pornography and trafficking.
16. Administration of juvenile justice, inter alia, unlawful detentions, adequate legislation, torture and ill-treatment in detention, the (monitoring of the) conditions of detention facilities for juveniles, rehabilitation and social reintegration services.
17. Children of parents working abroad
18. The situation of children belonging to minorities and indigenous peoples.

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