

Committee on Economic, Social and Cultural Rights
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights
Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)

cescr@ohchr.org

August 16, 2016

Re: Plenary Session on the Philippines

Dear Members of the Committee on Economic, Social and Cultural Rights,

We write in advance of your upcoming plenary session on the government of the Philippines' compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR).

Human Rights Watch has extensively documented violations relating to attacks on education and the recruitment and use of child soldiers, the right to education, the right to health, and the right to work. This submission relates to Articles 10, 12, 13, and 14 of the ICESCR. It proposes issues and questions that Committee members may wish to raise with the government while reviewing its compliance with these articles.

Thank you for your attention to our concerns, and with best wishes for a productive session.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Sheppard". The signature is fluid and cursive, with the first letter of the last name being a large, prominent capital 'S'.

Bede Sheppard
Deputy Director
Children's Rights Division
Human Rights Watch

Child labor (Articles 10(3), 12)

Child Labor in Gold Mining

Thousands of children in the Philippines risk their lives every day mining gold. Children work in unstable 25-meter-deep pits that could collapse at any moment, or underwater, along the shore, or in rivers, with oxygen tubes in their mouths. They also process gold with mercury, a toxic metal, risking irreversible health damage from mercury poisoning.¹

Artisanal and small-scale gold mining occurs in more than 30 provinces of the Philippines, and is an important livelihood for many poor, rural communities, largely occurring in the informal sector. An estimated 200,000 to 300,000 people work in small-scale gold mining.² According to a 2009 statement by the International Labour Organization (ILO), over 18,000 girls and boys work in mining in the Philippines.³ Much of the children's work in the Philippines mines is hazardous and falls under the worst forms of child labor.

Large and small-scale mines produced about 18 tons of gold in 2014, at a market value of over US\$700 million, according to official statistics. It is estimated that 70 to 80 percent of gold in the Philippines originates from small-scale gold mining.⁴ Human Rights Watch has documented child labor in Camarines Norte and Masbate provinces, where we interviewed 65 child miners—44 boys and 21 girls—between the ages of 9 and 17 in November 2014 and June 2015.⁵

Children start working as young as age 9, often work long hours, and in a few cases, adolescents work 24-hour shifts.⁶

¹ Human Rights Watch, “*What ... if Something Went Wrong?*”: Hazardous Child Labor in Small-Scale Gold Mining in the Philippines, September 2015, <https://www.hrw.org/report/2015/09/29/what-if-something-went-wrong/hazardous-child-labor-small-scale-gold-mining>.

² Environmental Management Bureau (EMB), Department of Environment and Natural Resources (DENR) and United Nations Environment Programme, “National Strategic Plan for the Phase-out of Mercury in Artisanal and Small-Scale Gold Mining in the Philippines 2011-2021,” 2011, <http://www.unep.org/chemicalsandwaste/Portals/9/2011-06-03%20nSP-aSGM.Final.2011.pdf> (accessed July 8, 2015) p. 12.

³ International Labour Organization, “Girls in Gold mining: ‘I don’t want my children to be like me,’” June 10, 2009, http://www.ilo.org/global/about-the-ilo/newsroom/features/WCMS_107949/lang-en/index.htm (accessed July 14, 2015).

⁴ “National Strategic Plan for the Phase-out of Mercury,” p. 6; “Small-scale miners in 30 provinces account for 70% of mined gold – MGB,” *InterAksyon.com* (News portal of TV 5), January 6, 2012, <http://www.interaksyon.com/article/21330/small-scale-miners-in-30-provinces-account-for-70-of-mined-gold—mgb> (accessed July 24, 2015).

⁵ Human Rights Watch, “*What ... if Something Went Wrong?*”: Hazardous Child Labor in Small-Scale Gold Mining in the Philippines, September 2015, <https://www.hrw.org/report/2015/09/29/what-if-something-went-wrong/hazardous-child-labor-small-scale-gold-mining>.

⁶ *Ibid.*

Boys and adult miners mine gold underwater in a practice called known as compressor mining, sometimes for several hours. They receive air through a tube attached to an air compressor on the surface, but these tubes sometimes malfunction. The work exposes miners to the risk of drowning and serious health conditions such as decompression sickness and skin infections. Boys also work in deep pits where they are at risk of injury and death, for example, from falling rocks or wood beams, and death.⁷

Furthermore, girls and boys process gold with mercury, a highly toxic metal, by amalgamating the mercury with gold and then burning the amalgam to separate out the gold. Such exposure to high levels of mercury can cause irreversible health damage from mercury poisoning, including lifelong disability, brain damage, and even death. Heavy lifting involved in all the mining work causes pain in the back, shoulders, sides, or hands, and can cause spinal damage in the long-term.⁸

The Philippines Labor Code sets the minimum age for work at 15, and prohibits hazardous work for anyone under the age of 18. In addition to the ICESCR, the Philippines has ratified international laws on child labor, in particular the ILO Minimum Age Convention and the Worst Forms of Child Labor Convention.⁹

The government of the Philippines has been committed to combating the worst forms of child labor in law and policy but we remain concerned about the lack of enforcement. Child labor inspections in mines are rare, employers are not sanctioned for using child labor, and children are not withdrawn from mines. We are also concerned that, so far, administrative order 2015-03 of March 16, 2015 by the Department of Environment and Natural Resources, which prohibits mercury use and underwater mining, appears to be poorly enforced in at least one area, Camarines Norte, where mercury use and compressor mining were ongoing during Human Rights Watch's visit in June 2015.¹⁰

⁷ Human Rights Watch, "What ... if Something Went Wrong?": Hazardous Child Labor in Small-Scale Gold Mining in the Philippines, September 2015, <https://www.hrw.org/report/2015/09/29/what-if-something-went-wrong/hazardous-child-labor-small-scale-gold-mining>.

⁸ Ibid.

⁹ International Labour Organization (ILO) Convention No. 138 concerning the Minimum Age for Admission to Employment (Minimum Age Convention), adopted June 26, 1973, 1015 U.N.T.S. 297, entered into force June 19, 1976; ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Worst Forms of Child Labour Convention), adopted June 17, 1999, 38 I.L.M. 1207 (entered into force November 19, 2000).

¹⁰ Human Rights Watch, "What ... if Something Went Wrong?": Hazardous Child Labor in Small-Scale Gold Mining in the Philippines, September 2015, <https://www.hrw.org/report/2015/09/29/what-if-something-went-wrong/hazardous-child-labor-small-scale-gold-mining>.

Further information can be found in Human Rights Watch’s report, “What ... if Something Went Wrong?” Hazardous Child Labor in Small-Scale Gold Mining in the Philippines.”¹¹

Human Rights Watch recommends the Committee ask the government of the Philippines:

- *What steps is the government taking to tackle hazardous child labor in artisanal and small-scale gold mining?*
- *What steps is the government taking to implement the March 2015 administrative order banning mercury use and compressor mining?*
- *What steps is the government taking to implement the National Strategic Plan for the Phase-Out of Mercury in Artisanal and Small-Scale Gold Mining and to ratify the 2013 Minamata Convention on Mercury?*

Human Rights Watch asks the Committee to call upon the government of the Philippines to:

- *Develop a strategy to tackle child labor in mining and include it in the new child labor program.*
- *Develop a comprehensive strategy for a responsible and safe small-scale mining sector, including enforcing the March 2015 administrative order banning mercury use and compressor mining.*
- *Implement the National Strategic Plan for the Phase-Out of Mercury in Artisanal and Small-Scale Gold Mining, including by introducing mercury-free gold processing methods and by ending the use of mercury by children.*
- *Ratify the Minamata Convention on Mercury and implement its provisions.*
- *Improve access to health care for miners for mining-related health conditions, including mercury exposure.*

Education (Articles 13, 14)

Access to Education for Child Laborers in Mining Sector

An estimated 3.5 million children are out of school in the Philippines.¹² The right to education is guaranteed under the Philippines’s constitution, which states that “The State shall protect and promote the right of all citizens to quality education at all levels, and shall take appropriate steps to make such education accessible to all.” Moreover, “The State shall give priority to education.”¹³

¹¹ Human Rights Watch, “What ... if Something Went Wrong?": Hazardous Child Labor in Small-Scale Gold Mining in the Philippines, September 2015, <https://www.hrw.org/report/2015/09/29/what-if-something-went-wrong/hazardous-child-labor-small-scale-gold-mining>.

¹² Philippines Statistics Authority, “Out-Of-School Children and Youth in the Philippines,” April 20, 2015, <https://psa.gov.ph/content/out-school-children-and-youth-philippines-results-2013-functional-literacy-education-and> (accessed September 7, 2015); Human Rights Watch interview with undersecretary Alberto Muyot, Department of Education, Manila, February 4, 2015.

¹³ Constitution of the Philippines, 1987, <http://www.gov.ph/constitutions/1987-constitution/> (accessed August 9, 2016).

While the government has taken some important steps to ensure education for all, the number of out-of-school children working in gold mines remains a concern. Work in small-scale and artisanal gold mining causes children to miss school and sometimes drop out altogether. Child laborers work to support their parents financially. In addition, several children work to earn money for school supplies.¹⁴ Nearly one-third of child miners interviewed by Human Rights Watch in November 2014 and June 2015 did not go to school at all. Other child laborers interviewed said that they attended school but skipped classes on a regular basis to work at the mines.¹⁵

School performance is also affected as children lack time to rest and study. Children and teachers interviewed by Human Rights Watch noted that children are tired, slow, and unfocused due to their work in the mines.¹⁶

Human Rights Watch recommends the Committee ask the government of the Philippines:

- *How many children are currently out of school in the Philippines?*
- *What measures are in place to ensure that children who are out of school for financial reasons are being supported to get into school?*
- *What progress is being made on efforts to monitor child labor through schools and teachers?*

Human Rights Watch asks the Committee to call upon the Philippines to:

- *Improve access to education for children working in small-scale mining, including by following up on students who are frequently absent from school or who drop out, and offering bridging programs to get back into school.*
- *Offer appropriate part-time youth employment opportunities for adolescents between the ages of 15 and 17, that do not interfere with the compulsory schooling requirement for these children.*
- *Use social protection measures to assist vulnerable families in mining areas, including by providing stipends conditional on school attendance to offset lost income from child labor, guaranteeing access to free primary education, educating parents about the risks of hazardous labor, and providing basic social protections to orphans and other children affected by HIV/AIDS.*

¹⁴ Human Rights Watch, “What ... if Something Went Wrong?": Hazardous Child Labor in SmallScale Gold Mining in the Philippines, September 2015, <https://www.hrw.org/report/2015/09/29/what-if-something-went-wrong/hazardous-child-labor-small-scale-gold-mining>.

¹⁵ Ibid.

¹⁶ Ibid.

Attacks on education

Attacks on students, teachers, and schools, as well as the military use of schools continue to occur in the Philippines. They place children and teachers at risk of injury or death and affect students' ability to obtain a quality education.

The Philippine government is engaged in long-running internal armed conflicts with the communist New People's Army (NPA) and various Islamist armed groups in the south.¹⁷

There are a number of provisions for the protection of schools from military use and from attack in domestic law and military policy.

In 2009, the Philippine Congress passed a law affording protection against "intentionally directing attacks against buildings dedicated to ... education, ... provided they are not military objectives," which is listed as a "war crime." Penalties range up to life imprisonment and fines from 100,000 to 1 million Philippine pesos (US\$2,300-\$23,100).¹⁸

The military use of schools has been explicitly banned under both national legislation and military policy. Section 22 of the 1992 Special Protection of Children Against Abuse, Exploitation and Discrimination Act declares that children are "Zones of Peace" and prohibits the use of schools "for military purposes such as command posts, barracks, detachments, and supply depots."¹⁹ Subsequent to the banning of the use of school for military purposes in the national legislation, a number of provincial and municipal entities issued local ordinances that reiterated the absolute ban.²⁰

The Armed Forces of the Philippines Letter Directive Number 34 orders that all armed forces personnel shall strictly abide and respect that "Basic infrastructure such as schools ... shall not be utilized for military purpose such as command posts, barracks, detachments, and supply depots."²¹

¹⁷ Human Rights Watch, "Disarming schools: strategies for ending the military use of schools during armed conflict," *United Nations Institute for Disarmament Research*, October 30, 2011, https://www.hrw.org/news/2011/10/31/disarming-schools-strategies-ending-military-use-schools-during-armed-conflict#_ftn38.

¹⁸ Republic Act No. 9851 (An Act Defining and Penalizing Crimes against International Humanitarian Law, Genocide and Other Crimes Against Humanity, Organizing Jurisdiction, Designating Special Courts, and for other related purposes), 2009, sec. 4(a)(4)(c)(3)&(10), http://www.lawphil.net/statutes/repacts/ra2009/ra_9851_2009.html (accessed March 2011).

¹⁹ The Philippines, *An act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, and for other purposes*, Republic Act No. 7610, 17 June 1992.

²⁰ For further information on the ordinances see Save the Children, *Philippine Laws Related to the Discipline and Punishment of Children*, 2006.

²¹ Armed Forces of the Philippines Letter Directive No. 34, GHQ AFP, November 24, 2009, para. 7(e). Cited in letter to Human Rights Watch from Brigadier General Jose B. Vizcarra, Adjutant General, Armed Forces of the Philippines.

A number of deliberate attacks on students, teachers, and schools have been documented in the Philippines since its last review before the Committee.²² According to information received by the Global Coalition to Protect Education from Attack, the United Nations verified 43 incidents involving damage, destruction, or occupation of education facilities, placement of landmines and unexploded ordnance near schools and violence or threats of violence against teachers and students from 2010 to 2012. In addition, 92 other incidents were recorded but could not be verified due to geographic and personnel restraints. These 135 incidents were estimated to have affected 8,757 students.²³

In 2013, fighting between the Philippine military and a faction of the rebel Moro National Liberation Front forced 170 schools to close, although most of them have since reopened.²⁴

Tribal schools have increasingly been the target of attacks. Since 2014, the Alamara paramilitary group has harassed students at tribal schools run by religious and nongovernmental groups in the context of wider violence against villages of indigenous peoples in Bukidnon and Davao del Norte provinces. These attacks have resulted in the closure of some schools and the disruption of classes. Hundreds of residents fled to a Protestant church compound in Davao City, where children hold classes under trees and in tents. Alamara claimed that these schools are used to indoctrinate tribal children in communist ideology. School administrators responded that the government-accredited schools teach approved subjects attuned to the tribe's culture.²⁵

Save Our Schools Network, a Manila-based advocacy group, recorded 52 attacks on schools by combined paramilitary and military forces in four Mindanao provinces from 2014 to mid-2015. While paramilitaries have attacked public schools, most of their targets are tribal schools in far-flung villages where the NPA is also present.²⁶ On September 1, 2015, the government-backed Magahat paramilitary group allegedly attacked a tribal school in Surigao del Sur province, torturing and killing the director and two tribal leaders. This attack also caused an estimated 4,000 residents to flee their homes.²⁷ In September 2015, elements of the Philippine

²² "Philippines: Paramilitaries Attack Tribal Villages, Schools: Military Supporting Abusive Forces in Mindanao," Human Rights Watch news release, September 23, 2015, <https://www.hrw.org/news/2015/09/23/philippines-paramilitaries-attack-tribal-villages-schools>.

²³ Global Coalition to Protect Education from Attack, "Country Profiles: The Philippines," 2014, <http://www.protectingeducation.org/country-profile/philippines> (accessed July 05, 2016).

²⁴ Carlos Conde (Human Rights Watch), "Dispatches: Philippines' Displaced Children Barred from School," June 15, 2016, <https://www.hrw.org/news/2016/06/15/dispatches-philippines-displaced-children-barred-school>.

²⁵ "Philippines: Paramilitaries Attack Tribal Villages, Schools: Military Supporting Abusive Forces in Mindanao," Human Rights Watch news release, September 23, 2015, <https://www.hrw.org/news/2015/09/23/philippines-paramilitaries-attack-tribal-villages-schools>.

²⁶ Ibid.

²⁷ Carlos Conde (Human Rights Watch), "Dispatches: Killings of Philippine Tribal Members Spark Public Furor," September 08, 2015, <https://www.hrw.org/news/2015/09/08/dispatches-killings-philippine-tribal-members-spark-public-furor>; "Philippines:

military accompanied paramilitaries as they harassed students and teachers at a tribal school in the town of Talaingod.²⁸

Numerous examples of the military use of schools, primarily by the Philippine armed forces, have been documented since the Philippines' past review.²⁹ Philippine armed forces used parts of functioning schools as command centers, weapons storage depots, and as barracks or bases for military detachments. This included camping on school grounds and using school facilities during civil-military operations, such as the provision of development projects to school and nearby communities. Occupations typically lasted from between three months to more than a year.³⁰ According to information received by the Global Coalition to Protect Education from Attack, at least 56 incidents of military use of schools, mostly by government armed forces, were recorded by the United Nations from 2010-2012.³¹

Displaced children who have been living in shelters in Zamboanga City since they fled the southern Philippines have also struggled to access education. In May 2016, it was unclear whether these children would be able to attend classes when schools opened as the Zamboanga City government has failed to submit their school records and other requisite personal data to the Department of Education.³²

Paramilitaries Attack Tribal Villages, Schools: Military Supporting Abusive Forces in Mindanao," Human Rights Watch news release, September 23, 2015, <https://www.hrw.org/news/2015/09/23/philippines-paramilitaries-attack-tribal-villages-schools>.

²⁸ "Philippines: Paramilitaries Attack Tribal Villages, Schools: Military Supporting Abusive Forces in Mindanao," Human Rights Watch news release, September 23, 2015, <https://www.hrw.org/news/2015/09/23/philippines-paramilitaries-attack-tribal-villages-schools>.

²⁹ Human Rights Watch, "We Told the Children Not to Enter," commentary, *Inter-Agency Network for Education in Emergencies*, January 31, 2012, <https://www.hrw.org/news/2012/01/31/we-told-children-not-enter>.

³⁰ Human Rights Watch, "Disarming schools: strategies for ending the military use of schools during armed conflict," *United Nations Institute for Disarmament Research*, October 30, 2011, https://www.hrw.org/news/2011/10/31/disarming-schools-strategies-ending-military-use-schools-during-armed-conflict#_ftn38; "Philippines: Soldiers on the School Grounds: Armed Forces Should Cease Military Use of School," Human Rights Watch news release, November 30, 2011,

<https://www.hrw.org/news/2011/11/30/philippines-soldiers-school-grounds>; "Philippines: Military Leadership Should Act on Abuses: Armed Forces Chief Should Ensure Rights Violators are Held Accountable," Human Rights Watch news release, April 1, 2012, <https://www.hrw.org/news/2012/04/01/philippines-military-leadership-should-act-abuses>; Bede Sheppard (Human Rights Watch), "Some things don't mix," commentary, *Philippine Daily Inquirer*, April 24, 2012,

<https://www.hrw.org/news/2012/04/24/some-things-dont-mix>; Human Rights Watch, *World Report 2013*, (New York: Human Rights Watch, 2013) *Philippines*, <https://www.hrw.org/world-report/2013/country-chapters/philippines>; Carlos Conde (Human Rights Watch), "Philippines: Investigate Zamboanga Detainee Mistreatment: Ensure Access to Lawyers, Family Members, Rights Monitors," Human Rights Watch news release, October 3, 2013, <https://www.hrw.org/news/2013/10/03/philippines-investigate-zamboanga-detainee-mistreatment>; Carlos Conde (Human Rights Watch), "Dispatches: Military Abuses in Southern Philippines," April 17, 2015, <https://www.hrw.org/news/2015/04/17/dispatches-military-abuses-southern-philippines>.

³¹ Global Coalition to Protect Education from Attack, "Country Profiles: The Philippines," 2014, <http://www.protectingeducation.org/country-profile/philippines> (accessed July 05, 2016).

³² Carlos Conde (Human Rights Watch), "Dispatches: Philippines' Displaced Children Barred from School," June 15, 2016, <https://www.hrw.org/news/2016/06/15/dispatches-philippines-displaced-children-barred-school>.

Human Rights Watch recommends the Committee ask the government of the Philippines:

- *How many schools, universities, or education facilities have been damaged or destroyed as a result of attacks by a) state security forces and b) non-state armed groups in each year of the reporting period, and since?*
- *What action has the government taken to prevent attacks by non-state armed groups on schools and universities and to mitigate their impact when they do occur?*
- *How many schools, universities, or education facilities have been fully or partially occupied or used by a) government security forces and b) non-state armed groups in each year of the reporting period, and since?*
- *What action has the government taken to ensure the enforcement of the 1992 Special Protection of Children Against Abuse, Exploitation and Discrimination Act's ban on military use of schools?*
- *What action has the government taken to ensure that attacks on schools in contravention of international humanitarian law are investigated and those responsible duly prosecuted?*
- *What measures is the government putting in place to ensure children displaced by conflict are able to access a quality education?*
- *When will the paperwork of the displaced children in Zamboanga City be processed so that these children can attend school?*

Human Rights Watch recommends to the Committee that it calls upon the Philippines to:

- *Investigate and appropriately prosecute individuals responsible for involvement in the range of violations of international law that constitute attacks on education, including as a matter of command responsibility.*
- *Respond to attacks on schools by promptly repairing damage and ensuring that students can safely return to class.*
- *Ensure compliance with the 1992 Special Protection of Children Against Abuse, Exploitation and Discrimination Act ban on military use of schools.*
- *Endorse the Safe Schools Declaration, opened for states to join at the Oslo Safe Schools Conference in May 2015.*
- *Ensure the availability of free education, including informal education and vocational training, for children removed from the worst forms of child labor, including children used as soldiers.*
- *Ensure the provision of education in crises and displacement, and adopt special measures to ensure children can continue to go to school in highly insecure areas, including by reducing the distance to school, offering distance learning programs, and setting up protective spaces for girls and teachers.*
- *Remove any bureaucratic obstacles that are barriers to children attending school.*

Child soldiers (Articles 10, 12, 13, 14)

The recruitment and the use of children in armed conflict continues to be a significant problem in the Philippines. In the period since the last review, government forces; the New People's Army (NPA); the Moro Islamic Liberation Front; and Aby Sanyaf recruited and used children in armed conflict since the last review.³³

Government armed forces also falsely identified children as "child warriors," detained these children for several days, and paraded them in front of the media, publicly calling them rebels. Human Rights Watch investigated these cases and found the allegations were fabricated by the military.³⁴

Human Rights Watch asks the Committee to call upon the Philippines to:

- *End all recruitment and use of children under 18 years of age by regular forces or by associated militias.*
- *End armament or other assistance to armed groups, including local defense groups, that use children under the age of 18.*
- *Call on non-state armed groups to end all recruitment and use of children under 18 years of age.*
- *Work with child protection agencies to disarm and release children within forces and aligned militias and transfer them to appropriate civilian rehabilitation and reintegration programs that include educational and vocational training as well as necessary counselling, in accordance with the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups ("Paris Principles") of 2007.*
- *Continue to provide appropriate support for the implementation of the action plan to prevent the continued recruitment of child soldiers between MILF and the United Nations signed on August 1, 2009.*
- *As appropriate, facilitate the United Nations country task force on monitoring and reporting grave violations against children to renew its efforts to reach out to the NPA with a view to developing an action plan to end and prevent the recruitment and use of children and to address other violations and abuses against children committed by the NPA.*

³³ "Philippines: Army Falsely Tags Children as Rebels: End Mistreatment of Minors for Propaganda Purposes" Human Rights Watch news release, October 11, 2011, <https://www.hrw.org/news/2011/10/11/philippines-army-falsely-tags-children-rebels>; Human Rights Watch, World Report 2013, (New York: Human Rights Watch, 2013) *Philippines*, <https://www.hrw.org/world-report/2013/country-chapters/philippines>; Carlos Conde (Human Rights Watch), "Dispatches: Fighting Over Child Soldiers in the Philippines," February 16, 2016, <https://www.hrw.org/news/2016/02/16/dispatches-fighting-over-child-soldiers-philippines>.

³⁴ "Philippines: Army Falsely Tags Children as Rebels: End Mistreatment of Minors for Propaganda Purposes" Human Rights Watch news release, October 11, 2011, <https://www.hrw.org/news/2011/10/11/philippines-army-falsely-tags-children-rebels>; Human Rights Watch, World Report 2013, (New York: Human Rights Watch, 2013) *Philippines*, <https://www.hrw.org/world-report/2013/country-chapters/philippines>; Carlos Conde (Human Rights Watch), "Dispatches: Fighting Over Child Soldiers in the Philippines," February 16, 2016, <https://www.hrw.org/news/2016/02/16/dispatches-fighting-over-child-soldiers-philippines>.

Children in humanitarian crises (Article 12)

Children are highly vulnerable in humanitarian crises such as natural and man-made disasters. In May 2016, outgoing President Benigno Aquino III approved a law that made children's needs and welfare a leading priority during disaster relief operations. Under the Children's Emergency Relief and Protection Act,³⁵ the Department of Social Welfare and Development must develop a plan to "be used as the basis for handling disasters and other emergency situations to protect children, pregnant and lactating mothers, and support their immediate recovery."³⁶ This law now goes to the relevant agencies for implementation.³⁷

Human Rights Watch recommends the Committee ask the government of the Philippines:

- *When will the Department of Social Welfare and Development develop the plan for the implementation of the Children's Emergency Relief and Protection Act?*

Human Rights Watch asks the Committee to call upon the Philippines to:

- *Implement the Children's Emergency Relief and Protection Act in a timely manner.*

³⁵ Republic Act No. 10821, *An Act Mandating The Provision Of Emergency Relief And Protection For Children Before, During, And After Disasters And Other Emergency Situations*, 2015, <http://www.gov.ph/2016/05/18/republic-act-no-10821/> (accessed August 09, 2016).

³⁶ *Ibid.*

³⁷ Carlos Conde (Human Rights Watch), "Dispatches: Filipino Children Promised Better Disaster Relief," May 24, 2016, <https://www.hrw.org/news/2016/05/24/dispatches-philipino-children-promised-better-disaster-relief>.