



19TH CWC LEGISLATIVE AGENDA OF CHILDREN

About CWC

The Council for the Welfare of Children (CWC) is the focal inter-agency body of the Philippine government for children. As part of its mandate to promote and protect children's rights and welfare, CWC continues to work towards addressing policy issues affecting the progressive realization of children by advocating for child-friendly and child-sensitive pieces of legislation in adherence to international standards and instruments where we are a part of.

In every Congress, the CWC Legislative Agenda for Children (CLAC) is developed. It sets the priority policies to be lobbied within the legislative cycle and serves as basis for collaboration with partners and key stakeholders. As State Party to the UN Convention on the Rights of the Child (UNCRC), part of its obligation is to ensure that its national legislations are in full conformity to its provisions and principles.

Acknowledgments

We would like to recognize the efforts of everyone who contributed to the formulation of the 19th CWC Legislative Agenda of Children.

First and foremost, we thank the children who shared their experiences and insights that are reflected on this document. We extend our gratitude to participants who took part in the consultations that enriched the conversation on children's issues. These include CWC staff, partner civil society networks, and national government agencies.

We are grateful to UNICEF for sharing their resources to realize the 19th CWC Legislative Agenda. We also recognize Atty. Kristine Borja and Atty. Teresa Banta for the completion of the 19th CLAC. Lastly, we appreciate the roles of Mr. Michael Catbagan, Ms. Aubrey Suzy Punzalan, Ms. Normina Mojica, and the Policy, Planning, and Research Division in developing the 19th CWC Legislative Agenda of Children.

Table of Contents



UNLOCKING POSSIBILITIES for, by, and with the children

National Situation of Children	6
UNCRC Concluding Observations	8
Development of the 19th CLAC Journey	8
CWC Legislative Agenda of Children	
1) Magna Carta of Children	12
2) Promoting Positive and Non-Violent Discipline of Children	15
3) Preventing Adolescent Pregnancy	20
4) Mental Health and Psychosocial Services for Children	24
5) Strengthening Institutions for Child Participation	27
Proposal to Pass New Laws	29
Amendment to Existing Laws	31

IMAGINE A NATION

where children don't die of hunger
and learn to read and write

where children are not left in the streets
and go home to a warm shelter

where children are given second chances
and live to tell stories of hope

where children do not fall into silence
and instead raise their voice

MESSAGE FROM THE EXECUTIVE DIRECTOR

Unlocking possibilities for, by, and with the children

Greetings from the Council for the Welfare of Children!

When children's rights are only realized by a privileged few, there is a need to level the playing field - especially for the stateless, the foundlings, and children caught between war-torn communities, among others. As challenging as it may be, we should continue our work in promoting the best interests of the child.

Key players should work together - not for competition but for complementation and cooperation. These include lawmakers, advocates, and children themselves. Having consultations will bring children at the heart of the law. Advocates should continue to listen and push for the children's agenda.

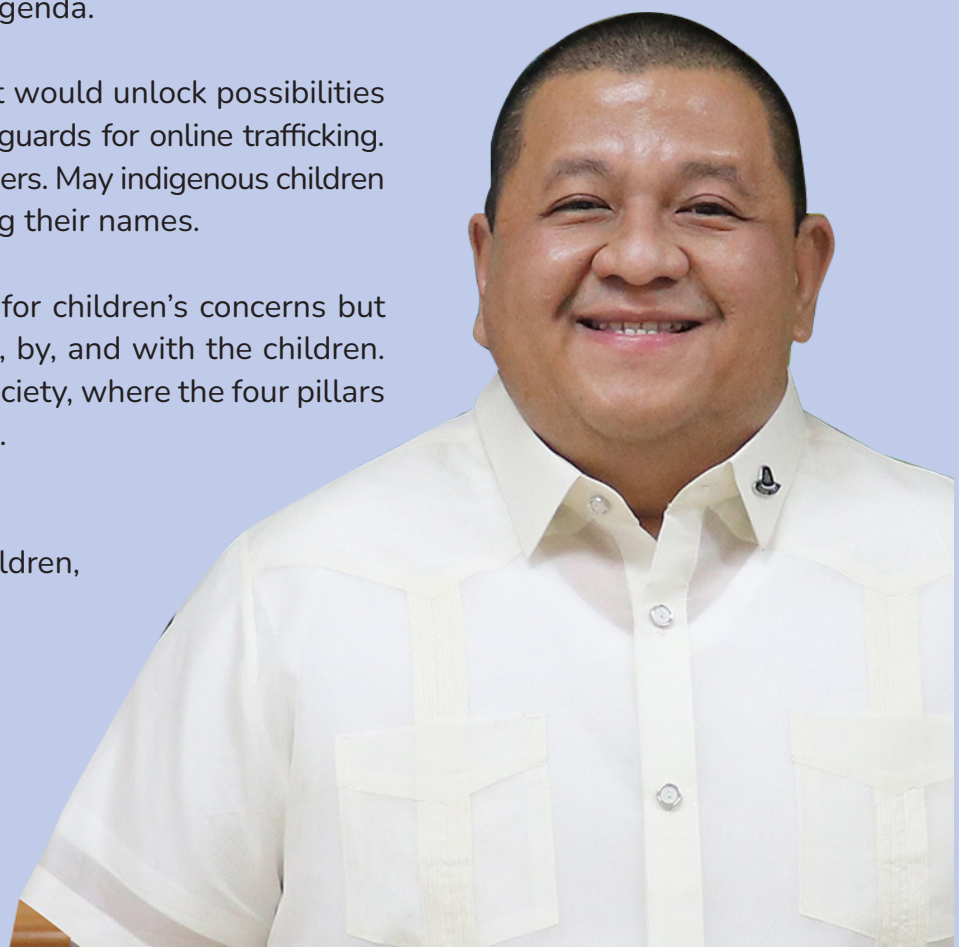
Legislators should prioritize bills that would unlock possibilities for these children. May there be safeguards for online trafficking. May there be support for teenage mothers. May indigenous children understand the necessity of registering their names.

Legislation is not a blanket solution for children's concerns but acts as an enabling environment, for, by, and with the children. Let us work together for a win-win society, where the four pillars of children's rights are realized for all.

With you in service of the Filipino children,



USEC. ANGELO M. TAPALES
Executive Director V



National Situation of Children



The CWC presented general data on the situation of Filipino children. As of May 2020, children aged 5 to 17 years old consists 28.59% of the total population of the Philippines. This translates to roughly 31.1M children. CWC covered key issues divided into the four thematic areas of children's rights.

SURVIVAL

Poverty. 2018 data note 23.9% (9.1M) children belong to poor families while 8.1% (3.2M) belong to food-poor families. The Covid-19 pandemic heavily affected the economic situation of children as parents and caregivers lost jobs and income. Nationally, 31.4% of children are living below the basic needs poverty line. Under a host of issues, children are adversely affected by poverty in many ways and become vulnerable to issues such as mortality, health, education, violence, and forced labor.

Adolescent Pregnancy. Data from the Field Health Services Information System of the Department of Health show that the adolescent birth rate is at 22.31%, based on the total livebirths of 15 to 19 years old girls. This means that fetal deaths for adolescent pregnancies are high. One of the causes identified for the high fetal death rates is the lack of accessibility of adolescents to pre-natal check-ups.

DEVELOPMENT

Pre-enrolment rates were the primary focus of the CWC report, noting the over-all decline in the gross enrolment rate during the pandemic year and slowly seeing an increase as the country recovers from Covid-19 and with schools reopening. **Completion rates** also decreased during the pandemic year but increased in 2021 to 2022 as the pandemic recovery year.



PROTECTION

The National Situation Report covered data from the Philippine National Police on cases of trafficking nationwide and the cases of abuse and violence against children. In both data sets, there is an overall decrease in the number of victims from 2017 to 2021.

Through Republic Act 11166 (Philippine HIV and AIDS Policy Act), testing centers were made accessible nationwide, and facilitated the increase of awareness on the issue. The 30% increase in the number of reported cases on HIV and AIDS from 2019 to 2022 may be attributed to R.A. 11166.

Data relating to child labour, indigenous people's children, children with disabilities, children in conflict with the law, and children in street situations were also presented.

PARTICIPATION

Of the 1,634 cities and municipalities, 76.25% of these reported having child representatives in their Local Child Protection Council, with 32.18% selected through the children's assembly.

The 2019 Child-Friendly Local Governance Audit notes that the Local Development Plan or the Local Plan of Action for Children had the highest compliance with 79.26% of audited LGUs having prepared plans for implementation. 50% of LGUs reported the availability of the Comprehensive Local Juvenile Intervention Program, the second child-mandated plan that is most complied with by LGUs. The plan least complied with is the Comprehensive Emergency Programme for Children with only 47.60% of LGUs reporting its availability and implementation.

Development of the 19th CLAC Journey

UNCRC Concluding Observations

As a party to the UN Convention on the Rights of the Child (UN CRC), **the Philippines undergoes a review process conducted by the UN Committee on the Rights of the Child.** The Committee is composed of independent experts who are tasked to monitor and review the implementation of the UN CRC in country and issue concerns and recommendations in the form of Concluding Observations. The Philippines ratified the UN CRC on 21 August 1990. It has, since then, undergone six reporting cycles for the Convention on the Rights of the Child.

The Committee considered the fifth and sixth periodic reports of the Philippines on 13 and 14 September 2022 and adopted the concluding observations on 23 September 2022.

ALLOCATION OF RESOURCES

The Committee urges the Philippines to integrate a child-rights perspective into budgeting by ensuring transparent and participatory budgeting process that are accessible to children and that establishes a mechanism to evaluate and ensure that child-related budget allocation is used to uphold children's rights and welfare.

NATIONAL ACTION PLANS

The Committee cites a number of national frameworks which require institutionalization either through legislation or proper implementation. These include the National Framework for Children's Participation; National Plan to End Statelessness in relation to bills proposing accessible and free birth registration systems; Philippine Plan of Action to End Violence Against Children; National Strategic Plan on Children with Disabilities; Adolescent and Development Program; Comprehensive Emergency Program for Children.

SPECIFIC LEGISLATION

The Committee calls on the Philippines to expedite the passage of the following specific measures: Preventing teenage pregnancy; prohibiting discrimination; prohibiting corporal punishment and promoting positive parenting.

STRENGTHENING INSTITUTIONS

The Committee reiterates its call for the Philippines to transform the Council for the Welfare of Children into the Philippine Commission of Children, under the President's Office.



Review of the 18th CLAC

The **18th CWC Legislative Agenda of Children (CLAC)** was developed in 2019. It was similarly crafted through a series of consultation workshops with members of the Council for the Welfare of Children, partner national government agencies, and civil society organizations.

By the Numbers. 325 child-focused legislation were filed in the 18th Congress: 66 of these bills focused on survival, 146 on child protection, 77 on child development, and 2 on child participation. The 18th CLAC was divided into three categories: (a) Enactment of New Laws; (b) Advocacy with Legislators; (c) Advocacy with Executive Officials.

The following proposed legislation passed into law during the 18th Congress (2019 to 2022):

- Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act
- Parent Effectiveness Program
- Expanded Anti-Trafficking in Persons Act of 2022
- Foundling Recognition and Protection Act
- Instituting a Policy of Inclusion and Services for Learners with Disabilities in support of Inclusive Education Act
- Increasing the Age of Statutory Rape from 12 to 16 years old
- Domestic Administrative Adoption and Alternative Child Care Act
- Prohibiting the Practice of Child Marriage
- Alternative Learning System Act
- National Academy of Sports
- Accession to the 1961 Convention on the Reduction of Statelessness

Drafting the 19th CLAC

In drafting the 19th CLAC, the CWC conducted a desk review of key documents and a series of consultations with key stakeholders.

KEY DOCUMENTS

The desk review covered the following documents:

- (a) International and Regional Commitments;
- (b) Concluding Observations on the Compliance Report of the Philippines to the UN Committee on the Rights of the Child;
- (c) Child 21 Framework;
- (d) 3rd National Plan of Action for Children;
- (e) Philippine Plan of Action to End Violence Against Children;
- (f) Laws and Issuances on Children;
- (g) Progress of the 18th CLAC, including recently approved legislative measures on children;
- (h) Results of the Voluntary National Review with Children, including recommendations from the capacity-building on children's participation in policy reforms. During the presentation of the proposed 19th CLAC to the Technical Management Group (TMG), members of the TMG suggested that the Philippine Development Plan 2017 to 2022 should be included as part of the documents reviewed.

CONSULTATIONS

CWC held four rounds of consultations: (a) 20 September – with the members of the Council for the Welfare of Children; (b) 24 September – with children; (c) 26 September – with National Government Agencies; (d) 27 September with Civil Society Organizations.

Separate from the consultation with CWC, national government agencies, and civil society organizations, on 24 September, CWC also held a round of consultation with children. In contrast to the development of the 18th CLAC, the development of the 19th CLAC ensured data gathered from consultations with children were taken into account in an effort to develop a legislative agenda that is not only for, but by, and with children.



MODERATORS

OPPORTUNITIES

VENUE

HOUSE RULES

One Man, One Rule	Cleaner's duty & Gorgie...
Be Respectful, respectful and be kind to	Cleanliness is a MUST/CH...
Listen Attentively	Be Open Minded
Be Responsible	Respect: Listen when someone is talking and be kind to each other
Respect: be gentle	Participate Actively





LES

WiFi Name:
SEQUOIA
PASSWORD:
carav

01 Magna Carta of Children

This agenda aims to develop a **Magna Carta of Children** and create the **Philippine Commission on Children** which will operationally replace the Council for the Welfare of Children. The creation of the Philippine Commission on Children was treated as a separate legislative proposal in the 18th Congress. However, upon recommendation of key stakeholders, the creation of the Philippine Commission on Children is now included in the Magna Carta, as one of the Magna Carta's salient provisions include the strengthening of government institutions on children's rights and welfare.

Why is there a need for a Magna Carta of Children?

The proposed Magna Carta is intended to be a “**comprehensive legislative measure that will not only encourage the protection of children from threats and harm, but more importantly ensure positive support for the development of the child's personality, talents, and mental and physical abilities to their fullest potential.**” (Privilege Speech of Rep. Yedda Romualdez, January 2020).

The UN Committee on the Rights of the Child calls on the Philippines to strengthen the main coordinating body for children and urged to:

- Ensure that the Philippine Commission on Children has strong authority, adequate resources, and a clear mandate to coordinate all activities regarding the implementation of the Convention;
- Address overlapping mandates of inter-agency councils
- Strengthen the coverage and effective operation of local and regional councils and sub-committees for the protection of children



NO

bills filed on
the MCC except
for Rep. Yedda
Romualdez
(2022)

NO

counterpart
bills filed in
the Senate



The bill proposes
an increase in
the budget of
the Local Child
Protection
Councils
to 7%

MAGNA CARTA of CHILDREN and the PHILIPPINE COMMISSION on CHILDREN (PCCH)

MCC will serve as a framework for children
based on the UN Convention on the Rights of
the Child. It will put in place a systematic
review of existing domestic child welfare
legislation and strengthen child-serving
institutions of government.

COMPOSITION

Board of Commissioner

Four commissioners* to specialize
in one key area of the UN CRC:

- (1) Child Protection
- (2) Child Health and Nutrition
- (3) Child Development
- (4) Child Participation

* shall be private individuals and active
members of legitimate children's
organizations

* shall be nominated by TAG, for
appointment by the President,
with a term of three years

Technical Advisory Group and Membership

The proposed PCCH will also have a
Technical Advisory Group,* which shall
deliberate on the concerns and
recommendations of the different
sectoral and sub-committees of the
Commission.

* shall comprise 18 representatives
from various government agencies

* shall be chaired by the Department
of Social Welfare and Development
Secretary as an adjunct agency.

Sectoral Committees and Sub-Committees. PCCH is tasked to create sectoral committees. The five sectoral committees will focus on the key areas of concerns in the UN CRC which include: (a) Children in Need of Special Protection; (b) Family Environment and Alternative Care; (c) Basic Health and Welfare; (d) Civil Rights and Freedom; (e) Education, Leisure and Cultural Activities. Additional committees may be created to address emerging issues or concerns of children.

Why is there a need for the Creation of the Philippine Commission on Children?

There is a need to have an enhanced integrated approach to safeguard the welfare of children and ensure compliance to our laws and international commitments. The Philippines currently has multiple agencies tackling issues relating to children's rights and welfare with no one body coordinating all efforts.

IN FOCUS



The Philippine Commission on Children (PCCH) is tasked to:

Formulate an integrated national policy (legislative agenda), plans, programs, projects, and services relative to the development of the general well-being and protection of the best interest of the child;

Coordinate the implementation and enforcement of policies, plans, and programs to government agencies and NGOs

Serve as the primary convener of all committees, councils, and structures working on children's rights for efficient coordination, information sharing, and research and monitoring of children's rights.

Lead in the conduct of researches and studies on children

Monitor and evaluate all local and international policies, programs, and projects on the rights of the child

Institutionalize technical assistance and capacity building for groups and agencies that work on children

Mainstream concerns and issues affecting children:

- Advocate for new innovative programs and services for children's welfare and protection
- Report to the President and Congress on the Commission's activities and accomplishments

The PCCH shall be attached to the **Office of the President**.

- In effect, this means that the President will appoint the Chair of the Commission from a list of qualified nominees submitted by a Technical Advisory Group.
- The Chair of the Commission shall be part of the President's cabinet and will have the rank and privileges of a Department Secretary.
- The Chair shall report to and advise the President and the Cabinet on matters pertaining to the country's children situation.

02 Promoting Positive and Non-Violent Discipline of Children

This agenda seeks the passage of a law that prohibits the use of corporal punishment or physical violence against children. This proposal was first filed during the 14th Congress (2007 to 2010). It has consistently passed separate legislative scrutiny in the Senate and the House of Representatives from the 14th to the 17th Congress. However, it was only in 2019 (17th Congress) that it reached the Office of the President for approval. **Former President Rodrigo Duterte vetoed the bill on 23 February 2019.** Children's rights groups continue to call for the passage of this measure. Groups have been advocating for the measure since 2003.

What is positive discipline?

Positive and non-violent discipline refers to a holistic, constructive, and pro-active approach to parenting or teaching that helps children develop appropriate thinking and behavior in the short and long term by providing tools that builds self-discipline and emotional control, and to foster a good relationship with the child by understanding the child's needs and capabilities at various ages and the behavior that is usual for a child at each stage of development.

This is achieved by **providing children a warm and caring environment** and assisting them in understanding and abiding by rules, and in the process build their competence and confidence, foster healthy relationships, equip them with life skills, and teach respect for human rights. Positive discipline is based on the principles of children's rights, child development and effective teaching.

What is corporal punishment?

Corporal punishment are acts that abuse children in the name of discipline. This includes spanking, being beaten up or mauled (including when a parent uses a wooden stick, belt, bat, broom, incessant beatings, slaps on the face, and being burned with a flat iron), being scolded or punished even when the child did nothing wrong, humiliating the child in public, shouting and cursing the child.

In the Philippines, corporal punishment is very common.

85% of children surveyed said that they were punished in the home*

82% of children surveyed said that they were hit in different parts of the body*

60% of women in their program areas (3.6 million women) use at least one form of psychological or physical punishment to discipline their children**

13% of women using some severe form of physical punishment on their children**



Source: Save the Children Philippines, UNICEF



(Senate Bill 1477 and House Bill 8239)

♥ POSITIVE DISCIPLINE ♥

1 bill filed in the HOR but there is no counterpart in the Senate

2 bills filed during the 18th Congress



What are the existing laws on child abuse and why is it insufficient?

Revised Penal Code. Article 263 states that parents do not have the right to cause their children physical injury from unreasonable punishment. Forms of punishment that do not produce any visible signs of physical injury, by these standards, will go unnoticed amid its prevalence.

Republic Act 7610, Special Protection of Children against Abuse, Exploitation, and Discrimination Act. Under the law, corporal punishment, so long as done or exercised in a reasonable way, is moderate in degree and does not constitute physical or psychological injury, it will not be considered as child abuse. Further, parents are only held liable for cruelty (child abuse) if the act of indignity is done deliberately, thus, including an element of intent.

Family Code and the Child and Youth Welfare Code. These laws state that "parents have the right to discipline their child as may be necessary for the formation of his good character, and may therefore require from him obedience to just and reasonable rules, suggestions, and admonitions." Again, in qualifying forms of discipline, the law justifies the use of corporal punishment.

The Presidential Veto. On 23 February 2019, Former President Rodrigo Duterte returned to Congress the Positive and Non-Violent Discipline Law, without his signature, effectively vetoing the bill. In failing to distinguish, the "bill allows government to extend its reach into the privacy of the family, authorizing measures aimed at suppressing corporal punishment regardless of how carefully it is practiced.

Children's rights organizations counter that the "**law does not take away from parents the responsibility of raising their child or give more authority to the Government. Rather, it contributes to protecting and assisting families as nurturers of children.**"

Why do we need a law that bans all forms of corporal punishment against children?

The Philippines has an international commitment and an obligation to prohibit corporal punishment, both as a party to the UN Convention on the Rights of the Child, and as a pathfinding country for the Global Partnership to End Violence Against Children. The UN Committee on the Rights of the Child, in its latest concluding observations, continues to raise concerns over the high prevalence of all forms of violence against children and the failure to prohibit VAC, including corporal punishment.



Prohibit corporal punishment and promote positive, non-violent, and participatory forms of child-rearing and discipline, through awareness-raising

— UN Committee on the Rights of the Child



Various researches show that corporal punishment is ineffective in disciplining children of all ages.

Corporal punishment has multiple negative effects in a child's overall development and is violative of children's rights and dignity. Some negative effects of corporal punishment include encouraging violence as the appropriate response to conflict or unwanted behavior, psychological damage, producing anger, resentment, and low self-esteem among children.

Existing laws are insufficient to protect children from corporal and degrading punishment. While the country has existing laws against maltreatment, there are no clear prohibitions against corporal punishment, especially in the home.

What are the salient provisions of the proposed legislation?

The proposed measure seeks to promote positive and non-violent discipline instead of corporal punishment by mandating the Department of Social Welfare and Development to formulate a comprehensive program on positive discipline, including a continuing information dissemination campaign nationwide on the subject. The proposed measure also identifies forms of positive discipline and lists acts considered as corporal punishment.



The proposed measure prohibits corporal punishment and expands its application beyond homes to cover schools, institutions, alternative care systems, workplaces, juvenile welfare systems, and places of religious worship. Additionally, it expands liability beyond the parent or guardian to cover all persons legally responsible for the child and any person whose care the child has been entrusted to. To prohibit corporal punishment, the measure applies imprisonment, penalties and fines under existing laws.



Apart from the Department of Social Welfare and Development, other government agencies are tasked to integrate positive and non-violent discipline in the training of school officials, teachers, health and security personnel, and social welfare staff and in the implementation of administration against erring officials. Inter-agency mechanisms and local child protection councils are also mobilized to support the implementation of programs and services.

Inter-agency mechanisms and local child protection councils are mobilized to support the implementation of programs and services.

In particular, the Council for the Welfare is tasked to develop a Philippine Model of Forensic Interview to be used in corporal punishment cases and other types of abuse against children.

A grant of recognition entitled “Safe Community for Children” shall be awarded to LGUs that have met all standards and indicators.



03

Preventing Adolescent Pregnancy

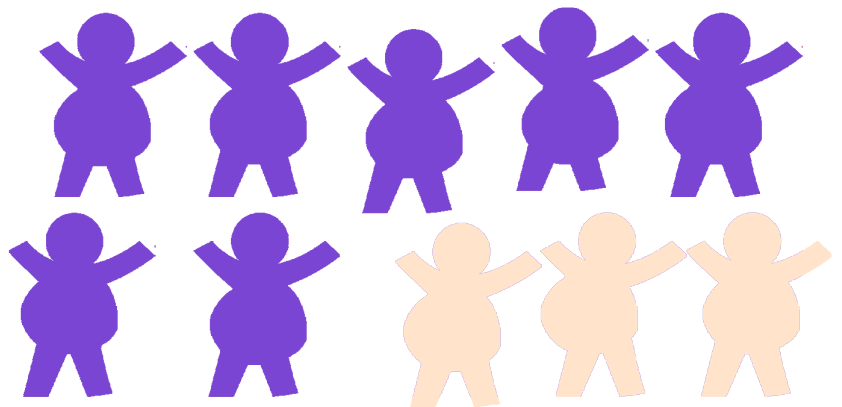
This legislative agenda seeks to address the issue of adolescent pregnancy. On 25 June 2021, former President Rodrigo Duterte signed an Executive Order (EO 141) declaring the prevention of teenage pregnancies a national priority, following the call of the Commission on Population and Development to declare the issue of adolescent pregnancy as a national emergency.

By the Numbers: Adolescent Pregnancy is a National Emergency

The United Nations defines adolescents as those belonging to the age group of 10 to 19 years. It is considered the stage of transition from childhood to adulthood, in which an individual undergoes a physical, sexual, and psychological transformation.

UNICEF categorizes the adolescent stage in to two: (a) Early Adolescence aged 10 to 14 years; (b) Late Adolescence (15 to 19 years old)

Every day, **2,411 girls** aged 10 to 14 gave birth in 2019



In the same year, a reported total of **180,916 live births** of mothers aged 10 to 19 years old were equivalent to **495 live births per day**

5.99% girls are affected by teenage pregnancy



Girls from low-income families are five times more likely to be pregnant than girls from wealthy families. Girls from rural areas began childbearing earlier than their urban counterparts. The highest cases have been documented in Region 11 at 18%, followed by Region 12 and Region 10, both with 15%.

— EXISTING LAWS — on Adolescent Pregnancy

Existing laws are not enough to address the issue of adolescent pregnancy.

Republic Act No. 10345 or the Responsible Parenthood and Reproductive Health Act of 2012. The law guarantees universal access to sexual and reproductive health information and services. As a landmark legislation, it is the only legislation that recognizes and upholds every Filipino's reproductive health and rights, including adolescents.

The law mandates government to provide the following services to adolescents:

- (a) adolescent reproductive health education;
- (b) adolescent and youth reproductive health guidance and counseling; and
- (c) education and counseling on sexuality and reproductive health.

To date, comprehensive sexuality education has yet to be rolled-out uniformly across the country. Further, while the law favors educating adolescents on reproductive health and sexuality, it places a restriction on family planning services. The law provides that those below 18 years old are not allowed to access modern family planning methods without the written consent of their parents or guardians.

Executive Order 141-2021 issued by former President Rodrigo Duterte declares the issue of adolescent pregnancy as a national emergency. Under the EO, Duterte puts government youth councils or the Sangguniang Kabataan front and center. SKs are encouraged to develop their own anti-teen pregnancy policies and support adolescent mothers by:

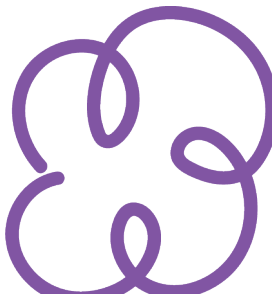
- (a) educating the youth about sexual and reproductive health;
- (b) providing rights-based measures to help pregnant girls and young mothers continue and finish their education;
- (c) creating vocational training opportunities;
- (d) following-up on young mothers who dropped out of school; and
- (e) ensuring functionality of anti-violence against women and children desks in barangays.

Additionally, the EO requires the National Youth Commission to foster continuous dialogue between the government and the youth on the proper planning and evaluation of policies and programs designed to cater to the sector. The EO also makes adolescent pregnancy a budget priority, whose funds will be drawn from the gender and development budget allocation of concerned government agencies.

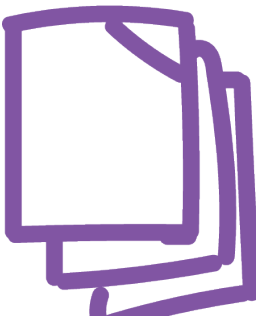


Adolescent pregnancy poses health and socio-economic consequences for young women.

What are the salient provisions of the measures filed in the Senate?



Creation of an Adolescent Pregnancy Prevention Council (APPC). The APPC is an inter-agency and inter-sectoral council that is primarily tasked to develop a National Program of Action and Investment Plan for the Prevention of Adolescent Pregnancy. A local program for the prevention of adolescent pregnancy must also be integrated in the programs of the Sangguniang Kabataan and allotted with 10% of the SK Fund.



Boosting Information Dissemination and Information Management. The law mandates all cities and municipalities to organize and operationalize their respective Information and Service Delivery Network for Adolescent Health and Development (ISDN – AHD). The ISDN AHD shall provide information on the availability, accessibility, quality, and acceptability of health services. In an effort to increase awareness and prevent adolescent pregnancy, the month of February is designated as the month for raising public awareness on adolescent pregnancy. Finally, to ensure the comprehensive monitoring of adolescent pregnancy a National Information System on the issue is created under the law, with a requirement to conduct an Adolescent Health and Development Survey every four years.



Ensuring the roll-out of age and development appropriate comprehensive sexuality education (CSE). The Department of Education is mandated to develop and promote educational standards, modules, and materials to promote comprehensive responsible sexuality education in schools, communities and other youth institutions. The CSE shall be a compulsory curriculum at all levels, including in non-formal education for out-of-school youths and the community setting, to normalize discussions on adolescent sexuality and reproductive health. CSEs for parents and guardians, through community-based programs, is also mandated by the law, to be developed by the APPC and implemented by trained local social welfare development officers.



Promotion of CSE in social media and in partnership with the private sector. APPC will create a web portal containing the National Program of Action and harmonizing relevant data on adolescent sexual and reproductive health. The government may also enter into public-private partnership agreements in the promotion of CSEs.



Grant of access to Reproductive Health Services. Adolescents shall be allowed to access modern family planning methods with proper counseling by trained service providers in public and private facilities. All health service providers shall be trained on providing adolescent-friendly and responsive information and services. Residential care facilities for disadvantaged women of the Department of Social Welfare and Development will also be capacitated to accommodate pregnant girls.

Institutionalization of comprehensive social protection for adolescent mothers or parents. This shall include: (a) maternal health services including pre-natal and post-natal check-ups; (b) family planning counseling and services, including parenting counseling and positive discipline training for either or both adolescent parents; (c) home-based, in-school, or tech-vocational education for adolescent mothers or parents; (d) personal PhilHealth coverage and SSS; (e) access to training and livelihood programs; (f) continuing CSE; and (g) psychosocial support and mental health services for adolescent parents.

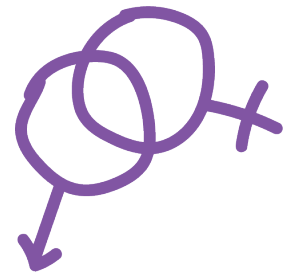
The law takes into consideration the plight of girls who became pregnant as a result of sexual violence, or in cases of humanitarian crises, conflict, or national emergency situations. In these cases, social protection is likewise offered in the form of legal, medical, and psychosocial support and services.

Encouraging male involvement. The APPC is also tasked to develop programs that will promote male involvement in the prevention of early and unintended pregnancies, covering topics such as responsible fatherhood, avoiding gender violence and co-parenting strategies.

What are the salient provisions of the measures filed in the House?

While similar in nature, the proposed measures in the House of Representatives took a more localized approach. Thus, the bills filed proposed the creation of a Local Council on Adolescent Pregnancy (as compared to the Senate's version of Adolescent Pregnancy Prevention Council) that is composed of the Local Chief Executive and members of the local health board, with representatives from the private sector and NGOs / youth-serving organizations.

Alternative Learning System. Department of Education representative during the TMG recommended the inclusion of the Alternative Learning System / Out-of-School Youth Program of the department in the proposed legislation as another program that adolescent parents can take to allow their return to the formal education system.



04 Mental Health and Psychosocial Services for Children

This legislative agenda seeks to strengthen the promotion and delivery of mental health and psychosocial services for children.

IN FOCUS



Children's Mental Health in the Philippines

Mental health has emerged as an important public health concern in recent years. In the Philippines, the Philippine Mental Health Act came into force in 2019, thereby increasing awareness on the issue. Even with the passage of the law, mental health remains a major issue that impacts the most vulnerable population, including children.

16% prevalence of mental disorders among children

17% students aged 13 to 17 years old tried suicide once a year at minimum

5 government hospitals with psychiatric facilities for children

only 60

child psychiatrists in the country, mostly in the National Capital Region

only 2

mental health professionals per 100,000 people

The Covid-19 pandemic exacerbated Filipino children's mental health conditions with the shift to online modes of learning and imposition of lockdowns. In April 2020, at the onset of the country's first total lockdowns, a survey of 200 children aged 6 to 12 years old showed participants expressed feelings of sadness, fear, anger, and disappointment. In addition, from March 2020 to May 2020, the Filipino government documented a 260% increase in online child abuse reports, including instances of sexual exploitation, which has a direct impact on well-being. Apart from the Covid-19 pandemic, the impact of extreme weather conditions in the country also affect the mental health condition of Filipino children.

Source: 2015 Global School-based Student Health Survey

What are the salient provisions of bills which seek to strengthen mental health delivery services in the Philippines' education system?



The **Mental Health and Well-Being Program** is designed to provide mental health services, emotional, developmental, and preventive programs and other support services, including eliminating the stigma on mental health counseling among learners.



The **Mental Health and Well-Being Program Roadmap** will likewise be crafted and implemented by the Department of Education taking into consideration three key pieces of legislation: Mental Health Act (RA 11036) Secondary School Career Guidance and Counselling Act (RA 11206); and the Enhanced Basic Education Act (RA 10533).



The bill mandates the installation of a **Mental Health and Well-Being Center** in every public school and private school. The bill also expands the manpower capacity of institutions of learning to ensure that there are sufficient guidance counselors and mental health professionals who may be deployed in public elementary, secondary, and vocational institutions.

What are the salient provisions of House Bill 00429?

Compared to the first cluster of bills which seeks to strengthen mental health delivery in learning institutions, HB 00429 transfers the responsibility of mental health services delivery to LGUs.

The bill mandates all cities and municipalities to enact a local ordinance on the subject of mental health, with the League of Cities and Municipalities serving as a forum in adopting a coordinated and integrated approach on the subject. The bill treats LGUs as “catchment areas,” tasked to provide programs and services on child mental health. The bill also mandates the establishment of separate mental health facilities and the preparation of a mental health care provider network directory.

What is the status of the measure in the 19th Congress?

There are three clusters of bills on child mental health and psychosocial well-being that are currently filed in Congress: (1) Bill/s which seek to increase awareness by declaring a week in August as National Mental Health Week; (2) Bills which seek to strengthen delivery of mental health services in the education sector; (3) Bills which seeks to establish accessible and age appropriate mental health services for children and youth. Of the bills filed in the House of Representatives, only one measure has a counterpart in the Senate: A bill which seeks to strengthen the delivery of mental services in the basic education sector.



HB 00299 STRENGTHENING THE MENTAL HEALTH SERVICES OF STATE UNIVERSITIES AND COLLEGES

Principal Author/s: Reps. Greg Gastaya, Yedda Marie Romualdez, Jude Acidre, Harris Christopher M. Ongchuan, Jonathan Clement Abalos

Status: Pending with Committee on Higher and Technical Education since 26 July 2022

HB 00429 ESTABLISHING ACCESSIBLE AND AGE APPROPRIATE MENTAL HEALTH SERVICES FOR CHILDREN AND ADOLESCENT POPULATION

Principal Author/s: Rep. Neptali M. Gonzales

Status: Pending with the Committee on Health since 26 July 2022

HB 00929 STRENGTHENING THE PROMOTION AND DELIVERY OF MENTAL HEALTH SERVICES IN BASIC EDUCATION

Principal Author/s: Reps. Roman T. Romulo, Rex Gatchalian, Harris Christopher M. Ongchuan

Status: Pending with the Committee on Basic Education and Culture since 27 July 2022

HB 01497 AN ACT DECLARING THE LAST WEEK OF AUGUST AS NATIONAL YOUTH MENTAL HEALTH WEEK

Principal Author/s: Rep. Florida P. Robes

Status: Pending with the Committee on Health since 1 August 2022

SB 379 STRENGTHENING THE PROMOTION AND DELIVERY OF MENTAL HEALTH SERVICES IN BASIC EDUCATION

Principal Author/s: Sen. Win Gatchalian

Status: Pending with the Committee on Basic Education since 8 August 2022

05 Strengthening Institutions for Child Participation

This legislative agenda seeks to strengthen institutions for child participation in the Philippines. There are currently no bills filed in Congress on child participation.

During the rounds of consultation in the preparation for the 19th CLAC, two key recommendations were forwarded:

- To popularize and institutionalize child participation by ensuring child representation at the NGA and LGU-levels, in particular in the composition of the Local Child Protection Councils and various inter-agency councils that work on children's rights and welfare
- To involve children on people's participation and bottom-up budgeting, as the crafting of the national and local budget should have a conscious steer to allot resources to implement laws and programs on children's welfare.

Key Documents.

The CWC has developed two key documents on child participation: The Guidebook on Child Participation and the Comprehensive Guidelines for the Establishment, Strengthening and Monitoring of Local Children's Associations which CWC uses to help guide consultations with children

Survey of Laws.

There is currently no single law that institutionalizes child participation. However, the importance of child participation is recognized in a number of legislation, to wit:

- ↪ **The Child and Youth Welfare Code (PD 603).** The law recognizes the child's right to participate actively in civic affairs.
- ↪ **Local Government of 1991 (RA 7160)** The law provides for venues where children can participate, including the Sangguniang Kabataan and Local Youth Development Councils
- ↪ **Social Reform and Poverty Alleviation Act (RA 9425)** The law identifies children as included in the list of basic sectors in society. As a listed sector, children must be consulted in crafting anti-poverty policies and programs.
- ↪ **Youth in National Building Act (RA 8044)** The law creates the National Youth Commission and establishes a parliament of youth leaders.



Republic Act 10742 or the Sangguniang Kabataan Reform Law

The SK Law encourages the involvement of the youth in public and civic affairs through the establishment of effective, responsive, and enabling mechanisms in institutionalizing youth participation in local governance.



What about the other children? Hindi lahat may equal opportunity na makapag-participate. Madalas kahit may chance sila makapag-participate, meaningful ba ito? Doon kasi sa karapatan namin mag-participate, hindi lang siya basta dapat participation, kundi meaningful participation.

— Jem, 16, Metro Manila

One of the mechanisms introduced by the law is to promote participative governance in the development of Provincial, City, and Municipal Local Youth Development Plans. The LYDP specifies the programs and projects that targets identified issues in a locality. The LYDP is developed through the joint effort of the Sangguniang Kabataan Federations and the Local Youth Development Councils.



Proposal to Pass New Laws

The Council for the Welfare of Children commends our champions in the Congress, National Government Agencies, and Civil Society Organizations as we continue to support each other's initiatives to approve and pass laws to protect our children and their rights.

As we enter the 19th Congress, the CWC shall also continue to advocate and lobby for the legislative measures still pending during the previous Congress. The CWC believes that we are all a step closer in having these initiatives approved into law as well.



Removing Discrimination and Distinction Against Illegitimate Children

The proposed measure aims to secure the right of children to equal treatment including their right to equal inheritance and abolish the discriminatory classification of children as "illegitimate." There is an urgent need to look into this predicament as the rights of a legitimate and an illegitimate child are not equal to the eyes of the law as the latter have lesser rights.

Status in the 19th Congress in the House of Representatives

HB 1338, HB 4848 *Pending in the Committee on Revision of Laws

Status in the 19th Congress in the Senate of the Philippines

No bill filed



Birth Registration of Children in Need of Special Protection

This agenda seeks to institutionalize efforts to achieve 100% birth registration of children. A proof of birth registration is a primary document which ensures access to basic services such as health and medical assistance, financial grants, and education. This bill specifically caters to Children in Need of Special Protection which refers to all persons below 18 years of age, or those 18 years old and over but are unable to take care of themselves because of physical or mental disability or conditions; who are vulnerable to or are victims of abuse, neglect, exploitation, cruelty, discrimination, violence (armed conflict, domestic violence), natural calamities, man-made disasters, and other analogous conditions prejudicial to their development, at any given time.

Status in the 19th Congress in the House of Representatives

No bill filed

Status in the 19th Congress in the Senate of the Philippines

SB 332 *Pending in the Committee on Women and Children



Comprehensive and Responsive Civil Registration and Vital Statistics System

This targets to have a universal civil registry and vital statistics system in recognition that registration is necessary to uphold civil, political and economic rights. This bill aims to provide for a Comprehensive and Responsive Civil Registration and Vital Statistics System. This shall improve the provision of necessary data to the government which shall guide it in policy-making and implementation.

Status in the 19th Congress in the House of Representatives

HB 4480 *Pending in the Committee on Population and Family Relations

Status in the 19th Congress in the Senate of the Philippines

SB 317 *Pending in the Committee on Women and Children



Internet and Digital Content Safety and Online Protection for Children

This shall protect children from being exposed to harmful and inappropriate online content or materials in websites and internet, and promote standards for the safe use of electronic gadgets and games for children. The measure seeks to provide safe and age-appropriate online environment and digital content for children, prevent misinformation and disinformation, protect children from being exposed to harmful content, and promote standards for the safe use of gadgets.

Status in the 19th Congress in the House of Representatives

No bill filed

Status in the 19th Congress in the Senate of the Philippines

No bill filed



Youth Patriotism and Bayanihan Act

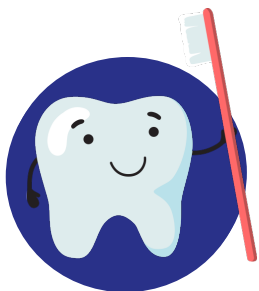
The measure seeks to institutionalize a two-tiered program – a Fundamental and Specialized Program on the following areas: Arts and Cultural Heritage, Community Outreach, Disaster Risk Reduction and Management, and Security. Additionally, this seeks to provide advanced and dedicated training for the development of the students' skills on security, survival and public service.

Status in the 19th Congress in the House of Representatives

HB 3450, HB 4872 *Pending in the Committee on Basic Education and Culture

Status in the 19th Congress in the Senate of the Philippines

No bill filed



An Act Requiring the Giving of Free Medical and Dental Service to Indigent Children

This agenda seeks to provide free medical and dental service to indigent children. This is in consonance with the State's recognition of the need to promote the physical well-being of children, including promoting their right to health, and making health services adequate to all. As such, all government and private hospitals, medical centers, clinics, infirmaries, and puericulture centers are required to render medical and dental services to indigent children.

Status in the 19th Congress in the House of Representatives

Closest counterpart is HB 1104, An Act Institutionalizing a National Oral Health Program. *Pending with the Committee on Health

Status in the 19th Congress in the Senate of the Philippines

SB 1107, 348 *Pending in the Committee on Health and Demography



An Act Mandating the Department of Health to Establish a Research Center on Obesity Prevention / Anti-Obesity Education Program Act

The two bills seek to address the issue of obesity among children. This seeks to curb obesity in the country and protect Filipinos from this epidemic through the establishment of a research center on obesity prevention. It may also promote health and wellness of Filipino students by making it mandatory to include an anti-obesity program and exercise including play and traditional Filipino games in educational curricula. To note, there are no bills which seek to address the wider issue of malnutrition.

Status in the 19th Congress in the House of Representatives

HB 02792 *Pending with the Committee on Health

Status in the 19th Congress in the Senate of the Philippines

SBN 1098 *Pending with the Committee on Basic Education

Amendment to Existing Laws



Medical Insurance for Children

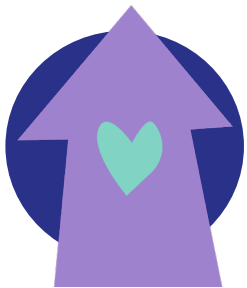
This is a proposed amendment to the Republic Act No. 10607, otherwise known as “The Insurance Code”, as there is a need to address the issue on infants or newborns, illegitimate children, and foster children being denied insurance applications by private Health Maintenance Organization (HMO) medical insurance providers. There is a need to revisit current laws and / or policies as the parents, primary caregivers, or guardians may handle finances or expenses on behalf of the children.

Status in the 19th Congress in the House of Representatives

No bill filed

Status in the 19th Congress in the Senate of the Philippines

No bill filed



Naturalization of Foreign Adoptees by Filipino Adopters

This is a proposed amendment to Republic Act (RA) No. 9139, otherwise known as “The Administrative Naturalization Law of 2000” as there is a need to revise the provisions requiring petitioners born and raised in the Philippines or that they have reached the age of majority before they can commence the naturalization process. Moreover, there is a need to modify the current law in order to cater to foreign adoptees by Filipino Citizens as they do not meet the requirements set forth by RA No. 9139 and the Commonwealth Act No. 473

Status in the 19th Congress in the House of Representatives

No bill filed

Status in the 19th Congress in the Senate of the Philippines

No bill filed

To know more about CWC visit:

 No. 10 Apo St., Brgy. Sta. Teresita, Quezon City, 1114, Philippines
 (02) 8374-3552; 8461-6620; 8366-1910; 8461-6553  www.cwc.gov.ph
 cwc@cwc.gov.ph  [/CWCgovph](https://www.facebook.com/CWCgovph)  [@CWC_govph](https://twitter.com/CWC_govph)  [CWChildrenOfficial](https://www.youtube.com/CWChildrenOfficial)