



Security Council

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Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in the Philippines

1. At a formal meeting held on 4 October 2022, the Working Group on Children and Armed Conflict examined the sixth report of the Secretary-General on children and armed conflict in the Philippines ([S/2022/569](#)), covering the period from 1 January 2020 to 31 December 2021, which was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. The Permanent Representative of the Philippines also addressed the Working Group.

2. The members of the Working Group welcomed the positive steps taken to address the six grave violations against children affected by armed conflict in the Philippines during the reporting period; however, the Group also expressed deep concern at the violations and abuses that continue to be committed. The Group commended the efforts by the Government of the Philippines for the signature, by the Armed Forces jointly with the United Nations, of the strategic plan to prevent and respond to violations and abuses against children in situations of armed conflict, as well as the finalization of the Protocol on Handling Children in Situation of Armed Conflict and the issuance by the National Police of its child protection policy, to prevent violations against children, and called upon the Government to fully implement those commitments. They further expressed concern at the disproportionate impact on children from indigenous communities. The Group raised questions around the impact of COVID-19 during the reporting period and possible underreporting of rape and other forms of sexual violence and inquired about the Special Protection of Children in Situations of Armed Conflict Act (Republic Act No. 11188).

3. The members of the Working Group welcomed the report of the Secretary-General. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions [1612 \(2005\)](#), [1882 \(2009\)](#), [1998 \(2011\)](#), [2068 \(2012\)](#), [2143 \(2014\)](#), [2225 \(2015\)](#), [2427 \(2018\)](#) and [2601 \(2021\)](#), the Working Group agreed to the direct action as set out below.

Public statement by the Chair of the Working Group

4. The Working Group agreed to address the following message to all parties to armed conflict in the Philippines, in particular the leadership of the Moro Islamic Liberation Front, the Bangsamoro Islamic Freedom Fighters, the New People's Army,



the Abu Sayyaf Group, the Moro National Liberation Front and the Dawlah Islamiyah-Maute Group, as well as to the Government of the Philippines, through a public statement by its Chair:

(a) Welcoming the decrease in the number of violations and abuses committed against children verified by the country task force on monitoring and reporting as compared with the prior reporting period, but expressing grave concern at, and its strongest condemnation of, the violations and abuses that continue to be committed against children in the Philippines and urging all parties to immediately end and prevent all violations involving the recruitment and use of children, killing and maiming, rape and other forms of sexual violence, abduction, attacks on schools and hospitals and denial of humanitarian access and to comply with their obligations under international law;

(b) Calling upon all parties to further implement the previous conclusions of the Working Group on Children and Armed Conflict in the Philippines ([S/AC.51/2008/10](#), [S/AC.51/2010/5](#), [S/AC.51/2014/1](#) [S/AC.51/2017/4](#) and [S/AC.51/2020/9](#));

(c) Stressing that the best interests of the child should be a primary consideration, and that the specific needs and vulnerabilities of girls and boys, as well as children with disabilities, and children from indigenous communities, should be duly considered when planning and carrying out actions concerning children in situations of armed conflict;

(d) Stressing the importance of accountability for all violations and abuses against children in armed conflict and stressing that all perpetrators must be brought to justice and held accountable without undue delay, including through comprehensive, independent, impartial, timely and systematic investigation and, as appropriate, prosecution, conviction and sentencing, through appropriate justice mechanisms, to address impunity and to ensure that all victims have access to justice and to the medical and support services that they need;

(e) Noting with concern that access constraints for the country task force to remote conflict-affected areas, as well as security concerns and response measures related to the outbreak of coronavirus disease (COVID-19) during the reporting period presented challenges to the verification of the six grave violations against children and that the information contained in the report of the Secretary-General on children and armed conflict in the Philippines ([S/2022/569](#)) does not represent the full extent of violations committed against children in the Philippines;

(f) Condemning the recruitment and use of children for combat and support roles, urging all parties, in particular armed groups, to immediately and without conditions release all children associated with them to civilian child protection actors; and also urging them to end and prevent recruitment and use of children under 18 years of age in line with their obligations as set out in the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, as applicable;

(g) Expressing concern at the deprivation of liberty of children for their association or alleged association with armed forces or armed groups, or owing to being relatives of members of armed groups, urging all parties to the armed conflict to consider children associated with armed groups, including those who may have committed crimes, primarily as victims of recruitment and use, to work to ensure their release and support their full reintegration and rehabilitation through specialized child protection, including family- and community-based and gender-sensitive reintegration programmes, and including access to health care, mental health and psychosocial support and education programmes, as well as to raise awareness and

work with communities to avoid stigmatization of such children and facilitate their return, and to ensure that prosecution of children is carried out with respect for the rights of the child, that detention should be considered only as a measure of last resort and for the shortest appropriate period of time and that alternatives to detention should be prioritized, in line with international law, and also urging the Government to comply with its obligations under the Convention on the Rights of the Child and its Optional Protocol thereto on the involvement of children in armed conflict;

(h) Expressing deep concern at the killing and maiming of children, including those resulting from attacks against communities, crossfire, explosive remnants of war and improvised explosive devices, noting that almost one in five victims were children under the age of 5, urging all parties to take measures to prevent and end such killing and maiming, to end immediately and definitively the indiscriminate use of landmines, indiscriminate explosive devices and explosive remnants of war, and calling upon parties to respect their obligations under applicable international law, including international humanitarian law;

(i) Expressing deep concern about both verified and unverified incidents of rape and other forms of sexual violence perpetrated against children, while noting that incidents of rape and other forms of sexual violence continue to be underreported owing to fear and risk of stigma; strongly urging all parties to take immediate and specific measures to put an end to and prevent the perpetration of rape and other forms of sexual violence against children; stressing the importance of accountability for those who commit sexual and gender-based violence against children and recognizing in this regard the Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof (Republic Act No. 11596) of 2021 as an important step taken by the Government of the Philippines to address acts that can lead to sexual violence; also stressing the importance of ensuring access to non-discriminatory and comprehensive specialized services, including mental health and psychosocial support, health, including sexual and reproductive health services, legal and livelihood support and services, for survivors of conflict-related sexual violence;

(j) Strongly condemning the attacks on schools, in violation of international law, and threats against education personnel, detention of teachers and the demolition of community schools owing to the schools' alleged association with parties to conflict, noting that indigenous communities were especially affected, calling upon all parties to comply with applicable international law and to respect the civilian character of schools and hospitals, including their personnel, and to immediately end and prevent attacks or threats of attacks against those institutions and their personnel, as well as the military use of schools and hospitals, in violation of applicable international law, and noting the effect that attacks on schools and the military use of schools can have on the enjoyment of the right to education, calling on all parties to take concrete measures to mitigate and avoid the military use of schools, consistent with resolution [2601 \(2021\)](#), and noting in this regard the Safe Schools Declaration;

(k) Strongly condemning the abduction of children, and calling upon all concerned parties to cease the abduction of children and immediately release all abducted children;

(l) Urging all parties to allow and facilitate, in accordance with international law, including international humanitarian law, safe, timely and unimpeded humanitarian access including to children, in particular from indigenous communities, and recalling also the United Nations guiding principles for humanitarian assistance adopted in General Assembly resolution [46/182](#), as well as the humanitarian principles of humanity, neutrality, impartiality and independence, to respect the exclusively humanitarian nature and impartiality of humanitarian aid and

to respect the work of all United Nations agencies and their humanitarian partners, without adverse distinction;

(m) Expressing deep concern about the scale of violations and abuses affecting children from indigenous communities in the context of conflict between the Armed Forces of the Philippines and the New People's Army, and about the increased targeting of indigenous communities, particular community leaders and schools, during the reporting period;

(n) Encouraging the parties to include child protection issues in ongoing and future peace negotiations and agreements with the support of the United Nations and guided by, inter alia, the *Practical Guidance for Mediators to Protect Children in Situations of Armed Conflict*;

(o) Welcoming the extension of the transition period of the Bangsamoro Transition Authority, and calling upon the Authority to continue to implement the peace agreement with the Moro Islamic Liberation Front and to use the lessons learned and best practices of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict to prevent violations against children;

(p) Calling upon all parties who have not yet done so to enhance their engagement with the United Nations to develop and adopt appropriate standard operating procedures for the release and reintegration of children associated with parties to the conflict and to cooperate with civilian child protection actors to facilitate their release and reintegration into their communities, which is essential to provide a future to these children and their families, as well as to prevent the risks of re-recruitment;

(q) Calling upon all listed armed groups to enter into dialogue with the United Nations for the purpose of adopting action plans to end and prevent child recruitment and use.

5. The Working Group agreed to address a message, through a public statement by the Chair of the Working Group, to community and religious leaders:

(a) Emphasizing the important role of community, religious and indigenous leaders in strengthening the protection of children affected by armed conflict, and recognizing their important role in advocating for an ending to violations and abuses against children and fostering reconciliation efforts;

(b) Encouraging them to publicly condemn and continue to advocate ending and preventing violations and abuses against children, in particular those involving the recruitment and use of children, rape and other forms of sexual violence against children, killing and maiming, abductions, attacks and threats of attacks against schools and hospitals, and denial of humanitarian access, and to engage with the Government, the United Nations and other relevant stakeholders to support the reintegration of children affected by armed conflict in their communities, including by raising awareness and undertaking efforts to avoid stigmatization of these children.

Recommendations to the Security Council

6. The Working Group agreed to recommend that the President of the Security Council transmit a letter addressed to the Government of the Philippines, referring to the Group's public statement on the violations and abuses that continue to be committed against children in the Philippines:

(a) Stressing the primary role of the Government in providing protection and relief to all children affected by armed conflict in the Philippines and recalling that the Philippines is a State party to the Convention on the Rights of the Child and its Optional Protocol on the involvement of children in armed conflict;

(b) Urging the Government to reinforce the protection of children, including by taking all necessary measures to prevent and end the six grave violations against children in the context of armed conflict;

(c) Commending the Government of the Philippines for the signature, by the Armed Forces jointly with the United Nations, of the strategic plan to prevent and respond to grave child rights violations in situations of armed conflict, the finalization of the Protocol on Handling Children in Situation of Armed Conflict, as well as the issuance by the National Police of its child protection policy;

(d) Calling on the Government to swiftly disseminate and implement the commitments under the strategic plan to prevent and respond to violations and abuses against children, the handling protocol and the National Police's child protection policy, and to strengthen the functionality of the Inter-Agency Committee on Children Involved in Armed Conflict, in order to reinforce the protection of children, including by taking all measures necessary to prevent sexual violence against, and the killing, torture and abduction of, children in the context of armed conflict, to thoroughly investigate allegations of violations against children and to bring the perpetrators to justice;

(e) Urging the Government to swiftly implement the Special Protection of Children in Situations of Armed Conflict Act and to reinforce the protection of children, including by taking preventive measures and ensuring accountability by thoroughly investigating allegations of violations against children and by bringing perpetrators to justice;

(f) Calling upon the Government to continue the implementation of the Special Protection of Children in Situations of Armed Conflict Act, including that children should be treated primarily as victims, including children associated with armed groups and those who may have committed crimes, and that detention be considered only as a measure of last resort and for the shortest appropriate period of time consistent with international law;

(g) Calling upon the Government to support the development of agency-specific protocols on children involved in armed conflict, in compliance with the Special Protection of Children in Situations of Armed Conflict Act, and strengthen the capacity of its armed and security forces and auxiliary forces on the matter of child protection; and facilitate access to conflict-affected areas for child protection actors, to ensure that victims of violations receive timely, effective, appropriate and gender-sensitive services and comprehensive reintegration and rehabilitation programmes, including access to health care, including sexual and reproductive health services, mental health and psychosocial support and education programmes;

(h) Urging the Government to take measures to protect schools, teachers and children, including in indigenous communities, calling upon the Government to fully implement its National Policy Framework on Learners and Schools as Zones of Peace, and to advocate the prevention of the "red-tagging" of schools, teachers and children, and noting in this regard the Safe Schools Declaration;

(i) Calling upon the Government to fully implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction and the relevant Protocols of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects in order to prevent the killing and maiming of children by improvised explosive devices and explosive remnants of war, and to take concrete steps to prevent and reduce the impact of mines, unexploded ordnance and explosive remnants of war on children by prioritizing the clearance of mines, unexploded ordnance and other explosives, as well as by

prioritizing mine risk education and risk reduction activities and survivor engagement;

(j) Calling upon the Government to address all ongoing violations against children, to support the implementation of its national child protection procedures and guidelines and to facilitate access to conflict-affected areas for child protection actors;

(k) Further calling upon the Government to continue its constructive collaboration with the country task force on monitoring and reporting and the United Nations, and encouraging the Government to continue its cooperation with the task force to strengthen the capacity of its armed and security forces, as well as its auxiliary forces, with regard to child protection;

(l) Calling upon the Government to ensure that the rights and needs of conflict-affected children are taken into account during the talks and in the implementation in ongoing and future peace agreements, including provisions on the release and reintegration of children associated with armed forces or armed groups, as well as provisions on the rights and well-being of children, while recalling the existence of the *Practical Guidance for Mediators to Protect Children in Situations of Armed Conflict* to integrate child protection issues into the processes;

(m) Inviting the Government to keep the Working Group informed of its efforts to implement the recommendations of the Working Group.

7. The Working Group agreed to recommend that the President of the Security Council transmit a letter addressed to the Secretary-General:

(a) Requesting the Secretary-General to ensure the continued effectiveness of the monitoring and reporting mechanism on children and armed conflict in the Philippines;

(b) Requesting the Secretary-General to ensure that the country task force on monitoring and reporting continues its ongoing work and advocacy for the release and reintegration of children associated with armed groups and armed forces and of children detained for their alleged association with armed groups, including with terrorist groups who are designated by the Security Council, and continues efforts to monitor and report on the deprivation of liberty of children for actual or alleged association;

(c) Requesting the Secretary-General to encourage the country task force on monitoring and reporting and other relevant United Nations entities to continue their engagement and efforts towards supporting the Government in preventing and ending violations and abuses committed against children, including through their protection and reintegration, the monitoring and reporting of the situation of children affected by armed conflict, the monitoring and implementation of action plans with armed groups and the conclusion of new action plans with armed groups;

(d) Encouraging the Secretary-General, including through the Special Representative for Children and Armed Conflict, to broadly disseminate the *Practical Guidance for Mediators to Protect Children in Situations of Armed Conflict* to relevant actors in the peace and mediation processes in the Philippines, to ensure that the protection, rights, well-being and empowerment of children affected by armed conflict are fully incorporated into and prioritized in all post-conflict recovery and reconstruction planning, programmes and strategies, as well as in efforts towards peacebuilding and sustaining peace, and to encourage and facilitate consideration of the views of children in those processes in the Philippines.

Direct action by the Working Group

8. The Working Group agreed to transmit letters from the Chair of the Working Group addressed to the World Bank and other donors as follows:

(a) Encouraging the international donor community to provide financial resources to assist the country task force and the United Nations in strengthening capacities for the monitoring and reporting mechanism on children and armed conflict and to respond to and prevent further violations against children;

(b) Inviting international partners, including donors, to keep the Working Group informed of their funding and assistance efforts, as appropriate.

Annex

Statement made by the Permanent Representative of the Philippines to the United Nations to the Working Group on Children and Armed Conflict*

Good afternoon.

I thank Her Excellency Ambassador Mona Juul for convening this meeting. I also thank the Special Representative of the Secretary General on Children and Armed Conflict, Ms. Virginia Gamba, for her comprehensive report.

Madam Chair, distinguished members of the Working Group:

The Philippines remains committed to protecting our children, promoting their welfare and fulfilling their human rights. We are one with the United Nations in our desire to keep children away from the battlefield and mitigate the effects of armed conflict on their lives, including their access to quality education.

This shared desire has been translated into robust cooperation and concrete measures to protect children. As the report highlights, the strategic plan to prevent and respond to grave child rights violations in situations of armed conflict signed by the Armed Forces of the Philippines jointly with the United Nations is a welcome development. The plan aligns the Armed Forces' commitment to the protection of children with international humanitarian and human rights laws by ensuring all personnel are properly trained to respect children's rights. Under the strategic plan, the United Nations country task force on monitoring and reporting in coordination with the Inter-Agency Committee on Children Involved in Armed Conflict shall assist the Armed Forces of the Philippines in revising its policy guidelines towards strengthened protection of children in situations of armed conflict, and enhanced accountability for grave child rights violations. The Philippines remains committed to the full implementation of this strategic plan.

The Philippines has also established other practices to protect children in armed conflict. Allow me to cite the most significant ones:

First, our Special Protection of Children in Situations of Armed Conflict Law, also referred to as the CSAC Law ["see-sac law"] was enacted in 2019. The law seeks to protect children in armed conflict situations from all forms of abuse, violence, neglect, cruelty and discrimination. Its Protocol on Handling Children in Situation of Armed Conflict was formally adopted in 2020, and this has since guided our national agencies in implementing actions on the ground.

Second, the Inter-Agency Committee on Children Involved in Armed Conflict and the Council on the Welfare of Children have been actively raising awareness on the CSAC Law and the importance of protecting children from armed conflict. Despite limitations imposed by the COVID-19 pandemic, our agencies endeavoured to implement and disseminate the provisions of the CSAC Law without delay. Innovative activities include social media campaigns and nationwide virtual cluster orientations. The Council's online cluster orientations reached 3,139 child protection actors in public and private sectors across 17 regions. Additionally, the Armed Forces conducted webinars and lectures on international humanitarian law, with salient features of the CSAC Law.

Third, the Philippine National Police adopted its Child Protection Policy. This policy aims to guarantee the protection and safety of children during the conduct of

* The present annex is being issued without formal editing.

police and rescue operations, investigation and surveillance in times of calamities, armed conflict and other times when a child would be assisted by the National Police. This policy is a product of more than two years' collaboration, research, series of workshops and dialogues with Women and Children Protection Center Technical Working Group with Women and Child Protection Officers and representatives from other government agencies, non-governmental organizations, child rights advocates and technical support of the UNICEF-Philippines. In addition to this, the National Police successfully adopted Memorandum Circular No. 2022-023 in February providing guidelines and procedures in handling of CSAC.

Fourth, the Philippines has enhanced its monitoring and reporting systems on grave child rights violations. The Commission on Human Rights is strengthening its mechanism on monitoring and investigating incidents or reports in relation to children in situations of armed conflict. The Commission engaged eight Protection Monitors who will augment existing efforts in monitoring cases of grave child rights violations. Additionally, the Monitoring, Reporting and Response under the Council on the Welfare of Children is a mechanism to report grave child rights violations and help coordinate the interagency response. In 2021, 29 incidents were reported through this mechanism and 17 were validated and investigated. These children were provided with proper interventions and services.

Fifth and last, the Bangsamoro process is making strides in child protection and reintegration. As the report highlights, the Bangsamoro regional government, with support from UNICEF and society, provided psychosocial assistance and life skills training to 1,869 children disengaged from the Moro Islamic Liberation Front and their families. With these services, these children and their families have a chance for a brighter future where they can contribute to the development of their communities.

In all these efforts, a common idea emerges, and that is the importance of collaboration and utilizing synergies for the welfare of children. Protecting children in situations of armed conflict is challenging, but the Philippines' whole-of-government and whole-of-society approach is more formidable than those who aim to exploit children for their violent goals.

Madam Chair,

In response to some of the concerns and grave violations contained in the report, I wish to state the following:

1. On the reference to the Anti-Terrorism Act of 2022, we wish to give context that the Supreme Court has reviewed the law to ensure the definition of "terrorism" is not overly broad.
2. On the issue of detention of children by the Armed Forces and National Police, we wish to clarify that children who are rescued from non-State armed groups may be processed by the Armed Forces or police, but eventually returned to their respective families and referred to child-specific and gender sensitive support services.
3. On attacks on schools, the Philippines reaffirms its commitment to implementing our policy on Learners and Schools as Zones of Peace. The Armed Forces also has operational guidelines in place to ensure the rights of children are not violated. These existing operational guidelines incorporate those under the Safe Schools Declaration.
4. With regard to concerns on the closure of indigenous learning centres, the Department of Education conducted exhaustive investigations prompted by complaints on these schools. The closed schools failed to comply with curriculum standards or violated the education department's Child Protection Policy. In other

cases, the schools operated in the ancestral domain of indigenous peoples' communities without prior informed consent.

Madam Chair,

We welcome references to the progress achieved, which is indicative of the Philippines steadfast commitment to protecting children and the strides we can make when we work together. In that regard, we recommend making full use of existing referral mechanisms and partnerships, such as the Council on the Welfare of Children-country task force on monitoring and reporting coordination referral mechanism. Timely and transparent information sharing is important to immediately protect the welfare of children caught in armed conflict.

The Philippines reaffirms its commitment to the Convention on the Rights of the Child Optional Protocol on the involvement of children in armed conflict, as well as the Vancouver Principles. While we have not yet endorsed the Paris Principles and the Safe Schools Declaration, we assure you that our CSAC Law, as well as the operational guidelines of all our government agencies, are comprehensive and are implemented to advance the best interests of each child.

The Philippines notes the observations and recommendations of the Special Representative of the Secretary-General. Going forward, the Philippines is working towards fully implementing its CSAC Law and harnessing the momentum built to create a safer world for children.

Thank you.
