

**Input for the UPR on the Philippines  
Office of the Special Representative of the  
United Nations Secretary-General for Children and Armed Conflict**

**23 March 2022**

**Background**

From 2017 to December 2021, there was a relatively low number of large-scale armed confrontations, which led to a constant decrease of verified cases of grave violations against children. The situation for children in armed conflict in the Philippines improved, including with the enactment in January 2019 of the Special Protection of children in situations of armed conflict Act (Republic Act No.11188), incorporating provisions of Security Council resolutions on children and armed conflict into domestic legislation. However, clashes continued between the Armed Forces of the Philippines (AFP) and several armed groups, predominantly in the Mindanao region, which in 2021 represented about 80% of the areas affected by armed conflict.

The adoption of the Anti-Terrorism Act in July 2020 raised concerns about the potential impact on vulnerable communities as well as humanitarian actors, who feared of being accused of association with armed groups and being designated as terrorists, with limited legal protections. As a result of the adoption of the Act, a high number of children were detained for alleged association with armed groups, notably the New People's Army (NPA). For example, in 2021, the United verified the detention of 24 children.

Another growing concern is the significant increase in attacks on indigenous communities in Mindanao, including in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) by the AFP due to the assertion of their rights to ancestral domain leading to recurrent and prolonged displacement. As of November 2021, an estimated total of 116,661 persons were displaced in Mindanao due to clashes between armed groups and the AFP. Indigenous communities faced recurring attacks, including on schools and learning facilities which has limited the access to education for indigenous children. Security constraints and the impacts of the Covid-19 pandemic, including access restrictions due to community quarantine protocols put in place by the national authorities, presented many challenges for the monitoring and reporting of grave violations against children.

Overall, recruitment and use and killing and maiming of children remained the most prevalent grave violations verified by the United Nations through the Monitoring and Reporting Mechanism in 2021. In 2021, the United Nations verified more than 50 grave violations against more than 40 children. Violations included recruitment and use, killing and maiming, abduction, and attacks on schools.

On 9 June 2021, the AFP and the United Nations signed a Strategic Plan to Prevent and Respond to Grave Child Rights Violations in Situations of Armed Conflict, and on 13 June 2021, the Philippines National Police (PNP) issued its Child Protection Policy outlining and adopting provisions of the Republic Act 11188 and its Handling Protocols to ensure compliance of its personnel and prevent grave violations against children.

## Recommendations

- Call upon the Government of the Philippines to ensure the consistent application of the national child protection procedures, including the Government's inter-agency handling protocol on children in situations of armed conflict and guidelines, and facilitate access to conflict-affected areas for child protection actors to continue the monitoring and reporting.
- Call upon the Government of the Philippines to sustain the implementation of the Children in Situations of Armed Conflict Law to reinforce the protection of the right to life, and of the development of children, by taking all necessary measures to prevent extrajudicial killings, torture, and abduction of children; to thoroughly investigate all allegations; and to identify and bring perpetrators to justice.
- Welcome the signature of the Strategic Plan and call upon the Government of the Philippines to sustain collaboration with the United Nations to implement the Strategic Plan to protect children affected by armed conflict, by aligning priorities with the provisions of the Children in Situations of Armed Conflict Law, and advocate for the prevention of the red-tagging of schools, teachers and children.
- Call upon the Government of the Philippines to expedite the development of agency-specific protocols on handling children involved in armed conflict for the AFP, PNP, Commission for Human Rights, Department of Social Welfare and Development, Department of Education, and Department of Health. The mechanism should be sustainable and integrated into current government systems, including in BARMM, to ensure that reintegration programmes include safeguards to prevent the re-recruitment/re-engagement of children with armed groups.
- Call upon the Government of the Philippines to ensure the release of detained children in accordance with the law and applicable human rights obligations to ensure that they are not kept in military camps. The establishment of civilian government agency facilities must be supported to address the recurring concerns affecting children rescued or surrendered from armed groups.
- Call upon the Government of the Philippines to comply with the national policy framework on learners and schools as zones of peace adopted in November 2019 and endorse the Safe Schools Declaration, acknowledging that indigenous communities, including indigenous schools and protected related persons, must be protected from violence.
- Call upon the Government of the Philippines to implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction and prioritize the drafting of legislation providing compensation for destroyed and damaged houses as children continue to be killed and maimed by the use of improvised explosive devices.
- Call upon the Government of the Philippines to appeal to the passage of the Indigenous People's code to address the drivers of conflict and human rights abuses in the BARMM.