



**United Nations Human Rights Council
21st Session
10-28 September 2012
Item 6, Consideration of UPR reports**

CONSIDERATION OF THE UPR REPORT OF THE PHILIPPINES

Madame President,

Thank you for giving us the floor.

Save the Children is making this statement on behalf of the Philippine NGO Coalition on the UN Convention on the Rights of the Child. The Philippine NGO Coalition welcomes the report of the Working Group on the Universal Periodic Review (UPR) of the Philippines, in particular the recommendations relating to children's rights.

We welcome the Philippine Government's efforts to protect children's rights and the acceptance of UPR recommendations regarding extending the prohibition of corporal punishment in the home and family setting, provision of protective services and assistance to victims of trafficking especially young people, and measures to effectively implement the Juvenile Justice and Welfare Act of 2006. Implementation of these recommendations, including through allocation of sufficient resources, will have a significant impact on children's lives in the Philippines.

However, the Philippine NGO Coalition also recognizes that there are other decisions which the government must take to secure the well-being of its children.

1. Convention on the Rights of the Child Optional Protocol on a communication procedure

Recommendation 131.7 calls on the Philippine Government to consider an early ratification of the third optional protocol to the CRC on a communications procedure.

The Philippine NGO Coalition believes that the optional protocol will provide children in the Philippines full protection for their rights through an international mechanism that they can access when their rights are violated. We recognize the efforts of the government to put in place the necessary policy framework and mechanisms to protect children's rights. We believe that the communication procedure will complement the government's monitoring efforts and even further strengthen CRC implementation in the country. It is important to note that there are no other human rights complaints mechanisms that can sufficiently cover the whole range of children's rights and that have the expertise to look into child rights violations. The Philippine NGO Coalition believes that the optional protocol will contribute to raising international recognition of children as rights holders.

We call on the government to further strengthen the national policy framework to align with the international human rights standards by ratifying the third optional protocol to the CRC.

2. Minimum age of criminal responsibility

Recommendation 131.29 calls on the Philippine government to ensure that the age of criminal responsibility is not lowered. The Philippine NGO Coalition believes that lowering the minimum age of criminal responsibility would result in more and younger children being put in jails, thereby placing them at risk of further abuse and bringing them deeper into criminality. In June 2012, the Philippine House of Representatives passed a bill lowering the minimum age of criminal responsibility to 12. This is contrary to the Philippines' obligations under the CRC and a major step backwards in what should be the government's progressive move towards fulfilling children's rights.

We call on the government not to lower the age of criminal responsibility and take concrete action to protect children who are being used by adults in criminal activities.

3. Situation of children in detention

Recommendation 131.28 calls for the adoption of the recommendations in Chapter VI of the Human Rights Council Resolution on the Rights of the Child adopted in March 2012 in relation to children and the administration of justice. The Philippine NGO Coalition believes that adopting these recommendations will strengthen the implementation of the Juvenile Justice and Welfare Act and ensure that the rights of children in conflict with the law, particularly those currently in detention, will be further protected.

We call on the government to adopt the specific recommendations in Chapter VI of the Human Rights Council Resolution on the Rights of the Child in implementing the Juvenile Justice and Welfare Act, and to work towards removing any hindrances in terms of proposed or existing policy measures, capacities, resources and attitudes for the effective implementation of the law.

Thank you.