

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 138

AMENDING EXECUTIVE ORDER (EO) NO. 56 (S. 2001) ADOPTING THE COMPREHENSIVE PROGRAM FRAMEWORK FOR CHILDREN IN ARMED CONFLICT, STRENGTHENING THE COUNCIL FOR THE WELFARE OF CHILDREN (CWC) AND FOR OTHER PURPOSES

WHEREAS, Section 3, Article XV of the 1987 Constitution mandates the State to defend the right of children to assistance and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development;

WHEREAS, the Philippine Government enacted Republic Act (RA) No. 7610, otherwise known as the, "Special Protection of Children Against Abuse, Exploitation and Discrimination Act," declaring children as Zones of Peace and affirming the State policy of protecting and rehabilitating children gravely threatened or endangered by circumstances affecting their survival and normal development;

WHEREAS, our general obligation as a State Party to the Convention on the Rights of the Child (CRC) and its Optional Protocol on Children in Armed Conflict enjoins us to take all feasible measures to ensure that children under the age of eighteen are not recruited compulsorily into our Armed Forces and that members thereof who are under eighteen years of age do not take direct part in hostilities;

WHEREAS, EO No. 56 adopted the Comprehensive Program Framework for Children in Armed Conflict (CIAC Program Framework) which addresses the alarming involvement of children in armed conflict, either as combatants, couriers, guides, spies, medics, cooks, or their recruitment for sexual purposes or in any other similar, non-combatant capacity and directs national government agencies and Local Government Units (LGUs) to implement the same, under the leadership of the Office of the Presidential Adviser on the Peace Process (OPAPP);

WHEREAS, a Memorandum of Agreement was executed in 2007, constituting the Inter-Agency Committee on Children in Armed Conflict (IAC-CIAC) which took on the task of implementing EO No. 56;

WHEREAS, the United Nations Security Council (UNSC) Resolution Nos. 1539 (s. 2004) and 1612 (s. 2005) strongly urge Member States to establish a Monitoring and Reporting System on Grave Child Rights Violations in Situations of Armed Conflict, namely: 1) killing and maiming; 2) recruitment and use of children; 3) attack on schools and hospitals; 4) abduction of children; 5) rape and other grave sexual violence against children; and, 6) denial of humanitarian access;



WHEREAS, UNSC Resolution Nos. 1883 (s. 2009) and 1998 (s. 2011) call upon Member States to take decisive and immediate action against abuses committed against children in situations of armed conflict and bring violators thereof to justice through international justice mechanisms and domestic criminal courts and call for the integration of post-conflict recovery and reconstruction planning, programs and strategies; and,

WHEREAS, Section 31, Chapter 10, Title III, Book III of the Administrative Code of 1987 provides for the continuing authority of the President to reorganize the administrative structure of the Office of the President.

NOW, THEREFORE, I, BENIGNO S. AQUINO III, President of the Philippines, by virtue of the powers vested in me by law, do hereby amend EO No. 56:

SECTION 1. Implementation of the CIAC Program Framework. The functions of OPAPP as lead agency in coordinating and monitoring the implementation of the CIAC Program Framework, as enhanced and approved by the CWC Board, are hereby transferred to CWC.

SECTION 2. Inter-agency Committee on Children in Armed Conflict. The Inter-Agency Committee on Children in Armed Conflict (IAC-CIAC), constituted by virtue of a Memorandum of Agreement signed on April 2007, is hereby formally established with the following members:

Chair: Council for the Welfare of Children (CWC)
Members: Commission on Human Rights (CHR)
Department of Education (DepEd)
Department of Foreign Affairs (DFA)
Department of the Interior and Local Government (DILG)
Department of Health (DOH)
Department of National Defense – Armed Forces of the Philippines (DND-AFP)
Department of Justice (DOJ)
Department of Social Welfare and Development (DSWD)
Philippine National Police (PNP)
Presidential Human Rights Committee (PHRC)
Presidential Management Staff (PMS)
Office of the Presidential Adviser on the Peace Process (OPAPP)

The CWC may require the participation of the heads of other departments and/or agencies, including government-owned or -controlled corporations (GOCCs), and invite LGUs, and representatives from the private sector and the academe, as it may deem necessary.

In line with the enhancement of the CIAC Program Framework, as well as the change in the composition of the IAC-CIAC, the Chair and Members of the IAC-CIAC shall enter into a new Memorandum of Agreement (MOA) to delineate their specific functions and duties within 60 days from the effectivity of this EO.

SECTION 3. Functions of the IAC-CIAC. The IAC-CIAC shall advocate for the protection of children and the prevention of the involvement of children in armed conflict, and shall:

- a. Ensure that international instruments such as the UN CRC, the Optional Protocol on the Involvement of Children in Armed Conflict and other related human rights treaties are considered in all actions taken;
- b. Formulate guidelines and develop programs, in coordination with concerned agencies, for the handling of children involved in armed conflict and monitor/document cases of capture, surrender, arrest, rescue or recovery by government forces;
- c. Conduct human rights training, advocacy and information campaigns and capability-building of LGUs;
- d. Implement a monitoring, reporting, and response system for grave child rights violations in situations of armed conflict established under Section 5 hereof; and,
- e. Work closely with concerned agencies in coordinating and monitoring the implementation of the enhanced CIAC Program Framework.

SECTION 4. Formulation and Integration of Complementary Plans, Programs and Projects. National government agencies shall formulate and integrate the enhanced CIAC Program Framework in their respective annual plans, programs and projects consistent with their mandates. The CWC, with the IAC-CIAC, shall periodically review these plans to ensure policy and program synchronization.

LGUs of areas affected by armed conflict may also develop and implement complementary programs to carry out the enhanced CIAC Program Framework, in coordination with CWC.

SECTION 5. Establishment of a Monitoring, Reporting and Response System. A Monitoring, Reporting, and Response System for Grave Child Rights Violations in Situations of Armed Conflict (MRRS-GCRVSAC) is hereby created to act as the monitoring arm within the CIAC Program Framework with the primary objective of protecting children in situations of armed conflict by preventing the occurrence of grave child rights violations and ensuring the provision of appropriate and timely response in the event of such violations. The MRRS-GCRVSAC shall likewise generate standard data and information that will serve as the primary source on all matters pertaining to such violations.

CWC, as focal agency for the MRRS-GCRVSAC, is directed to establish the appropriate coordinative network at the national and local levels.

SECTION 6. Functions of the MRRS-GCRVSAC. The MRRS-GCRVSAC shall function as part of the enhanced CIAC Program Framework, specifically:

- a. Gather, validate and monitor reports of incidences of grave child rights violations (GCRVs) from national government agencies (NGAs), non-government organizations (NGOs), LGUs, peoples' organizations (POs) and faith-based organizations (FBOs);
- b. Ensure provision of appropriate and timely inter-agency response to GCRVs, through coordination and efficient referral system;
- c. Develop and implement an inter-agency communication plan on the prevention and response to GCRVs;
- d. Provide reports/updates on the incidence of GCRVs to the CWC Board for policy issuances and program development; and,
- e. Generate standard data and information that will serve as a primary government source on all matters pertaining to such GCRVs.

SECTION 7. Funding. Funds for the implementation of the enhanced CIAC Program Framework and its components shall be charged against the current appropriations of the participating agencies. Funding for the succeeding years shall be incorporated in their respective regular appropriations.

The CWC may receive contributions, grants, and/or other funds from, among others, government agencies and corporations, LGUs, local and foreign donors, development partners, and private sector/institutions, subject to existing laws, rules and regulations.

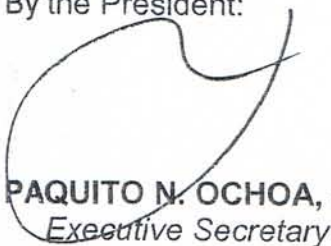
SECTION 8. Repeal. All issuances, orders, rules, and regulations or parts thereof which are inconsistent with the provisions of this EO are hereby revoked and/or modified accordingly.

SECTION 9. Separability. If any provision of this EO is declared invalid or unconstitutional, the other provisions unaffected shall remain valid and subsisting.

DONE, in the City of Manila, this 2nd day of August, in the year of Our Lord, Two Thousand and Thirteen.



By the President:



PAQUITO N. OCHOA, JR.
Executive Secretary



CERTIFIED COPY

MARIANTU M. DIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE

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