



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 13 September 2024, the Working Group on Children and Armed Conflict examined the seventh report of the Secretary-General on children and armed conflict in the Philippines (S/2024/626), covering the period from 1 January 2022 to 31 December 2023, which was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. The Deputy Permanent Representative of the Philippines also addressed the Working Group.

2. The members of the Working Group welcomed the progress made in the Philippines and commended the Government's efforts in reducing the six grave violations against children, including through dialogue with parties. They expressed concern, however, that the six grave violations against children continue to be committed. The members also welcomed the finalization of the protocols on handling children in situations of armed conflict by government departments and agencies. They called upon all armed groups to abide by their obligations under international humanitarian law and international human rights law.

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, despite documentation and reporting



constraints resulting from access restrictions, but expressing grave concern at the violations and abuses that continue to be committed against children in the Philippines, including children who were affected by multiple violations, 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, S/AC.51/2020/9 and S/AC.51/2022/4);

(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, including by taking all preventive and mitigating actions necessary to avoid and minimize harm and to better protect children during hostilities and from the effects of explosive ordnance;

(d) Stressing the importance of accountability for all violations and abuses against children in armed conflict through the implementation of the Special Protection of Children in Situations of Armed Conflict Act (Republic Act No. 11188) of 2019, 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 are provided with the comprehensive, age-appropriate, gender-sensitive, disability-inclusive, non-discriminatory protection and support services that they need, including psychosocial and health services, access to education and vocational training, livelihood support, social reintegration and specialized services for child survivors of sexual and gender-based violence;

(e) Noting with concern that access constraints imposed upon the country task force by parties to some conflict-affected areas 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/2024/626) 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, including as informants and for sexual purposes, urging all parties, in particular armed groups, to immediately and without conditions release all children associated with them to civilian child protection actors; and urging them also 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 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 healthcare, 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 detention be considered only as a measure of last resort and for the shortest possible period of time, and that alternatives to detention should be prioritized, in line with international law, and 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, 16 per cent of whom were under the age of 5, including resulting from crossfire and explosive ordnance, urging all parties to take measures to prevent and end such killing and maiming, and calling upon parties to respect their obligations under applicable international law, including international humanitarian law;

(i) Expressing deep concern also about incidents of rape and other forms of sexual violence perpetrated against children, notably girls, during the reporting period, while noting that incidents of rape and other forms of sexual violence continue to be underreported owing to stigmatization, fear of reprisals, harmful social norms, the absence of or lack of access to services, impunity and safety concerns; 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 and the Special Protection of Children in Situations of Armed Conflict Act (Republic Act No. 11188) of 2019 as important steps taken by the Government of the Philippines to address acts that can lead to rape and other forms of sexual violence; stressing also the importance of ensuring access to age-appropriate, gender-sensitive, inclusive, non-discriminatory and comprehensive specialized services, including mental health and psychosocial support, healthcare, including sexual and reproductive health services, and legal and livelihood support and services, for survivors of conflict-related sexual violence;

(j) Strongly condemning the attacks on schools and hospitals, in violation of international law, and attacks and threats against protected persons and the forced closure of a school, 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; noting with concern that the proximity of armed conflict incidents to schools resulted in class suspensions; noting the harmful effect that attacks on schools and the military use of schools can have on the enjoyment of the right to education, calling upon all parties to take concrete measures to mitigate and avoid the military use of schools, consistent with resolution [2601 \(2021\)](#), to ensure accountability and redress for attacks on education, and noting in this regard the Safe Schools Declaration;

(k) Strongly condemning also the abduction of children, which has also resulted in other grave violations being committed against children, and calling upon all parties concerned to cease the abduction of children and immediately release all abducted children to relevant civilian child protection actors;

(l) Urging all parties to continue to allow and facilitate, in accordance with international law, including international humanitarian law, safe, timely and unimpeded humanitarian access, including to children, and recalling the humanitarian principles of humanity, neutrality, impartiality and independence, as well as the

United Nations guiding principles for humanitarian assistance, adopted in General Assembly resolution 46/182, 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) Encouraging the Government of the Philippines and the National Democratic Front of the Philippines to include child protection issues in peace negotiations and agreements, following the Oslo Joint Communiqué of 23 November 2023, and guided by, inter alia, the Practical Guidance for Mediators to Protect Children in Situations of Armed Conflict;

(n) Encouraging the full implementation of the Annex on Normalization under the Comprehensive Agreement on the Bangsamoro, in particular the decommission and disbanding of private armed groups; and welcoming the completion of the 2017 United Nations-Moro Islamic Liberation Front Action Plan and the continued implementation of a follow-up programme by the Bangsamoro regional government with the provision of psychosocial assistance and life skills training to children disengaged from the Moro Islamic Liberation Front;

(o) 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;

(p) Calling upon all listed armed groups, notably the New People's Army, 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 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:

(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) Welcoming the finalization of the protocols on handling children in situations of armed conflict by government departments and agencies; and encouraging the Government to accelerate the dissemination of agency-specific protocols to government agencies and military and key agency personnel, as well as to frontline service providers, to ensure their application in the field;

(d) Welcoming the progress made in the implementation of the national strategic plan to prevent and respond to grave child rights violations in situations of armed conflict signed by the Armed Forces and the United Nations, which included capacity-building activities for military personnel and the implementation of the Protocol on Handling Children in Situation of Armed Conflict of the Armed Forces of the Philippines; welcoming also the set extension of the national strategic plan for a further 24 months; and encouraging the Government to implement the commitments made under the strategic plan;

(e) Welcoming the coordination between the Inter-Agency Committee on Children in Situations of Armed Conflict and the United Nations, and calling upon the Government to strengthen the functionality of the Inter-Agency Committee on Children in Situations of Armed Conflict, in order to reinforce the protection of children, including with regard to the referral of detention cases and to enhancing the protection of schools, and by taking all measures necessary to prevent sexual violence against, and the killing and maiming, 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; and also calling upon the Government to revive the coordination between the Inter-Agency Committee on Children in Situations of Armed Conflict and the country task force to ensure the integration of child rights and child protection in the agenda of peace negotiations and agreements;

(f) Urging the Government to continue the implementation of the Special Protection of Children in Situations of Armed Conflict Act and to reinforce the protection of children, including by ensuring that the national legislation is translated into the Government's inter-agency handling protocol on children in situations of armed conflict as a unified set of guidelines outlining the case management process for children affected by armed conflict in the Philippines, and taking all necessary measures to prevent the extrajudicial killing, torture and abduction of children and ensuring accountability by thoroughly investigating allegations of violations against children, including sexual violence, and by bringing perpetrators to justice;

(g) Calling upon the Government to treat children primarily as victims, including children associated with armed groups and those who may have committed crimes, and to consider detention only as a measure of last resort and for the shortest possible period of time consistent with international law; also calling upon the Government to ensure that detained children are handed over and referred to civilian facilities, instead of detention centres, in accordance with the law, and are provided with adequate reintegration and support services;

(h) Calling upon the Government to strengthen the capacity of its armed and security forces and auxiliary forces for child protection, and to continue to facilitate access to conflict-affected areas for child protection actors, to ensure that victims of violations receive timely, effective, age-appropriate, disability-sensitive and gender-sensitive protection services and comprehensive and sustainable reintegration and rehabilitation programmes, including access to healthcare, including sexual and reproductive health services, mental health and psychosocial support and education

programmes, and including safeguards to prevent the rerecruitment of children by armed groups;

(i) Expressing concern at the harmful impact on children of so-called “deradicalization” processes for children formerly associated with armed groups who are currently in the custody of the armed forces, noting that, under the Special Protection of Children in Situations of Armed Conflict Act, children formerly associated with armed groups should be treated primarily as victims of recruitment and use and provided with community-based reintegration and rehabilitation programmes, including the necessary assistance, including medical, psychosocial, legal, shelter and education services;

(j) Urging the Government to take measures to protect schools, teachers and children, including in Indigenous communities, calling upon the Government to sustain its collaboration with the United Nations 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;

(k) 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 to 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 explosive ordnance, including mines, unexploded ordnance and explosive remnants of war on children by prioritizing the clearance of explosive ordnance, including mines, unexploded ordnance and other explosives, as well as by prioritizing risk education and victim assistance efforts;

(l) 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;

(m) Taking note of the Government’s recent legislation and other measures to protect children, including the draft internal displacement act to promote and protect the rights of internally displaced persons, including children in conflict-affected areas; and encouraging the Government to finalize the creation of a Commission on Human Rights Charter;

(n) 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;

(o) 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, and encouraging and facilitating the consideration of children’s views in these processes where possible and compatible with their best interests, pursuant to Security Council resolution [2427 \(2018\)](#) and drawing on the Practical Guidance for Mediators;

(p) 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, to respond to and prevent further violations against children and to continue to build national capacities;

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

Annex

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

Thank you very much, and good afternoon, Madam Chair. Good afternoon also to Special Representative Gamba and to the members of the Working Group.

First, I wish to thank Her Excellency Ambassador Frazier for convening this important meeting. I also thank the Special Representative of the Secretary-General Ms. Virginia Gamba for her comprehensive report and presentation this afternoon.

Madam Chair, I am pleased to deliver this statement on behalf of my delegation and I will be addressing, directly or indirectly, the points raised in the report.

At the outset, allow me to reaffirm the Philippines' commitment to the protection of children, the promotion of their well-being, and the fulfilment of their human rights. Children occupy an important place in our families and communities. We adhere to the principle that children are zones of peace and all aspects of government work that involves children are carried out with the best interests of the child in mind. It is our solemn duty that we take seriously to keep all children in school and away from the battlefield.

In 2019, the Philippines enacted the Children in Situations of Armed Conflict Law (or "CSAC") and has adopted its implementing rules and regulations. An Inter-Agency Committee on CSAC had been formed under the chairship of the Council for the Welfare of Children.

As the Special Representative has mentioned in the report, the Protocols on CSAC had been drafted and completed, with the support of the United Nations country task force on monitoring and reporting. These Protocols are agency-specific to the Department of National Defense – Armed Forces of the Philippines, Department of Education, Department of Social Welfare and Development, Department of Health, and the Philippine National Police.

The Armed Forces of the Philippines has also formulated the Strategic Plan for child protection in situations of armed conflict. This was drafted with the assistance of the United Nations country task force and contains benchmarks, timelines, and outcomes to ensure that children are protected as zones of peace. The Strategic Plan and the Protocols are disseminated to all concerned national and local government offices.

As mentioned also in the report, government agencies are also conducting capacity-building activities with United Nations agencies in the Philippines.

I am pleased to inform the Working Group of significant improvements in the overall security situation of the Philippines as regards the activities of terrorist groups and local communist armed groups.

As you may be aware, and as reported by the Secretary-General in previous reports, the Bangsamoro Administrative Region of Muslim Mindanao had been established as a result of successful negotiations between the Government and the Moro Islamic Liberation Front. The Bangsamoro Administrative Region of Muslim Mindanao is a success story that ended decades of fighting in the island of Mindanao in southern Philippines. We are especially proud that women played critical roles in the peace negotiations that brought about this peace.

* The present annex is being issued without formal editing.

Moreover, the three armed groups listed in the annex of the Secretary-General's report: (i) Abu Sayaff Group, (ii) Bangsamoro Islamic Freedom Fighters, and (iii) New People's Army, have become irrelevant. We don't hear of any activities of the Abu Sayaff Group and the Bangsamoro Islamic Freedom Fighters any more. If there is some fighting that involves their members or former members, this is very isolated and more of personal fights.

With regard to the New People's Army, their supreme leader recently passed away while in exile and the living leaders have signed the Oslo Joint Communique with the Government, with the intention to reopen peace negotiations. We note however that thousands of the previous members of this group have surrendered and returned to the fold of the law. The towns and villages that were once insecure because of the presence of the New People's Army have now been freed and declared safe. These places that are usually lush, mountainous and rich in wildlife have now been opened to tourism.

The armed groups that were infamous for their child recruitment activities have either been neutralized or have returned to the fold of the law and are being reintegrated into society.

Madam Chair, we express our regret over the 58 cases of grave violations against children indicated in the report. We condemn every grave violation against every child. The Philippine Government and the Filipino people do not condone, accept or normalize violations against children. Please be assured that all efforts to protect children are being done and accountability is demanded from violators.

There is a zero tolerance policy on the recruitment and use of children by the Armed Forces of the Philippines. Laws and policies are strictly in place that this does not happen. The children who may live in the camps of the military are children who have been rescued from armed groups. They are treated as victims and survivors, never as enemies. They are provided civilian education and psychosocial support from the Department of Social Welfare and Development. The goal is to reintegrate them into their families and communities.

However, it was reported to us that some children who were rescued do not want to leave the military camp to return to their families. This is an issue that we are trying to find a solution for, as it is also not good to forcibly eject the children.

On the issue of rape and sexual violence, the Philippines is a staunch champion of gender equality and the rights of women and girls and we condemn any and all forms of violence against women and girls. Laws are in place and strictly implemented against rape and other forms of sexual violence.

The report mentioned that stigmatization deters reporting of sexual violence. I am pleased to inform the Working Group that times are changing fast. The stigmatization which may have been prevalent in the past is now disappearing. The enactment of stricter legislation against violence, reforms in the justice system and in education, and better connectivity and access to the Internet by young people have all been instrumental in challenging negative social norms and patriarchal ideas that led to discrimination and stigmatization of victims of sexual violence. Individuals and communities have now become more empowered to speak out against sexual violence and the police authorities have become more responsive.

With regard to reports of attacks on schools, our military and police authorities fervently deny the same. Attacks on schools are prohibited in law and in practice. In previous years, there were some schools in Indigenous communities that were controlled by the terrorist group New People's Army and used for the recruitment of their members, including the children. The Indigenous leaders themselves reported

these illegal activities and cooperated with the Government to disband the armed groups operating in the area and to retake control of the schools.

With regard to the mentioned “red-tagging” in the report, I wish to note that the term “red-tagging” did not originate from the military or the Government. The Armed Forces of the Philippines does not engage in any “red-tagging” of individuals. It is the former rebels themselves, after they have surrendered and returned to society, who point to their former comrades. The returnees are the ones who exposed the organizations who act as fronts of communists in order to get donations from bigger non-governmental organizations (NGOs) in developed countries. The Government’s approach toward them is in accordance with existing domestic and international laws.

We thank Special Representative Virginia Gamba for her recommendations. The Philippines is very supportive of her mandate and we are always willing and open to engage with her. We acknowledge the recommendations and we are working towards implementing them, including with regard to the Human Rights Charter.

We are also grateful for the work of the United Nations country task force headed by the Resident Coordinator and by the United Nations Children’s Fund (UNICEF). The Philippines is always happy to work with our partners towards our common goals.

Given the marked decrease in the number of grave violations against children in the last reporting period, the neutralization of the Philippine-based armed groups listed in the annex of the Secretary-General’s report, the expeditious formulation of legal, policy, and regulatory frameworks to address gaps in child protection, and the serious commitment of the Philippines to end all armed conflict, address displacement issues, and strengthen child protection, it is our ardent wish that we be delisted from the agenda and excluded in the next reports.

We will continue to work with the United Nations country task force while optimizing our resources to focus on more urgent issues, including the impact of natural disasters that keeps on intensifying over time. Thank you.
