

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila**

**THIRTEENTH CONGRESS
First Regular Session**

HOUSE BILL NO. 2445

Introduced by Rep. Rodolfo "Ompong" G. Plaza

Explanatory Note

The true state of the Philippines can be gleaned through the state of the Filipino child. At this point in Philippine history when the streets have become unsafe and massive poverty has driven Filipinos to choose radical means to obtain income, even freedom of expression has been misused and abused, thereby falling short of contributing significantly in promoting the developing capacities of a child.

Children- citizens below 18 years old- make up almost half of the 84 Million national population. They have been touted as the country's most precious asset and the hope of the Motherland yet no group is known to face hazards more than they. Even with the Anti-Child Labor Act, more than 3 million of them work under often-grueling conditions. Despite the existence of institutional support, almost 2 million of them live on the streets. Close to 30 % of children under 5 are severely and moderately underweight based on international standards. Almost half of the total infant population and almost 30% children aged from 1-6 suffer from iron-deficiency anemia. Less than 20 % of children aged from 4-6 are able to attend public and private schools. More than 50 % of the children drop out of school when they reach second grade.

For the year 2002, the DSWD served 10,045 cases of child abuse. The number is only slightly higher than that in 2001. In 2003 alone, the Human Rights Report for Children 2003 reveals that an astounding 2,395 number of Filipino children were raped; 513 were subjected to acts of lasciviousness; 1,370 were physically abused; 66 were victims of trafficking; and 311 were driven into child prostitution.

The Philippines, according to a recent United Nations Resolution, is one of 7 countries with armed conflicts where parties recruit or use children. The UNICEF estimates that in MILF and NPA-influenced communities, 10-30% of the child population are recruited as soldiers. At least 172 child soldiers from 1997 to 2003 have been captured or have surrendered to confirm this.

The United Nations declared the Rights of the Child in November 20, 1959 and adopted and ratified the same in November 20 1989. No other cause is said to have been

embraced with enthusiasm, and no treaty has been ratified at such speed by governments than the Convention on the Rights of the Child (CRC) which simply states that any human being from zero to 17 years old has the right:

- To be born, to have a name and nationality
- To have a family that loves and cares
- To live in a peaceful community and a wholesome environment
- To have adequate food and healthy and active body
- To obtain a good education and develop his or her potential
- To be given opportunities for play and leisure
- To be protected against abuse, exploitation, neglect, violence and danger
- To be defended and given assistance by the government
- To be able to express his or her own views

The most comprehensive human rights treaty, the CRC was ratified by the Philippine Senate in July 20, 1990. Deeply committed to this, the Philippine government adopted specific goals for children and provided institutional and legislative support towards the attainment of these objectives. The creation of the Council for the Welfare of Children (CWC) through PD 603 in 1974 could have given the Philippines a headstart in educating the public about child development and welfare decades ago or could have provided the solid foundation for all post-ratification government and private sector support. Yet, sadly the country has not made significant inroads in children's rights culture to this day.

In 1993, President Fidel Ramos issued Proclamation Numbered 267 declaring the month of October of every year as National Children's Month. This proclamation superseded his 1992 proclamation declaring the 17th of October of every year as National Children's Day. Where the first issuance could have provided for a more concentrated collaboration of public and private support and efforts for the country's children, the second proclamation risked the impact and novelty of a one-time special event by stretching out the event too thin. This proclamation which remains in force, undermines the significance of the occasion and even jeopardizes it since because of the long celebration, the event can be drowned by other breaking news-type events like disasters and scandals. Also, both proclamations were merely directives from the Chief Executive that do not in any way state how the occasion may be celebrated and how the Filipino child's physical, moral, spiritual, intellectual, and social well-being may best be served and every child's right, protected.

This bill, if enacted into a law, will define and centralize all government functions and activities such that the Rights of the Child will be better communicated to the public. This measure will also provide for working parents to have a break from their jobs and regular pre-occupations to allow them to spend the day with their children, hence strengthening family bonds and sustaining loving family environments that contribute to the emotional and psychological health of children. By enacting this bill, even the private sector will be able to contribute its share in youth-building through initiatives that pursue children's mental, social, and physical development.

The United Nations, in which the Philippines is a founding-member, has established November 20 as the Universal Children's Day. 149 countries have observed the day for 41 years now. In a country like the Philippines where the struggle for peace and prosperity is felt and suffered most by children, a single-minded and concerted effort to create a "Children's Rights Culture" has to be made.

That rights are not luxuries and instead define the very essence of human life can not be over-emphasized. By enacting a law that will declare November 20 of every year as a "National Children's Day" wherein every Filipino child's specific needs and rights shall be served, the Philippines shall have shared a universal goal and proven its commitment to the Filipino youth.

It is in view of the foregoing that approval of this bill is urgently sought.



RODOLFO "OMPONG" G. PLAZA
Lone District of Agusan del Sur

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**AN ACT
DECLARING NOVEMBER TWENTY OF EVERY YEAR AS A SPECIAL NON-
WORKING HOLIDAY TO BE KNOWN AS THE NATIONAL CHILDREN’S
DAY**

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. This Act shall be known as the “National Children’s Day Act of 2004.”

SECTION 2. November Twenty of every year is hereby declared as National Children’s Day and a special non-working holiday in the country to commemorate the United Nation’s General Assembly ratification of the Convention on the Rights of the Child and impact the significance of the Rights of the Child in the public consciousness.

If November Twenty falls on a Sunday, the Friday prior to November Twenty shall be the day of the celebration of the National Children’s Day.

SECTION 3. All learning levels of educational institutions, both public and private, shall celebrate the week in simple ceremonies and hold appropriate activities with emphasis on inculcating in the minds of the students a children’s rights culture that aims at a sustainable youth development in the country.

SECTION 4. All private enterprises shall observe the National Children’s Day in simple rites and participate activities based on their discretion.

SECTION 5. A national committee composed of the following is hereby created to take the lead in the celebration of the National Children’s day. The National Committee shall promulgate rules and regulations necessary for the proper implementation of this Act.

Chairman of the Council for the Welfare of Children	Chairman
Chairman of the Commission on Human Rights	Vice-Chairman
Secretary of the Department of Education	Member
Secretary of the Department of Social Welfare and Development	Member
Secretary of the Department of the Interior and Local Government	Member
Secretary of the Department of Health	Member
Secretary of the Department of Justice	Member
Chairman of the Commission on Higher Education	Member
Chairman of the National Youth Commission	Member
Chairman of the National Commission for Culture and the Arts	Member
Chairman of the National Council for the Welfare of Disabled Persons	Member
Chairman of the National Commission on Indigenous Peoples	Member
Chairman of the National Anti-Poverty Commission	Member
Representative from the Private Sector	Member
Representative from Non Government Organizations	Member
Representative from Non Government Youth Group	Member

SECTION 6. The National Committee is hereby authorized to call upon any department, bureau, office, agency, or instrumentality of the government including government-owned or controlled corporations, for such assistance as may be needed in the discharge of its functions.

SECTION 7. Any provision of law, decree, order, rule, or regulation inconsistent with this Act is hereby repealed and/or modified accordingly.

SECTION 8. This Act shall take effect upon its approval.

Approved,