



PERMANENT MISSION OF THE REPUBLIC OF THE PHILIPPINES
TO THE UNITED NATIONS AND OTHER INTERNATIONAL
ORGANIZATIONS, GENEVA



The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, Special Procedures Branch, and has the honor to refer to its note NV-CDS-468-2024 dated 15 November 2024, acknowledging receipt of the Joint Communication from Special Procedures (Reference AL PHL 7/2024).

The Philippine Mission has further the honor to convey the enclosed written response of the Philippine Government to the abovementioned joint communication.

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights, Special Procedures Branch, the assurances of its highest consideration.

Geneva, 13 January 2025

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

Special Procedures Branch

Palais des Nations, 1211 Geneva 10, Switzerland

Email : ohchr-registry@un.org; ohchr-spbquickresponsedesk@un.org



**Written Response of the Government of the Republic of the Philippines
to the Joint Communication from Special Procedures AL PHL 7/2024
Dated 05 November 2024**

The Philippines affirms that the Davao Regional Trial Court Branch 2, under Judge Jimmy Boco of Tagum City, issued a conviction order finding these alleged teachers guilty of violating Section 10(a), Article VI of Republic Act 7610, also known as the "Special Protection of Children Against Abuse, Exploitation, and Discrimination Act".

However, it is crucial to understand this conviction within its proper context and prevent misinterpretation due to inaccurate information disseminated to international organizations, including the United Nations.

The story of the Salugpongan schools closed by the Philippine government in 2019 and the subsequent apprehension and conviction that followed:

The decision was based on information from community-based Indigenous Peoples organizations which included the parents of the children in these schools. They deemed that the government was acting too slowly on their request for assistance, leading them to initiating the closure of the schools to rescue their children.

Said parents decried that their wards were not being allowed to leave the school and were being forced to live there. The same parents also complained as to why their children were also being taught to handle firearms and explosives. The schools were not schools for children, they said, but training camps for child combatants. The State therefore had no choice but to exercise its obligation to protect its children as well as the integrity of the families involved.

Action related to the foregoing was based on the Optional Protocol on the involvement of children in armed conflict to which the Philippines is a State party that provides the following:

1. States should take all possible measures to prevent such recruitment -including legislation to prohibit and criminalize the recruitment of children under 18 and involve them in hostilities.
2. States will demobilize anyone under 18 conscripted or used in hostilities and will provide physical, psychological recovery services and help their social reintegration.
3. Armed groups distinct from the armed forces of a country should not, under any circumstances, recruit or use in hostilities anyone under 18.

The concerns of the parents were likewise justified when the Salugpongan schools could not provide any academic records or at the very least the individual learner's reference number. Hence, whatever time spent in these schools could not be properly credited to their academic records with the Department of Education.

Finally, the closure of the schools was done in accordance with procedures and respect of the human rights of the children.

On instructions from the Department of Education's Central Office, its Regional Office directed the Divisions and schools within the areas served by the Salugpongan schools to assist and admit all students that were displaced as a result of the suspension, even with the unavailability or insufficiency of the required transfer credentials, and to reconstruct the records in the course of their enrollment in government schools.

The Philippine Government likewise intensified the delivery of services even more by opening additional new schools, converting existing elementary schools in the area into integrated schools, and mobilizing local inter-agency coordination and convergence of efforts in this regard. More than 1,000 students have been accounted for and deemed safe and secure.