


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)

'14 NOV 24 P 6 20

SENATE
S.B. No. 2466

APPROVED BY: 

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT PROVIDING FOR THE PROTECTION OF CHILDREN DURING NATURAL DISASTERS AND CALAMITIES, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 7610 OTHERWISE KNOWN AS SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION ACT

EXPLANATORY NOTE

As the Philippines lies along the Pacific Ring of Fire, Filipino children are most vulnerable and are worst affected when disasters strike every year.

When Super Typhoon Yolanda hit Eastern Visayas, an estimated 6 million children were affected¹ last November 2013. The children who survived the onslaught lost their loved ones and some became orphans; most of them experienced psycho-social trauma, difficulties in evacuation centers, loss of classroom time and access to social protection, among others.

It is then imperative to revisit policies that better support and provide services to our Filipino children, specifically during disasters, calamities or in armed conflict areas, to lessen the experienced trauma and bring normalcy back quickly.

Thus, the bill proposes the creation of a national program for the protection of children, especially of displaced children. This is particularly crucial in the most vulnerable areas of the country, where the experience of prolonged displacement would have a profound impact on the children's sense of security, physical and emotional well-being, long-term health and nutrition, and access to education.

Moreover, the bill advances the child-centered training to disaster first responders, teachers, psychologists and eventually, other volunteers in disaster recovery, relief and rehabilitation. Modules are to be crafted specifically for the different stages of children and youth development.

Providing the targeted needs of the Filipino children, specifically during times of distress, ensures the long-term security and health of our nation. It is then urgent and important that this proposal is realized into fruition.

In view of the foregoing, the approval of this bill is earnestly sought.



Senator Paolo Benigno "Bam" A. Aquino IV

¹ Data according to Save the Children (2014).

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

1 **Section 1.** Article X of Republic Act No. 7610, as amended, otherwise known as "Special
2 Protection of Children Against Child Abuse, Exploitation and Discrimination Act", is hereby
3 amended to read as follows:

4
5 "Children in Situations of Armed Conflict, Disasters and Calamities"

6
7 XXX XXX XXX

8
9 "Section 22-A. Children in Situations of Disasters and Calamities. It shall be the responsibility of
10 the State and all other sectors concerned to protect and rehabilitate children who are survivors
11 of man-made or natural disasters and calamities. To attain this objective, the following policies
12 shall be observed:

13 (a) **Targeted Program for Protection of Children, especially Displaced Children.** Because
14 the effects of prolonged displacement can have permanent and irreversible impacts on
15 children's sense of security, emotional and physical well-being and educational
16 opportunities, it shall henceforth be the explicit policy of the Government of the
17 Philippines to:

- 18 i. Prioritize permanent housing options for individuals and families displaced by
19 disasters and calamities; and, where temporary displacement cannot be avoided,
20 ii. Ensure services specifically targeted at the different developmental stages of
21 children and youth in all displacement and transitional housing sites.

22 The Department of Social Welfare and Development (DSWD) is hereby directed to create and
23 begin to implement a comprehensive program to protect children, including, specifically,
24 displaced children, within five (5) days of the declaration of a national State of Calamity by the
25 President of the Philippines. DSWD is further directed to submit written documentation of such
26 program to the Chairperson of the Committee on the Welfare of Children of the House of
27 Representatives and the Committee on Youth of the Senate once it is finalized.

28 (b) **Training of First Responders.** It shall also be the explicit policy of the Government of the
29 Philippines to promote child-centered training for all first responders, including
30 community and barangay leaders, school personnel and others. Such training shall
31 include, where practicable:

- 1 i. Training on how to safeguard/protect children during and after emergencies and
- 2 disasters, and
- 3 ii. Appropriate training on psycho-social interventions for children and youth at
- 4 different stages of development.

5
6 (c) **Child Participation.** It shall henceforth be the policy of the Government of the
7 Philippines to prioritize and champion child rights, consultation and participation before,
8 during and after disasters. All relevant national agencies are hereby directed, after any
9 declaration of a State of Calamity by the President of the Philippines, to:

- 10
11 i. Ensure that children are provided adequate access to age-appropriate
- 12 information about how that agency is responding to the declared State of
- 13 Calamity; and
- 14 ii. Consult with affected children about their needs and priorities for post-disaster
- 15 relief and recovery.

16 It is also the sense of Congress that children should participate in identifying priorities
17 during disaster risk reduction (DRR) planning. All relevant national agencies, Local
18 Government Units, and local and regional Disaster Risk Reduction and Management
19 (DRRM) bodies are hereby encouraged to provide for meaningful child participation in
20 any community-level DRR planning and training.

21 (d) **System of Restoring Legal Documents.** The Philippine Statistics Authority (PSA) shall be
22 mandated to develop a system, within one (1) month after the approval of this Act, for
23 the restoration of legal documents of children and their families within two (2) weeks
24 after a disaster for purposes of providing access to social services and protection against
25 trafficking and exploitation. For children, this is also aligned to their right to name,
26 identity and nationality.

27 (e) **Data Gathering and Reporting.** It shall henceforth be the policy of the Government of
28 the Philippines to collect and report, at all levels, data disaggregated by age (children
29 and adults) in the aftermath of any declared calamity. Collection and reporting of
30 disaggregated data will allow the nation to better understand and respond to the needs
31 of children affected by future disasters and calamities.

32 (f) **Heightened Surveillance.** Upon the declaration of any State of Calamity by the President
33 of the Philippines, the Philippines National Police (PNP), together with DSWD, are
34 hereby instructed to immediately heighten comprehensive surveillance and monitoring
35 to identify and stop child trafficking, child labor and prostitution, domestic and sexual
36 violence. Within three (3) days of such declaration, the heads of the PNP and DSWD
37 shall jointly submit written documentation of their enhanced surveillance and
38 monitoring plans upon the request of the Chairperson of the Committee on the Welfare
39 of Children of the House of Representatives or the Committee on Youth of the Senate.

40 (g) **Heightened Surveillance.** Upon the declaration of any State of Calamity by the President
41 of the Philippines, the Philippines National Police (PNP), together with DSWD, are
42 hereby instructed to immediately heighten comprehensive surveillance and monitoring
43 to identify and stop child trafficking, child labor and prostitution, domestic and sexual
44 violence. Within three (3) days of such declaration, the heads of the PNP and DSWD
45 shall jointly submit written documentation of their enhanced surveillance and
46 monitoring plans upon the request of the Chairperson of the Committee on the Welfare
47 of Children of the House of Representatives or the Committee on Youth of the Senate.

1 (h) **Schools as Evacuation Centers.** It is the sense of Congress that our nation's schools
2 should not be used as evacuation centers after disasters and calamities. Where using
3 schools as evacuation centers is unavoidable, any such use should be as a matter of "last
4 resort." Where a school is still being used as an evacuation center, or where displaced
5 families are being sheltered on school grounds, more than thirty (30) days after the
6 declaration of a state of calamity (national or local), the National Disaster Risk Reduction
7 and Management Council (NDRRMC) together with the relevant Local DRRM Council, is
8 hereby instructed to provide written documentation upon the request of the
9 Chairperson of the Committee on the Welfare of Children of the House of
10 Representatives or the Committee on Youth of the Senate indicating:

- 11 i. The name and location of the school(s) being so used;
- 12 ii. All alternative sites explored and rationale for final site selection; and
- 13 iii. Plans for ensuring no interference with or interruption of educational activities.

14 (i) **Maternal and Baby Care.** It is the sense of Congress that meeting the specific needs of
15 lactating mothers and babies born into disaster situations should be priorities for all
16 relevant national agencies engaged in disaster response. DSWD is hereby instructed to
17 include a specific section on pregnant women and children under two years of age in
18 any report provided to Congress under section (a) above. Included in this shall be a
19 strategy for ensuring the post-disaster nutrition needs of children under age two and
20 pregnant women are both understood and met.

21 (j) **Unaccompanied or Separated Children.** As in situations of conflict so shall it be the
22 policy of the Government of the Philippines that after disasters and calamities,
23 unaccompanied children or those who get separated from their family shall be
24 documented and provided with adequate care and family tracing & reunification
25 services. All appropriate steps shall be taken to ensure the early reunion of
26 unaccompanied or separated children from their family or relatives.

27 **Section 2. Implementing Rules and Regulations.** All named and implicated national agencies
28 (including, but not limited to, DSWD and NDRMMC) shall issue the necessary implementing
29 rules and regulations for the effective implementation of this Act, in consultation with the
30 DILG, child-focused NGOs and other stakeholders, within thirty (30) days after the approval of
31 this Act. Such rules and regulations shall take effect upon their publication in two (2) national
32 newspapers of general circulation.

33 **Section 3. Repealing Clause.** - All laws, decrees, or rules inconsistent with the provisions of this
34 Act are hereby repealed or modified accordingly.

35 **Section 4. Effectivity.** - This Act shall take effect fifteen (15) days from the date of its complete
36 publication in the Official Gazette or in at least two (2) national newspapers of general
37 circulation.

38 Approved: