

**[KKPP DEPARTMENT ORDER NO. 44, S. 1994,
March 18, 1996]**

**GUIDELINES FOR IMPLEMENTATION OF SERVICES TO CHILDREN
IN SITUATIONS OF ARMED CONFLICT (CSAC)**

The following guidelines for services to Children in Situations of Armed Conflict (CSAC) are hereby approved for immediate implementation:

I.

Rationale

Political armed conflict has been raging the country-side for several years and it has continually intensified and became threatening in most of the country's provinces. Since 1986, 42 or 58% of the provinces in the country have experienced recurring incidences of armed conflict which have caused the displacement of 1.3 Filipinos. Data from the Citizen's Disaster Response Center (CDRC) indicates that in 1991, there were documented cases of 31,862 families with 173,362 individuals who were displaced due to armed conflict situations. Of this number, 96,892 or 55.89% were children of whom 6.9% were below one (1) year old; 21.4% were between 1-4 years old; 30.8% were between 5-9 years old; 26% were between 10-14 years old and 14.9% were between 15-18 years old. Mindanao has the highest share of displaced individuals with 56.9%, followed by the Visayas region with 27% and Luzon with 16.1%.

The effects of armed conflict and forced displacement to children, mostly belonging to the poorest sector of the Philippine society are particularly serious. Armed conflict serve to aggravate an already extreme situation of poverty, hunger, poor health and meager education. Children are most often physically threatened with death or injury, prone to diseases and could suffer from malnutrition, inadequate schooling, stunted growth, homelessness or abandonment. What is less visible is the damaging psychosocial effects of the violence on child development. There are studies which indicate that children who have actual experiences during armed conflict may suffer emotional disorders and develop social maladjustments. They may also exhibit the usual signs of nervousness, anxiety, extreme fear with flashbacks of images or recurrent nightmares and incessant crying among others. They could likewise manifest such behaviors as withdrawal, depression, irritability and aggressiveness. The display of psychosomatic symptoms like lack of appetite, frequent headaches, bedwetting and soiling as well as stomach ache are also observable. These symptoms often restrict normal social functioning of the child.

The Department of Social Welfare and Development has been providing relief assistance and other support services to victims of both natural and man-made calamities including political armed conflict. Review of these services indicate some lack on basic and child-focused interventions as well as special services for the

different categories of CSAC, e.g. combatants and unaccompanied children. A need for long term rehabilitation services which are geared towards the child's normal development is also imperative. Even when armed hostilities cannot be prevented the effects of such situations maybe reduced by maintaining key services in vulnerable areas before, during and after the outbreak of armed conflict.

As the Philippines is a State Party to the Convention on the Rights of the Child and a signatory to the World Declaration in the Survival, Protection and Development of Children, we are committed to provide greater opportunities for the protection and total development of children in especially difficult circumstances including children in situations of armed conflict.

It is in this context that these guidelines are formulated so as to enable social workers of DSWD and the Local Government Units respond to the identified needs and problems of children in situations of armed conflict thereby ultimately responding to the Philippine Plan of Action for Children for the Year 2000 and Beyond.

II.

Legal Bases

1. UN Convention on the Rights of the Child - Article 38 and 39 provide for the protection of children victims of armed conflict and promotes physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation, abuse, torture or any form of cruel, inhuman or degrading treatment or punishment; or armed conflict. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.
2. Protocol II of the Geneva Conventions provides for the protection of the civilian populations and individual civilians particularly children against dangers arising from military operations.
3. The rights of children and youth to welfare services is guaranteed and expressly provided for in the Philippine Constitution of 1986. Article XV of the Declaration of Principles and the state policies articulates the guiding policies for social welfare and services for children. Specifically, it stipulates the right of children to assistance including proper care and nutrition and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.
4. Presidential Decree 603 of 1974 highlights major policies for special categories of children and provides in Article 140 that in case of earthquake, flood, storm, conflagration, epidemic or other calamity, the state shall give assistance to children whenever necessary. In addition, the Code empowers the Department of Social Welfare and Development to take immediate custody of the dependent children and give temporary shelter to orphaned or displaced children.
5. Executive Order No. 123 which reorganized the Ministry of Social Welfare and Development in 1987 has put to task the Department to provide relief and rehabilitation to victims of natural calamities and social disorganization.

6. Article X of Republic Act 7610 - "An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination" provides for the protection of CSAC. Specifically, Sec. 23 and 24 of the same law provides that children shall be given priority during evacuation as a result of armed conflict and provide them with facilities in temporary shelters which will enable them lead a normal family life.

III.

Definition of Terms

1. *Children in Situations of Armed Conflict (CSAC)* — are children below 18 years of age who are:

- a. displaced as a result of armed conflict
- b. physically weakened, abandoned, orphaned or disabled
- c. emotionally traumatized as a result of armed conflict
- d. child combatants and those mobilized as guides, couriers and other conflict-related activities
- e. out-of-school due to armed conflict

2. *Emergency* — a crisis such as war, conflict or natural disaster.

3. *Armed Conflict* — Refers to any conflict between government forces and organized groups which involves the actual use of armed force and which disrupts normal, social, economic, political and cultural activities in a specific geographical area.

IV.

General Policies

1. The concept of children as Zone of Peace shall be continuously advocated to ensure that children are protected from harm and provided access to essential services that assure their survival and well-being.

2. Preparedness is essential to ensure that child welfare services are available to children in situations of armed conflict.

3. Children shall be given priority attention during rescue and evacuation. They must be the first to be rescued, evacuated and to receive aid.

4. Evacuations shall be organized and at least one parent or an older member of the family shall accompany any child who is rescued from an emergency situation.

5. Evacuation centers shall be provided adequate facilities and other basic provisions to enable families lead a normal life.

6. In emergencies, efforts shall be made to prevent separation of children from their families. It shall be ensured that children receive appropriate care and protection.
7. Unaccompanied children shall be immediately identified, assessed and provided with necessary services/ interventions.
8. Parents and other members of unaccompanied children shall immediately be located through tracing and other services.
9. Reunification of unaccompanied children with their families shall be worked out immediately unless such is contrary to the child's best interest. Special efforts shall be taken to facilitate and support family reunification.
10. Family care within the child's own community shall be considered as the first placement option.
11. Residential/institutional care shall be considered when family and group placements are not possible. It shall be considered as last resort.

V.

Implementing Guidelines

The guidelines will spell out series of procedures on the following:

- a) monitoring and reporting of children in situations of armed conflict;
- b) services and activities in each of the three (3) phases of the disaster continuum namely: the Pre-emergency phase, Emergency and Rehabilitation phase;
- c) management of unaccompanied children; and
- d) management of children arrested for reasons related to armed conflict.

A. Monitoring and reporting of children in situation of armed conflict

1. As a safeguard measure to ensure the safety and protection of children, the Chairman of the affected barangay shall submit a report including the names of children residing in said barangay to the Municipal Social Welfare and Development Officer (MSWDO) within 24 hours (1 day) from the occurrence of armed conflict. The list shall be requested by the MSWDO from the Barangay Chairman through the chairman of the Municipal Development Coordinating Council.
2. Submission of such report/list will enable the MSWDO to check the care and aid of children as guaranteed under Protocol II.
3. The MSWDO shall in turn forward the report/list to the DSWD field office within one day from receipt of the report from the Barangay Chairman.
4. The DSWD Field office shall furnish the Commission on Human Rights Regional office a copy of the report within 2 days from receipt of the report from the MSWDO

for documentation and monitoring purposes.

5. The report shall become the basis for whatever action the agencies concerned shall undertake for the best interest and welfare of the child victim and their families.

(See Appendices^{*} A & B for the reporting form and flow of reports)

B. Services and activities in each of the three (3) phases of the disaster continuum namely: the Pre-emergency phase; Emergency and Rehabilitation phase. The pre-emergency phase and emergency phase shall be the main responsibility of the Municipal Social Welfare and Development Officer (MSWDO) of the Local Government Unit while the rehabilitation phase is a shared responsibility of the MSWDO and the SWO II of the Department of Social Welfare and Development.

1. Pre-emergency phase - focuses on prevention, mitigation and preparedness measures in anticipation of an impending danger or hazard. Before the outbreak of an armed conflict, the Municipal Social Welfare and Development Officer (MSWDO) shall:

1.1 Disseminate policies and guidelines to the Municipal Peace and Order Council (MPOC) chairman as they will be responsible in deciding on the policy of no-food blockade if there are military operations in the area.

1.2 Strengthen the MPOC to enable them formulate plans and mitigation strategies and ensure the implementation of these plans in vulnerable areas.

1.3 Organize the Barangay Council for the Protection of Children. If not functional organize relief/ rehabilitation committees and outline together with the heads of the committees the tasks and functions of each committee.

1.4 Identify areas/barangays that are vulnerable to armed conflict and conduct a survey of the number of families and children who are likely to be affected.

1.5 Prepare a masterlist of families with a separate listing of children below 18 years of age with the aid of community volunteers.

1.6 Assess needs and problems of children and their families with the participation of the community people.

1.7 Coordinate with the Department of Health to ensure immunization of children against the six (6) immunizable diseases.

1.8 Identify evacuation areas/centers prior to the operation for possible evacuation of children and civilians from the combat areas.

1.9 Identify and discuss with the people evacuation plan including the route to evacuation centers.

1.10 Identify and train volunteers composing the different disaster preparedness committees/teams of the barangays who shall be assigned to look after the welfare of children per center. The training shall give emphasis on the roles of volunteers in