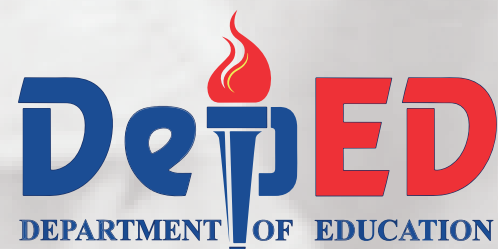


**“Children have the Right to Education
even in times of conflict.”**

“Every person has the Right to Education.”

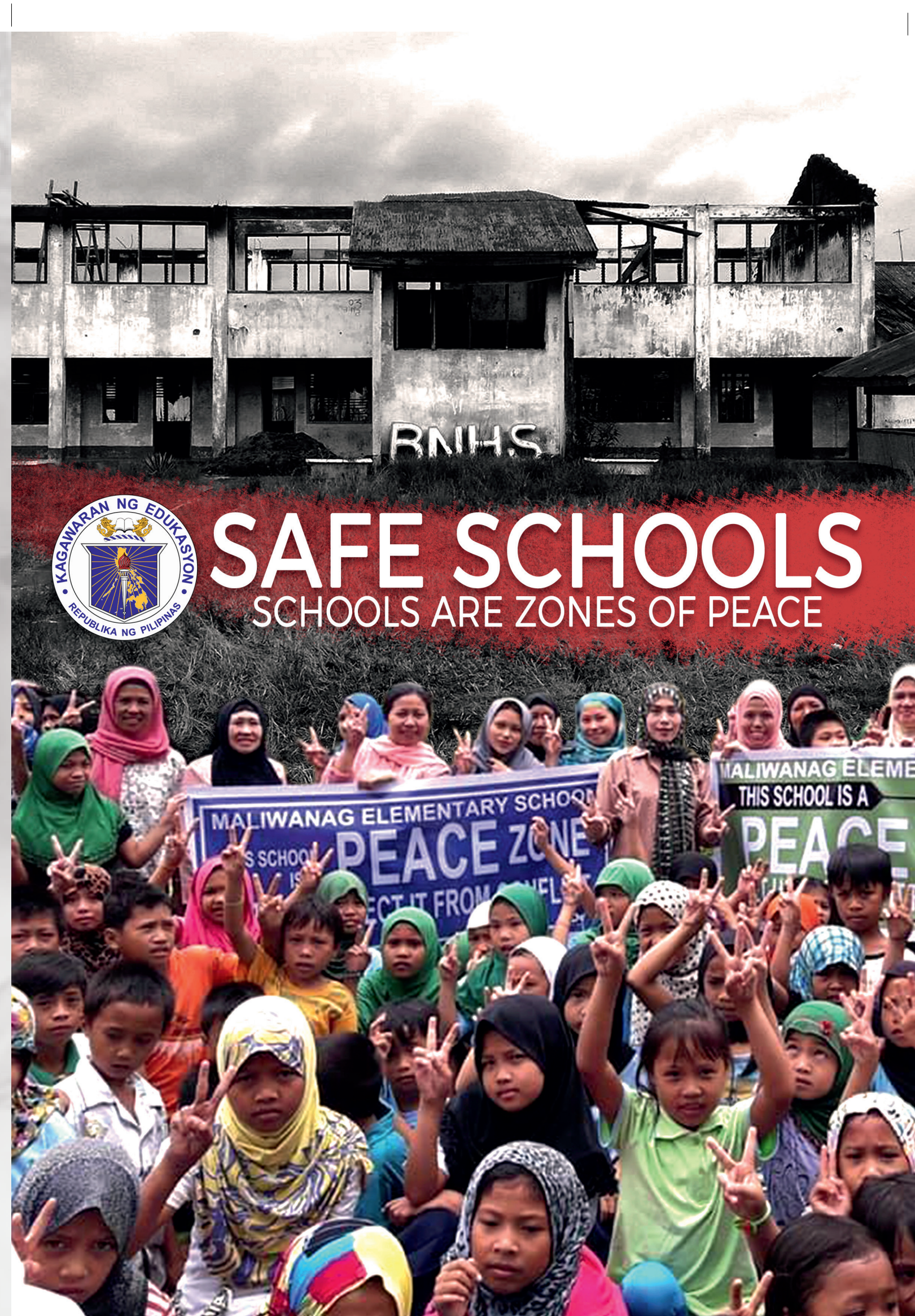
ASEAN Human Rights Declaration, adopted November 2012, article 31(1)



Office of the Undersecretary for Administration
Department of Education

with the support of
Disaster Risk Reduction and Management Service
External Partnership Service, Public Affairs Service, Planning Service
DepEd-ARMM (Autonomous Region in Muslim Mindanao)

Facebook: DepEd Tayo Email: usec.admin@deped.gov.ph
Mobile: +639260320762 Landline: +6326337203



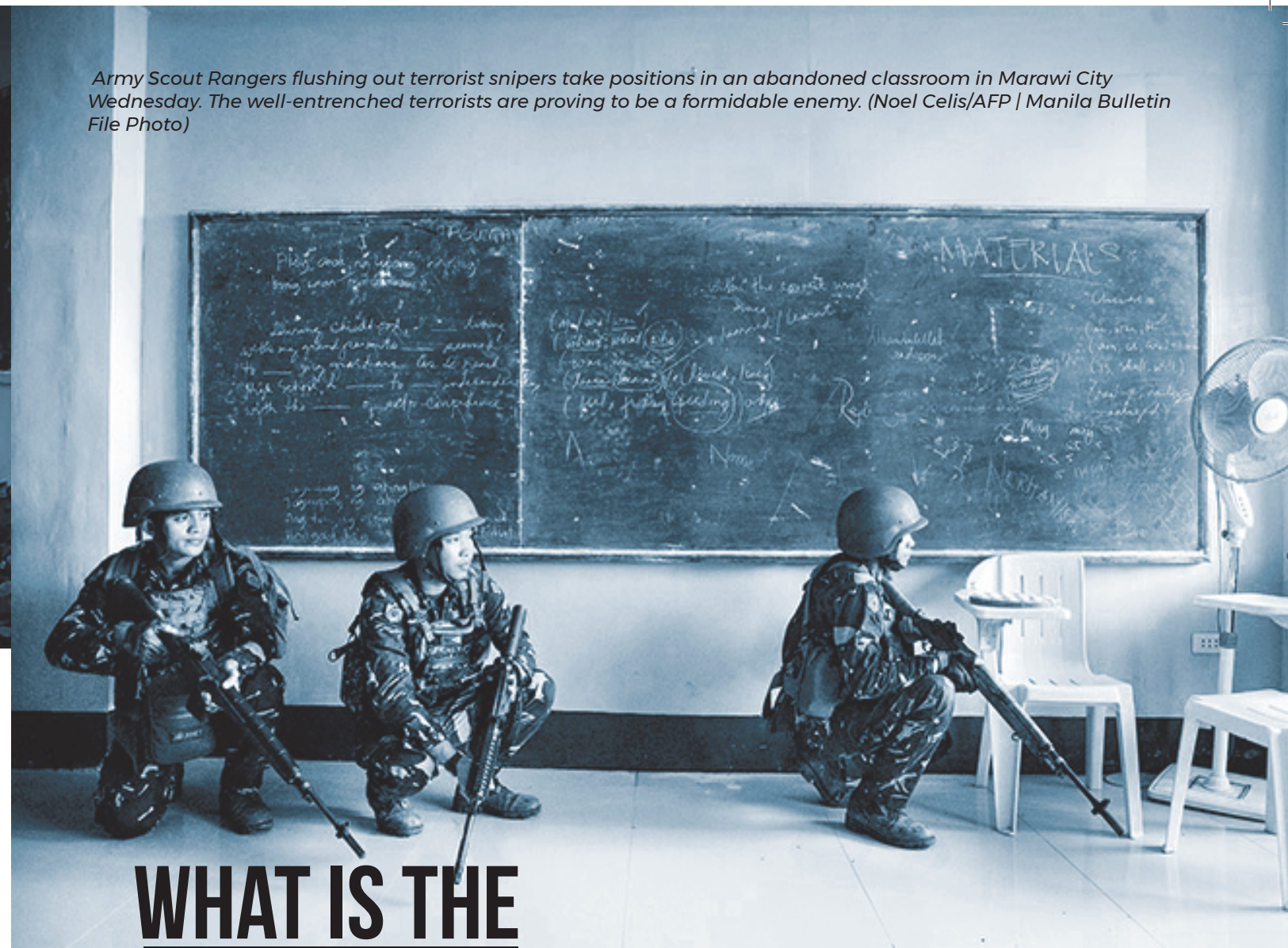
SAFE SCHOOLS
SCHOOLS ARE ZONES OF PEACE



Noryassin, Grade 8, stands in the rubble of what used to be their classrooms in Butig National High School. The school was occupied by the Maute Group in November, forcing the Armed Forces to bomb it.

Thing is, he still goes to school here, along with the handful of children who dared to return. They have no other place to go. And the school is still in shambles because they can't afford any repairs. (photo and caption by chiara zambrano, [instagram.com/chiazambrano](https://www.instagram.com/chiazambrano))

Army Scout Rangers flushing out terrorist snipers take positions in an abandoned classroom in Marawi City Wednesday. The well-entrenched terrorists are proving to be a formidable enemy. (Noel Celis/AFP | Manila Bulletin File Photo)



WHAT IS THE SAFE SCHOOLS DECLARATION?

The Safe Schools Declaration is an inter-governmental political commitment that provides countries the opportunity to express support for protecting students, teachers, schools, and universities from attack during times of armed conflict; the importance of the continuation of education during armed conflict; and the implementation of concrete measures to deter the military use of schools.

By joining the Safe Schools Declaration, states commit to undertake several common-sense steps to make it less likely that students, teachers, schools, and universities will be attacked, and to mitigate the negative consequences when such attacks occur.

What is the link between the Safe Schools Declaration and the Guidelines?

The *Guidelines* were drawn up with the aim of better protecting schools and universities from use by armed groups for military purposes, and to minimize the negative impact that armed conflict has on students' safety and education. They provide concrete guidance to states and non-state armed groups for the planning and execution of military operations. They may also serve as a tool for organizations engaged in monitoring, programming, and advocacy related to the conduct of armed conflicts.

HIGH-LEVEL SDG ACTION EVENT
EDUCATION
28 June 2017, UN Headquarters, New York



HIGH LEVEL SOCIAL DEVELOPMENT GOALS ACTION EVENT ON EDUCATION UN HEADQUARTERS, NEW YORK

“Whatever is happening in the country, whatever challenges we are facing, education must continue... Education cannot wait, our learners cannot wait. We continue with the process so we can give hope, continuity and contribute to the normalization of activities in the country.”

Secretary
Leonor Magtolis Briones



Secretary Briones also expressed support for the Safe Schools Declaration in view of the DepEd policy of schools being “Zones of Peace.”

June 28, 2017

March 28-29, 2017



DepEd Undersecretary Alain Pascua and Philippine Embassy in Buenos Aires Vice Consul Miguel Hornilla participated in the 2nd International Conference on Safe Schools in Buenos Aires, Argentina on March 28-29, 2017.

In the forum, Undersecretary Pascua expressed the strong advocacy of the DepEd on declaring schools as zones of peace, and the desire to work on the signing of the Philippine government of the Declaration.



June 4, 2017-Mindanao-wide

June 15, 2017-nationwide

Due to the recent incidents of violence and armed conflict in Marawi City and the bombings and firefights near schools in Mankayan Town in Benguet, both of which resulted in the disruption of classes, the Department deems it essential and timely to reiterate DO 44. S. 2015 or the Declaration of Schools as Zones of Peace xxx.

In the case of Marawi City, where as much as 20,000 students are believed to be displaced, the Department has initiated interventions to accommodate these students by extending enrollment until the end of June, and waiving the usual documentary requirements. DepEd believes that education must never stop, and instead should continue for these children to provide them hope, and bring back a sense of normalcy.

Worldwide, schools are universally treated as neutral zones despite being in the middle of areas of intense armed conflict, and are free from the presence of armed combatants regardless of what side they are from. It is imperative that this point be stressed, and that our schools be accorded the same respect - that schools are places for learning, caring, and nurturing. A true second home for our students.

DEPED IS ALSO INITIATING A NATIONWIDE AWARENESS CAMPAIGN ANCHORED ON SCHOOLS AS ZONES OF PEACE.

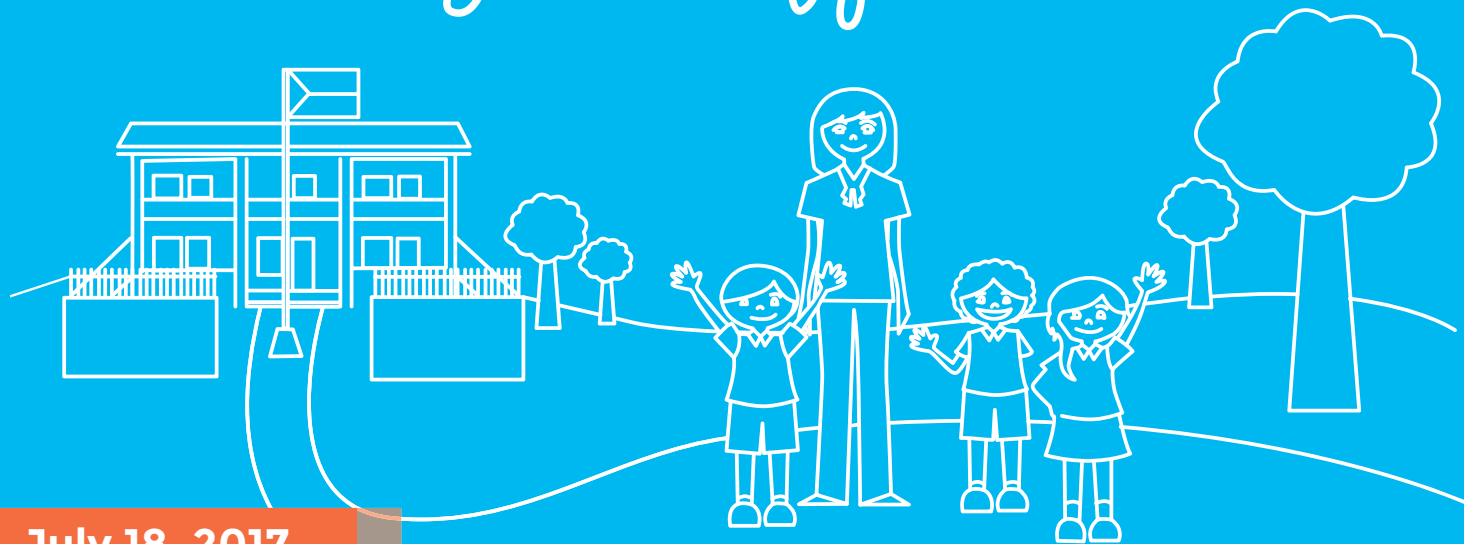
Apart from reiterating the aforementioned DO, DepEd is also initiating a Nationwide awareness campaign anchored on Schools as Zones of Peace. Xxx All schools are instructed to post the official tarpaulin designs sized 3 by 8 feet (attached) declaring schools as Zones of Peace, at least on two on both sides of the school front gate, and on all other sides of or around the school to make the message prominent and noticeable. Xxx


Leonor Magtolis Briones
Secretary of Education



As part of DepEd's initial response to the Marawi crisis, a DepEd Order was issued to have schools post banners declaring their schools as Zones of Peace. The move was met with widespread support, and helped create awareness for learners, teachers, and the communities surrounding the schools.

SCHOOLS ARE *zones of peace*



July 18, 2017

INTER-AGENCY MEETING TO DISCUSS THE PHILIPPINE POSITION ON THE SAFE SCHOOLS DECLARATION.

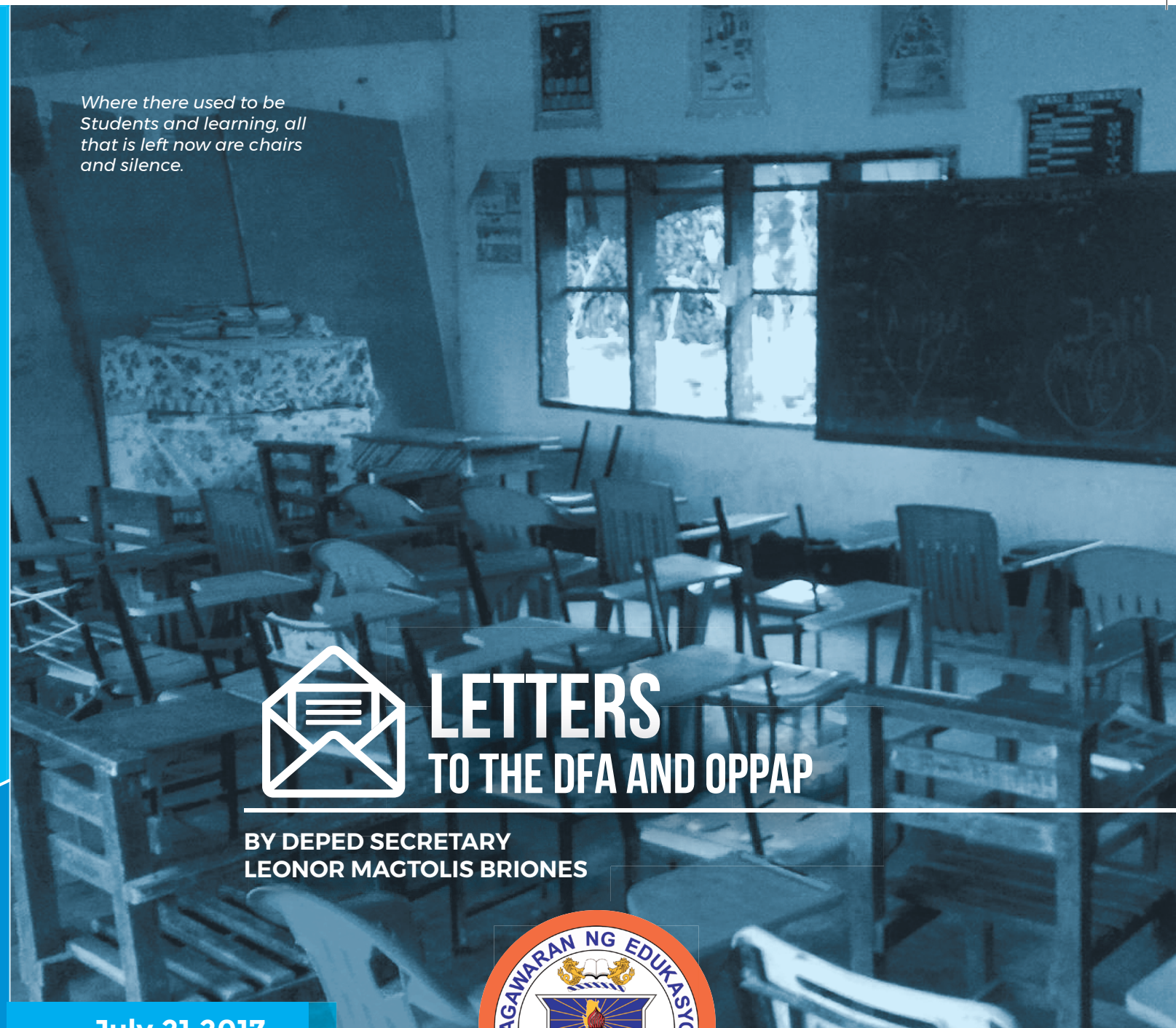
Called by the Office of the United Nations and International Organizations of the Department of Foreign Affairs attended by Department of Foreign Affairs, Department of Education, Department of Social Welfare and Development, Armed Forces of the Philippines, Philippine National Police, Office of the Presidential Assistant on the Peace Process, Department of National Defense, Department of Interior and Local Government.

their commitment to support DepEd's advocacy to protect schools and children from armed conflict pointing to an earlier issuance of a DND Department Circular on the subject. DepEd Undersecretary Alain Pascua also informed the group of its initiative to include the declaration of schools as zones of peace in the government's peace agenda to encourage the commitment of all non-state armed groups.

There was a unanimous agreement to endorse the signing of the Declaration citing the enhancement of our moral ascendancy over various armed groups we are negotiating peace with if we sign the Declaration. The same discussion pointed out that there would be no legal backlash in signing the Declaration. As far as the DND is concerned, they have expressed



Where there used to be
Students and learning, all
that is left now are chairs
and silence.



LETTERS TO THE DFA AND OPPAP

BY DEPED SECRETARY
LEONOR MAGTOLIS BRIONES

July 21, 2017



Secretary
JESUS G. DUREZA
Presidential Adviser
on the Peace Process
Ortigas Center, Pasig City.



Secretary
ALAN PETER CAYETANO
Department of Foreign
Affairs Manila



Towards this end, we have in fact prepared a draft - Joint Agreement on Safe Schools Declaring Schools, Learners, Teachers and Community Members as Zones of Peace and Places of Neutrality (Annex "B") for the consideration of the Office of the Presidential Adviser on Peace Process (OPAPP) for submission to the various Peace Tables, as a way of operationalizing the Safe Schools Declaration.

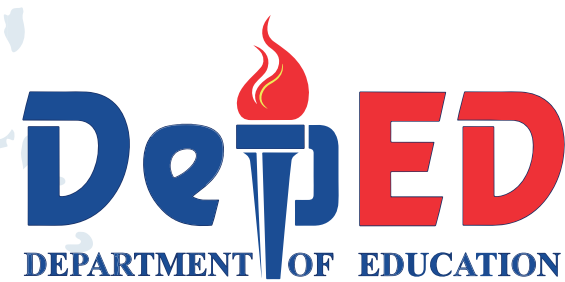
We at the Department of Education fully accept and endorse the Safe Schools Declaration. It is imperative that the Philippines be a party and signatory to this inter-government commitment as soon as possible. Much more so with the ongoing armed conflict in Marawi, and other parts of the country.

SUMMARY OF EBEIS* SY 2013 TO SY 2016 DATA ON SCHOOLS AFFECTED BY ARMED CONFLICT AND OTHER RELATED INCIDENTS

	TOTAL SCHOOLS				No. of Schools w/ Civilian Violence Incidents				No. of Civilian Violence Incidents				No. of Schools w/ Armed Conflict Incidents				No. of Armed Conflict Incidents				Total No. of Schools w/ Civilian Violence Incidents		Total No. of Civilian Violence Incidents		Total No. of Schools w/ Armed Conflict Incidents		Total No. of Armed Conflict Incidents				
	2013	2014	2015	2016	2013	2014	2015	2016	2013	2014	2015	2016	2013	2014	2015	2016	2013	2014	2015	2016	2013	2014	2015	2016	2013	2014	2015	2016	2013	2014	2015
ARMM	2,689	2,631	2,320	2,649	168	10	23	42	362	14	67	102	272	24	98	120	511	30	198	292	243	545	514	1,031							
CAR	2,146	2,157	1,857	2,162	17	1	1	1	28	1	1	12	27	0	3	5	56	0	7	5	20	42	35	68							
CARAGA	2,308	2,327	1,921	2,401	27	1	10	11	49	1	23	18	119	3	78	110	261	3	159	218	49	91	310	641							
NCR	3,184	3,161	2,998	3,665	14	0	4	9	15	0	4	10	0	0	1	3	0	0	1	3	27	29	4	4							
NIR				2,758				16				23				12				20	16	23	12	20							
REGION I	3,683	3,690	3,170	3,737	7	0	1	7	19	0	1	7	5	0	0	2	7	0	0	2	15	27	7	9							
REGION II	3,085	3,079	2,698	3,099	9	1	6	5	14	1	6	10	23	3	4	13	72	4	6	32	21	31	43	114							
REGION III	5,681	5,724	5,121	5,903	24	1	6	16	32	1	6	20	13	1	2	11	18	1	2	17	47	59	27	38							
REGION IV-A	7,001	7,048	6,498	7,442	26	2	6	10	64	2	6	16	31	1	8	11	99	1	8	16	44	88	51	124							
REGION IV-B	2,525	2,522	2,182	2,621	14	0	2	4	65	0	3	11	15	1	6	13	76	2	7	47	20	79	35	132							
REGION V	4,414	4,403	3,773	4,482	42	2	11	20	79	2	16	38	79	4	23	62	164	5	31	112	75	135	168	312							
REGION VI	5,279	5,284	4,675	3,664	31	1	10	3	61	2	17	14	36	1	11	10	51	2	24	46	45	94	58	123							
REGION VII	4,753	4,777	4,031	3,935	30	4	8	9	46	6	23	11	58	3	10	1	71	5	22	1	51	86	72	99							
REGION VIII	4,464	4,468	3,972	4,514	51	1	12	12	94	1	17	13	49	6	29	36	97	8	55	59	76	125	120	219							
REGION IX	2,754	2,770	2,402	2,833	208	23	63	75	594	41	253	480	409	22	41	47	709	36	117	160	369	1,368	519	1,022							
REGION X	3,209	3,208	2,834	3,229	83	1	14	26	195	2	19	62	163	2	64	78	342	3	107	199	124	278	307	651							
REGION XI	2,536	2,577	2,341	2,786	40	2	9	14	91	2	13	21	120	15	66	123	256	23	186	265	65	127	324	730							
REGION XII	2,723	2,732	2,277	2,811	103	3	25	33	202	4	59	68	275	14	78	100	599	21	174	175	164	333	467	969							
GRAND TOTAL:	62,434	62,558	55,070	64,691	894	53	211	313	2,010	80	534	936	100	100	522	757	3,389	144	1,104	1,699	1,471	3,560	3,073	6,306							

Notes:

1. Data is from DepEd EBEIS for SY 2013 to SY 2016.
2. Armed Conflict Incidents are defined in the EBEIS as “Armed conflict as a result of organized crime (terrorism, siege, etc.)”.
3. Civilian Violence Incidents are defined in the EBEIS as “Security threat as a result of civilian violence (bomb threats, kidnapping threats, hostage taking, shooting, etc.)”.
4. * - Enhanced Basic Education Information System



Military Use of Schools and Universities

Countries where schools or universities were used for military purposes during conflict and insecurity between 2007 and 2017



SAFE SCHOOLS DECLARATION

Recognizing the right to education and the role of education in promoting understanding, tolerance and friendship among all nations; determined progressively to strengthen in practice the protection of civilians in armed conflict, and of children and youth in particular; committed to working together towards safe schools for all; we endorse the Guidelines for protecting schools and universities from military use during armed conflict, and will:

- Use the Guidelines
- Make every effort at a national level to collect reliable relevant data
- Investigate allegations of violations
- Develop, adopt and promote conflict-sensitive' approaches to education
- Seek to ensure the continuation of education
- Support the efforts
- Meet on a regular basis, inviting relevant international organisation and civil society,



GUIDELINES FOR PROTECTING SCHOOLS AND UNIVERSITIES FROM MILITARY USE DURING ARMED CONFLICT

Parties to armed conflict are urged not to use schools and universities for any purpose in support of their military effort. While it is acknowledged that certain uses would not be contrary to the law of armed conflict, all parties should endeavour to avoid impinging on students' safety and education, using the following as a guide to responsible practice.

All parties to armed conflict should, as far as possible and as appropriate, incorporate these Guidelines into, for example, their doctrine, military manuals, rules of engagement, operational orders, and other means of dissemination, to encourage appropriate practice throughout the chain of command. Parties to armed conflict should determine the most appropriate method of doing this.

✓ LIST OF REFERENCES IN SUPPORT OF DEPED'S POSITION ON SCHOOLS AS ZONES OF PEACE

The 1987 Philippine Constitution

"Article XIV Section 1. **The State shall protect and promote the right of all citizens to quality education at all levels,** and shall take appropriate steps to make such education accessible to all."

"Article XV, Section 3 (2). The state shall defend 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."

Republic Act No. 7610 or An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation, and Discrimination, Article X (22) (e), June 17, 1992:

Children as Zones of Peace - Children are hereby declared as Zones of Peace. It shall be the responsibility of the State and all other sectors concerned to resolve armed conflicts in order to promote the goal of children as zones of peace.. To attain this objective, the following policies shall be observed.. (e) Public Infrastructure such as schools, hospitals and rural health units shall not be utilized for military purposes such as command posts, , "barracks, detachments and supply depots...."

DepEd Order No. 57 s. 2017

Recognizing the negative impact of armed conflict, the Department of Education reaffirms the child's right to education and the role of the education sector in strengthening the protection of its learners and school personnel during situations of armed conflict. In addition, the Department recognizes the need to continue

the provision of education during times of armed conflict and the implementation of concrete measures to prevent the use of schools and attack on schools.

DepEd Memorandum No. 157, series of 2013 or the Dissemination of Executive Order No. 138, entitled “Adopting the Comprehensive Framework for Children in Armed Conflict, Strengthening the Council for the Welfare of Children (CWC) and for other purposes”:

“The Comprehensive Program Framework for Children in Armed Conflict (CIAC Program Framework) addresses the alarming involvement of children in armed conflict, either as combatants, couriers, guides, spies, medics, cooks, or their recruitment for sexual purposes or in any other similar, non-combatant capacity and directs national government agencies and Local Government Units (LGUs) to implement the same, under the leadership of the Office of the Presidential Adviser on the Peace Process (OPAPP);

IT SHALL BE THE RESPONSIBILITY OF THE STATE AND ALL OTHER SECTORS CONCERNED TO RESOLVE ARMED CONFLICTS IN ORDER TO PROMOTE THE GOAL OF CHILDREN AS ZONES OF PEACE

A Monitoring, Reporting, and Response System for Grave Child Rights Violations in Situations of Armed Conflict is hereby created to act as the monitoring arm within the CIAC Program Framework with the primary objective of protecting children in situations of armed conflict by preventing the occurrence of grave child rights violations and ensuring the provision of appropriate and timely response in the event of such violations.”

DepEd Order No. 31, Series of 2006, entitled “Implementation of Policy Instruments in Reporting Cases of Children involved in Armed Conflict”:

“xxx, the Department as a signatory to the Memorandum of Agreement signed by the members of IAC-CIAC is required to ensure educational opportunities for all children in all areas, develop culture-sensitive curriculum or manuals on children, peace and human rights to be used in all areas, especially indigenous peoples (IPs) communities/areas, make available non-formal education programs and other alternative learning systems to children in identified conflict areas, and declare schools as zones of peace.”

DepEd No. 44, Series of 2005 Declaration of Schools as Zones of Peace:

“xxx, under Republic Act No. 7610, known as the “Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act”, states that “... Children are hereby declared as Zones of Peace. It shall be the responsibility of the State and all other sectors concerned to resolve armed conflicts in order to promote the goal of children as zones of peace ...” (Article X, Sec. 22).

Whereas, under Republic Act No. 9155, known as the “Governance on Basic Education Act of 2001”, one of the purposes and objectives of the Department of Education (DepED) is “to establish schools and learning centers as



facilities where schoolchildren are able to learn a range of core competencies prescribed for elementary and high school education programs or where the out-of-school youth and adult learners are provided alternative learning programs and receive accreditation for at least the equivalent of a high school education” [Sec. 3(g)].”

DepEd Order No. 40, series of 2012 Child Protection Policy:

“The policy aims to protect the child from all forms of violence that may be inflicted by adults, persons in authority as well as their fellow students, including bullying. To provide special protection to children who are gravely threatened or endangered by circumstances which affect their normal development and over which they have no control, and to assist the concerned agencies in their rehabilitation. To ensure that such special protection

from all forms of abuse and exploitation and care as is necessary for the child’s well-being, taking into account the primary rights and duties of parents, legal guardians, or other individuals who are legally responsible and exercise custody over the child. Zero tolerance for any act of child abuse, exploitation, violence, discrimination, bullying and other forms of abuse.”

Davao City Children’s Welfare Code, December 2, 1994:

“Section 16 ...(e) Public Infrastructure such as schools, hospitals and rural health units shall not be utilized for military purposes such as command posts, barracks, detachments and supply depots...”

Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law, Government of the Republic of the Philippines and the National Democratic Front of the Philippines, March 16, 1998.

“Article 4(7): Personnel and facilities of schools, the medical profession, religious institutions and place of worship, voluntary evacuation centers, programs and projects of relief and development shall not be target of any attack. The persons of said entities shall be guaranteed their safety...”

THE POLICY AIMS TO PROTECT THE CHILD FROM ALL FORMS OF VIOLENCE THAT MAY BE INFLICTED BY ADULTS, PERSONS IN AUTHORITY ...

Cebu City Children's Code of 2001, Ordinance No. 1874 (AN Ordinance Establishing the Cebu City's Children's Code and for other Purposes January 24, 2001:

"Section 16 ...(e) Public Infrastructure such as schools, hospitals and rural health units shall not be utilized for military purposes such as command posts, barracks, detachments and supply depot..."

Cotabato Province, Child and Youth Welfare Development Code 2003, Provincial Ordinance No. 292:

Section 89 ...(g) Public Infrastructure such as schools, hospitals and rural health units shall not be utilized for military purposes such as command posts, barracks, detachments and supply depots..."

Armed Forces Letter Directive No. 34, 2009, GHQ AFP, November 24, 2009, par. 7:

"To attain this objective, all (Armed Forces of the Philippines) personnel shall strictly abide and respect the following: ..(e) Basic Infrastructures such as schools, hospitals and health units shall not be used for military purposes such as command posts, barracks, detachments and supply depots."



This orange room used to be Teacher Nadja's classroom in Butig National High School, before it was attacked and overrun by the Maute Group, and eventually bombed by the AFP to get the terrorists out. "Favorite color ko orange, kaya pinunturan ko siya ng orange. Diba pag class adviser ka, pagandahan kayo ng decorate ng classroom ng mga ibang adviser? Wala na. Sayang. Yung sunflower na lang ang natira." (Photo and Caption by Chiara Zambrano, instagram.com/chirazambrano)

ANNEX I

ENDORSEMENT OF THE SAFE SCHOOLS DECLARATION AND JOINT AGREEMENT ON SAFE SCHOOLS – DECLARING SCHOOLS, LEARNERS, TEACHERS, AND COMMUNITY MEMBERS AS ZONES OF PEACE AND PLACES OF NEUTRALITY

SAFE SCHOOLS DECLARATION (Oslo, Norway, 28 May 2015):

“The impact of armed conflict on education presents urgent humanitarian, development and wider social challenges. Worldwide, schools and universities have been bombed, shelled and burned, and children, students, teachers and academics have been killed, maimed, abducted or arbitrarily detained. Educational facilities have been used by parties to armed conflict as, inter alia, bases, barracks or detention centres. Such actions expose students and education personnel to harm, deny large numbers of children and students their right to education and so deprive communities of the foundations on which to build their future. In many countries, armed conflict continues to destroy not just school infrastructure, but the hopes and ambitions of a whole generation of children.

Attacks on education include violence against educational facilities, students and education personnel. Attacks, and threats of attack, can cause severe and long lasting

harm to individuals and societies. Access to education may be undermined; the functioning of educational facilities may be blocked, or education personnel and students may stay away, fearing for their safety. Attacks on schools and universities have been used to promote intolerance and exclusion – to further gender discrimination, for example by preventing the education of girls, to perpetuate conflict between certain communities, to restrict cultural diversity, and to deny academic freedom or the right of association. Where educational facilities are used for military purposes it can increase the risk of the recruitment and use of children by armed actors or may leave children and youth vulnerable to sexual abuse or exploitation. In particular, it may increase the likelihood that education institutions are attacked.

By contrast, education can help to protect children and youth from death, injury and exploitation; it can alleviate the psychological impact of armed conflict by offering routine and stability and can provide links to other vital services. Education that is ‘conflict sensitive’ avoids contributing to conflict and pursues a contribution to peace. Education is fundamental to development and to the full enjoyment of human rights and freedoms.”

The Safe Schools Declaration is an inter-governmental political commitment that provides countries the opportunity to express support for protecting students, teachers, schools, and universities from attack during times of armed conflict; the importance of the continuation of education during armed conflict; and the implementation of concrete measures to deter the military use of schools.

Unfortunately, the Philippines is not yet a signatory to the Safe Schools Declaration.

The Department of Education fully accepts and strongly endorses the Safe Schools Declaration. It is imperative that the Philippines be a party/signatory to this inter-government commitment as soon as possible. Much more so with the ongoing

armed conflict in Marawi, and other parts of the country.

By joining the Safe Schools Declaration, states commit to undertake several common-sense steps to make it less likely that students, teachers, schools, and universities will be attacked, and to mitigate the negative consequences when such attacks occur.

Towards this end, the DepEd is proposing the execution of a **Joint Agreement/s Declaring Schools, Learners, Teachers, and Community Members as Zones of Peace and Places of Neutrality** between the Philippine Government and the non-state armed groups who are presently negotiating with the Government Peace Panel.

Alarmed by the recent incidents of schools being damaged as well as students and personnel being seriously affected by armed conflicts, there is a crucial need to initiate efforts to extricate and save them through a Joint Agreement to be entered into by and between the Government of the Republic of the Philippines (GRP) and each of the respective non-state armed groups currently involved in the Peace Talks.

The Joint Agreement seeks to bind both parties to mutually agree to the realization and attainment of the following objectives:

- Establishment of schools as zones of peace by including it as part of the peace agenda, securing the commitments of all parties to the conflicts, to isolate the educational system from its impact and adverse effects;
- Recognition of all schools nationwide as places of neutrality that should never be considered as targets of any armed action;
- Non-recruitment of learners, teachers, and other educational personnel as combatants or support personnel and should not be enlisted

for any activity related to the armed conflicts;

- Ensure that the schools and other educational facilities are free from the presence of armed combatants, whether from the government or from other contending forces;
- Isolation of schools from any clan wars and targets of propaganda and any other psychological operations of any side of the armed conflicts; and
- Presence of a resilient educational system capable of withstanding the negative effects of armed conflicts through the establishment of measures to reduce to the minimum the disruptions in the conduct of classes.

The DepEd and the entire government must ensure that education will continue despite the incidents of unrest. **Education cannot wait**, the Filipino learners cannot wait. Whatever conflict is happening in the country, whatever challenges the country is facing, **education must continue.**




LEONOR MAGTOLIS BRIONES
Secretary
Department of Education

ANNEX II



PROPOSED JOINT AGREEMENT ON SAFE SCHOOLS DECLARING SCHOOLS, LEARNERS, TEACHERS, AND COMMUNITY MEMBERS AS ZONES OF PEACE AND PLACES OF NEUTRALITY

The Parties to this Agreement,

Reaffirming the right to education and the role of education in promoting understanding and tolerance to strengthen the protection of civilians in armed conflict and of children and youth in particular,

Recognizing the desire to protect students, teachers, schools and education stakeholders from attacks, and the importance of the continuation of education during times of armed conflicts and implementation of concrete measures to deter military use of schools,

Desiring to declare schools as zones of peace through its inclusion in the peace agenda thereby isolating the educational system from the impact of the conflicts to achieve a resilient educational system,

Agreeing that nothing in this instrument shall be considered

or interpreted as in any way or sense altering or diminishing any existing agreements or understandings between the parties,

Have agreed as follows:

ARTICLE I Guiding Principles

Section 1. Both parties shall respect the human rights of children in situations of armed conflict from all forms of abuse, violence, neglect, cruelty, discrimination and other conditions prejudicial to their development;

Section 2. Both parties shall consider as paramount the best interest of children, recognize and respect their dignity as human beings and treat all of those involved in, affected by, or displaced by armed conflict as victims;

Section 3. Both parties shall recognize and respect the following rights of children in armed conflict:

Children have the right to survival, protection, development and participation. They need a protective, secure and stable environment in which to grow and develop so their moral, psychological, social and spiritual development needs can be met by their family and community;

Children have the right not to be used by any party in armed conflict in any way;

Children have the right to childhood. A child growing up in a conflict-affected environment has little time for carefree play and other childhood pursuits;

Children have the right to be protected from any negative consequences of armed conflict, including the physical and psychological effects;

Children have the equal right to be helped and recovered from the effects of conflict. They have the right to be rescued from conflict, to be reunited with

their families and to receive relief package as a priority;

Children have the right to live in peace, and to express their views even in conflict.

Section 4. Both parties shall observe the protection guaranteed under the Convention on the Rights of the Child, its Optional Protocol on the involvement of children in armed conflict and all other human rights treaties, other pertinent international instruments and protocols ratified by the Philippines, the rights guaranteed by the Philippine Constitution and all existing laws, rules and regulations relevant thereto.

ARTICLE II

Objectives and Definition of Terms

Section 1. The parties mutually agree to the realization and attainment of the following objectives:

Establishment of schools as zones of peace by including it as part of the peace agenda, securing the commitments of all parties to the conflicts, to isolate the educational system from its impact and adverse effects;

Recognition of all schools nationwide as a place of neutrality that should never be considered as target of any armed action;

Non-recruitment of students, teachers and other educational personnel as combatants or support personnel and should not be enlisted for other activity related to the armed conflicts;

Ensure that the Schools and other educational facilities are free from the presence of

armed combatants, whether from the government or from the other contending forces;

Isolation of schools from any clan wars and targets of propaganda and any other psychological operations of any side of the armed conflicts; and

Presence of a resilient educational system capable of withstanding the negative effects of armed conflicts through the establishment of measures to reduce to the minimum the disruptions in the conduct of classes;

Section 2. Definition of Terms.

(a) Abduction of children refers to the seizure, apprehension, taking in custody, detention or capture of one or more children either temporarily or permanently by force, threat of force or coercion, or deception for the purpose of any form of exploitation of such children in the situation of armed conflict;

(b) Acts of gender-based violence refer to physical or sexual violence other than rape, and psychosocial harm that is committed against a person as a result of power inequalities that are based on gender roles. These include, among others, false branding or labeling of children involved in armed conflict, false reporting of a child in custody, delayed reporting, sexual slavery, prostitution, forced marriage, forced pregnancy or forced sterilization;

(c) Armed conflict refers to armed confrontations occurring between governmental armed forces and one or more armed groups, or between such groups arising in the Philippine territory. These shall include activities which may lead to

or in preparation of armed confrontations or armed violence that put children's lives at risk and their rights violated;

(d) Armed group refers to an armed non-state actor or non-state entity engaged in armed violence against the state and / or its governmental armed forces or against other non-state armed groups, actors or non-state entities;

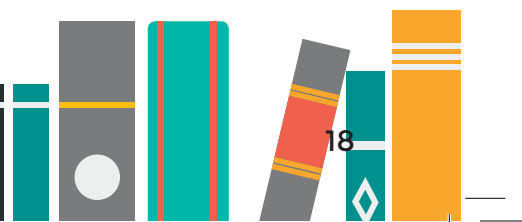
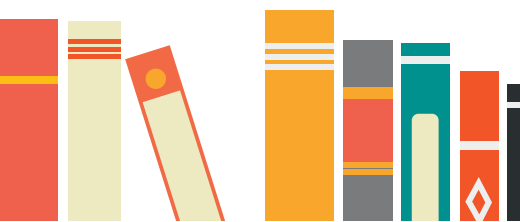
(e) Attacks on schools, hospitals, places of worship, evacuation centers and public places where children are usually found refer to the occupation, shelling, targeting for propaganda of schools, hospitals or places of worship; causing damage to such places, or harm or inquiry to their personnel; or causing the total or partial physical destruction of such facilities; or disruption of educational activities and health services. It also refers to attacks of such places which have been temporarily abandoned by the community as a result of armed conflict, unless these places have been declared as a "no man's land";

(f) Child refers to:

(1) A person below eighteen (18) years of age; or,

(2) A person (18) years of age or older but who is unable to fully take care of one's self; or protect one's self from abuse, neglect, cruelty, exploitation or discrimination; and unable to act with discernment because of physical or mental disability or condition;

(g) Child protection refers to measures, structures, and activities that ensure the prevention and response to abuse, neglect, exploitation and violence affecting children.



It shall include the promotion of their development and psychosocial well-being;

(h) *Children involved in armed conflict (CIAC)* refers to children who are either forcibly, compulsorily recruited or who voluntarily joined any governmental armed forces or any armed group in any capacity to participate directly in armed hostilities as combatants or as fighters, or take support roles such as scouting, spying, sabotaging, acting as decoys, assisting in checkpoints, acting as couriers, messengers, porters, cooks, and being sexually abused;

(i) *Children in situations of armed conflict* refers to all children involved in armed conflict, children affected by armed conflict and internally displaced children;

(j) *Child Soldier* - refers to any person less than 18 years of age who is part of any kind of regular or irregular armed force or armed group in capacity, including, but not limited to: cooks; porters; messengers; and anyone accompanying such groups other than purely as family members. It includes girls and boys recruited for sexual purposes and/or forced marriage. It does not, therefore, only refer to a child who is carrying, or has carried, weapons. "

(k) *Community members* - refers to non-teaching personnel, parents and relatives of the students and teachers, service providers, utility suppliers and other education stakeholders of schools;

(l) *Food blockade* refers to an armed conflict tactic of forcibly cutting off entry of food

supplies in a particular area where children can be found;

(m) *Governmental armed forces* refers to the Armed Forces of the Philippines (AFP) including the paramilitary forces, the Philippine National Police (PNP) and other law enforcement agencies;

(n) *Grave child rights violations* refer to the crimes committed against children that constitute flagrant violations of their human rights and have severe consequences on their lives. These crimes include those enumerated in Section 9 of this Act such as killing or maiming of children, recruitment or use of CIAC, rape and other forms of sexual violence against children, abduction of children, attacks against schools or hospitals, or denial of humanitarian access to children;

(o) *Hamleting* refers to an armed conflict strategy used by one party involved in armed conflict that isolates a community of importance to the other party which is inhabited by children, including relocating a community away from crucial zones and could be used to control the activities of the people in said areas;

(p) *Hospitals or health facilities* refer to any structure recognized and known by the community as a facility where the sick and wounded are provided with medical or health-care services;

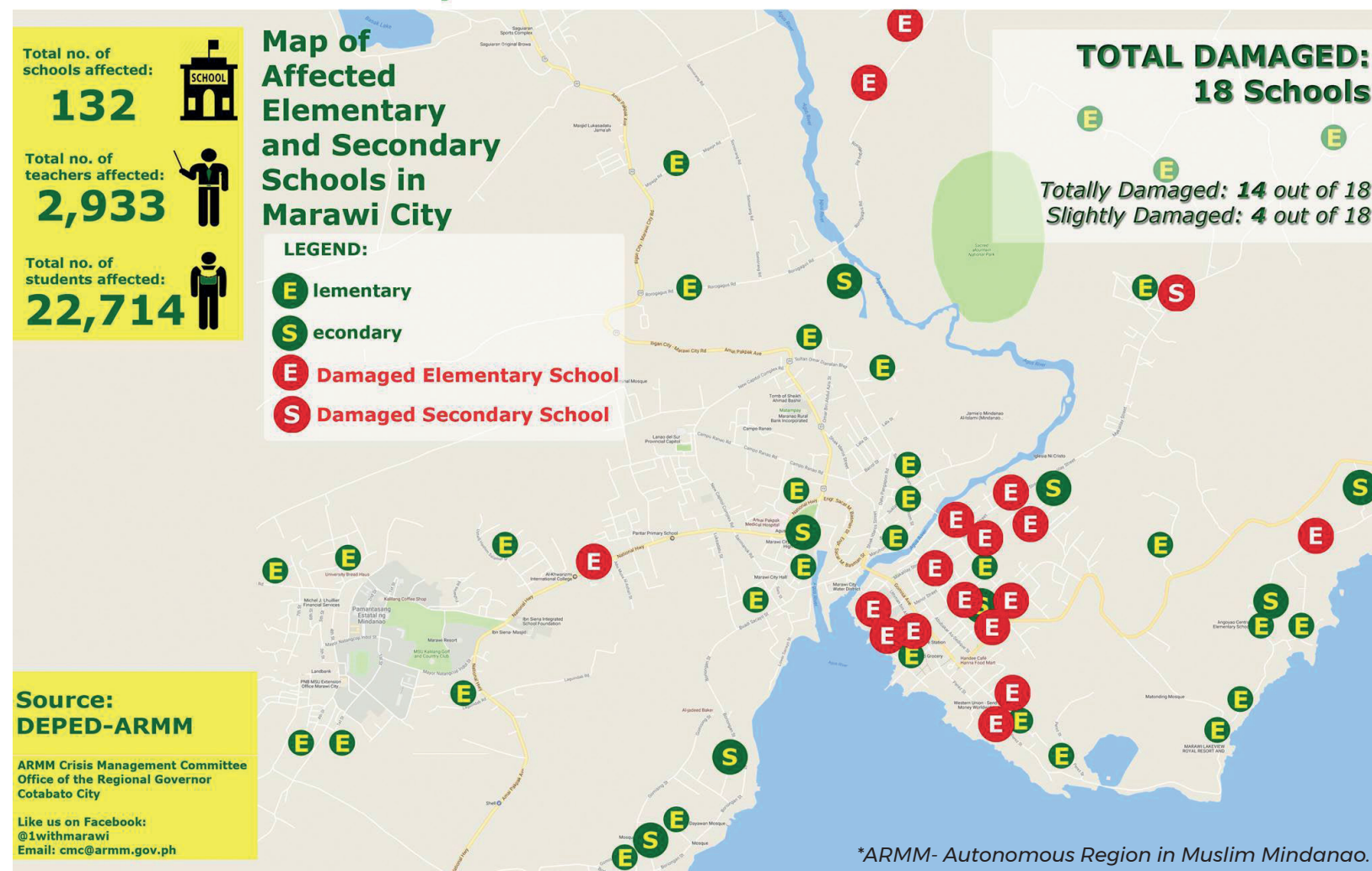
(q) *Humanitarian access* refers to the right of vulnerable populations to receive international protection and assistance from an impartial humanitarian relief operation to complement efforts of national authorities. Such action is subject to the

consent of the State or parties concerned and does not prescribe coercive measures in the event of refusal, however unwarranted;

(r) *Humanitarian assistance* refers to any aid that seeks to save lives and alleviate suffering of a crisis-affected population. Humanitarian assistance must be provided in accordance with the basic humanitarian principles of humanity, impartiality, independence and neutrality. Assistance may be divided into three (3) categories: direct assistance, indirect assistance, and infrastructure support, which have diminishing degrees of contact with the affected population;

(s) *Internally displaced children* refer to children or group of children, whether separated or together with their families, who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular, as a result of or in order to avoid the effect of armed conflict and situations of generalized violence;

(t) *Killing of children* refers to acts of all kinds in the context of armed conflict that result in the death of one or more children. They include the death of children as a result of direct targeting and indirect actions, such as cross fire, use of landmines, cluster munitions, biological weapons of destruction, all forms and types of explosives; or house demolitions, search and arrest campaigns, suicide attacks and torture; they also include murder, homicide and such other similar crimes as defined in the *Revised Penal Code*, as amended, and other special laws;



(u) *Maiming of children* refers to acts of all kinds in the context of armed conflict that result in serious or permanent or disabling injury, scarring or defacing, or mutilation to one or more children. It shall cover intentional maiming of children where they are directly targeted, and casual maiming of children which result from indirect actions, such as cross fire, use of landmines, cluster munitions, biological weapons of destruction, all forms and types of explosives; or in the context of house demolitions, search and arrest campaigns, suicide attacks and torture;

(v) *Rape* refers to the crime of rape defined under Article 266-A of the *Revised Penal Code*, as amended by

Republic Act No. 8353 or the *Anti-Rape Law*;

(w) *Recruitment* refers to compulsory, forced or voluntary conscription or enlistment of children into the governmental armed force or forced or voluntary membership into the armed group;

(x) *Release of children* refers to the process of formal and controlled disarmament and demobilization of children and their release from an armed force or armed group as well as informal ways in which children leaved by escaping, being captured or by other means. It entails a disassociation from the armed force or armed group and the beginning of transition

from military to civilian life. Release can take place during a situation of armed conflict; it is not dependent on the temporary or permanent cessation of hostilities; it is not dependent on children having weapons to forfeit;

(y) *School* refers to any structure, with or without marked visible boundaries, which is recognized and known by the community as a learning space; and,

(z) *Zone of peace* refers to a site with sacred, religious, historic, educational, cultural, geographical or environmental importance which is protected and preserved by its own community and officially recognized by a governmental authority.



It is not merely a “Demilitarized Zone”, but a sanctuary that operates within ethical principles of nonviolence, free from weapons, acts of violence, injustice and environmental degradation.

ARTICLE III

Declaration on Schools and Children as Zones of Peace

Section 1. The parties hereby mutually undertake to observe, respect and abide by the following declarations:

Schools and children are hereby declared as Zones of Peace. It shall be the responsibility of the state and all other sectors concerned to resolve armed conflicts in order to promote this goal, by including it as part of the peace agenda, securing the commitments of all parties to the conflicts and to isolate the educational system from its impact and adverse effects;

Schools, Educational Infrastructures and other related facilities shall not be utilized for military purposes such as command posts, barracks, detachments, supply depots or such other related uses that may endanger the lives of students, teachers and other educational personnel;

All schools nationwide shall be considered as a place of neutrality and should never be considered as target of any armed action. Students, teachers, educational personnel and the school facilities shall not also be a target of any attack. They shall be guaranteed their safety at all times;

Schools, educational infrastructures and other related facilities must never be destroyed as a measure intended to deprive the opposing parties to the armed conflict of the ability to use them in the future. They should be considered civilian objects even if they are in session, closed for the day or holidays, evacuated or abandoned;

Schools and other educational facilities should be free from the presence of armed combatants, whether from the government or from the other contending forces;

All students, teachers and other educational personnel shall not be recruited as combatants or support personnel and should not be enlisted for any other activity related to the armed conflicts;

The fighting forces of parties to armed conflict should not be employed to provide security for schools, educational infrastructures and other

LIST OF REFERENCES

1. The 1987 Philippine Constitution
2. Revised Penal Code of the Philippines
3. Republic Act No. 7610 or An Act Providing for Stronger Deterrence and Special Protection against Child Abuse, Exploitation, and Discrimination
4. Davao City Children’s Welfare Code, December 2, 1994
5. Cebu City Children’s Code of 2001
6. Armed Forces Letter Directive No. 34, 2009
7. Human Rights-Based Intelligence Operations: Rules of Behavior for Military Intelligence Personnel 2011
8. Republic Act No. 8353 or the Anti-Rape Law
9. House Bill No. 13: Special Protection of Children in Situations of Armed Conflict Act
10. Safe Schools Declaration
11. Education Under Attack 2014
12. Guidelines for Protecting Schools, Universities from Military Use During Armed Conflicts
13. Lessons in War 2015: Military Use of Schools and Universities during Armed Conflict
14. Commentary on the Guidelines for Protecting Schools, Universities from Military Use During Armed Conflicts
15. Implementing the Guidelines: A Toolkit to Guide Understanding and Implementation of the Guidelines for Protecting Schools, Universities from Military Use During Armed Conflicts
16. Human Rights Watch: Protecting Schools from Military Use; Laws, Policies and Military Doctrine

related facilities, except when alternative means of providing essential security are not available. If possible, appropriately trained civilian personnel should be used to provide security. If necessary, consideration should also be given to evacuating children, students and staff to a safer location.

When the use of a school, educational infrastructure and other related facility by the fighting forces of parties to armed conflict in support of their military effort may, depending on the circumstances, have the effect of turning it into a military objective subject to attack, parties to armed conflict should consider all feasible alternative measures before attacking them, including, unless circumstances do not permit, warning the enemy in advance that an attack will be forthcoming unless it ceases its use.

All schools should be spared from any clan wars and shall not be used as targets of propaganda and any other psychological operations of any side of the armed conflicts;

All parties should be committed to the establishment of measures to reduce to the minimum the disruptions in the conduct of classes to attain a resilient educational system capable of withstanding the negative effects of armed conflicts.

Section 2. There shall be no violation of this joint declaration if the presence of the governmental armed forces in the schools, educational infrastructures and other related facilities are necessary for the realization of certain activities as mandated by the Philippine Constitution, existing laws, rules and regulations, to wit:

Utilization of schools as Voting Centers and Election Precincts during National and Local Elections;

Use of schools as evacuation centers and relief operation areas in times of calamities and natural disasters;

Construction Works and Projects conducted by the Engineering Battalion of the Armed Forces of the Philippines;

Medical, Dental and other Health-Related Missions initiated and/or sponsored by the Armed Forces of the Philippines; and

Other relevant purposes that are purely civilian in character and does not require the bearing of arms and weapons.

ARTICLE IV

Ratification and Effectivity

Section 1. This Joint Agreement shall be ratified by the Government of the Republic of the Philippines and the National Democratic Front (MNL, MILF, etc.) in accordance with their respective processes and will come into force when instruments of ratification thereof have been exchanged by them.

Section 2. This Joint Agreement shall remain in force and effect unless expressly terminated by either party one year after notice has been given to the other party hereof.

IN WITNESS WHEREOF, the parties herein affixed their signatures this _____ of _____, 2017 at _____.

Republic of the Philippines

(NDF, MILF, MNL, etc.)

Signed in the presence of

Department of Education



ANNEX III

SAFE SCHOOLS DECLARATION



Attacks on education include violence against educational facilities, students and education personnel. Attacks, and threats of attack, can cause severe and long lasting harm to individuals and societies. Access to education may be undermined; the functioning of educational facilities may be blocked, or education personnel and students may stay away, fearing for their safety. Attacks on schools and universities have been used to promote intolerance and exclusion – to further gender discrimination, for example by preventing the education of girls, to perpetuate conflict between certain communities, to restrict cultural diversity, and to deny academic freedom or the right of association. Where educational facilities are used for military purposes it can increase the risk of the recruitment and use of children by armed actors or may leave children and youth vulnerable to sexual abuse or exploitation. In particular, it may increase the likelihood that education institutions are attacked.

By contrast, education can help ts and freedoms. We will do our utmost to see that places of education are places of safety.

We welcome initiatives by individual States to promote and protect the right to education and to facilitate the continuation of education in situations of armed conflict. Continuation of education can provide life-saving health information as well as advice on specific risks in societies facing armed conflict.

We commend the work of the United Nations Security Council on children and armed conflict and acknowledge the importance of the monitoring and reporting mechanism for grave violations against children in armed conflict. We emphasize the importance of Security Council resolution 1998 (2011), and 2143 (2014) which, inter alia, urges all parties to armed conflict to refrain from actions that impede children's access to education and encourages Member States to consider concrete measures to deter the use

of schools by armed forces and armed non-State groups in contravention of applicable international law.

We welcome the development of the Guidelines for protecting schools and universities from military use during armed conflict. The Guidelines are non- legally binding, voluntary guidelines that do not affect existing international law. They draw on existing good practice and aim to provide guidance that will further reduce the impact of armed conflict on education. We welcome efforts to disseminate these guidelines and to promote their implementation among armed forces, armed groups and other relevant actors.

We stress the importance, in all circumstances, of full respect for applicable international law, including the need to comply with the relevant obligations to end impunity.

Recognizing the right to education and the role of education in promoting understanding, tolerance and friendship among all nations; determined progressively to strengthen in practice the protection of civilians in armed conflict, and of children and youth in particular; committed to working together towards safe schools for all; we endorse the Guidelines for protecting schools and universities from military use during armed conflict, and will:

- **Use the Guidelines**, and bring them into domestic policy and operational frameworks as far as possible and appropriate;
- **Make every effort at a national level to collect reliable relevant data** on attacks on educational facilities, on the victims of attacks, and on military use of schools and universities during armed conflict, including through existing monitoring and reporting mechanisms; to facilitate such data collection; and to provide assistance to victims, in a non-discriminatory manner;
- **Investigate allegations** of violations of applicable national and international law and, where appropriate, duly prosecute perpetrators;
- **Develop, adopt and promote conflict-sensitive' approaches to education** in international humanitarian and development programmes, and at a national level where relevant;
- **Seek to ensure the continuation of education during armed conflict**, support the re-establishment of educational facilities and, where in a position to do so, provide and facilitate international cooperation and assistance to programmes working to prevent or respond to attacks on education, including for the implementation of this declaration;
- **Support the efforts of the UN Security Council on children and armed conflict**, and of the Special Representative of the Secretary-General for Children and Armed Conflict and other relevant UN organs, entities and agencies; and
- **Meet on a regular basis**, inviting relevant international organisation and civil society, so as to review the implementation of this declaration and the use of the guidelines.

ANNEX IV

GUIDELINES FOR PROTECTING SCHOOLS AND UNIVERSITIES FROM MILITARY USE DURING ARMED CONFLICT

- 01:** **Functioning schools and universities should not be used by the fighting forces of parties to armed conflict in any way in support of the military effort.**
- (a) This principle extends to schools and universities that are temporarily closed outside normal class hours, during weekends and holidays, and during vacation periods.
- (b) Parties to armed conflict should neither use force nor offer incentives to education administrators to evacuate schools and universities in order that they can be made available for use in support of the military effort.

- 02:** **Schools and universities that have been abandoned or evacuated because of the dangers presented by armed conflict should not be used by the fighting forces of parties to armed conflict for any purpose in support of their military effort, except in extenuating circumstances when they are presented with no viable alternative, and only for as long as no choice is possible between such use of the school or university and another feasible method for obtaining a similar military advantage. Other buildings should be regarded as better options and used in preference to school and university buildings, even if they are not so conveniently placed or configured, except when such buildings are specially protected under International Humanitarian Law (e.g. hospitals), and keeping in mind that parties to armed conflict must always take all feasible precautions to protect all civilian objects from attack.**

a) Any such use of abandoned or evacuated schools and universities should be for the minimum time necessary.

(b) Abandoned or evacuated schools and universities that are used by the fighting forces of parties to armed conflict in support of the military effort should remain available to allow educational authorities to re-open them as soon as practicable after fighting forces have withdrawn from them, provided this would not risk endangering the security of students and staff.

(c) Any traces or indication of militarization or fortification should be completely removed following the withdrawal of fighting forces, with every effort made to put right as soon as possible any damage caused to the infrastructure of the institution. In particular, all weapons, munitions and unexploded ordnance or remnants of war should be cleared from the site.

- 03:** **Schools and universities must never be destroyed as a measure intended to deprive the opposing parties to the armed conflict of the ability to use them in the future. Schools and universities—be they in session, closed for the day or for holidays, evacuated or abandoned—are ordinarily civilian objects.**

- 04:** **While the use of a school or university by the fighting forces of parties to armed conflict in support of their military effort may, depending on the circumstances, have the effect of turning it into a military objective subject to attack, parties to armed conflict should consider all feasible alternative measures before attacking them, including, unless circumstances do not permit, warning the enemy in advance that an attack will be forthcoming unless it ceases its use.**

(a) Prior to any attack on a school that has become a military objective, the parties to armed conflict should take into consideration the fact that children are entitled to special respect and protection. An additional important consideration is the potential long-term negative effect on a community's access to education posed by damage to or the destruction of a school.

(b) The use of a school or university by the fighting forces of one party to a conflict in support of the military effort should not serve as justification for an opposing party that captures it to continue to use it in support of the military effort. As soon as feasible, any evidence or indication of militarisation or fortification should be removed and the facility returned to civilian authorities for the purpose of its educational function.

- 05:** **The fighting forces of parties to armed conflict should not be employed to provide security for schools and universities, except when alternative means of providing essential security are not available. If possible, appropriately trained civilian personnel should be used to provide security for schools and universities. If necessary, consideration should also be given to evacuating children, students and staff to a safer location.**

(a) If fighting forces are engaged in security tasks related to schools and universities, their presence within the grounds or buildings should be avoided if at all possible in order to avoid compromising the establishment's civilian status and disrupting the learning environment.

- 06:** **All parties to armed conflict should, as far as possible and as appropriate, incorporate these Guidelines into, for example, their doctrine, military manuals, rules of engagement, operational orders, and other means of dissemination, to encourage appropriate practice throughout the chain of command. Parties to armed conflict should determine the most appropriate method of doing this.**