

**Universal Periodic Review
(13th session, 21 May - 1 June 2012)**

Contribution of UNESCO

PHILIPPINES

I. Background and framework

1. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

A. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960	19/11/1964	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. 1989	Not ratified			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	19/09/1985			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	18/08/2006			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	Not ratified			Right to take part in cultural life

II. Promotion and protection of human rights on the ground

1. Right to education¹

A. Normative Framework

i. Constitutional framework

1. The right to education is guaranteed by the Constitution of the Philippines of 1987 under *article 14*.

ii. Legislative framework

2. The objectives of formal education at the elementary, secondary, and tertiary levels as well as those of non-formal education are specified in the *Education Act of 1982*. The *Republic Act No. 6728 of 1989* deals with private education.

3. The Literacy Co-ordination Council was created in 1991 by Republic Act No. 7165 to carry out State policy to eradicate illiteracy.

4. The *Philippine Teachers Professionalization Act, Republic Act No. 7836*, was issued in 1994.

5. The Republic Act No. 7796, otherwise known as the *Technical Education and Skills Development Act* was adopted in 1994.

6. The *Early Childhood Care and Development (ECCD) Law* was enacted in 2000.

B. Policy measures

7. The Philippines Education for All (EFA) 2015 National Plan of Action (Phil-EFA 2015) had been adopted in 2000. This plan of action gave birth to Basic Education Sector Reform Agenda (BESRA) 2006-2010, which is a package of policy actions under key reforms.

8. The role of technical vocational education and training (TVET) has significantly grown as the country continues to build its capability to compete in the global economy relative to the ever-increasing foreign labor market opportunities for Filipinos. In this context, the **National technical education and skills development plan 2005-2009** has been developed.

C. Cooperation

¹ Sources:

- Constitution of the Philippines of 1987: http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/--ilo_aids/documents/legaldocument/wcms_126176.pdf
- National Report to IBE for 48th International Conference on Education, 2008, http://www.ibe.unesco.org/National_Reports/ICE_2008/philippines_NR08.pdf
- EFA Global Monitoring Report 2010, <http://unesdoc.unesco.org/images/0018/001866/186606E.pdf>

9. Philippines did not report to UNESCO for the Seventh Consultation on the measures taken for the implementation of the Convention against Discrimination in Education (covering the period 2000-2005).

10. Philippines did not report within the framework of the fourth consultation of Member States on the measures taken for the implementation of the 1974 *UNESCO's Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms* (covering the period 2005-2008).

D. Achievements, best practices, challenges and constraints

11. Extreme poverty and regional disparities are at the heart of the mismatch between national wealth and education outcome in the Philippines. The gap separating the poorest 20% from the rest of society is far wider than in most countries in the region. Data on school attendance provide evidence that current policies are not reaching the poorest. Around 6% of 7- to 16-year-olds from the poorest households are reported as not attending school or to have ever attended. Extreme economic inequalities fuel education inequalities, notably by pushing many children out of school and into employment. Regional data reveal deep fault lines in opportunity. Nationally, about 6% of those aged 17 to 22 have fewer than four years of education. In the best-performing regions, Ilocos and the National Capital Region, the share falls to 1% to 2%. At the other extreme, in the Autonomous Region in Muslim Mindanao and Zamboanga Peninsula over 10% fall below this threshold. The disparities are driven by a wide array of factors. The impact of high levels of poverty is exacerbated by conflict in Mindanao, and by the remoteness and wider disadvantage experienced by indigenous people in the Eastern Visayas and Zamboanga. National authorities face difficult policy choices if the Philippines is to achieve universal primary education by 2015. Far more weight has to be attached to reaching marginalized populations and providing them with good quality education. Social protection and conditional cash transfer programmes, such as those in Brazil and Mexico could play a vital role in combating child labour and extending educational opportunities to the poor. Another urgent priority is local language teaching in indigenous areas.

2. Right to take part in cultural life²

A. Normative Framework

i. Constitutional framework

12. The 1987 Constitution of the Republic of the Philippines recognizes the right to take part in cultural life. According to Article XIV on Arts and Culture: “(Section 14) The State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression. (Section 17) The State shall recognize, respect, and protect the rights of indigenous cultural communities to preserve and develop their

² Sources :

- Constitution of the Republic of Philippines, Laws and documentation of the Ministry of Culture

cultures, traditions, and institutions. It shall consider these rights in the formulation of national plans and policies. (Section 18) The State shall ensure equal access to cultural opportunities through the educational system, public or private cultural entities, scholarships, grants and other incentives, and community cultural centers, and other public venues [...]"

ii. Legislative framework

13. This included the *Republic Act No. 10066* known as the ‘National Cultural Heritage Act of 2009’, the *Republic Act No. 7356* (Law Creating the National Commission for Culture and the Arts), and the *Republic Act No. 9470* (the National Archives of the Philippines Act)

B. Institutional framework

14. The National Commission for Culture and the Arts (NCCA) Philippines is the overall policy making body, coordinating and grants giving agency for the preservation, development and promotion of Philippines arts and culture. The coordination among the cultural agencies was strengthened by the virtue of **Executive Order No. 80** which placed the Cultural Center of the Philippines, the National Historical Commission of the Philippines, the National Museum, the National Library of the Philippines and the National Archives of the Philippines under the NCCA umbrella.

C. Policy measures

15. Initiatives of the culture sector in the Philippines have been focused on the implementation of policies and strategies contained in the Medium Term Philippine Development Plan for Culture and the Arts 2004-2010 (MTPDPCA 2004-2010) which is currently being renewed. In 2002, the Philippine Cultural Education Plan (PCEP) 2003 - 2007 was also formulated to provide direction for cultural education in the country.

D. Cooperation

16. The Philippines actively participates in the activities of international and regional organizations such as the Association of Southeast Asian Nations (ASEAN), the East Asia Summit, the UN system organizations (among which UNESCO), professional bodies such as the International Centre for the Study of the Preservation and Restoration of Cultural Property (ICCROM – of intergovernmental nature) and the International Council of Museums (ICOM), thereby demonstrating its interest to promote cultural development.

E. Work with civil society

17. Civil society organisations are very active in undertaking activities for the promotion of two of the major cultural conventions of UNESCO (Convention concerning the Protection of the World Cultural and Natural Heritage 1972 and Convention for the Safeguarding of the Intangible Cultural Heritage 2003). UNESCO supported the ‘DREAM World Institute Programme’ which aims to offer art programmes (visual arts, dance, music, words and other forms of creative expressions)

to disabled and disadvantaged children and indigenous youth from the Philippines, thereby promoting further the participation of marginalized groups in the cultural life of the society.

F. Achievements, best practices, challenges and constraint

18. The Philippines take a very active part in the promotion and implementation of the Convention concerning the Protection of the World Cultural and Natural Heritage 1972 and the Convention for the Safeguarding of the Intangible Cultural Heritage 2003. To further support the protection of different forms of intangible heritage, the Government has instituted a programme for the establishment of Schools of Living Traditions (SLT). Nowadays, 74 SLTs across different communities are established.

19. The MTPDPCA 2004-2010 outlines the major challenges that culture is facing in the Philippines. Some of these challenges that have relevance to the right to take part in cultural life are: highlighting and harnessing positive Filipino values and cultural resources in promoting social responsibility, good governance, and sustainable development; democratizing and providing mechanisms for opening opportunities for all to participate in the national cultural development process; promoting a culture of peace and unity and strengthening national identity; intensifying cultural action towards protecting indigenous peoples' rights, fostering harmony in cultural diversity.

20. Through the initiative of the NCCA, there have been several projects that have been designed, completed or are on-going, in order to conserve Filipino cultural heritage, to integrate cultural education in curricula, and to promote culture and the arts in the society.

21. There are however a number of enduring challenges. Inequitable access to cultural opportunities for local individuals or organizations, and the lack of a strong cultural education program are some of the issues that the MTPDPCA has identified. Beyond these issues, the government, with the support of national and international partners, should address major challenges in the protection, preservation, and promotion of Filipino cultural heritage. Other challenges include how to promote a culture of peace and unity, how to strengthen the culture and arts at all levels of the education system, and how to protect the rights of indigenous peoples.

G. Capacity-building and technical assistance provided and/or recommended by UNESCO

22. UNESCO supports awareness raising and capacity building activities in the country. Focus is on facilitating restoration, safeguarding, management and promotion of cultural expressions. The Philippines World Heritage Conservation Programme involved intervention projects on the endangered Rice Terraces of the Philippine Cordilleras.

3. Freedom of opinion and expression

A. Achievements, best practices, challenges and constraints

i. Legislative framework

23. The Philippines is the freest country in the region in terms of freedom of expression and press freedom. The media sector is vibrant, showcasing a variety of materials from different sources. The Constitution guarantees freedom of expression and press freedom. Censorship in the media is not prevalent, especially not on political content. Local media and advocacy groups are also vibrant and vocal. Nevertheless, the safety of journalists in the Philippines is low, with an exceptionally high number of journalists having been killed in non-conflict situations.

ii. Media Self-regulation system

24. Self-regulation exists mostly among community media in the country. Mainstream media is less involved with self-regulation

iii. Safety of journalists

25. The Philippines has been plagued by incidents involving the killing of journalists in non-conflict situations. The 2009 massacre in the town Ampatuan where 31 media professionals were killed in a single day was a black mark in the history of press freedom in the country and highlights that the safety of journalists and the issue of impunity is the most pressing issue concerning freedom of expression in the country.

26. The UNESCO Director General has made ten public condemnations of the killings of journalists in the country between 2008 - 2011. Politicians of the highest level have expressed outrage and promised swift investigation but over 50 murders of journalists remain unresolved. The continuing attacks on journalists and media workers and the ensuing problem of impunity is a grave concern which could engender a chilling effect on the up-to-now relatively free media landscape.

B. Capacity-building and technical assistance provided and/or recommended by UNESCO

27. Safety training for journalists and media workers could be further strengthened, especially for situations which involve non-state actors, such as criminal groups, armed groups and militia. Election coverage training could also be strengthened as politically-motivated killings of journalists working to uncover corruption or wrong doings are not uncommon.

III. Recommendations

1. Right to education

28. Philippines should be encouraged to report to UNESCO within the framework of the eighth consultation of Member States on the measures taken for the implementation of the Convention against Discrimination in Education (covering the period 2006-2011).

2. Right to take part in cultural life

29. Since the Philippines already ratified two of the main UNESCO conventions in the field of culture (1972 Convention concerning the Protection of the World Cultural and Natural Heritage and 2003 Convention for the Safeguarding of the Intangible

Heritage), it is highly recommended that Indonesia ratify other UNESCO's instruments, and notably the 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which will help address some of the challenges identified in this report. UNESCO should continue to assist the country in promoting the ratification and implementation of these conventions. UNESCO should also actively participate in the planning and programming phases of the new MTPDPCA, as well as in the monitoring and evaluation stage to ensure the successful operation of this national plan.

3. Freedom of opinion and expression

30. UNESCO recommends that a concerted effort must be taken at all levels of the country, from policy makers, police and military authorities to NGOs and media professionals, to ensure the safety of media professionals and to combat the phenomenon of impunity for crimes committed against journalists and media workers.