

**Universal Periodic Review**  
(27<sup>th</sup> session, April-May 2017)

**Contribution of UNESCO to Compilation of UN information**  
(to Part I. A. and to Part III - F, J, K, and P)

**PHILIPPINES**

**I. BACKGROUND AND FRAMEWORK**

**Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

I.1. Table:

<b>Title</b>	<b>Date of ratification, accession or succession</b>	<b>Declarations /reservations</b>	<b>Recognition of specific competences of treaty bodies</b>	<b>Reference to the rights within UNESCO's fields of competence</b>
Convention against Discrimination in Education 1960	Acceptance 19/11/1964	<i>Reservations to this Convention are not 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 Ratification			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	18/08/2006 Ratification			Right to take part in cultural life
Convention on the Protection and	Not ratified			Right to take part in cultural life

Promotion of the Diversity of Cultural Expressions 2005				
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**II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P**

**Right to education**

**1. NORMATIVE FRAMEWORK**

**1.1. Constitutional Framework**

1. The right to education is guaranteed by the **Constitution of the Philippines of 1987** under article 14 which is written as follows:

**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.**

Section 2 - The State shall:

1. Establish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society;
2. Establish and maintain a system of free public education in the elementary and high school levels. Without limiting the natural right of parents to rear their children, elementary education is compulsory for all children of school age;
3. Establish and maintain a system of scholarship grants, student loan programs, subsidies, and other incentives which shall be available to deserving students in both public and private schools, especially to the underprivileged
4. Encourage non-formal, informal, and indigenous learning systems, as well as self-learning, independent, and out-of-school study programs particularly those that respond to community needs; and
5. Provide adult citizens, the disabled, and out-of-school youth with training in civics, vocational efficiency, and other skills.

Section 3

1. All educational institutions shall include the study of the Constitution as part of the curricula.
2. They shall inculcate patriotism and nationalism, foster love of humanity, respect for human rights, appreciation of the role of national heroes in the historical development of the country, teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, encourage critical and creative thinking, broaden scientific and technological knowledge, and promote vocational efficiency.

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<sup>1</sup> Accessible at: <http://www.gov.ph/constitutions/1987-constitution/>

3. At the option expressed in writing by the parents or guardians, religion shall be allowed to be taught to their children or wards in public elementary and high schools within the regular class hours by instructors designated or approved by the religious authorities of the religion to which the children or wards belong, without additional cost to the Government.

#### Section 4

1. The State recognizes the complementary roles of public and private institutions in the educational system and shall exercise reasonable supervision and regulation of all educational institutions.
2. Educational institutions, other than those established by religious groups and mission boards, shall be owned solely by citizens of the Philippines or corporations or associations at least sixty per centum of the capital of which is owned by such citizens. The Congress may, however, require increased Filipino equity participation in all educational institutions. The control and administration of educational institutions shall be vested in citizens of the Philippines. No educational institution shall be established exclusively for aliens and no group of aliens shall comprise more than one-third of the enrollment in any school. The provisions of this sub section shall not apply to schools established for foreign diplomatic personnel and their dependents and, unless otherwise provided by law, for other foreign temporary residents.
3. All revenues and assets of non-stock, non-profit educational institutions used actually, directly, and exclusively for educational purposes shall be exempt from taxes and duties. Upon the dissolution or cessation of the corporate existence of such institutions, their assets shall be disposed of in the manner provided by law. Proprietary educational institutions, including those cooperatively owned, may likewise be entitled to such exemptions, subject to the limitations provided by law, including restrictions on dividends and provisions for reinvestment.
4. Subject to conditions prescribed by law, all grants, endowments, donations, or contributions used actually, directly, and exclusively for educational purposes shall be exempt from tax.

#### Section 5

1. The State shall take into account regional and sectoral needs and conditions and shall encourage local planning in the development of educational policies and programs.
2. Academic freedom shall be enjoyed in all institutions of higher learning.
3. Every citizen has a right to select a profession or course of study, subject to fair, reasonable, and equitable admission and academic requirements.
4. The State shall enhance the right of teachers to professional advancement. Non-teaching academic and non-academic personnel shall enjoy the protection of the State.
5. The State shall assign the highest budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment.

### **1.2. Legislative Framework**

2. On 15 May 2013, President of the Philippines signed the **Enhanced Basic Education Act of 2013 or the K to 12 law (Act No. 10533)**, also known as the K-to-12 Act, which establishes a

“universal kindergarten” and introduces Grades 11 and 12 to high school education in public and private schools.<sup>2</sup>

Its section 4 provides that “The enhanced basic education program encompasses at least one (1) year of kindergarten education, six (6) years of elementary education, and six (6) years of secondary education, in that sequence. Secondary education includes four (4) years of junior high school and two (2) years of senior high school education.”<sup>3</sup>

3. 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**.<sup>4</sup>

4. The **Republic Act No. 9155**, also called the **Governance of Basic Education Act**, was passed in 2001, redefining the role of field offices (regional offices, division offices, district offices and schools). This Act provides the overall framework for: (i) school heads empowerment by strengthening their leadership roles; and (ii) school-based management within the context of transparency and local accountability.<sup>5</sup> It also confirms the right to free basic education among the school-age population and young adults to provide them with skills, knowledge, and values to become caring, self-reliant, productive and patriotic citizens (Section 2 or the Declaration of Policy of RA 9155).<sup>6</sup>

5. Recognizing the benefits of ECCD to a person’s well-being and the country, RA No. 8980 or the ECCD Act<sup>7</sup> was legislated to institutionalize a national ECCD system. Through the ECCD Act, a comprehensive, integrative, and sustainable ECCD framework of the country was developed. This ECCD Act promotes multisectoral and inter-agency collaboration under the coordination of a national ECCD Council. This Act was amended through RA 10410 or the Early Years Act of 2013 that recognizes the age from zero to eight years as the first crucial stage of educational development.<sup>8</sup>

6. The **Republic Act No. 10157 – Kindergarten Education Act** was enacted on 20 January 2012. The law effectively widened the scope of education as it makes preschool for five-year-old Filipinos free, mandatory and compulsory.<sup>9</sup> It provides equal opportunities for all children to avail of accessible mandatory and compulsory kindergarten education that effectively promotes

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<sup>2</sup> For more information, visit [Official Gazette Site, The K to 12 Basic Education Program](http://www.gov.ph/k-12/#RA10533), accessible at: <http://www.gov.ph/k-12/#RA10533> and <http://www.gov.ph/2013/05/15/republic-act-no-10533/>

<sup>3</sup> IBE, World Data on Education, 7<sup>th</sup> ed., 2010-2011, Philippines, p. 3, [http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Philippines.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Philippines.pdf), Accessed on 14/03/2014

<sup>4</sup> IBE, World Data on Education, 7<sup>th</sup> ed., 2010-2011, Philippines, p. 3, available at: [http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Philippines.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Philippines.pdf),

<sup>5</sup> IBE, World Data on Education, 7<sup>th</sup> ed., 2010-2011, Philippines, p. 4.

<sup>6</sup> EFA 2015 National Review: Philippines, p. 6, available at: <http://unesdoc.unesco.org/images/0023/002303/230331e.pdf>

<sup>7</sup> <http://www.chanrobles.com/republicactno8980.htm>

<sup>8</sup> EFA 2015 National Review: Philippines, p. 13. accessible at: <http://unesdoc.unesco.org/images/0023/002303/230331e.pdf>

<sup>9</sup> EFA 2015 National Review: Philippines, p.16.

physical, social, intellectual, emotional and skills stimulation and values formation to sufficiently prepare them for formal elementary schooling.<sup>10</sup>

7. The **Republic Act No. 6655 – Free Public Secondary Education Act of 1988** under Section 4 clearly guarantees that; “[...] Students enrolled in secondary course offerings in national and general comprehensive high schools, state colleges and universities, specialized schools, trade, technical, vocational, fishery and agricultural schools and in schools which may be established by law, shall be free from payment of tuition and other school fees, except fees related to membership in the school community such as identification cards, student organizations and publication which may be collected [...]”<sup>11</sup>.

8. The **Republic Act No. 7796** (1994), otherwise known as the Technical Education and Skills Development Act of 1994, aims to encourage the full participation of and mobilize the industry, labour, local government units and technical-vocational education and training (TVET) institutions in the skills development of the country's human resources.<sup>12</sup>

9. The creation of the Commission on Higher Education by **Republic Act No. 7722 (1994)** and of the Technical Education and Skills Development Authority separated these entities from the Department of Education where they originally belonged.<sup>13</sup>

10. The Literacy Co-ordination Council, an interagency body administratively attached to the Department of Education, Culture and Sports, was created by **Republic Act No. 7165** to carry out State policy to eradicate illiteracy.

11. The **Philippine Teachers Professionalization Act, Republic Act No. 7836**<sup>14</sup>, was issued in 1994.”<sup>15</sup> and was amended in 2004 (**Republic Act No. 9293**) amending the principal Act concerning qualification requirements of applicants (section 15), registration and exceptions (section 26) and transitory provisions (section 31).<sup>16</sup> While, the **Republic Act No. 4670**, the **Magna Carta for Public School Teachers**, sets forth provisions pertaining to standards on hiring of teachers including their rights and liberties. It is stated under section 10; “There shall be no discrimination whatsoever in entrance to the teaching profession, or during its exercise, or in the termination of services, based on other than professional consideration.” Under section 12 it is

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<sup>10</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 5.

<sup>11</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 5.

<sup>12</sup> IBE, World Data on Education, 7th ed., 2010-2011, Philippines, p. 4.

<sup>13</sup> IBE, World Data on Education, 7th ed., 2010-2011, Philippines, p. 3,  
[http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Philippines.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Philippines.pdf),  
Accessed on 14/03/2014

<sup>14</sup> <http://www.chanrobles.com/republicactno7836.htm>

<sup>15</sup> IBE, World Data on Education, 7th ed., 2010-2011, Philippines, p. 3,  
[http://www.ibe.unesco.org/fileadmin/user\\_upload/Publications/WDE/2010/pdf-versions/Philippines.pdf](http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Philippines.pdf),

<sup>16</sup> Accessible

[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=72736&p\\_country=PHL&p\\_count=546](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=72736&p_country=PHL&p_count=546)

specified that; “Teachers shall enjoy academic freedom in the discharge of their professional duties, particularly with regard to teaching and classroom methods”<sup>17</sup>

12. Child labor protection is provided under the **Republic Act No. 9231 – An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child**, amending for this Purpose Republic Act No. 7610, as Amended, otherwise known as the “Special Protection of Children against Child Abuse, Exploitation and Discrimination Act.” This act ensures the education and training to all children including working children as well as a non-formal education program for children who have not undergone or finished elementary or secondary education.<sup>18</sup>

13. The **Republic Act No. 6728** (1989) deals with private education, notably by setting common minimum physical facilities and curricular requirements for all schools and by liberalizing the subject content of values education.<sup>19</sup>

14. The **Republic Act No. 8545 – Expanded Government Assistance to Students and Teachers in Private Education Act** (1998) provides financial assistance to private education to both students and teachers. For students through: tuition fee supplements, a High School Textbook Assistance Fund; Education Service Contracting (ESC) Scheme; the voucher system of the Private Education Student Financial Assistance Program (PESFA); Scholarship grants; and the Education Loan Fund. For teachers: In-service training fund for teachers in private high schools; and College Faculty Development Fund.<sup>20</sup>

15. Minority rights are protected under the **Republic Act No. 8371 – The Indigenous Peoples Rights Act of 1997** provides equal protection and non-discrimination of Indigenous Cultural Communities and Indigenous Peoples of their social, cultural, and economic rights. The right to education is guaranteed under this act through the provision of an adequate and integrated system.

16. Finally women’s rights are ensured under the **Republic Act No. 9710 – The Magna Carta of Women** : which provides equal access and elimination of discrimination in education, scholarships and training. <sup>21</sup>

### **1.3. Policy Framework**

#### **i) General information**

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<sup>17</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 9-10.

<sup>18</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 9-10.

<sup>19</sup> IBE, World Data on Education, 7th ed., 2010-2011, Philippines, p. 3.

<sup>20</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 9-10

<sup>21</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p12.

17. Focusing on the basic education level, the government, through the DepEd, participated in the global movement on Education For All in 1990, and continues to do so at present. After undertaking the 1st Education For All Plan for 1990-2000, a successor plan was developed, now known as the Philippine Education For All 2015 National Plan of Action (Phil-EFA 2015). This plan builds on the gains of the former EFA 2000 plan and saw the need for systemic reforms in order to achieve its 2015 goal of making every Filipino functionally literate.<sup>22</sup>

18. This plan of action gave birth to the formulation of the **Basic Education Sector Reform Agenda (BESRA) 2006-2010**, which is a package of policy actions collected under five key reforms thrusts. It aims to establish conditions that will make possible the attainment of universal participation of all children of school-age, and universal completion at both primary and secondary education with satisfactory levels of achievement. Stakeholders and funding institutions are full supportive of BESRA.<sup>23</sup> In 2010, there was a change in the DepEd Order No. 118, s. 2010 adopting the New BESRA Implementation Arrangement.<sup>24</sup>

19. One of the notable thrusts of the current administration under President Benigno S. Aquino III is to improve the Philippine educational system by employing a concrete education agenda. His education agenda, entitled “**Ten Ways to Fix Philippine Basic Education,**” presented during the 2010 National Elections, laid down the ground work for the ultimate realization of education reforms by the end of his term in 2016.<sup>25</sup>

20. Furthermore, the Philippines envisions inclusive growth through sustained economic development, improved lives of Filipinos, and empowered poor and marginalized sectors. This has been the core agenda of the **Philippine Development Plan (PDP) 2011-2016** that serves as the country’s guide in formulating policies and implementing development programs. In relation to the **updated Philippine Development Plan 2014-2016**, the Department of Education has the following strategies:

1. Every Filipino has access to a complete quality basic education.
  - a. Provide the necessary basic education input.
  - b. Provide affirmative action to learners with special needs.
  - c. Engage the private sector in broadening opportunities for basic education.
  - d. Utilize technology in expanding reach of basic education.
2. Every graduate is prepared for further education (vocational, technical, higher and lifelong learning) and the world of work (employment and entrepreneurship).
  - a. Develop an enhanced and learner-centered curriculum.
  - b. Provide relevant instructional materials.
  - c. Improve quality of instruction and professional development of teachers.
3. Delivery of basic education services to learners is effective, efficient and collaborative.
  - a. Improve internal systems and processes.
  - b. Strengthen education leadership and management.

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<sup>22</sup> National Report to IBE for 48th International Conference on Education, 2008, p. 12, accessible at: [http://www.ibe.unesco.org/National\\_Reports/ICE\\_2008/philippines\\_NR08.pdf](http://www.ibe.unesco.org/National_Reports/ICE_2008/philippines_NR08.pdf)

<sup>23</sup> National Report to IBE for 48th International Conference on Education, 2008, p. 13-14.

<sup>24</sup> Department of Education, DO 15, s. 2011 - Change in DepEd Order No. 118, s. 2010 (Adoption of the New BESRA Implementation Arrangement), accessible at: [website] <http://www.deped.gov.ph/orders/do-118-s-2010>

<sup>25</sup> EFA 2015 National Review: Philippines, p. 10.

c. Expand network of shareholders and strengthen their participation.

21. On the other hand, the **Technical Education and Skills Development Authority (TESDA)** has the following strategies:

1. Filipinos with competencies and life skills pursue economic opportunities.
  - a. Expand access to quality Tech-voc.
  - b. Develop workforce competencies required in key growth areas.
2. Leadership, management and innovation.
  - a. Implement good governance.
  - b. Engage industry in the provision of Tech-voc. <sup>26</sup>

22. The Philippines also established a **school building programme**.

## ii) Education levels

### ➤ Early Childhood

23. The **Republic Act (RA) No. 8980** or the **Early Childhood Care and Development (ECCD)** was amended through the **RA 10410 or the Early Years Act of 2013** and recognizes the age from zero to eight years as the first crucial stage of educational development. <sup>27</sup> The Early Years Act specified the programs that will deliver the necessary services for children aged zero to four: 1) center-based programs such as day care or child development services, and community or church-based early childhood education programs, and 2) home-based programs, i.e., neighborhood-based play groups, family child care programs, parent education and home visiting programs. <sup>28</sup> Moreover, it establishes an ECCD system that covers a health, nutrition, early education and social services development program for children from zero to four years old. The Early Years Act contains several provisions for inclusiveness of ECCD services. For instance, it specified the provision of reasonable accommodation and an accessible environment for children with disabilities, as well as advocating respect for cultural and linguistic diversity. <sup>29</sup>

24. The issuance of **Presidential Decree (PD) No. 1567** in 1977 or the decree **on Establishing a Day Care Center in Every Barangay**, that requires each barangay<sup>30</sup> to put up at least one day care center in its area of jurisdiction resulted in the expansion of day care centers in the country. Thirty-four years after the issuance of PD No. 1567 and 12 years after the enactment of RA No. 6972 or the **Barangay-Level Total Development and Protection of Children Act** in 1990, out of 42,026 barangays in the country, 4,570 barangays had yet to put up their own day care center out of (DSWD, 2011). The number of day care centers, on the other hand, has increased from 51,797 in 2011 to 53,436 in 2013. As *the State-of-the-Art Review of Day Care Services in the Philippines* (2010) revealed, center-based day care services only reached 19.9 percent of the target population.

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<sup>26</sup> EFA 2015 National Review: Philippines, p. 5.

<sup>27</sup> EFA 2015 National Review: Philippines, p. 13.

<sup>28</sup> EFA 2015 National Review: Philippines p. 15.

<sup>29</sup> EFA 2015 National Review: Philippines p. 13.

<sup>30</sup> Barangay: A Filipino term for the smallest administrative unit, which may be equivalent to a village or a district.

Hence, several barangays had to put up more than one center for their residents. The number of children served nationwide increased from 1,699,888 in 2011 to 1,778,274 in 2013.<sup>31</sup>

25. In 2011, the Department of Social Welfare and Development (DSWD) issued a new set of guidelines for accreditation of day care center and child development workers and teachers catering to children aged zero to four. The guidelines, an enhanced version of AO No. 29 s. 2004, set standards for day care centers and workers on how to deliver services efficiently and effectively. However, as documented in a recent review in 2011, the actual turnout in the number of accredited day care centers (23%) and of child development workers (24%) was very low. There were reported cases of expired accreditation of centers and workers while others did not undergo the accreditation process.<sup>32</sup>

### ➤ **Basic education**

26. In order to enhance access to education, the government established the K to 12 Program which covers **Kindergarten and 12 years of basic education (six years of primary education, four years of Junior High School, and two years of Senior High School [SHS])** to provide sufficient time for mastery of concepts and skills, develop lifelong learners, and prepare graduates for tertiary education, middle-level skills development, employment, and entrepreneurship.<sup>33</sup> The government followed the following steps of the K to 12 Program:

- SY 2011-2012: Universal Kindergarten implementation begins
- SY 2012-2013: Enhanced curriculum for Grades 1-7 implemented
- 2013: K to 12 enacted into Law
- 2014: Curriculum for Grades 11-12 finished

In 2015, the government prepared for the implementation of Senior High School (SHS) in SY 2016-2017, the last mile of the K to 12 Program.<sup>34</sup>

27. **The RA No. 10157 or the Kindergarten Act**, which was approved **on 20 January 2012**, institutionalized kindergarten as part of the basic education cycle, making it **mandatory** for all five-year-olds to attend preschool prior to their entry to Grade 1. The Kindergarten Act paved the way for the adoption of kindergarten services for the gifted, **children with disabilities, indigenous people and Muslim pupils, and those in especially difficult circumstances**.<sup>35</sup> With the universalization of the preschool program in SY 2011-2012, a big increase in gross (25 percentage points) and net (19 percentage points) enrolment rates was recorded in that school year. <sup>36</sup>

28. In the Philippines, basic education is free and compulsory as mandated by the Philippine Constitution and **the Enhanced Basic Education Act of 2013 or the K to 12 law**. The government provides free schooling from kindergarten to secondary education. The operation of 38,659 public elementary and 7,748 public secondary schools (DepEd Fact Sheet, 2013) that offer free education to all Filipino learners is a visible manifestation of the government's adherence to this mandate.

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<sup>31</sup> EFA 2015 National Review: Philippines p. 13.

<sup>32</sup> EFA 2015 National Review: Philippines, p. 15.

<sup>33</sup> Accessible at: <http://www.gov.ph/k-12/#RA10533>

<sup>34</sup> Accessible at: <http://www.gov.ph/k-12/#RA10533>

<sup>35</sup> EFA 2015 National Review: Philippines, p. 16.

<sup>36</sup> EFA 2015 National Review: Philippines, p. 18.

29. The enactment of the Kindergarten Act in 2012 and the Enhanced Basic Education Act of 2013 showed the sincerity of the current administration to reform the education sector and its political will to implement education reforms that will propel the country towards high growth.<sup>37</sup> Overall:

- Kindergarten education for five-year-old children has made tremendous progress in enrolment with an 8.5 percentage point average annual increase from SY 2005-2006 to SY 2010-2011. However, the 100 percent target in 2015 is still beyond reach with an observed 77 percent kindergarten Net Enrolment Rate (NER) in SY 2012-2013.
- Access to elementary and secondary education, as revealed by NER, has fluctuated as figures dipped in SY 2005-2006 (Elementary, 84.44%; Secondary, 58.54%) and rose in SY 2010-2011 (Elementary, 95.92%; Secondary 64.30%). Primary school-age participation rate was nearing the 100 percent mark with 95 percent NER in SY 2012-2013. The figure for the secondary school age participation rate was about 65 percent, which is 35 percentage points away from the 100 percent target in SY 2012-2013.
- Keeping children in school until they finish their basic education remains a challenge as completion rate for elementary, on the average from SY 2005-2006 to SY 2012-2013, was only around 72 percent while for the secondary completion rate, the average from SY 2005-2006 to SY 2012-2013 was around 73 percent.
- Survival of children until they reach the final grade/year, as indicated by cohort survival rates, has been improving over the years; however, elementary rate was 75 percent and for secondary it was only 78 percent, putting at least a 20 percentage point difference between the current rate (SY 2012-2013) and the targeted 100 percent target. Moreover, eliminating dropout in the first three grades remains an issue with Grade 1 having a 13.04 percent school leaver rate in SY 2011-2012. <sup>38</sup>

30. Regarding tuition fees, the policy **DO No. 41 s. 2012** or the “**Revised Guidelines on the Opening of Classes**,” reiterated the constitutional mandate to provide free basic education through the **removal of financial constraints** for the parents and guardians of Filipino learners. The DepEd Order enforced the policy that no fees shall be collected from schoolchildren from kindergarten to Grade 4 at any time during the school year while for those in Grade 5 up to high school, collection of voluntary contribution should be in August, two months after the opening of classes. The DepEd Order provides the acceptable list of membership fees and contributions as well the authority for parent-teacher associations to collect the fees.<sup>39</sup>

31. The **Every Child A Reader Program (ECARP)** is a DepEd intervention to ensure that all children from Grades 1 to 3 are reading at their own level. In line with the K to 12 program, ECARP aims for all children to be able to read in mother tongue by the end of Grade 1, in Filipino by the end of Grade 2 and in English by the end of Grade 3. One of its components is Reading Recovery, an intervention program for children who lag behind their peers in terms of reading and writing. <sup>40</sup>

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<sup>37</sup> EFA 2015 National Review: Philippines, p. 7.

<sup>38</sup> EFA 2015 National Review: Philippines, p. xix.

<sup>39</sup> EFA 2015 National Review: Philippines, p. 21.

<sup>40</sup> EFA 2015 National Review: Philippines, p. 27.

### ➤ **Technical and vocational education**

32. The Technical Education and Skills Development Act of 1994 (Republic Act No. 7796) established the Technical Education and Skills Development Authority (TESDA) which ensures that there is reduced overlapping of activities among private and public agencies implementing skills development and that there is a national agency that provides direction for the country's technical-vocational education and training (TVET) system.<sup>41</sup>

33. DepEd provides for the technical-vocational education needs of the school-age population through the **Strengthened Technical-Vocational Education Program (STVEP)** which utilizes a competency-based curriculum that specifies outcomes aligned with industry requirements in surrounding communities. The Tech-voc is one of the most successful special programs that addresses issues related to obtaining relevant quality education. Large numbers of technical-vocational high school graduates passed the national certification tests and were awarded national certificates of competence. <sup>42</sup> DepEd and TESDA formed a partnership to implement Technical Vocational Education and Training (TVET) with Arabic Language and Islamic Values Education (ALIVE), with the aim to provide technical-vocational education and training with ALIVE for Muslim out-of-school youth (OSY) and to facilitate employment of Muslim OSYs by providing trade certification and job placement opportunities..<sup>43</sup>

34. In technical education and skills development, quality standards are being ensured through the **Unified TVET Program Registration and Accreditation System (UTPRAS)**. Under this scheme, all TVET programs being offered by technical vocational institutions nationwide must be UTPRAS-registered with TESDA. To ensure adherence to quality program standards, periodic compliance audits are being done.<sup>44</sup>

35. The number of TVET enrollees and graduates has been growing as indicated by the 13 percent increase from 2011 to 2012 and the 7 percent increase from 2012 to 2013 in the number of enrollees as well as 17 percent increase from 2011 to 2012 and the 9 percent increase from 2012 to 2013 in the number of graduates.<sup>45</sup>

### ➤ **Higher Education**

36. The updated social development priority strategies of the Philippine Development Plan of 2011-2016 include making higher education competitive and responsive to national development goals.<sup>46</sup> In fact, access to Philippine tertiary education by a majority of Filipino students had steadily been gaining ground as shown by the establishment of 1,823 tertiary level institutions broken down into: 110 state universities and colleges; 93 local colleges and universities and 16 other government schools, and 1,604 private institutions. Of the almost three million students, 61%

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<sup>41</sup> EFA 2015 National Review: Philippines, p. 30.

<sup>42</sup> EFA 2015 National Review: Philippines, pp. 30-31.

<sup>43</sup> EFA 2015 National Review: Philippines, p.31.

<sup>44</sup> A National Report for the Eight Consultation of Member States on the Application of the Convention and Recommendation against Discrimination in Education, Philippine Report, March 2012.

<sup>45</sup> EFA 2015 National Review: Philippines, p.32.

<sup>46</sup> EFA 2015 National Review: Philippines, p. 4.

is enrolled in private higher education institutions (HEIs) and 34% is with the public HEIs. In terms of gender distribution, 1,601,478 or 54.5% are women and 1,336,369 or 45.4% are men. The scheme **Expanded Tertiary Education Equivalency and Accreditation Program (ETEEAP)** is an educational assessment scheme which recognizes knowledge, skills, and prior learning obtained by individuals from non-formal and informal education experiences. This is implemented through CHED-deputized higher education institutions.<sup>47</sup>

37. Furthermore, the Commission on Higher Education (CHED) Programs ensures the accessibility of education to anyone irrespective of gender, age, social status and ethnicity. The financial assistance programs includes:

1. Full merit. This program is for bright Filipino students who received the highest score in the National Career Assessment Examination (NCAE) and must belong to the top ten of the graduating class. Scholars under this program with parents who have a combined annual gross income not to exceed Php300,000 can enroll in any government or private higher education institution.
2. One Town Scholar (OTOS). This program is for deserving public high school graduates from all towns, especially those from families which do not have the financial means. Scholars under this program can enroll in any government higher education institution.
3. Half Merit. For bright Filipino students who received a percentile NCAE rating score of 85-89, scholars under this program can enroll in any government or private higher education institution.<sup>48</sup>

#### ➤ **Informal and formal education**

38. Under the Philippine EFA National Action Plan, out-of-school-youth (OSY) and adult illiterates who are over 15 years old but could not avail of formal education are given the opportunity to learn through the Alternative Learning System (ALS). This system allows flexible entry to both the formal and non-formal or informal streams of basic education and ensures upward social mobility.<sup>49</sup> Without undermining the traditional school system, the DepEd's ALS has been proven effective in delivering basic literacy for illiterates; functional literacy non-formal education for elementary and secondary out-of-school learners; and functional literacy informal education for all. Since the differences in each individual pose great challenge in the way learning is obtained, ALS uses various approaches appropriate for the learners such as the life skills approach, the reflective approach, and the 4As of adult learning. It likewise utilizes various modalities and learning resources that fit the uniqueness of each learner such as use of mother tongue, disability modalities, and educational technologies. The responsibility of leading the effort to eliminate illiteracy among OSY and adults through ALS falls upon the **DepEd's Bureau of Alternative Learning System (BALS)**. The DepEd-BALS has developed and introduced cost-effective

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<sup>47</sup> A National Report for the Eight Consultation of Member States on the Application of the Convention and Recommendation against Discrimination in Education, Philippine Report, March 2012.

<sup>48</sup> A National Report for the Eight Consultation of Member States on the Application of the Convention and Recommendation against Discrimination in Education, Philippine Report, March 2012.

<sup>49</sup> EFA 2015 National Review: Philippines, p. 56.

alternative learning strategies to achieve adult functional literacy using regional languages, Filipino, and English. <sup>50</sup>

39. Since the number of illiterate children, youth and adults has been rising in the past years, NFE programs such as the Basic Literacy Program (BLP) have been carried out by DepEd BALS to address this issue. In 2013, there were 35,100 BLP learners and 26,003 BLP completers. Along this line, the DepEd BALS also implements the A&E system for elementary and high school dropouts, which allows learning to take place anytime and anywhere, depending on the learners' availability through a modular and flexible program. Through the scheme, a learner may enter or reenter an ALS program or rejoin the formal education system once he/she passes the pen-and-paper and composition writing tests and receives the certification from the DepEd BALS for successfully completing elementary or secondary education. In 2013, there were 265,843 A&E enrollee for both elementary and secondary levels and 186,710 A&E completers for both levels. <sup>51</sup>

### iii) Education content and quality

#### ➤ Quality

40. To facilitate effective teaching and learning, DepEd, through the **National Science Teaching Instrumentation Center (NSTIC)** is providing schools and learning centers with affordable quality science and mathematics instructional equipment. In 2012, the Mass Production of Science and Mathematics Equipment benefited 544 public secondary schools, Regional Science High Schools and Engineering Science Education Program schools. This is in addition to the 442 schools that benefited from the same program in 2011. To date, there are 4,357 schools nationwide that have benefited from the program. <sup>52</sup>

41. As of 2012, the DepEd reported that it has achieved a 1:1 student to textbook ratio and a 1:1 student-to-school seat ratio. Moreover, the number of new classrooms constructed has slightly exceeded the number of classroom shortage. As for water and sanitation, 95 percent of the backlog would have been addressed once the ongoing construction and procurement are completed. <sup>53</sup>

42. To ensure that all schools are conducive to the education of children, thus improving the holding power of schools, the DepEd developed a **“Child Protection Policy” to eliminate all forms of abuse and exploitation** that hinder the realization of EFA objectives. The Child Protection Policy or **DepEd Order No. 40, s. 2012** promulgates the DepEd's zero tolerance for any form of abuse, exploitation, violence, discrimination and bullying of any person below 18 years of age, amended by DO No. 55 s. 2013 containing the implementing rules and regulation of the said Act. In **2013, the Anti-Bullying Act or RA No. 10627** was enacted to enforce all elementary and secondary schools to address acts of bullying. The law defined acts of bullying against students and prohibited such acts. It also enjoined schools to adopt anti-bullying policies. <sup>54</sup>

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<sup>50</sup> EFA 2015 National Review: Philippines, p.37.

<sup>51</sup> EFA 2015 National Review: Philippines, p.37.

<sup>52</sup> EFA 2015 National Review: Philippines, p. 48.

<sup>53</sup> EFA 2015 National Review: Philippines, p. 47.

<sup>54</sup> EFA 2015 National Review: Philippines, p.26.

#### iv) Curriculum

43. The K to 12 curriculum, completed in 2014, is standards- and competence-based. It is inclusive and built around the needs of the learners and the community. The curriculum is done and is available on the DepEd website. It is the first time in history that the entire curriculum is digitized and made accessible to the public.

- The Kindergarten Curriculum Framework (KCF) draws from the goals of the K to 12 Philippine Basic Education Curriculum Framework and adopts the general principles of the National Early Learning Framework (NELF). Kindergarten learners need to have a smooth transition to the content-based curriculum of Grades 1 to 12.
- Students in Grades 1 to 10 will experience an enhanced, context-based, and spiral progression learning curriculum with the following subjects: Mother Tongue; Filipino; English; Mathematics; Science; Araling Panlipunan; Edukasyon sa Pagpapakatao (EsP); Music; Arts; Physical Education; Health; Edukasyong Pantahanan at Pangkabuhayan (EPP); Technology and Livelihood Education (TLE).
- Senior High School is two years of specialized upper secondary education; students may choose a specialization based on aptitude, interests, and school capacity. The choice of career track will define the content of the subjects a student will take in Grades 11 and 12. Each student in Senior High School can choose among three tracks: Academic; Technical-Vocational-Livelihood; and Sports and Arts. The Academic track includes three strands: Business, Accountancy, Management (BAM); Humanities, Education, Social Sciences (HESS); and Science, Technology, Engineering, Mathematics (STEM).<sup>55</sup>

44. Gender concepts and the use of gender-sensitive principles are now being integrated into curriculum development and implementation. Moreover, lesson exemplars or teaching guides that harmonize pedagogical strategies and gender concepts are being made available in consonance with the K to 12 program.<sup>56</sup> Additionally, in the Philippines, a short-term reading programme for grade 4 pupils provided age-appropriate books, trained teachers to incorporate reading into the curriculum and supported a 31-day read-a-thon.<sup>57</sup>

#### ➤ Learning environment

45. In 2011, the DepEd strengthened its **School Health and Nutrition Programs (SHNPs)** to make them more responsive to enhancing students' motivation and capacity to learn, improving outcomes, reducing absenteeism, and ensuring completion. One of the key components of the SHNPs is **the Breakfast Feeding Program (BFP)**, which aims to improve the nutritional status of at least 70 percent of the beneficiaries at the end of 100 to 120 feeding days, and to improve their attendance to reach 85 to 100 percent. It serves undernourished kindergarten to Grade 3 students. Based on **DO No. 87 s. 2012**, the feeding program was renamed **School-Based Feeding**

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<sup>55</sup> Available at: <http://www.gov.ph/k-12/#RA10533>

<sup>56</sup> EFA 2015 National Review: Philippines, p. 44.

<sup>57</sup> EFA Global Monitoring Report 2013-14, p. 285, available at: <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

**Program (SBFP) to provide flexibility to schools in terms of when to feed the target beneficiaries.**<sup>58</sup>

➤ **Out-of-school children and youth**

46. To address the challenge of three to four million **out-of-school youth** (OSY) in the country, the **Abot Alam program** is being implemented as a national strategy to organize and unify efforts to increase functional literacy of OSYs and equip them with skills that will help them secure employment and/or engage in productive livelihood activities. The Abot Alam program aims to target 35 percent of the 3.0 million OSYs from 15 to 30 years old in 2014; another 35 percent in 2015; and the remaining 30 percent in 2016. Through **DepEd Order No. 17 s. 2014**, the DepEd issued the guidelines on the implementation of the Abot Alam Program.<sup>59</sup>

47. Another policy strategy implemented by the DepEd in order to achieve EFA goals is the “**Early Registration for Incoming First Year High School Student for SY 2009-2010**” implemented through **DO No. 62 s. 2008**. In 2014, early registration was set on January 25 through DepEd Order No. 2 s. 2014. It aims to ensure that Filipino children enroll such that all five-year-olds and all six-year-olds would be in kindergarten and Grade 1, respectively, in the coming school year starting in June. Moreover, this is also a massive advocacy campaign for the registration of out-of-school children (OSC) and out-of-school youth (OSY) from disadvantaged groups, including street children aged 5 to 18, to be provided flexible learning options and the alternative learning system (ALS) of education. Through the conduct of the early registration program, the DepEd would have the necessary data to prepare for the required logistics in time for the opening of classes.<sup>60</sup>

48. Additionally, the **Alternative delivery modalities** (ADMs) both increase the participation of children in school and they also help children remain in school through the use of flexible learning modalities and schedules.<sup>61</sup> To accelerate the benefits of ADMs, particularly for disadvantaged communities and congested schools, the DepEd implemented the following ADMs:

- **Instructional Management by Parents, Communities, and Teachers (IMPACT)** is a management system wherein parents, teachers, and community members collaborate to provide children quality education at less cost. IMPACT was developed to address the high student population and dropout rates. IMPACT learning materials are based on the national curricula of the DepEd. IMPACT institutes multigrade instruction as a pedagogical strategy involving older students (grade six) guiding younger students (grade one) supported by programmed instruction, peer learning, self-instruction and individualized tutorial and remediation.
- **Modified In-School Off-School Approach (MISOSA)** frees children from the confines of the classroom as it allows them to learn at home or in their communities. It combines formal and non-formal learning activities to address the lack of classrooms, learning materials, and teachers. It is implemented by grouping students into two—group 1 goes to class for a certain period of time while group 2 learns at home using modules or performing

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<sup>58</sup> EFA 2015 National Review: Philippines, p.26.

<sup>59</sup> EFA 2015 National Review: Philippines, p. 40.

<sup>60</sup>EFA 2015 National Review: Philippines, p. 21.

<sup>61</sup> EFA 2015 National Review: Philippines p.27.

assigned tasks. At a set date, group 1 spends time learning outside school while the group 2 attends formal classes.

- The **Open High School Program(OHSP)** is a strategic component of the **Dropout Reduction Program (DORP)** that does not require students to attend regular classes while enrolled. The OHSP uses flexible and distance learning strategies to accommodate learners who have valid reasons preventing them from attending regular classes. Aside from being a strategy to reduce the number of dropouts, the OHSP also addresses the low secondary level participation rate.

49. Policy guidelines were issued via **DO No. 54 s. 2012** to strengthen ADMs. Funding support was provided via **DO No. 53 s. 2011**.<sup>62</sup>

### ➤ **Language of Instruction**

50. With strong resolve, the DepEd institutionalized the use of the child's mother tongue as the medium of instruction in all areas except for subjects of Filipino and English through DO No. 74 s. 2009. In SY 2012-2013, **Mother Tongue-Based Multilingual Education** was implemented nationwide with 12 major languages and later expanded into 19 languages. All elementary schools are now obliged to use their own dialect or mother tongue as the medium of instruction and other a subject on the same in Grades 1 to 3.<sup>63</sup>

## v) **Education management**

### ➤ **Financing education**

51. Reforms in the education sector continue with the Government's efforts to close the gaps in educational resources however, the challenge is to allocate enough resources to meet the current input gaps and to translate the education reforms into concrete actions. Budget allocation to the basic education sector is getting the biggest chunk among all departments and has been increasing, i.e., 293.4 billion pesos in 2013 to PhP336.9 billion in 2014, but it **remains behind what the High Level Group on EFA recommended four to six percent GDP ratio for total education expenditure**. Another challenge is to anticipate the number of learners to serve based on population growth. The average exponential population growth rate is 2.05 percent.<sup>64</sup>

52. The EFA 2015 National Plan of Action calls for inter-agency collaboration among government agencies and between government and non-government organizations, which gave birth to the Grand Alliance based on the guidelines set out in the DepEd issues DO No. 12, s. 2013. The provision of the basic learning needs for all Filipinos is no longer the sole responsibility of the DepEd but requires the contribution of all. Perhaps the most visible success of the EFA Grand Alliance could be gleaned from the strengthening of public-private partnerships (PPPs). For the last three years (2011-2013) alone DepEd was able to generate 14.8 billions of pesos through the

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<sup>62</sup> EFA 2015 National Review: Philippines p.20.

<sup>63</sup> EFA 2015 National Review: Philippines p.27.

<sup>64</sup> EFA 2015 National Review: Philippines, p. 7

**Adopt-A-School program (RA No. 8525)**<sup>65</sup> to fill resource gaps in order to build new infrastructure, including classrooms, and to enhance education performance through teacher training.<sup>66</sup>

➤ **Private education**

53. The country legislated the **Government Assistance to Students and Teachers in Private Education (GASTPE) Act** under RA No. 6728, later amended as RA No. 8545, which mandated the implementation of the Education Service Contracting Scheme (ESCS) and the Education Voucher System (EVS). The ESCS targets deserving elementary graduates who want to continue studying in **private high schools and provide them with financial assistance from the government.**<sup>67</sup> The allocation for GASTPE has also improved throughout the years from 8.1% decline in 2010 to 10.9% increase in 2013. The P6.9 Billion allocation for 2013 is intended to support 1 million students.<sup>68</sup>

➤ **Teachers:**

54. The **Teacher Education Council (TEC)** was established in August 1994 through RA No. 7784. Through this, the **Teacher Induction Program (TIP)** was developed and implemented to improve the quality of entrants to the teaching profession. The TIP was institutionalized for teachers with zero to three years of experience. In 2012, there were 22,660 teachers who were part of the TIP. The DepEd also issued policies and guidelines on Training and Development (T&D) programs and activities through DO No. 32 s. 2011.<sup>69</sup>

55. Furthermore, the **Basic Education Sector Reform Agenda (BESRA)** ushered in significant changes in the evaluation of teaching for hiring and promotion. One key change is the development and implementation of a competency-based framework—the **Teacher Education Development Program (TEDP)**—and standards—the **National Competency-Based Teaching Standards (NCBTS)**—to guide all policies, reforms, and activities related to teaching and teacher development. One of the moves related to these was the integration and **institutionalization of School Based Management (SBM)** - which is empowering school heads and school stakeholders to plan and act on school issues and concerns - **and TEDP to fill in created or vacated teacher posts through DO No. 12 s. 2012.** The new hiring guidelines for teachers ensure that schools are involved in the hiring process, and competency standards are followed in appointing teachers.<sup>70</sup>

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<sup>65</sup> Republic of the Philippines, Department of Education [website] accessible at: <http://www.deped.gov.ph/partnerships>

<sup>66</sup> EFA 2015 National Review: Philippines, p. 80.

<sup>67</sup> EFA 2015 National Review: Philippines, p. 22.

<sup>68</sup> Consideration of reports submitted by States parties under articles 16 and 17 of the ICESCR: Philippines, E/C.12/PHL/5, 27 April 2015.

<sup>69</sup> EFA 2015 National Review: Philippines, p. 48.

<sup>70</sup> EFA 2015 National Review: Philippines, p. 48.

56. However, in a programme in the Philippines, teachers received two days of training to conduct one hour of reading activities every day. After one month, grade 4 students' reading scores had increased significantly (Abeberese et al., 2013).<sup>71</sup>

## vi) Inclusive education

57. The **Enhanced Basic Education Act of 2013 or RA No. 10533** mandates an education that is “learner-oriented and responsive to the needs, cognitive and cultural capacity, the circumstances and diversity of learners.” In response to, the **DepEd issued DO No. 43 s. 2013** that calls for the inclusiveness of basic education through the implementation of programs for the gifted, learners with disabilities, Muslim learners, indigenous peoples, and learners under difficult circumstances (i.e., geographic isolation; chronic illness; displacement due to armed conflict, urban resettlement, or disasters; child abuse; child labor practices).<sup>72</sup>

58. In support of EFA, the Department of Social Welfare and Development (DSWD) implemented the **Conditional Cash Transfer (CCT) program**, locally known as **Pantawid Pamilyang Pilipino Program (4Ps)**, to provide the poorest households a five-hundred-peso subsidy per month for healthcare and nutrition expenses and a three-hundred-peso education subsidy per month per child for a maximum of three children.<sup>73</sup> In fact, In the Philippines, the CCT program reaches 7.5 million children nationwide in an effort to keep them in school and in good health (World Bank, 2012a).<sup>74</sup>

59. Despite efforts to enhance access to education, there are nevertheless wide regional variations in percentages of children in school: children in Mindanao enjoy relatively less access to schooling than in Luzon (and, within Luzon, the National Capital Region) or in the Visayas. One way of reducing access disparities and evening out imbalances between urban and rural areas and among regions is to universalize secondary education as well as primary.<sup>75</sup>

### ➤ Gender equality

60. The Department of Education (DepEd) data for school year (SY) 2012–2013 in both public and private schools show that females have higher Net Enrolment Rate (NER) than males in both elementary and high school. Elementary NER for females is at 96.3% with males at 94.25% while secondary NER for females is at 70% while males is at 59.49%. On the other hand, elementary completion rate for females is at 78.21% with males at 69.61% while secondary completion rate for females is at 79.92% while males is at 69.77%. DepEd is also addressing the issue of higher male drop-outs in schools, lower performance of boys in national standardized tests, and lower male basic literacy rates through alternative learning systems and re-tooling of teachers to become

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<sup>71</sup> EFA GMR 2013-14, p 245 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

<sup>72</sup> EFA 2015 National Review: Philippines, p. 28.

<sup>73</sup> EFA 2015 National Review: Philippines, p.7.

<sup>74</sup> EFA GMR 2013-14, p 124 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

<sup>75</sup> OECD, Southeast Asian Economic Outlook 2013; Structural Policy Country Notes, p. 13, accessible at: <https://sea-eu.net/page/22/attach/Philippines.pdf>

more sensitive to particular learning styles of boys and girls. <sup>76</sup> Data from the Commission on Higher Education (CHED) show that more females enroll in tertiary education from SY2004–2005 to SY2011–2012.<sup>77</sup>

➤ **Minorities**

61. The Philippine Government undertakes the following policies, programs and strategies to eliminate discrimination in education:

**62. Indigenous People:**

**National Indigenous People’s Education Policy Framework (DepED Order 62, series 2011)** is intended to be an instrument for promoting shared accountability, continuous dialogue, engagement, partnership, among government, IP (Indigenous People) communities, civil societies and other education stakeholders. The following shall be DepED’s policy statements on IP Education:

- Ensure the provision of universal and equitable access of all IP to quality education and relevant basic education services towards functional literacy for all;
- Adopt appropriate basic education pedagogy, content and assessment through the integration of the Indigenous Knowledge Systems and Practices in all learning areas and processes;
- Provide adequate and culturally-appropriate learning resources and environment to IP learners;
- Strengthen the hiring, deployment and continuous development of teachers and learning facilitators in the implementation of its IP Education Program; and
- Establish and strengthen appropriate multi-level units within DepED responsible for planning, implementing and monitoring IP education interventions.

**Establishment of Indigenous People’s Education Center** in Bagabag, Nueva Vizcaya. The DepED IP Education Center is envisioned to be one of the Department’s focal point in responding to the need of IP learners for relevant and culture-responsive education that takes into account indigenous knowledge, systems, and practices (IKSPs) and the current social realities faced by indigenous peoples’ communities. At the onset of the center’s operationalization, the Department, in collaboration with Saint Mary’s University and the College of Education of the University of the Philippines-Diliman, will be conducting a pilot summer training program for teachers and school heads assigned in IP communities in the provinces of Nueva Vizcaya and Isabela.

**Indigenous Peoples Education Learning Materials** have been prepared to support the IP Core Curriculum. Consultation meetings for the development of needs-based learning

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<sup>76</sup> Consideration of reports submitted by States parties under articles 16 and 17 of the ICESCR: Philippines, E/C.12/PHL/5, 27 April 2015

<sup>77</sup> Consideration of reports submitted by States parties under articles 16 and 17 of the ICESCR: Philippines, E/C.12/PHL/5, 27 April 2015

materials for IPs in Occidental Mindoro and Oriental Mindoro have been conducted. To date, there are Basic Literacy materials translated into 14 different languages/mother tongues. <sup>78</sup>

### ***63. Indigenous and Muslim communities***

**Philippines' Response to Indigenous and Muslim Education (PRIME).** The PRIME Program is an educational development initiative of the Department of Education (DepED) which strives to improve equitable access to and quality of basic education for girls and boys in disadvantaged Indigenous Peoples (IP) and Muslim communities. PRIME is being supported by the Government of Australia as a founding partner for an initial period of three years (2011—2014) through an Australian Agency for International Development (AusAID) grant of 20 Million AUD. The grant assistance is directed in two key thrusts:

1. Assist in stimulating community-led demand for quality education services; and
2. Strengthen the capacity of the community, DepED, and other stakeholders to respond in providing relevant, sustainable, and quality learning opportunities.<sup>79</sup>

### ***64. Filipino Muslims***

**MADRASAH Roadmap. A comprehensive Program for the Educational Development of Filipino Muslims.** The program comprises of the following components:

- Development and institutionalization of Madrasah Education
- Upgrading Quality Secular Basic Education in formal elementary and secondary schools serving Muslim children
- Developing and Implementing an Alternative Learning System for Filipino Muslims out-of-school youth
- Developing and implementing appropriate livelihood skills education and training for present day students of Private Madaris, and out of-school youth.
- Supporting government efforts to provide quality ECCD Program for Muslim Filipino pre-school children
- Creation of a special fund for assistance to Muslim Education (FAMEO by an Act of Congress)
- Improvement of the Health and Nutrition Status of Filipino Muslim learners particularly in the public elementary schools

65. The **Madrasah Education Program** has three components namely: Arabic Language and Islamic Values Education (ALIVE) in public schools, ALIVE for Muslim Out-Of-School youth and adults and Financial Assistance to Private Madaris. To support the implementation of this program, standard Madrasah Curriculum was developed and adopted in various parts of the country. These have likewise been complemented with instructional materials on Arabic Language and Islamic Values and Islamic Studies. Basic literacy along with the ALIVE curriculum is provided to Muslim out of school youth under the ALIVE in ALS. Skills training are also provided through the Arabic Language and Islamic Values Education in Technical

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<sup>78</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011) 2012, pp. 14-17.

<sup>79</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 14-17

Vocational Education and Training (ALIVE in TVET) program. Currently in the development stage is the ALIVE in Entrepreneurship program which provides for entrepreneurial opportunity and trainings to young Muslims. The Financial Assistance to Private Madaris aims to decongest the public school system and to provide incentive for the Madaris to adopt and implement the Standard Curriculum for Public Elementary Schools and Private Madrasah. In addition, through this financial assistance, quality education in these sectarian schools will be ensured and recurrent operational costs will be augmented. The pupil-recipients of this program are entitled to an amount of P5000.00 each.”<sup>80</sup>

➤ **Children with special needs**

**66. Special Needs Education Program (SNEP) and Special Education Program:** Recognizing the distinct needs of our differently-abled learners and in an effort to make our education inclusive, DepED has been implementing various programs and projects which address quality special education. <sup>81</sup>

67. To help the teachers and learners in the learning process, four volumes of elementary and secondary books have been transcribed into Braille. Additional resources were likewise distributed in the form of Braille papers, writing slates with stylus, and 165 copies of Filipino Braille Code. <sup>82</sup>

68. The inclusion of gifted students and students with special needs in the basic education system was recognized by the issuance of **DO No. 26 s. 1997. Funding support for 345 elementary SPED centers via DO No. 24 s. 2012**, and for **153 secondary schools with SPED programs via DO No. 98 s. 2011** was provided to serve children with special needs.<sup>83</sup>

69. Yearly, a capacity building program for teachers, administrators and Supervisors on SPED is conducted which aims to provide participants the 18-unit requirement in the materials program for teachers to meet the qualification standards of a SPED teachers and to better equip these teachers to handle the learners. Apart from this, various capacity building programs have been conducted.

- A total of 31 SPED teachers were trained on how to handle children with hearing Impairment, visual impairment, multiple disabilities and children with intellectual disability.
- 30 Administrators and supervisors were trained on the organization, administration and Supervision of SPED which aims to provide the appropriate knowledge and skills necessary for the management of the education of children with specials needs.

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<sup>80</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 14-17

<sup>81</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, pp. 14-17

<sup>82</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, pp. 14-17

<sup>83</sup> EFA 2015 National Review: Philippines.

- 30 SPED teachers completed the scholarship training for children with Autism Spectrum Disorder. The activity aims to provide teachers with appropriate knowledge and skills necessary for the management of learners with the said disability.
- Consultative workshop on Enhancing the Gifted and Talented Education. The workshop aims to formulate policies and recommendations to enhance the education of the gifted and talented based on research findings. A Total of 35 SPED supervisors and administrator have participated in this activity which produced 16 proposals.
- SPED Caravan is an advocacy program which ensures that education services for children with special needs are brought in the communities where they reside. An awareness raising program which aims to increase participation rate of children with special needs. About 910 children with special needs were identified as a result of this campaign.

70. From 89 secondary schools in 2006, SPED has been expanded to 222 secondary schools across the country. Some of these schools are now equipped with some assistive devices, instructional materials and other facilities out of the Php 500,000.00 subsidy from the national government. Teachers were also trained in basic classroom accommodation strategies for the differently-abled students.

71. In 2011, the following SPED Programs were conducted: Validation of the Modified Curriculum for Individuals with Moderate Disabilities at RELC, Marikina on September 21 – 23, 2011. Ten validators and seven BSE staff were involved in the validation phase of the documents.

72. The First National Secondary Level SPED Conference – Workshop was held at Tagaytay International Convention Center (TICC) on October 26 – 28, 2011. The objective of the conference participated in by three hundred seventy-eight (378) education supervisors, principals, guidance counselors, and teachers was to bring together secondary level special education practitioners and advocates to address pertinent issues on special education.<sup>84</sup>

## 2. COOPERATION

73. The Philippines **is a party** to the 1960 UNESCO Convention against Discrimination in Education since 19/11/1964.

74. The Philippines **reported** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Convention against Discrimination in Education within the framework of the:

- **Sixth Consultation** of Member States (covering the period 1994-1999),
- **Eighth Consultation** of Member States (covering the period 2006-2011).

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<sup>84</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp.17-18

75. However, the Philippines did not report to UNESCO within the framework of the **Seventh Consultation** of Member States (covering the period 2000-2005)

76. The Philippines **did not report** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the **Fourth Consultation** of Member States (covering the period 2005-2008). However, the Philippines **reported** to UNESCO within the framework of the **Fifth Consultation** of Member States (covering the period 2009-2012).

77. The Philippines **reported** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of:

- the **First Consultation** of Member States (1993)
- the **Second Consultation** of Member States (2011).

78. The Philippines **is not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

## **Freedom of opinion and expression**

### 1. Constitutional and Legislative Framework:

79. The freedom of expression is guaranteed in the Constitution, on Article II Section 24, Article III Section 4, and Article XVI Section 10<sup>85</sup>. The Constitution guarantees that no law shall be passed if it is conflicting with the freedom of information, of press, and of expression (Art. III, Sec.4) and the state shall provide a policy environment that respects such freedom (Art. XVI, Sec.10).

80. The right to access to information is explicitly mentioned in the Philippine Constitution Article III Section 7<sup>86</sup>. However, there are no specific laws on access to information which articulate the rights stated in the Constitution. The privacy of communication and correspondence should be inviolate unless with the order of the Court (Art. III, Sec.3).

81. In the Penal Code<sup>87</sup>, defamation is considered as a criminal offence, according to the Articles 353 to 362. The penalties for such offences would be imprisonment or a fine ranging from 200 to 6,000 pesos.

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<sup>85</sup> [https://www.constituteproject.org/constitution/Philippines\\_1987?lang=en](https://www.constituteproject.org/constitution/Philippines_1987?lang=en)

<sup>86</sup> [https://www.constituteproject.org/constitution/Philippines\\_1987?lang=en](https://www.constituteproject.org/constitution/Philippines_1987?lang=en)

<sup>87</sup> [http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/PHL\\_revised\\_penal\\_code.pdf](http://www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/PHL_revised_penal_code.pdf)

82. The Philippines' Cybercrime Prevention Act of 2012 (Republic Act No. 10175)<sup>88</sup> regulates internet security, where the law specifies that identity theft, cyber-squatting, cybersex, child pornography, illegal access to information, as well as libel, are acts of crime. The Act is under the jurisdiction of the Department of Justice, Department of Interior and Local Government, and Department of Science and Technology.

83. The Data Privacy Act of 2012 (Republic Act No. 10173)<sup>89</sup> regulates the protection of individual personal information. The National Privacy Commission is tasked to implement and enforce the Act.

84. Section 1 of the Republic Act No. 53<sup>90</sup>, otherwise known as the Sotto Law, states that journalists cannot be compelled to reveal the source of any news-report or information appearing in said publication which was related in confidence.

## 2. Media Self-Regulation:

85. The Philippine Press Institute Press Council<sup>91</sup> was established in 1993. Journalists as well as representatives from academia, business, and the legal community are the members of the Press Council. Media are also self-regulated through journalists' unions and associations such as the National Union of Journalists of the Philippines<sup>92</sup>, Association of Broadcasters of the Philippines<sup>93</sup>, and the Philippines Network of Environmental Journalists<sup>94</sup>.

86. A non-binding code of journalists' ethics was adopted by the Philippines Press Institute and the National Press Club<sup>95</sup> in 1988, and a Broadcast Code of the Philippines was adopted in 2007 by the Association of Broadcasters of the Philippines (KBP).

## 3. Safety of journalists:

87. UNESCO has recorded the death of 61 journalists and media professionals since 2008<sup>96</sup>. Government has responded to UNESCO requests regarding the information about the killings of journalists.

### **III. RECOMMENDATIONS**

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<sup>88</sup> <http://www.gov.ph/2012/09/12/republic-act-no-10175/>

<sup>89</sup> <http://www.gov.ph/2016/06/20/irr-data-privacy-act-2012/>

<sup>90</sup> [http://www.congress.gov.ph/legisdocs/basic\\_16/HB00362.pdf](http://www.congress.gov.ph/legisdocs/basic_16/HB00362.pdf)

<sup>91</sup> <https://accountablejournalism.org/press-councils/Philippines>

<sup>92</sup> <http://www.nuij.org/>

<sup>93</sup> <http://www.kbp.org.ph/wp-content/uploads/2008/04/Broadcast-Code-of-2007.pdf>

<sup>94</sup> [www.pnej.org](http://www.pnej.org)

<sup>95</sup> <https://accountablejournalism.org/press-councils/Philippines>

<sup>96</sup> <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/press-freedom/unesco-condemns-killing-of-journalists/countries/philippines/>

**88. Recommendations made within the framework of the second cycle of the Working Group on the Universal Periodic Review, considered in July 2012 (21st<sup>th</sup> session)<sup>97</sup>:**

129. The recommendations formulated during the interactive dialogue and listed below enjoy the support of the Philippines:

129.2. Continue human rights education and training programmes, including for security and law enforcement officials ; Pursue its efforts in promoting education and training in human rights, in particular for the capacity-building of law enforcement officials ; Further capacity building, such as through human rights education targeting government authorities, particularly law enforcement agencies, and an effective implementation of a national oversight mechanism ; Continue to promote the education and training in human rights of the law enforcement officials to increase the awareness about their role on the protection of fundamental rights of people, in particular the most vulnerable and marginalized groups

129.24. Explicitly prohibit all corporal punishment when raising children, at home, at school, institutions, the penal system and in all other areas, in accordance with Article 19 of the Convention on the Rights of the Child (Uruguay); Carry out education and awareness raising campaigns to inform parents and other actors of non-violent methods of disciplining and educating children (and the right of children to protection)

129.42. Continue efforts to ensure access to education for all (Saudi Arabia); Increase measures on the right to education to ensure equal access to education for all children

129.43. Continue implementing the work to promote the right to education and the rights of the child, through strengthening interagency coordination on the activities of the law enforcement bodies

**89. Analysis:**

The Philippines has, to the extent of our knowledge, made increasing efforts to ensure the right to education. The trend towards inclusiveness of education is becoming apparent with the legislative provisions and institutionalization of programs for the marginalized particularly with the three recent laws—the Early Years Act of 2013, the Kindergarten Act of 2012, and the Enhanced Basic Education Act of 2013. However, as far as we know, the budget allocation to the basic education remains underinvested. Furthermore, there is still a considerable amount of school-age children who have not completed their basic education and the quality of education needs to be improved in order to contrast this. Illiteracy also remains quite prominent amongst adults. Finally, the Philippines faces the challenge of boys leaving school before completing their basic education and having lower literacy and academic achievement rates than girls.

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<sup>97</sup> Accessible at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/PHSession13.aspx>

## **90. Specific Recommendations :**

1. The Philippines should be strongly encouraged to further submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.
2. The Philippines should pursue efforts to ensure universal, compulsory and free education.
3. The Philippines could be encouraged to invest more in education.
4. The Philippines could take further measures to ensure that school-age children complete their education.
6. The Philippines could strengthen action to ensure adult literacy.

### **Cultural Rights**

91. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972)<sup>98</sup> and the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)<sup>99</sup>, the Philippines is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, the Philippines is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

92. The Philippines is also encouraged to ratify the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) as a means to promote access to and participation in creative expressions and as such contribute to implementing the right to take part in cultural life.

### **Freedom of opinion and expression**

93. The Philippines is recommended to decriminalize defamation and place it within a Civil Code that is in accordance with international standards.<sup>100</sup>

94. The Philippines is encouraged to introduce freedom of information law that is in accordance with international standards.<sup>101</sup>

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<sup>98</sup> Periodic Report available at: <http://w hc.unesco.org/document/116967>

<sup>99</sup> Periodic Report available at: <http://w ww.unesco.org/culture/ich/en/state/philippines-PH?info=periodic-reporting>

<sup>100</sup> See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87<sup>th</sup> Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

<sup>101</sup> Ibid.

95. The Philippines is urged to continue to investigate the cases of killed journalists until these are judicially resolved, and to continue to voluntarily report on the status of judicial follow-up to UNESCO. The Government may wish to consider taking advantage of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity as a means to strengthen protection of journalists and freedom of expression.

**Freedom of scientific research and  
the right to benefit from scientific progress and its applications**

96. The Philippines, in the framework of the 2015-2017 consultations related to the revision of the Recommendation on the Status of Scientific Researchers, as well as to its 2013-2016 monitoring exercise (November 2016 - April 2017) is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974. Following-up to its 2011-2012 report on the implementation of the 1974 Recommendation, when replying to the 2013-2016 monitoring questionnaire, the Philippines is kindly invited to pay a particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation. The Philippines is invited to complete the online questionnaire which has been prepared by UNESCO to guide and assist Member States with their reporting. It aims to collect, in a simplified manner, information on the extent to which Member States have mainstreamed the principles of the 1974 Recommendation in their STI and other relevant systems, focusing on issues of the promotion of respect for autonomy and independence of scientific researchers and respect for their human rights and fundamental freedoms. Responses to this questionnaire will be considered as the official national report for each Member State. The questionnaire can be completed and submitted online through the link which will be indicated in due course on the web page: <http://en.unesco.org/themes/ethics-science-and-technology>.