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SENATE BILL NO. 2487

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Introduced by SENATOR FERDINAND R. MARCOS, JR. BY: *fr*

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**AN ACT**  
**PROVIDING EMERGENCY RELIEF AND PROTECTION FOR CHILDREN DURING DISASTER,**  
**CALAMITY AND OTHER EMERGENCY SITUATIONS**

**EXPLANATORY NOTE**

Children are the most vulnerable victims in any calamity, whether natural or man-made. Their exposure to tragedies renders them completely helpless and defenceless amidst catastrophic adversity.

In November 2013, super typhoon "Yolanda" affected an estimated six million children in our country (data from Save the Children Organization). The untold sufferings of children who lost their families and relatives to this monstrous disaster, left them totally baffled and disheartened. At their young age, they have experienced such tremendous physical and emotional pain and anguish that leaves permanent scar in their memories.

Furthermore, some children – survivor went through the tormenting incidents of abuse, exploitation and neglect in evacuation centers where there is lack of social protection, thereby adding torture to their already wounded dignity.

"In sudden-onset natural disasters, children and youth face immediate and obvious risks like death, injury, illness, and separation from families. Once initial life-saving activities have concluded, however, new and more insidious risks emerge if causal factors, like displacement, are not quickly addressed. These risks include increased poverty, interruption of education, exploitation and disruption to social safety nets and supportive family structures." (Save the Children, Plan International, UNICEF, World Vision, "After Yolanda: What Children Think, Need and Recommend (2013)).

This bill provides measures for the protection for children in times of misfortunes and emergency situations. Strategic program of action is hereby established where Government can address the immediate needs of children in distress, including their timely rehabilitation and recovery.

The protection of the rights and interests of children should never be compromised in whatever situation they may be in. All efforts must be ardently exerted to shield the children from all dangers in the face trial and hardship.

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



FERDINAND R. MARCOS, JR.

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AN ACT  
PROVIDING EMERGENCY RELIEF AND PROTECTION FOR CHILDREN DURING DISASTER,  
CALAMITY AND OTHER EMERGENCY SITUATIONS

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

1           **SECTION 1. Short Title.** – This Act shall be known as the “**Children’s Emergency**  
2 **Relief and Protection Act.**”

3           **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the State to  
4 protect the fundamental rights of children during disaster, calamity and other  
5 emergency situation when children are gravely threatened or endangered by  
6 circumstances that will affect their survival and normal development. Towards this end,  
7 the State shall establish and implement a comprehensive and strategic program of  
8 action to provide the children affected by disaster, calamities and other emergency  
9 situations with utmost support and assistance necessary for their immediate recovery  
10 and protect them against all forms of neglect, abuse, exploitation and other acts  
11 prejudicial to their interest and well-being.

12           **SEC. 3. Comprehensive Emergency Program for Children.** – The Department of  
13 Social Welfare and Development (DSWD), in coordination with the Office of Civil  
14 Defense (OCD), shall formulate a Comprehensive Emergency Program for Children  
15 which shall be implemented immediately after the declaration of a national or local  
16 state of calamity to protect the children and support their immediate recovery.

17           The Comprehensive Emergency Program for Children, hereinafter referred to as  
18 Program, shall have the following components:

19           a) *Establishment of Shelter for Displaced Children.* – The Program shall  
20 prioritize and provide housing options for displaced children, families with children and  
21 of children separated from their families or relatives. The DWSD shall, in coordination  
22 with the local government units of the areas declared under the state of calamity,  
23 immediately establish an option for shelter or permanent housing. The shelter shall have

1 emergency latrines, bathing cubicles and hand washing facility and shall provide child-  
2 friendly spaces where children can take part in child activities. It shall also have  
3 provisions for maternal and baby care and rooms to protect and ensure the right to  
4 privacy.

5 b) *Assurance for Immediate Delivery of Basic Necessities and Services.* – The  
6 Program shall facilitate and ensure the immediate delivery of basic necessities and  
7 services specifically needed by the affected children and youth in different stages of  
8 development. It shall provide the affected children with basic necessities for survival  
9 which include food, water, nutrition, medicines, clothing, sanitary and hygiene kits and  
10 other emergency needs such as blankets, mosquito nets, cooking ware and flashlights.  
11 The Program shall give priority to the specific needs and nutrition of pregnant women,  
12 lactating mothers, newborn babies and children under two years old.

13 c) *Stronger Measures to Ensure the Safety and Security of the Affected*  
14 *Children.* – Under the Program, the DSWD shall, in coordination with the Armed Forces  
15 of the Philippines (AFP) and Philippine National Police (PNP), monitor and ensure the  
16 safety and the security of the affected children in the areas declared under the state of  
17 calamity and shall protect them against all forms of abuse and exploitation.

18 d) *Timely Delivery of Health and Medical Services.* – Under the Program, the  
19 DSWD shall, in coordination with the Department of Health (DOH), immediately provide  
20 the health and medical needs of children in the areas declared under the state of  
21 calamity including psychosocial interventions for children and youth in different stages  
22 of development. The DOH shall give highest priority to the treatment and rehabilitation  
23 of pregnant mothers and babies.

24 e) *Plan of Action for Prompt Resumption of Educational Services for*  
25 *Children.*– The DSWD shall, in coordination with the Department of Education (DepEd),  
26 ensure the prompt resumption of educational services for children.

27 f) *Establishment of Emergency Center.* – Within five (5) days from the  
28 declaration of a national or local state of calamity, the DSWD shall set-up a Children's  
29 Emergency Center in every city or municipality declared under the state of calamity  
30 which shall provide the necessary child care services and shall coordinate with the lead  
31 agencies to effectively respond to the needs of children in the area.

32 g) *Promotion of Children's Right.* – The Program shall include activities and  
33 processes that will promote and uphold the rights of children by:

- 34 i) Promoting a child-centered training for all first responders;  
35 ii) Ensuring that children are provided with adequate access to age-  
36 appropriate information on the proper action, role, duties and responsibilities of  
37 various government agencies during calamities and other emergency situations;  
38 iii) Consulting with the affected children on their needs and priorities  
39 for post-disaster relief and recovery; and

1                   iv) Providing for an effective mechanism for training and meaningful  
2 participation of children in community disaster risk reduction program.

3           **SEC. 4. Evacuation Centers.** – Only in cases where there is no other available  
4 place or structure which can be used as a general evacuation center, that a school  
5 may be used as an evacuation center.

6           When a school is used as an evacuation center, the use shall be limited to the  
7 areas or spaces in the school that are not used as classroom such as gymnasiums,  
8 auditoriums and other open spaces. The use of the school premises shall not exceed  
9 thirty (30) days after the declaration of a state of national or local calamity, unless the  
10 extension is absolutely necessary. If the use exceeds thirty (30) days, the National  
11 Disaster Risk Reduction and Management Council (NDRRMC) shall, in coordination with  
12 the Local DRRMC, provide written documentation to the DepEd on the following:

- 13                   i. the name and location of the school
- 14                   ii. all alternative sites and the rationale for final site selection; and
- 15                   iii. measures being implemented to prevent interference or disruption  
16 to the school and educational activities of children.

17           When temporary learning spaces or other transitional and semi-permanent  
18 structures are used as classrooms after a disaster, the DepEd shall continuously monitor  
19 and assess the condition of such structures in order to ensure the safety of the children  
20 and provide optimal learning environments. Where temporary learning spaces or other  
21 transitional and semi-permanent structures are used for more than six (6) months after  
22 the declaration of a state of calamity, the Regional DepEd office shall conduct  
23 quarterly site inspections and shall certify to the Secretary of the Department of  
24 Education that such spaces are in good physical condition and sufficient to ensure the  
25 safety of the children and their environment.

26           **SEC. 5. Unaccompanied or Separated Children.** – In case of children who lost their  
27 families or who are separated from their families and relatives, the DSWD shall  
28 document and provide adequate care, initiate tracing of immediate relatives and  
29 proceed with reunification services. All appropriate steps shall be taken to ensure the  
30 early reunion of unaccompanied or separated children with their families or immediate  
31 relatives.

32           **SEC. 6. Data Gathering and Reporting.** – The collection and reporting of data at  
33 all levels shall be disaggregated by age and gender in the aftermath of a national or  
34 local state of calamity. Such collected data shall be utilized to understand and  
35 respond better to the needs of children affected by disasters and calamities.

36           **SEC. 7. Heightened Surveillance against Child Trafficking, Child Labor, Child  
37 Prostitution, and Violence on Children.** – Upon the declaration of a national and local  
38 state of calamity, the PNP and the DSWD shall immediately heighten comprehensive  
39 surveillance and monitoring to prevent child trafficking, labor, and prostitution

1 including domestic and sexual violence in the areas declared under the state of  
2 calamity. Within three (3) days from the declaration of a local or national state of  
3 calamity, the PNP Chief and the Secretary of the Department of Social Welfare and  
4 Development shall jointly submit written documentation and report on their surveillance  
5 and monitoring to the appropriate committees of the Senate and the House of  
6 Representatives.

7 **SEC. 8. System of Restoring Legal Documents.** – In case of destroyed or missing  
8 legal documents of children in areas declared under the state of calamity, the  
9 Philippine Statistics Authority (PSA) shall develop a system for the restoration and  
10 reconstitution of the destroyed or missing legal documents within two (2) weeks after  
11 the submission of the application for the reconstitution or replacement of the destroyed  
12 or missing document. The PSA shall submit copies of such reconstituted documents to  
13 appropriate government agencies for effective monitoring and reporting and to ensure  
14 the continued access of the affected children to social services.

15 **SEC. 9. Training of First Responders.** – The NDRRMC shall promote and conduct  
16 child-centered trainings for all first responders in the calamity area such as community  
17 and barangay leaders, school personnel and other rescuers. The trainings shall include  
18 the following:

19 (a) Proper procedures and measures to safeguard and protect the affected  
20 children during and after emergencies and disasters; and

21 (b) Appropriate training on psycho-social interventions for children and youth  
22 in different stages of development who are victims of calamities.

23 **SEC. 10. Implementing Rules and Regulations.** – Within ninety (90) days from  
24 the effectivity of this Act, the Secretary of the Department of Social Welfare and  
25 Development, in consultation and coordination with the Administrator of the Office of  
26 the Civil Defense, Secretary of the Department of Health, Secretary of the Department  
27 of Education, Philippine National Police Chief and Armed Forces of the Philippines Chief  
28 of Staff, shall promulgate the necessary rules and regulations for the effective  
29 implementation of this Act.

30 **SEC. 11. Separability Clause.** – If any provision or part of this Act is declared  
31 invalid or unconstitutional, the remaining parts or provisions not affected shall remain in  
32 full force and effect.

33 **SEC. 12. Repealing Clause.** – All laws, executive orders, presidential decrees,  
34 rules and regulation or parts thereof inconsistent with any provisions of this Act are  
35 hereby repealed, amended or modified accordingly.

36 **SEC. 13. Effectivity.** – This Act shall take effect fifteen (15) days after its  
37 publication in the Official Gazette or in a newspaper of general circulation.

38 Approved,