

Submission to the Universal Periodic Review of the United Nations Human Rights Council

4th Cycle – 41st Session

Country Review: Philippines

March 2022

by Karl Baldacchino

Content

0. Introduction..... 2

I. The AccessQualityand Outcomes from Philippine’s Education System.....2

II. Discrimination & Exclusion..... 3

III. Persistence of Trafficking & Sexual Exploitation.....3

IV. The ‘War on Drugs’ Disrupts Education.....4

V. Covid-19 Heightened Educational Issues.....4

VI. Recommendations & Conclusion..... 5

VII. References..... 6

0. Introduction

1. Broken Chalk is a non-profit organization that addresses the respect and enforcement of the right to education. Therefore it is concerned on how the Philippines has expanded the access to quality education on an equal level across all levels and age groups without discrimination since the conclusion of the Universal Periodic Review's 3rd Cycle in late 2017. Nearly 24% of the statements made by the 95 delegations during the Working Group's Interactive Dialogue on 18th July 2017 focused on education and other issues such as the gender gap, discrimination and human trafficking which affect the access, outputs and outcomes of education.(1)
2. From 257 recommendations that these delegations put forward the Philippines accepted all those concerning education under paragraphs 133.219 – 133.225 of the Working Group's Report in its Addendum.(2) Thus the Philippines accepted to prioritise public education in its budgetary expenditure; increase net enrolment for girls in pre-primary and primary education; generate legislation that increases access to quality education for vulnerable learners; and ensure education remains compulsory and free. These serve as a baseline for Broken Chalk to highlight new and persistent issues that impact the right to education within the state and conclude whether they were satisfied by the Government of the Philippines (GPH) whilst calling for actions that address the current trends and issues in a holistic manner.

1. The Access, Quality and Outcomes from Philippine's Education System

3. The Borgen Project noted that by 2019 the Philippines had nearly 46,000 public schools, the majority being elementary and a total of 27.7 million students, 82.6% of which were in public schools and received \$12.8 billion in funding by 2019.(3) World Bank data shows that the rate of public spending on education has seen highs and lows since the 3rd UPR cycle in 2017 with nearly 17.17%, nearly 15.4%, 17.48% and 14.23% respectively between 2017-2020 and by 2022 the GPH has invested less than 5% of its overall GDP in the last decade towards education which resulted in increased scholastic issues.(4) Furthermore, the Philippines had the highest dropout rates amongst Southeast Asian countries at 6.83% in elementary and 7.82% in secondary due to students skipping classes to find food, help earn an income for their families or the surge of armed conflict in the country's South.
4. Other major concerns are that 1.4 million students in 2019 remained outside the education system, doubling to 2.8 million students by 2020 and a gap remains in the ratio of teachers to students, standing at one teacher per 31 children in elementary and one teacher per 36 at secondary, indicating unequal attention given to students alongside shortages in school supplies such as chairs, textbooks and water which reduce the quality students are receiving(5). The Philippine Department of Education (DepEd) has concluded that there is a need for 60 million textbooks, 2.5 million chairs and over 80,000 sanitary facilities to improve the poor quality of one's education experience.(6) Some reports stressed the Philippines being ranked last for the OECD's Programme for International Student Assessment (PISA) results of 2018, indicating that out of 79 countries, Filipino students, the majority from public schools, ranked last in reading comprehension and next to last for science and math(7).
5. Broken Chalk highlights the following educational issues in the Philippines: discrimination and exclusion; a continuation of human trafficking and sexual exploitation; the disruption of education by the 'War on Drugs'; and the negative impacts of Covid-19 on education.

II. Discrimination & Exclusion

6. A discussion paper by the Philippine Institute for Development Studies (PIDS) (2019)(8) and a joint-document by the University of San Carlos and the UN Population Fund (USC-UNFPA) (2020)(9) observed the emerging issue of Filipino boys receiving less focus in school which increased drop-out and reduced enrolment rates at secondary and tertiary levels respectively. The PIDS paper notes that the number of 25 year-olds who finished college between 1948-2015 is outweighed by females standing at 15.86% and 19.76% respectively by 2015 because boys experienced lower performance in elementary and secondary education in the 1970s.(10) The USC-UNFPA explains how the net enrolment rate for primary education was steady for both genders but then shifts to girls having higher enrolment and completion rates than boys at higher levels of education.(11) Both acknowledge that this gender gap stems from traditional gender norms held by parents that boys must help their families financially by entering the labour market whilst girls should study since they retain better returns in employment.(12) Boys become uninterested in education which reduces their motivation to enter higher levels of education more so because mothers think their sons are incapable of attaining higher education.(13) These norms begin from infancy with the misconceived belief that infant boys are physically stronger than girls resulting in parents giving larger quantities of supplemental food to boys which leads to health problems that hinder their cognitive development.(14)
7. In 2018 the Committee on the Rights of Persons with Disabilities emphasised that the Philippine educational systems lacked mechanisms to fully include students with disabilities such as quantitative data on enrolment in and outcomes from education accessibility and accommodations across all levels of education and that its 2001 Governance of Basic Education Act only addressed students with disabilities in elementary schools(15). RUH Global Impact further notes that despite the implementation of the Magna Carta for Disabled Persons and for Other Purposes students with disabilities are left behind in receiving the quality education required to contribute towards society and develop a thriving life.(16) Parents are at a disadvantage by not only having to ask which schools will best serve their child's interests but also which school will accept them because the burdens of access and quality depend on schools having a Special Education (SpEd) unit that is usually non-existent or underfunded.(17) In turn the latter leads to less support by teachers who focus more on 'regular' students and pressure SpEd teachers to address students with disabilities or leave them to advocate for themselves.(18) Lastly the socio-economic backgrounds and the attitudes of parents continue to bar these students from attaining an education in line with their peers because they are either too poor to be sent to school or seen as a waste of resources since the labour market will not absorb them.(19)

III. Persistence of Trafficking & Sexual Exploitation

8. Broken Chalk is greatly concerned by the human trafficking in the Philippines and online sexual abuse and exploitation of children (OSAEC).(20) These issues are rooted in the poverty of families and cultural norms that prioritize family over one's wellbeing resulting in engagement with sexual predators as noted by UNICEF in 2016 that 8 out of 10 children fell victim to these situations to keep the family surviving.(21) Therefore this remains a family-based crime wherein an International Justice Mission report observed that from the 217 victims they aided 41% of the cases were instigated by biological parents and 42% by other family relatives.(22)

9. These abuses impact the mental health of victims which places them at significant disadvantage to their peers from higher socio-economic backgrounds who do not experience these illicit activities. One study by Madrid *et al.* (2020) explains the wide gap in teachers not knowing their duties to report sexual abuse in and outside school and how students were unaware of the mechanisms to report to teachers or the proper authorities.(23) This gap leaves learners unable to combat abuses as recently reported by Save the Child whereby faculty and school personnel abused students who later took to social media to speak out against their abusers.(24) The Philippines has firm guidelines and resources to combat the aftereffects of sexual abuse; however it requires the kind of training sessions and Mindfulness-based Interventions (MBIs) practiced in the Madrid *et al.* study that informed teachers of their duties in reporting abuse and equipping students to be mindful of their own emotions disciplining against negative emotions and stop their peers or others abusing them.(25)

IV. The 'War on Drugs' Disrupts Education

10. The indirect impacts of the GPH's 'War on Drugs' actions since June 2016 burden the comfortable access to quality education. The Human Rights Watch's 2019 world report stated that children and teachers from the 4th grade onwards were subjected to surprise drugs tests to address the use of drugs from age 10 upwards putting their rights to bodily integrity privacy and education at risk by avoiding school out of fear that they will experience similar abuses documented against drug users.(26) The following year stated how the death of a family's breadwinner especially impacts children's return to school either due to stigmatized bullying or because they would need to financially support their family by entering the labour market.(27) Both reports emphasised how dozens of children fell victim to stray bullets and simply became labelled as 'collateral damage'.
11. The independent research by Pandilinan *et al.* (2021) detailed how the 'War on Drugs' policies often led to the death breadwinners in a family in Manila Mandaluyong Marikina and Quezon effectively leaving children with their grandparents who cannot provide these children's education unless they re-enter the labour market with low paying jobs or begged on the streets.(28) The study highlights the contradiction towards the *Pantawid Pamilyang Pilipino Program* (4Ps) conditional cash transfer (CCT) that aims to reduce poverty by targeting legible families for cash grants on the condition that their children complete their education and achieve physical health goals.(29) The authors explained that the war negatively impacted children because by dropping out of school due to stigmatized bullying or the family unable to send them to school increased the rate of poverty through lost CCT cash grants and the lack of skills that the Philippine's future generation of workers will experience.(30) Therefore the study conclusively shows through quantitative analysis and qualitative interviews how the 'War on Drugs' contradicts the poverty reduction policies by harming vulnerable families children and the elderly.
12. Broken Chalk opposes such abuse experienced by students as indirect victims of the War on Drugs putting at risk their cognitive development to meet the demands of the labour market. The cost of reducing drug use is that children cannot attend classes and lose the support of their family to keep them in education.

V. Covid-19 Heightened Educational Issues

13. Schools in the Philippines remained closed for at least 538 days between March 2020 when all schools closed and 20th of September 2021 when the GPH announced a pilot period to re-open 120 schools by mid-November.(31) Many remained dissatisfied because extensive scientific evidence explained how Covid-19 and its variants is not spread in

schools arguing that education was harmed by the President's misunderstanding and risks tarnishing the positive leaps achieved so far and places the Philippine's immediate and long-term future in jeopardy.(32)

14. The pandemic is a force multiplier on the existing educational issues first and foremost with the lack of technological access and resources for both students and teachers. Across all levels of education students struggled without reliable internet connection or owning a device to attend online classes and carry out their schoolwork.(33) It was estimated that at least four in ten students had no technology at all with the main reason for this being the economic burdens of family incomes keeping in mind that the average yearly per capita income is \$3,128.(34) Due to this one sophomore student Kristelyn Villance from Capiz State University died during her search to find a stable internet connection from which to send her class requirements to her professor.(35) The pandemic has impacted the mental health of students across all levels of education because of the lack of interaction affecting the cognitive and emotional development of children or because of parental attitudes who expect their children to run errands and take care of the family creating a limited physical space in which students can follow their classes study and accomplish their educational requirements.(36) Reduced household income combined with and nearly 4 million out-of-school-youth (OSY) students of all ages were increasingly exposed to online domestic mental and sexual abuse as well as increased child labour early marriage and/or pregnancy leaving the future of youths and the Philippines in doubt.(37)
15. Likewise teachers were not prepared to harness the existing and emerging technology into their teaching methods on online platforms.(38) Teachers were willing to develop professional and digital skills through training plans but either did not have the time to attend did not exist clashed with their working hours or were too expensive.(39) The existing barriers between private and public schools were heightened because private school teachers were more equipped better managed received more financial and logistical support and had more professional development opportunities in comparison to public school teachers.(40) This decreased teacher-learner communication and resulted in teachers not having the requisite skills to give feedback provide educational or emotional support manage online attention and behaviour and utilise digital materials to accomplish teaching goals that prepare students to pursue higher education or be absorbed by the labour market.(41)

VI. Recommendations & Conclusion

16. Broken Chalk applauds the GPH for reducing poverty through legislation policies and frameworks in the field of education showing a willingness to prioritise the right to education under Goal 4 of Sustainable Development Goals. Itao (2020) highlighted some of these achievements amidst the pandemic such as(42): the large return of children to virtual education in July 2015; cooperating with Local Government Units (LGUs) to hand out devices to follow online classes and working with the private sectors to extend internet connectivity implementing a Learning Continuity Plan for those who do not have devices or internet through the TV and radio allowing teachers to take devices bought by the Department of Education home aiming to expand professional training for teachers in digital skills the President signing the Good Manners & Right Conduct Law in June 2020 to empower future generations with the nation-building project based on access to quality education from Kindergarten to grade 12 creating new policies that spring of the detailed analysis being conducted by researchers focusing on crucial issues and vulnerable groups or locations and so on.
17. However as evident in this report Broken Chalk urges the GPH to continue increasing the financial logistical and legislative support to all schools and levels of education especially in preparation for a more uncertain post-pandemic society. Broken Chalk calls upon the GPH:

18. to above all end the killing of children as a result of the ‘War on Drugs’ campaigns especially the loss of breadwinners and other family members which effectively stops children from returning to education;
19. to further improve the 4Ps conditional cash transfer programme by further focusing on children’s education and their healthy development into adulthood;
20. to increase its focus on changing parental attitudes that drives boys out of education whilst also impacting girls and young women who are at home due to the pandemic and have an unhealthy space to focus on their education educating parents about the importance of children’s education;
21. to fuse its efforts with the private sector to expand internet connectivity and device ownership to students who remain online especially for rural areas and low-income households;
22. to further policies that encourage teachers’ professional development to deliver a quality education that is equipped with suitable resources skill time and mental health training;
23. to trigger the DepEd’s efforts in addressing physical mental cyber and sexual abuse in and outside of schools by using education as a tool such as through MBIs that has evidently helped students to understand their emotions and equip them with mechanisms to report abuse to their teachers and the proper authorities;
24. to urgently reopen schools across all levels of education which prioritises the emotional and cognitive development of children within a healthy environment that conducive to learning and results in realizing the full potential of learners whilst reducing the rate of poverty dropping out child labour sexual violence teenage pregnancy and young marriages;
25. to remember its commitments and obligations under international law to meet the demands attentions support and needs necessary for students with disabilities to have equal access to quality education;
26. to continue increasing government expenditure and overall GDP towards education which will narrow the gaps between the urban-rural areas rich-poor families and private-public schools;
27. and lastly to further promote the recruitment and benefits of becoming a teacher which addresses the gaps in student attention and support.
28. These recommendations are well within the capabilities of the GPH and its partners to emerge from the pandemic with a future plan that address the prior and post-pandemic educational issues in a sustainable manner that narrows the gaps in resources needs and skills attainment through a high quality of education that satisfies the Philippine’s previous recommendations under the previous UPR cycle fulfil its current commitments under domestic and international law and accomplish its set goals under the SDGs. Broken Chalk has full confidence that the achievements and ambition of the Philippines in the past decade will motivate it to aim towards improving the field of education for all.

VII. References



**BROKEN
CHALK**

Kingsfordweg 1511043 GR

AmsterdamNetherlands

+31685639758 | info@brokenchalk.org | www.brokenchalk.org

 [@brokenchalk](https://twitter.com/brokenchalk)

 <https://www.youtube.com/brokenchalk>

 <https://www.linkedin.com/company/brokenchalk>

 [@brokenchalk](https://www.facebook.com/brokenchalk)