

DESIGNATING THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT AS THE LEAD AGENCY IN ENSURING THAT THE RIGHTS AND WELFARE OF CHILDREN IN CONFLICT WITH THE LAW ARE PROTECTED

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WHEREAS, there is a growing and serious concern regarding Children in Conflict with the Law (CICL) being detained or incarcerated together with adult offenders in some city/municipal/provincial jails while their cases are pending with the courts;

WHEREAS, the designation of Department of Social Welfare and Development (DSWD) as lead agency, in close coordination with the Department of Justice (DOJ) and the Department of the Interior and Local Government (DILG), and with the mandate to adopt ways, means and measures allowed under existing laws, rules and regulations, will ensure that the rights and welfare of the CICL are protected and that they are separately detained from adult prisoners;

WHEREAS, the Council for the Welfare of Children (CWC) under DSWD, created pursuant to Republic Act (RA) No. 8980, otherwise known as the Early Childhood Care and Development Act, should participate in the efforts to protect the rights and welfare of the CICL.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Lead Agency. – the Department of Social Welfare and Development (DSWD) is hereby designated as the lead agency for ensuring that the rights and welfare of Children in Conflict with the Law (CICL) are protected.

SEC. 2. Mandate. – The DSWD, in close coordination with the Department of Justice (DOJ) and the Department of Interior and Local Government (DILG), is hereby mandated to adopt ways, means and measures allowed under existing laws, rules and regulations that protect the rights and welfare of CICL. The separate detention of CICL from adult prisoners shall be ensured.

SEC. 3. Agency Support. – the DSWD, assisted by DOJ and DILG, shall seek integrated assistance and support from the Bureau of Jail Management and Penology (BJMP) and the Council for the Welfare of Children (CWC). All other agencies whose assistance and support may be deemed necessary to the effective performance of all these functions may be called upon, and said agencies are hereby directed to extend full cooperation thereto.

SEC. 4. Report. – The DSWD, by itself or through the agencies mentioned in Section 3 hereof, shall submit an

initial report and recommendation to the Office of the President regarding the plight of the CICL not later than two (2) months after it has convened. Thereafter, a consolidated report shall be submitted on a quarterly basis.

SEC. 5. Effectivity. – This Memorandum Order takes effect immediately.

Adopted: 30 Jan. 2006

((SGD.) GLORIA MACAPAGAL-ARROYO

By the President:

((SGD.) EDUARDO R. ERMITA

Executive Secretary

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