

AMENDED GUIDELINES FOR MINORS TRAVELLING ABROAD

DSWD DEPARTMENT ORDER NO. 03, s. 2001, January 12, 2001

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Administrative Order No. 6 Series of 1993 setting guidelines for unaccompanied minors travelling abroad is hereby amended in response to the following international commitments and legislations:

1. The UN Convention on the Rights of the Child which the Philippines ratified on July 26, 1990 mandates State Parties to take measures to combat the illicit transfer and non-return children abroad (Article 11) and to take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form (Article 35).
2. RA 7610 also known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act mandates the DSWD to issue a travel clearance or Certificate of Travel to unaccompanied minors travelling abroad (Article IV, Sec. 8, a), as a measure to protect children and prevent child trafficking. This law strengthens Article 3 of the Child and Youth Welfare Code (PD 603).

I

Statement of Policy

The Department recognizes its mandate to provide protection to minors against exploitation, trafficking, improper influence, abuse, hazards and other conditions prejudicial to their physical mental, emotional, social and moral development. Hence, the following policies and guidelines are set forth in compliance with the provisions of applicable laws as a preventive measure against child trafficking.

II

Objective

To set forth guidelines and mechanisms to provide direction for the effective implementation of Article IV, Child Trafficking of RA 7610 towards achieving the following:

- Protect the child from abuse and exploitation while abroad;
- Prevent child trafficking;
- Ensure that the travelling companion is duly authorized and able to look after the welfare of the minor;

III

General Guidelines

A. Travel Clearance

1. An application for travel clearance (Annex A) authorizing the unaccompanied foreign travel of a child shall be filed with the DSWD Field Office. A Travel Clearance is a document issued by the DSWD certifying that the child is authorized to travel abroad for valid reasons based on the assessment of the social worker. This shall be required only for minors/children travelling abroad who are in any of the following circumstances:

1.1 A minor who is travelling alone.

1.2 A minor who is travelling with a person other than his/her parents or those exercising parental authority and custody of the child.

1.3 A minor travelling for the purpose of adoption abroad (intercountry adoption).

1.4 A minor adopted in the Philippines.

2. An illegitimate child travelling with his/her father shall be required to secure travel clearance.

3. A minor travelling in group for sports competition, cultural presentation, pilgrimage or study tours shall be required to secure an individual travel clearance.

B. Parental Travel Permit

1. A Parental Travel Permit is a duly notarized written permission given by anyone of the birth of adoptive parent, who will be left behind or not in the company of the child, allowing the concerned minor to travel with the other spouse. The Parental Travel Permit shall be filed with the DSWD Field Office in a form prescribed by the Department. A sample form is hereto attached for guidance and reference. (Annex B).

2. The parent who has custody problem of his/her child/ren and wants to prevent the foreign travel of the said child shall be directed to secure a court order to include the name of the child in the hold departure order with the Bureau of Immigration.

C. Common Provisions

1. The DSWD Field Office which is located in a region with an international airport or port shall maintain and operate a DSWD Desk at the international airport or port. The social worker assigned thereat shall have the following functions as spelled out in Department Order No. 15, Series 2000, to wit: (a) provide assistance to unaccompanied minors travelling abroad; (b) provide counselling services to minors travelling abroad; (b) provide counselling services to off-loaded minors to cope with the trauma, anxieties, frustrations, etc.; (c) disseminate accurate information on the requirements and procedures in securing travel clearance for minors travelling abroad; and (d) maintain network with the DSWD Field Offices and other appropriate agencies towards efficient delivery of service.

2. The DSWD shall install security system/bar coding to ensure the authenticity of the signature affixed on the Certificate of Travel Abroad for a Minor issued by the Field Director or his/her authorized representative. The approval for the issuance of a travel clearance shall be decentralized to the Field Offices. Thus, the Field Director or his/her designated representative is the sole signatory on the travel clearance. A sample certificate is attached (Annex C).

3. The DSWD shall maintain close coordination with the Bureau of Immigration (BI), Department of Foreign Affairs (DFA) and the concerned agencies to ensure effective implementation of R.A. 7610.

4. The travel clearance issued by the Department and the duly stamped Parental Travel Permit will remain valid for six (6) months from the date of issuance and effective for only one (1) travel.

IV

Procedures

A. Travel Clearance

1. The application for travel clearance may be submitted/filed by any of the following persons at the DSWD Field Office which has jurisdiction over the residence of the minor. Likewise, the applicant shall be required to submit the supporting documents (Annex D) for purposes of review and validation by the social worker.

- a minor who is at least 13 years of age
- the minor's parent/s or legal guardian
- the minor's travelling companion
- authorized representative of the parent/legal guardian

List of required documents are also attached in this guidelines.

2. The social worker shall review the accomplished application form and documents submitted. An interview shall likewise be conducted and if necessary, a homevisit to validate the following information:

2.1 Purpose of travel

2.2 Reason(s) why parent/s cannot accompany the minor

2.3 Relationship of minor to travelling companion

2.4 Destination(s) with the name and address of person with whom child will stay or hotel address and telephone number

2.5 Length of stay abroad at each destination and expected date of return, when appropriate

2.6 Other pertinent information

3. If the results of an in-depth interview with the minor (if appropriate) and/or parents/legal guardian/travelling companion and a close examination of the submitted complete documents are favorable and do not necessitate further validation, the social worker may recommend approval for issuance of travel clearance.

4. If the social worker finds enough basis for travel to be pursued but validation is further needed, she makes further assessment through home visit and collateral interviews. An interview with the minor shall be made, when appropriate.

5. If the social worker, after thorough evaluation, cannot favorably recommend the minor's travel, she shall immediately discuss the reasons with the applicant and render a report to the DSWD Field Office. At the same time, she shall prepare a request to the Bureau of Immigration within seven (7) days upon receipt of the application that the minor be placed in their watchlist.

6. However, if the social worker has a satisfactory findings after the interview, homevisit, and collateral contacts and close examination of submitted complete documents, she shall prepare her assessment report and favorable endorsement of minor's travel.

7. If the Field Director or his/her authorized representative agrees with the social worker's recommendation, he/she shall give approval for the issuance of a travel clearance using the prescribed form, "Certificate of Travel Abroad for a Minor" and affix his/her signature thereon. (Annex C)

B. Parental Travel Permit

1. The parent who will stay behind or the duly authorized representative shall be required to fill-up an application form and file a Parental Travel Permit at the DSWD Field Office which has jurisdiction over the residence of the minor at least seven (7) working days before the scheduled departure of the minor.

2. The social worker of the Field Office/Travel Clearance Unit shall conduct a validation on the circumstances indicated therein. In case of unfavorable findings, the social worker shall inform the Bureau of Immigration within seven (7) days upon receipt of the said document.

3. The parent who will be left behind shall execute a Parental Travel Permit in a form prescribed by the Department (See Annex B) to allow the child to travel with the other spouse.

4. The receiving officer of the DSWD Field Office will duly stamp the Parental Travel Permit to show the date

of receipt by the Department and give the original copy of the permit to the minors accompanying parent and retain a copy of such validation purposes.

5. The accompanying parent shall be advised properly to present the original copy of the Parental Travel Permit duly stamped “received” by the Department to the Bureau of Immigration at the airport upon their departure.

V

Monitoring/Reporting/Data Banking

1. The respective DSWD Field Office shall be responsible in maintaining a systematized data banking for easy reference and for reporting purposes.
2. The production of the Certificate of Travel Abroad for minor and the distribution to the Field Offices of the same shall be handled by the Programs and Projects Bureau for centralized security coding.
3. The Field Office shall be responsible of tracking down/monitoring the number of children travelling abroad using Parental Travel Permit.
4. The DSWD Field Office shall install a system based on the mechanisms and structure established by the Central Office to facilitate and expedite the issuance of travel certificates and parental travel permit and at the same time institute proper control measures.
5. An information system network shall be implemented by the DSWD wherein the Field Offices are linked to the Programs and Projects Bureau (PPB) and the other DSWD Field Offices. Likewise, PPB shall maintain a linkage with the Bureau of Immigration and the Department of Foreign Affairs.
6. Regular monitoring and technical assistance to the Field Offices shall be conducted by the Programs and Projects Bureau.

This Department Order supplements D.O. 15, Series 2000 and all previous memoranda/directives inconsistent herewith are hereby revoked.

For immediate implementation.

Adopted: 12 Jan. 2001

(SGD.) FELICIDAD L. VILLAREAL
Undersecretary and Officer-in-Charge

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