

HONORABLE FAUSTINO MICHAEL CARLOS T. DY III
Chairperson
Committee on Youth and Sports Development
House of Representatives
Quezon City

Attn: **ESTHENELLIE SOLIS-ALLAGA**
Committee Secretary

Dear **REPRESENTATIVE DY**,

This refers to your request to provide comments and recommendations to the Substitute Bill (in substitution of House Bills Numbered 79, 2062, 2524, 3211, 5559, 6901, 6964, 7276, and in consideration of House Resolution No. 288, and Privilege Speech No. 78), entitled ***“Adolescent Pregnancy Prevention Act.”***

As the lead in social protection, DSWD fully supports the passage of the proposed bill because it is aligned with the Department’s mandate to formulate, implement and coordinate social welfare and development policies for and with the vulnerable, such as the youth and young adults.

It may be noted that the DSWD is undertaking measures to prevent adolescent pregnancy among the poor. In particular, the Pantawid Pamilyang Pilipino Program (4Ps) conducts Youth Development Sessions (YDS) to develop a positive mindset among the youth participants and envision a brighter future for themselves and their families. The YDS is designed to support the developmental needs of adolescents by helping them understand the developmental challenges they face during their life stages.

In addition, the Family Development Session conducted by the 4Ps strengthens the family as the primary social fabric crucial in giving protection and nurturance to the growth and development of young household members, thereby protecting them from various risks, including teenage pregnancy.

The DSWD takes this opportunity to submit the following comments and recommendations for consideration of the Committee:

1. On Section 2. Declaration of Policy

- It is suggested to add, ***“Engage in advocacy efforts to promote policies and programs to help adolescents prevent early and unintended pregnancies and/or address the specific needs of teenage mothers, such as comprehensive***

reproductive health education, access to free childcare, and support for higher education opportunities.”

2. On Section 3. Definition of Terms

The following are suggested:

- To add the terms “**Social and Behavior Change Communication (SBCC)**” and to define it as: *“Encompassing any set of strategies and interventions, including but not limited to, information dissemination, motivation, problem-solving, and planning, that influence drivers of change and supports local action to empower individuals and communities, and lower structural barriers that hinder people from adopting positive practices and behavior, and societies from becoming more equitable, inclusive, cohesive, and peaceful.”*
- To define the term “**Sexual Violence**” and to refer to Sec. 3(b) of Republic Act (RA) No. 9262 or the “Anti-Violence Against Women and Their Children Act of 2004” in defining it.
- On item (n) *Risky Behaviors*. It is suggested to enhance the definition of *Risky Behaviors* to read: *“Risky behaviors refer to actions that may have adverse consequences on an individual's well-being, social functioning, and overall quality of life. These behaviors often involve engaging in potentially harmful, dangerous, or detrimental activities to oneself or others.”*

3. On Section 6. ISDN for AHD

The following are suggested:

- To enhance the provision on item (b) to read: *Identity, harmonize, coordinate and implement inter-agency interventions to **ENSURE THAT SERVICES FOR TEENAGE MOTHERS ARE WELL-COORDINATED AND EASILY ACCESSIBLE AT THE NATIONAL AND LOCAL LEVEL;***
- To revise the provision in item (c) to read: *“**ORGANIZE TRAINING PROGRAMS, WORKSHOPS, AND CAPACITY-BUILDING INITIATIVES FOR SERVICE PROVIDERS, SUCH AS HEALTHCARE PROFESSIONALS, SOCIAL WORKERS, COUNSELORS, EDUCATORS, AND COMMUNITY VOLUNTEERS WORKING WITH TEENAGE MOTHERS.**”*
- To revise the last paragraph to read: *“The Provincial/City/Municipal Population Officer shall organize the local ISDN for AHD in coordination with the Provincial/City/Municipal Health Office and Sangguniang Kabataan (SK) Federation or Local Youth Development Council (LYDC) in the concerned localities, and may seek the technical assistance of the Council and other relevant national government agencies. The local ISDN for AHD must be established within one (1) year after the promulgation of the Implementing*

Rules and Regulations of this Act.

4. On Section 7. Mandatory Establishment of Functional Local Centers for Adolescent Health and Development

- It is suggested to change Social Protection Program for Adolescent Parents and their Children (SPPAPC) to **Social Protection Program for Adolescent Mothers and their Children (SPPAMC)**.¹

5. On Section 8. Adolescent and Youth-friendly Health Facilities

- It is suggested to enhance the last paragraph to read: *“The Council shall likewise facilitate the development and adoption of standards for establishing and maintaining adolescent and youth-friendly public facilities providing information and **PSYCHOSOCIAL, PHYSICAL AND REPRODUCTIVE HEALTH** services for adolescents.”*

6. On Section 11. Training of Teachers, Guidance Counselors, School Supervisors, and School Nurses on CASE

- It is suggested to use ADOLESCENT PARENTS instead of Adolescent Mothers.

7. On Section 14. Sustained National Campaign on the Prevention of Adolescent Pregnancy using various types of media

We recommend using the term **“Social and Behavior Change Communication (SBCC)”** instead of Communication since SBCC is more comprehensive as it engages all stakeholders to communicate the necessary behavior change envisioned to happen.

8. On Section 17. Social Protection Program for Adolescent Parents and their Children (SPPAPC)

- It is suggested to change SPPAPC to SOCIAL PROTECTION FOR ADOLESCENT MOTHERS AND THEIR CHILDREN (SPPAMC) as indicated in the General Appropriations Act (GAA) 2021 – 2023.

9. On Section 18. Adolescent Male Involvement and Shared Responsibility in the Prevention of Early and unintended pregnancies

- It is recommended to enhance the 2nd statement in this Section to read as: *“These programs shall **INCLUDE THE MODULES ON EMPOWERMENT AND REAFFIRMATION OF PATERNAL ABILITIES (ERPAT) AND PARENT***

¹ DSWD Joint Implementation Guidelines for the Social Protection Program for Adolescent Mothers and Their Children (SPPAMC).

EFFECTIVENESS SERVICE (PES) PROGRAM.²

10. On Section 19. Foster Care or Adoption

- We recommend that instead of the DSWD, the National Authority for Child Care (NACC) be included as it exercises powers and functions relating to alternative child care, including declaring a child legally available for adoption.
- This provision can be further clarified as it creates an interpretation that the only requirement for foster care or adoption to be valid is the consent of the mother and one (1) parent or guardian of the mother.

Under Republic Act No. 8552, otherwise known as the “Domestic Adoption Act of 1998”, it is clear that aside from the consent, other important matters must be considered, such as the qualifications of the adopter and other documentary requirements to be valid.

In addition, the statement that **“the consent of the mother and one (1) parent”** is needed for the adoption's validity seems vague. Here, we must also consider a situation wherein the purported father of the child of an adolescent mother abandoned them. As a result thereof, the father cannot legally execute his consent to the adoption.

Also, the statement that the **“legal guardian of the mother shall be needed for the validity of the adoption”** seems contradictory to Section 9 of RA No. 8552, which provides that:

Section 9. Whose Consent is Necessary to the Adoption. - *After being properly counseled and informed of his/her right to give or withhold his/her approval of the adoption, the written consent of the following to the adoption is hereby required:*

(b) The biological parent(s) of the child if known, or the legal guardian, or the proper government instrumentality which has legal custody of the child;

Based on the provisions mentioned above of law, **it did not distinguish** whether the legal guardian who is to execute the required consent is the legal guardian of the mother or not.

² The ERPAT is a service that gives importance and emphasis on the development and enrichment of knowledge, attitudes and skills of fathers in performing their paternal roles and responsibilities. DSWD Administrative Order No. 40, s.2003, Guidelines on the Implementation of Empowerment and Reaffirmation of Paternal Abilities.

11. Section 20. Social Protection in Cases of Sexual Violence

The following are suggested:

- To change the Title of Section 20 to ***“PROGRAMS AND INTERVENTIONS in Cases of Sexual Violence”*** and to use the term **“PROGRAMS AND SERVICES”** instead of social protection mechanisms or social protection services.
- To refer to Sec. 3(b) of Republic Act (RA) No. 9262 or the "Anti-Violence Against Women and Their Children Act of 2004" in defining "Sexual Violence."

12. On Section 23. Residential Care Facilities for Marginalized and Disadvantaged Women

- It is recommended to include LGU-run and DSWD-accredited Social Welfare and Development Agencies (SWDAs) per MC 17 s. 2018 or the Revised Guidelines Governing the Registration, Licensing of Social Welfare and Development (SWD) Agencies and Accreditation of SWD Programs and Services.

13. On Section 26. Implementation Structure

- For clarity, we suggest indicating in the draft bill the specific number of senior officials from each government agency enumerated herein who are designated as ex-officio members of the Inter-Agency Council.

14. On Section 28. Roles and Responsibilities of Concerned Agencies, item (f)

The following are suggested:

- To combine items 1 and 2. However, with Section 20 (d) of the draft bill, where **Social protection services** include the provision of **Legal Services**, we recommend emphasizing that the Legal Services of DSWD **can only extend and/or provide legal advice to the victims.**
- To include in item 4 other DSWD interventions, such as the ProtecTEEN project, ERPAT, and PES.
- To revise the statement in item 6 and to read as: ***“Ensure the integration of PROGRAMS AND INTERVENTION services in adolescent centers.”***
- To consider in item (i) number 3, the Sangguniang Kabataan (SK) as the lead in implementing key strategies for preventing adolescent pregnancy in their localities.

Conclusion

The DSWD believes that young adolescents have the potential for successful, healthy growth and development and that they will become valuable contributors to society if they reach their full potential. To do that, the State must continue to support, equip, and safeguard them from risks like early pregnancy that could harm their development and health.

As such, the **DSWD reiterates its full support** for the passage of the proposed bill.

For the Chairperson's consideration.

Thank you.

Very truly yours,



REX GATCHALIAN
Secretary
Date: MAY 23 2023