

MALACAÑANG
Manila

EXECUTIVE ORDER NO. 633

PROVIDING FOR THE IMMEDIATE RELEASE OF DETAINED CHILDREN IN CONFLICT WITH THE LAW (CICL) AS DECLARED UNDER R.A. 9344, ENTITLED "JUVENILE JUSTICE AND WELFARE ACT OF 2006"

WHEREAS, the State recognizes the vital role of children and youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being;

WHEREAS, the Philippines, pursuant to its treaty obligation under the Convention on the Rights of the Child, enacted Republic Act No. 9344 Establishing a Comprehensive Juvenile Justice and Welfare System which requires the application of restorative justice to children in all its laws, policies and programs;

WHEREAS, the inventory of the Juvenile Justice and Welfare Council shows that there are still children in detention despite the passage of the law in 2006;

WHEREAS, pursuant to Book III, Title 1, Section 1 of the Administrative Code, the President shall have control of the executive departments, bureaus and offices and shall ensure that the laws be faithfully executed;

NOW, THEREFORE, I, GLORIA-MACAPAGAL – ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law and pursuant to the provisions of R.A. 9344 do hereby order:

SECTION 1. Coverage. Children who are fifteen years of age and below at the time of the commission of the crime, who are still detained in prison facilities of the Bureau of Jail Management and Penology and the Bureau of Corrections.

SECTION 2. Petition for Release of the Child. For children who are detained by reason of final judgment rendered by a court of competent jurisdiction, the Department of Justice, through the Public Attorney's Office is hereby directed to file immediately the necessary Petition to the court for the release of the child.

For children in detention pending trial, the Department of Justice, through the Public Attorney's Office shall likewise immediately file the necessary Petition before the court to secure the release of the child.



If the child is assisted by *counsel de parte*, the Department of Justice, through the Public Attorney's Office shall coordinate with the child's counsel to ensure the release of the child.

SECTION 3. Release of the Child. Upon the issuance of the Court Order granting the release of the child, the head/warden of the detention facility shall release the child within forty eight (48) hours to the latter's parents in the presence of the Local Social Welfare Development Officer (LSWDO). The LSWDO shall prepare and implement the necessary after-care services for the child.

SECTION 4. Monitoring. The Department of Justice, through the Public Attorney's Office shall prepare a quarterly report of its compliance to this Order to the Office of the Executive Secretary with copy of the report furnished to the Juvenile Justice and Welfare Council.

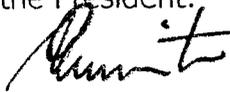
SECTION 5. Repealing Clause. All other executive issuances, rules and regulations or parts thereof which are inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 6. Separability Clause. Any provision hereof that may be declared in violation of existing laws shall in no way nullify the other provisions of this Executive Order.

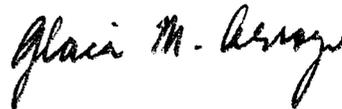
SECTION 7. Effectivity. This Executive Order shall take effect after fifteen (15) days from publication in a newspaper of general circulation.

DONE in the City of Manila, this 16th day of July in the year of Our Lord, Two Thousand and Seven.

By the President:



EDUARDO R. ERMITA
Executive Secretary



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