

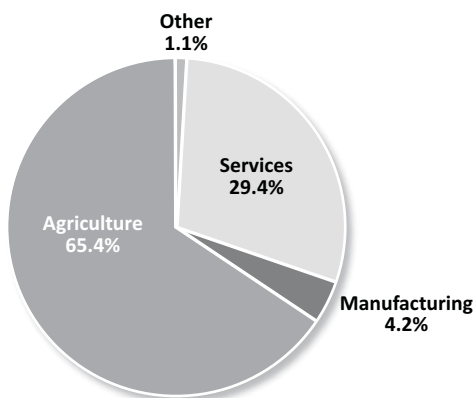
Philippines

In 2011, the Philippines made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Government committed higher levels of funding to enforce labor laws, combat trafficking and implement programs to improve the livelihoods of families. The Government also mainstreamed child labor into broad development policies and issued a memorandum instructing provinces, cities and towns to integrate initiatives to reduce child labor in local development plans. However, the legislature has not passed the Domestic Workers Bill, which aims to provide child domestic workers with greater protections. Furthermore, a gap between minimum age for work and compulsory education laws leaves children ages 12 through 14 particularly vulnerable to the worst forms of child labor. Children continue to be involved in the worst forms of child labor, particularly in hazardous activities in agriculture and in domestic service.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	11.0 (2,180,565)
Attending School	5-14 yrs.	87.6
Combining Work and School	7-14 yrs.	11.3
Primary Completion Rate		91.6

Working Children by Sector, ages 5-14



Sources:

Primary completion rate: Data from 2009, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from SIMPOC Survey, 2001.(2)



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in the Philippines are engaged in the worst forms of child labor, including hazardous activities in agriculture and in domestic service.(3-5) Children work primarily in the production of sugarcane, as well as in coconuts, corn, rice, rubber, tobacco, bananas and other fruits and vegetables.(3, 4, 6) Many children in these types of agriculture work long hours in extreme weather, use dangerous machinery and tools, carry heavy loads and apply harmful pesticides.(4, 7)

Children are commonly employed as domestic servants or *kasambahays*.(3, 4, 8, 9) Many child domestics work long hours, and their isolation in homes makes them susceptible to sexual harassment, verbal and physical abuse.(4, 7-10) Child domestic servants are often denied access to education.(5, 9, 10) Domestic workers are sometimes subjected to nonpayment or garnishing of wages or conditions of forced labor.(7, 8, 10)

Children are also involved in mining and quarrying, including compressor mining to extract gold, which requires them to dive into pools of mud with an oxygen tube.(3, 4, 7, 11) Mining

requires children to carry heavy loads; use dangerous tools and machinery; and gold mining exposes the children to mercury, acid and cyanide.(4, 7)

Deep-sea fishing is another dangerous occupation in which children work.(3, 4, 12, 13) Dangers may include drowning or entanglement in fishing nets.(4, 12, 13)

Children manufacture fireworks, a hazardous activity that exposes them to explosives and flammable substances.(3, 4, 14, 15) In addition, boys and girls work in factory and home-based manufacturing industries such as production of rope or fashion accessories that may involve hazardous activities.(3, 4, 16)

Children are found working on the streets, including in scavenging and begging.(3, 4, 16) They are exposed to multiple dangers including severe weather, traffic accidents and crime. (17) Children also work as scavengers in dumpsites where they sort garbage and risk exposure to sharp objects, toxic substances, fumes and bacteria.(3, 4, 7, 15)

Children's exploitation in the prostitution, pornography and sex tourism industries is a significant problem.(4, 15, 18) In addition, children, primarily girls, are trafficked domestically from rural to urban areas for forced domestic service and commercial sexual exploitation.(15, 18) Limited evidence also suggests that children, particularly girls, are trafficked from the Philippines internationally throughout Asia and the Middle East for forced labor.(18)

Although evidence is limited, children are also known to be involved in other illicit activities such as the trafficking of drugs.(16)

There are no reports of children in the government armed forces in the Philippines, but child soldiering is a problem among anti-government and terrorist organizations.(9, 15, 19, 20) The Moro Islamic Liberation Front and the New People's Army have indicated their willingness to stop the recruitment and use of children as soldiers, but the current status of children in their ranks is unclear.(9, 15, 18-21) The Abu Sayyaf Group, a terrorist organization, continues to recruit and use children.(15, 18-21)

Laws and Regulations on the Worst Forms of Child Labor

The Labor Code sets the minimum age for work at 15 and the minimum age for hazardous work at 18.(22)

The Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the

Working Child, Republic Act No. 9231, mandates that the Government protect and remove children from the worst forms of child labor, including forced labor, child trafficking, prostitution, pornography and the use of a child for illicit activities.(23) It defines and prohibits worst forms of child labor, bars children from using dangerous machinery or tools, transporting heavy loads, working underground or underwater, handling explosives or being exposed to unsafe substances; it prescribes stringent penalties for violations.(23)

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	11
	Free Public Education	Yes

Currently, child domestic labor is not explicitly addressed in Republic Act No. 9231. The Senate passed the Domestic Workers Bill, originally introduced in 1996, in 2010, but it remains stalled in the House.(8, 10, 13, 14, 24, 25) The pending Bill would set a minimum age for employment in domestic work, require domestic workers to provide a birth certificate as a prerequisite for being hired, mandate that household workers have a written employment contract and classify domestic workers as employees with workers' rights. This Bill would also make it illegal for employers to withhold wages or for workers to be bonded by debt; it includes contract provisions for compensation and annual salary increases, working hours and days of rest, and living arrangements.(10, 25) However, this Bill has not yet been enacted, which appears to leave children in domestic service without a basic minimum age and hazardous work protections. The Labor Code mandates that child domestic workers under age 18 be provided elementary education, which rarely happens in practice.(5, 9, 22)

The Anti-Child Pornography Act, Republic Act No. 9775, protects children against exploitation in pornography and establishes strict penalties for persons responsible for the production, distribution and publication of child pornography.(26) The Anti-Trafficking in Persons Act, Republic Act No. 9208, prohibits trafficking in persons, including the recruitment, transfer or harboring of children for prostitution, pornography or forced labor.(18, 27) The Act stipulates strict penalties for those convicted of trafficking of children. The Comprehensive Dangerous Drugs Act, Republic Act No. 9165, prohibits the use of children in the production and trafficking of drugs.(28)

Military recruitment is voluntary at age 17 for training, and age 18 for service.(20) The recruitment, transport or use of children under age 18 in armed conflict, including as guards, couriers or spies, is prohibited in the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, Republic Act No. 7610; the Providing for the Elimination of the Worst Forms of Child Labor Act; and the Anti-Trafficking in Persons Act.(20, 23, 27, 29)

Education is free for children ages 6 to 15; however, school attendance is compulsory only at the primary level, from ages 6 to 11.(14, 15, 30, 31) Children ages 12 to 14 are particularly vulnerable to the worst forms of child labor, as they are not required to be in school and are not legally permitted to work. Despite a policy of free education, many children do not attend school, as the costs of books, uniforms, meals and transportation are prohibitive for many families.(3, 4, 32) In addition, distant school locations are often not accessible for rural students, especially at the secondary school level.(32, 33)

Institutional Mechanisms for Coordination and Enforcement

The National Child Labor Committee (NCLC), headed by the Department of Labor and Employment (DOLE) and comprising 15 other agencies, coordinates national efforts to combat child labor.(14) The NCLC is intended to promote information sharing at the national level; this coordinating mechanism has been replicated at the regional and provincial levels. In 2011, the NCLC was expanded to include the National Statistics Office (NSO), the Department of Agriculture and the National Youth Commission.(34) NCLC subcommittees on issues such as child labor knowledge sharing and improving access to services also expanded their membership to include 20 new NGO and government agencies.(34) The NCLC established the Program Management Coordinating Committee to improve coordination of the

subcommittees and monitoring of the Philippines Program against Child Labor (PPACL) Strategy and Action Plan.(34)

DOLE is the primary government agency responsible for enforcing child labor laws.(14) In 2011, DOLE employed 254 labor inspectors nationwide, an increase of 35 from 2010, to enforce the Labor Code, including child labor laws.(14, 35) DOLE regularly trains inspectors and regional personnel on child labor laws.(14) DOLE, with support from UNICEF, developed a Manual on the Conduct of Inspection, Rescue and Enforcement Proceedings in Child Labor Cases, and conducted trainings for 84 DOLE inspectors and other staff during the year.(34) The Government of the Philippines increased the budget for DOLE labor inspections by 15 percent in 2011; however, the Government acknowledged that the budget is still not sufficient to inspect targeted establishments. Research did not conclude whether the increased 2011 funding was allocated for enforcement of child labor laws.(14)

In 2011, DOLE inspected 30,727 of an estimated total 800,000 establishments nationwide, a 10 percent increase from 2010.(14) The DOLE inspection strategy focused on compliance with core labor standards in businesses with 10 to 199 employees, and in specific sectors such as security firms, restaurants, manufacturing enterprises and cooperatives.(14, 36, 37) However, it is not known whether this targeting is focused in sectors and establishments with high rates of child labor. Through the 30,727 workplace inspections in 2011, DOLE identified only 53 children below the legal working age, all found to be working in non-hazardous conditions.(14) It is unknown why only 53 children were found throughout this high number of inspections. The Government of the Philippines did not resolve any pending child labor cases, nor did it make any new child labor convictions in 2011.(14)

DOLE also leads a regional mechanism for detecting, monitoring and reporting children working in abusive and dangerous situations through the *Sagip Batang Manggagawa* Rescue the Child Laborers (SBM) Quick Action Teams.(14) SBM is composed of government agencies and law enforcement, local governments, the business community, unions and NGOs.(14) SBM responds to reports of possible instances of child labor in the formal and nonformal sectors, and coordinates a response among the relevant agencies for each case, referring children to the Department of Social Welfare and Development (DSWD) for rehabilitation and reintegration.(14) In 2011, SBM rescued 125 child laborers across nine regions, most from commercial sexual exploitation.(14, 34)

DSWD regional offices also coordinate Special Action Units to conduct rescue operations for child laborers, with social workers to manage the ongoing cases of victims.(14) In 2011, DSWD Special Action Units assisted 83 minors, mostly female, found working in mines, quarries, sugarcane plantations and as domestic workers, and referred these cases to DOLE.(14, 38) In addition, DSWD assisted 341 child trafficking victims referred by other agencies.(14)

The Inter-Agency Council Against Trafficking (IACAT) coordinates, monitors and oversees ongoing implementation of efforts to combat child trafficking. IACAT is chaired by the Department of Justice (DOJ) and co-chaired by DSWD; it comprises relevant government agencies and NGOs.(14) The Government of the Philippines provided IACAT with a budget of \$1.56 million in 2011,(14) a significant increase in resources to combat trafficking.

The National Anti-Trafficking Task Force, through IACAT and DOJ, serves as a mechanism for collaboration between the police and prosecutors, as well as social service providers, to develop stronger cases against traffickers.(14) In March 2011, IACAT launched a national trafficking hotline to provide immediate response or aid to emergency calls or refer cases to appropriate government agencies or NGO partners.(14) Between March and December 2011, four child trafficking victims were identified through the hotline.(14)

In 2011, DOLE issued an administrative order to create a steering committee to serve as an advisory body on policies and programs to prevent labor trafficking.(14) Details on the activities of the committee are not yet available.

The Philippine National Police (PNP) and the National Bureau of Investigation (NBI) are the principal law enforcement agencies for child trafficking and commercial sexual exploitation.(14) DOJ is responsible for the prosecution of child trafficking cases.(14) PNP's Women and Children's Protection Center (WCPC) leads the enforcement of child trafficking and CSEC laws, and employs 3,038 personnel nationwide.(14) WCPC also maintained a 24-hour hotline to report trafficking cases.(14) During the reporting period, the Government of the Philippines conducted numerous trainings for government personnel, the police, social workers and NGOs, to raise awareness and improve the capacity to investigate and prosecute trafficking cases.(14)

In 2011, PNP investigated 82 cases of child trafficking, which involved 190 children.(14) NBI investigated 259 new trafficking cases in 2011; however, NBI does not disaggregate

data by age groups, so it is not known how many of those cases involved minors.(14) In addition, it is unclear whether any of the same cases were counted by both agencies. During the year, the Government of the Philippines attained convictions in 10 cases involving child trafficking victims, all with sufficient jail sentences as required by law.(14) Reports also indicate that the Government, through interagency cooperation, conducted investigations and shut down six establishments found to be in violation of CSEC laws.(14, 34, 39)

Government Policies on the Worst Forms of Child Labor

The goal of reducing exploitative child labor was mainstreamed into the new Medium-Term Philippine Development Plan (2011-2016) and the Labor and Employment Plan (2011-2016). Child labor is also included in the following national development agendas: Millennium Development Goals (2000-2015), Education for All National Plan (2004-2015), Basic Education Reform Agenda and United Nations Development Assistance Framework Workplan (2011).(14, 31, 34, 35)

In addition, the Government of the Philippines has two primary policy instruments to prevent and eliminate child labor. The Philippines National Strategic Framework for Plan Development for Children, 2000-2025, also known as "Child 21," sets out broad goals to achieve improved quality of life for Filipino children by 2025.(14, 40) The tripartite PPACL Strategic Framework 2007-2015 lays out the blueprint for reducing the incidence of child labor by 75 percent by 2015.(14, 41) To achieve this goal, PPACL identifies five strategic approaches to prevent, protect and reintegrate children from the worst forms of child labor.(41, 42) To translate this strategic framework into action, the Implementation Plan (2011-2012) identifies concrete objectives such as improving the access of children and their families to appropriate services to further prevent incidence of child labor and the reintegration of former child laborers.(14, 43)

In 2011, in support of the PPACL, the Secretary of the Department of the Interior and Local Government released Memorandum Circular No. 2011-133 directing all provinces, cities and towns to integrate the initiatives to reduce child labor in local development plans.(44, 45)

The National Strategic Action Plan Against Trafficking in Persons (2011-2015), launched in December, contains specific provisions on the prevention of trafficking of children.(14)

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government of the Philippines implements programs to improve the livelihoods of vulnerable families and children, and to reduce child labor. While these programs are not designed to address child labor directly, they may help to reduce the worst forms of child labor by alleviating household poverty or barriers to education. Through the *Pantawid Pamilyang Pilipino* Program, DSWD provides cash transfers to households, conditional upon their children's achievement of a monthly school attendance rate of at least 85 percent and regular medical checkups and immunizations.(14, 46) In 2011, cash transfers valued at \$301.7 million were awarded to 2.31 million households, including education grants to 4.2 million children, doubling the number of recipients in 2010.(14) Although a 2010 assessment of the Program demonstrated an increase in school enrollment and attendance among beneficiaries, results also showed that child labor persisted among beneficiaries.(14)

The Department of Education's Alternative Learning System (ALS) Program offers nonformal education to out-of-school children, including child laborers, and offers them opportunities to attain education equivalency.(13) However, with limited resources, representing less than 1 percent of the Department of Education budget, and only one teacher for every 24 communities, ALS is unable to reach many out-of-school youth.(32, 34) While 77 percent of ALS students complete the coursework, of those students who take the Accreditation and Equivalency Exam only 22 percent of students pass at the elementary level, and 26 percent pass at the secondary level.(32) While succeeding at the education equivalency exam has been difficult for many child laborers, this Program may serve as a path to gain access to formal institutions, such as those that provide higher education, vocational training or workforce development.

DOLE's Youth Education-Youth Employability (YE-YE) Program, implemented in cooperation with private enterprises, provides disadvantaged youth ages 15 to 24 with the resources to pursue post-secondary education through either academic or vocational courses and formal workplace experience.(34, 47, 48) The Program was expanded in 2011, through an agreement with the Jollibee Foods Corporation. During the year, 13,758 participants enrolled in the YE-YE Program through 491 schools, including out-of-school youth, former child laborers and youth from low-income families.(34) Five hundred students graduated from the post-secondary education course and 147 were hired through their workplace placements.(34)

DOLE, with the National Tripartite Council in the Sugar Industry, implements the sugar industry Social Amelioration Program (SAP), which provides a cash bonus to sugar workers and funds social protection, livelihood and education programs for sugar workers and their families through a levy imposed on refined sugar.(49, 50) In 2011, more than 26,000 adult sugar workers received support for livelihood projects.(34) As part of the SAP, DOLE's Integrated Services for Migratory Sugar Workers Program (I-SERVE SACADAS) began at the end of 2010 to improve the livelihoods of migrant sugar workers and their families, and to increase their income.(14, 50) In 2011, the I-SERVE Program provided assistance valued at \$145,000 to 875 adult sugar workers in Aklan, Negros Occidental, Negros Oriental, Antique and Camarines Sur, to implement livelihood projects such as raising livestock, vegetable gardening or food processing.(14, 34) The question of whether the livelihood programs implemented under SAP have had an impact on child labor in the sugar sector or among the families of sugar workers does not appear to have been addressed.

Under the PPACL, the Government of the Philippines is implementing a number of programs designed to specifically reduce child labor, including the DOLE Child Labor Prevention and Elimination Program (CLPEP). DOLE instructed regional offices to implement CLPEP activities, including identifying and providing services to child laborers and their families and activating child labor committees, Barangay Councils for the Protection of Children and SBMs.(34) DOLE regional offices allocated at least five percent of their Workers Income Augmentation Program (WINAP) funds, approximately \$295,000 in total, for implementation of CLPEP activities.(14, 34, 39) WINAP improves the livelihoods of workers through training and material support for income-generation activities.(51) DOLE's *Kabuhayan para Sa Magulang ng Batang Manggagawa* (KASAMA), or Livelihood for Parents of Child Laborers (KASAMA) Program, provided funds to 325 parents of working children in 2011 totaling \$40,000 for projects such as raising livestock or producing souvenirs.(34) DOLE's Project Angel Tree redistributed shoes, school bags, toys and other supplies donated by private sponsors to 11,973 children at-risk or engaged in child labor in 2011.(14, 34)

DOLE continued to partner with the DSWD to provide livelihood assistance and skills training to the families of child laborers in the mines and sugar plantations in some regions; it also conducted workshops with local government officials and other stakeholders to formulate strategies for the elimination of child labor.(14) DSWD provided services to victims of exploitative child labor and CSEC, including crisis intervention and residential facilities.(14) DSWD also provided Special

Social Services for Children in Armed Conflict to protect and rehabilitate children after their direct or indirect involvement in armed conflict.(52)

During the year, the Government of the Philippines participated in programs to reduce child labor, which were funded by international donors and implemented through international organizations or NGOs. USDOL funded a \$6.6 million program from 2007 to 2011, which withdrew or prevented a total of 30,983 children from the worst forms of child labor through education and livelihoods interventions in the National Capital Region, Bulacan, Camarines Norte, Iloilo, Negros Occidental, Negros Oriental, Cebu, Leyte and Davao del Sur, Compostela Valley.(44, 53) Children were withdrawn and prevented from work in the following sectors: sugarcane plantations, other commercial agriculture, child domestic work, commercial sexual exploitation, deep-sea fishing, mines and quarries, garbage scavenging and pyrotechnics.(53) The program trained teachers in the public schools to reduce the dropout rate and child labor; it also established local committees of volunteers and parents to support the education of children at-risk in their communities.(44) As the program ended, many local government agencies continued supporting children attending school by providing school supplies and uniforms, ALS courses, resources and nutrition for non-formal education activities and community learning resource centers.(44)

The Government of the Philippines also participates in a USDOL-funded \$4.75 million project, implemented by ILO-IPEC from 2009 to 2013. This project aims to withdraw and prevent 9,350 children from the worst forms of child labor through the provision of educational and non-educational services in Quezon, Masbate, Northern Samar and Bukidnon.(54, 55) The project targets children engaged in farming, mining, fishing and domestic service, as well as children trafficked for commercial sexual exploitation

and forced labor. The project developed an Internet-based information system that promotes communication on child labor issues among government and non-government agencies, improved program monitoring, and automated child labor case referrals. During the year, DOLE participated in trainings at the national, regional and provincial levels to orient users to the system.(34, 55) In partnership with NSO, the project conducted a national survey on children, with the results expected to be released in 2012.(34)

USDOL funded a new \$15 million project in 2011 to reduce child labor in sugar-producing areas in 11 provinces of the Philippines, which will be implemented through 2015.(56) The project will provide education services to 52,000 children engaged in or at risk of worst forms of child labor; it will also provide livelihood assistance to 25,000 households of targeted children. The project engages the sugar industry in raising awareness of child labor among sugar workers and their families.(56)

The Government of the Philippines participated in a \$47,000 program, funded by the Eliminating Child Labor in Tobacco Growing Foundation, which provided educational services to 98 children and livelihood assistance to 100 parents while strengthening the Barangay Councils for the Protection of Children and conducting advocacy activities.(34) The Government, at the national and regional levels, also coordinates with the Kasambahay Program to provide immediate services to trafficking victims and child domestic workers including shelter, psychological support and reintegration. Information on the activities, beneficiaries and funding level in 2011 was not available.(9)

Despite government efforts, given the scope and magnitude of child labor in the Philippines, the limited reach of these programs is not sufficient to significantly reduce child labor, especially in the agriculture and domestic service sectors.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in the Philippines:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Increase the age of compulsory schooling to 15, the minimum age for work.	2009, 2010, 2011
	Enact the Domestic Workers Bill to extend legal protections to domestic workers, including minors of legal working age.	2009, 2010, 2011

Philippines

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Prioritize child labor cases to provide timely prosecutions and convictions.	2011
	Disaggregate trafficking data reported by NBI by age group and ensure that trafficking data are not reported in duplicate by both NBI and PNP.	2010, 2011
Policies	Take steps to ensure that all children have access to nearby schools and do not face prohibitive costs for education-related expenses.	2010, 2011
Social Programs	Provide necessary resources for more out-of-school youth to access ALS.	2011
	Explore ways in which the conditional cash transfer program could be improved to address child labor.	2010, 2011
	Assess the impact that SAP may have on child labor.	2011
	Expand programs combating child labor, especially targeting children working in agriculture and domestic service.	2009, 2010, 2011

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