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Philippines

*Selected Statistics and Indicators on Child Labor*³¹²⁸

Population, children, 5-14 years, 2001:	19,874,678
Working children, 5-14 years (%), 2001:	11.0
Working boys, 5-14 years (%), 2001:	13.4
Working girls, 5-14 years (%), 2001:	8.4
Working children by sector, 5-14 years (%), 2001:	
- Agriculture	65.4
- Manufacturing	4.2
- Services	29.4
- Other	1.1
Minimum age for work:	15
Compulsory education age:	11
Free public education:	Yes
Gross primary enrollment rate (%), 2006:	109.5
Net primary enrollment rate (%), 2006:	91.4
School attendance, children 5-14 years (%), 2001:	87.6
Survival rate to grade 5 (%), 2005:	74.0
ILO Convention 138:	6/4/1998
ILO Convention 182:	11/28/2000
CRC:	8/21/1990
CRCOPAC:	8/26/2003
CRCOPSC:	5/28/2002
Palermo:	5/28/2002
ILO-IPEC participating country:	Yes

Incidence and Nature of Child Labor

Children in the Philippines work on sugarcane, tobacco, banana, coconut, corn, mango, rice, and rubber plantations.³¹²⁹ They also engage in garbage scavenging, pyrotechnics production,

deep-sea fishing, gold and iron ore mining, and quarrying.³¹³⁰ Children living on the streets often work in the informal labor economy in such activities as begging and scavenging.³¹³¹ Children are involved in the production of fashion accessories.³¹³² Children, primarily girls, are engaged in domestic service.³¹³³ Children are also involved in the commercial sex industry as prostitutes, are used in the production of pornography, and are exploited by sex tourists.³¹³⁴ Children living on the streets in urban centers are particularly vulnerable to prostitution and pornography.³¹³⁵ Children are also involved in the production and trafficking of drugs within the country.³¹³⁶

Reportedly children are trafficked internally from rural areas to major cities for commercial sexual exploitation, work in factories, domestic service, and other activities in the informal sector.³¹³⁷ There are no reports of child soldiers in the Government's Armed Forces, but children under 18 years are recruited into terrorist organizations, including the Abu Sayyaf Group, the Moro Islamic Liberation Front (MILF), and the New People's Army.³¹³⁸ However, in December 2008, MILF agreed to an action plan with UN to stop the recruitment and use of children in their organization.³¹³⁹

Child Labor Laws and Enforcement

The law prohibits the employment of children less than 15 years, except when working directly with a parent, when working in public entertainment is "essential," or when the work does not endanger the child's life, safety, health, or morals, and does

not interfere with schooling. The law requires that any child under 15 years employed under these guidelines receive a special permit from the Department of Labor and Employment (DOLE), but it does not define any absolute minimum age for these children to be allowed to begin work under these special circumstances.³¹⁴⁰ A child is permitted to work as an apprentice at 14 years.³¹⁴¹ The law sets limits on children's working hours; it prohibits night work for children under 15 years from 8 p.m. to 6 a.m., and forbids children 15 to 18 years from working after 10 p.m.³¹⁴² Penalties for violations include fines and prison terms up to 20 years.³¹⁴³

Philippine law defines the worst forms of child labor as all forms of slavery or practices similar to slavery; any use of a child in prostitution, pornography, or pornographic performances; any use of a child for illegal or illicit activities; and work that is hazardous, including nine hazardous categories. Criteria for categorizing work as hazardous includes work that degrades the worth and dignity of a child, exposes the child to physical danger, performed underground, or under difficult conditions, and entails the handling of explosives or pyrotechnics, among others.³¹⁴⁴

There are various Philippine laws that further describe, prohibit, and provide penalties for the identified worst forms of child labor. Slavery and forced labor are prohibited.³¹⁴⁵ The law specifically prohibits the handling of dangerous machinery or heavy loads; exposure to extremes of cold, heat, noise, or pressure; and exposure to physical, psychological, or sexual abuse.³¹⁴⁶ The law criminalizes trafficking of children for exploitation, including trafficking for sex tourism, prostitution, pornography, forced labor, and the recruitment of children into armed conflict. The law establishes the penalty of life imprisonment and a fine for trafficking violations involving children and provides for the confiscation of any proceeds derived from trafficking crimes.³¹⁴⁷ The law prohibits the involvement of minors in the manufacture, delivery, sale, or purchase of dangerous drugs.³¹⁴⁸ The law prohibits child prostitution, including engaging in, profiting from, or soliciting prostitution from children.³¹⁴⁹

The law also prohibits the use of children in the production of pornographic materials.³¹⁵⁰

The minimum age for voluntary recruitment into military service is 18 years, or 17 years or for training purposes.³¹⁵¹

DOLE is responsible for enforcing child labor laws through labor standards enforcement offices.³¹⁵² However, USDOS reports that child labor enforcement is weak because of a lack of awareness of laws, lack of resources, and an inadequate judicial infrastructure.³¹⁵³ The National Bureau of Investigation, the Bureau of Immigration, and the Philippine National Police (PNP) Criminal Investigation and Detection Group are tasked with counter-trafficking activities, and are members of the national Interagency Council Against Trafficking headed by the Department of Justice.³¹⁵⁴ In addition, local, regional, and provincial Interagency Councils Against Trafficking address child labor and human trafficking issues throughout the country.³¹⁵⁵ The Women's and Children's Concerns Division of the PNP investigated 55 cases of trafficking in women and children and the National Bureau of Investigation investigated 237 such cases during the reporting period.³¹⁵⁶

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Philippine National Strategic Framework for Plan Development for Children, 2000-2025, also known as "Child 21," and the Philippine Program Against Child Labor (PPACL) Strategic Framework 2007-2015 continue to serve as the primary Government policy instruments for the development, implementation, monitoring, and evaluation of programs designed to prevent and eliminate child labor in the Philippines. The plan of action developed in 2008 for PPACL includes regularly updating child labor data, institutionalizing strategic partnerships, conducting awareness raising, and enforcing compliance with relevant legislation and policies.³¹⁵⁷ The Medium Term Philippine Development Plan 2004-2010 also includes measures for reducing the incidence of child

labor, especially in hazardous occupations. In the plan, the Philippine Government pledges to strengthen mechanisms to monitor the implementation of child protection laws, develop “social technologies” to respond to child trafficking and pornography, and implement an enhanced program for children in armed conflict.³¹⁵⁸ The Government also has several mechanisms in place to address the issue of children involved in armed conflict including a monitoring and reporting country task force, a comprehensive program framework, and an interagency memorandum of agreement on the treatment and handling of children involved in armed conflict.³¹⁵⁹

Several governmental agencies in the Philippines have ongoing programs to address the needs of children vulnerable to exploitive labor.³¹⁶⁰ DOLE continues to lead the Rescue the Child Workers Program to monitor suspected cases of child labor and intervene on behalf of children in confirmed cases.³¹⁶¹ From January to June 2008, DOLE rescued 59 minors in 16 different operations from exploitive labor.³¹⁶² As of January 2009, DOLE had 153 labor inspectors, who continue to receive training on child labor issues.³¹⁶³ DOLE also implements the Project Angel Tree, which grants wishes to child laborers such as providing food, clothing, and education assistance in an effort to remove them from exploitive labor.³¹⁶⁴ The Cebu Chamber of Commerce, in collaboration with the Employers Confederation of the Philippines and ILO, maintains an awards program for Child Labor-Free and Child-Friendly Firms. A staff person from DOLE sits on the screening committee for administering the awards.³¹⁶⁵ The Philippines’s National Statistics Office gathers information on child labor by including children 5 years and above in its quarterly Labor Force Survey when measuring the economically active population in the Philippines.³¹⁶⁶ DOLE’s Poverty Free Zones Program aims to ensure that all Poverty Free Zone communities are child labor-free by the year 2010.³¹⁶⁷

The Department of Social Welfare and Development (DSWD) is the lead Government agency that provides support, primarily through 42 residential care units—including 13 exclusively for girls—for victims of trafficking; children in

armed conflict; and children who have been exploited, abused, or rescued from living on the streets.³¹⁶⁸ From January to September 2008, DSWD provided assistance to 149 victims of child trafficking and 89 victims of child prostitution.³¹⁶⁹ The Interagency Council Against Trafficking in Persons (IACAT) coordinates, monitors, and oversees the implementation of the trafficking law. In addition, IACAT approved guidelines for the rights of trafficked children during the reporting period.³¹⁷⁰ The Philippines is one of several countries in South East Asia participating in a campaign by MTV Europe to raise awareness on human trafficking.³¹⁷¹

The Government of the Philippines, through DOLE, is participating in a Timebound Program to implement PPACL. Phase I of the program targeted children involved in commercial sexual exploitation, mining and quarrying, pyrotechnics, deep-sea fishing, domestic service, and work on commercial sugar cane farms.³¹⁷² Phase I of the Timebound Program aimed to withdraw 29,000 children and prevent 22,500 children from exploitive work in these sectors and surpassed its targets. ILO-IPEC and World Vision (in partnership with Plan International, Christian Children’s Fund, and Educational Research and Development Assistance Foundation) implemented USDOL-funded projects to support the Government’s Timebound Program to eliminate child labor in the specified worst forms.³¹⁷³ The World Vision project ended in July 2008 and withdrew 16,997 and prevented 14,312 children from exploitive labor.³¹⁷⁴ In support of Phase II of the Timebound Program and the PPACL, the Government is participating in another USDOL-funded USD 5.5 million project implemented by World Vision that will run through September 2011. The project targets 18,063 children for withdrawal and 11,937 children for prevention from work in the following sectors—sugarcane plantations, other commercial agriculture, child domestic work, commercial sexual exploitation, mining and quarrying, garbage scavenging, and pyrotechnics.³¹⁷⁵

Additional government projects contributing to the goals of the Timebound Program include a 2-year USD 469,000 project, in collaboration with

the Eliminating Child Labor in the Tobacco Industry Foundation, to combat child labor in tobacco production in Region I (Ilocos Region).³¹⁷⁶ UNICEF also works actively with the Government to promote children's rights, protect children from trafficking, and support educational improvements.³¹⁷⁷ USDOS and USAID provide support to a number of anti-trafficking projects in the Philippines, including operation of shelters in several ports, capacity building of task forces, training of law enforcement and government officials, and awareness-raising efforts. Training included specific seminars on child friendly handling of trafficking cases.³¹⁷⁸ In addition, the Interagency Council Against Trafficking approved guidelines for the rights of trafficked children during the reporting period.³¹⁷⁹

The Philippines Education for All National Plan of Action includes child laborers as beneficiaries of education services.³¹⁸⁰ The Department of Education (DepEd) has policy guidance that instructs education officials at the national, regional, and local levels to intervene to reduce or eliminate child labor, as well as guidance for reporting children involved in armed conflict in order to ensure that they receive any necessary assistance.³¹⁸¹ DepEd is implementing functional education and literacy programs that provide working children with basic education and skills training.³¹⁸² DepEd's Bureau of Alternative Learning System is tasked with promoting, improving, and monitoring alternative learning interventions for out-of-school youth and groups with special educational needs, and has developed learning modules for parents of working children in areas with a high incidence of child labor.³¹⁸³

³¹²⁸ For statistical data not cited here, see the Data Sources and Definitions section. For ratifications and ILO-IPEC membership, see the Introduction. For minimum age for admission to work see Government of the Philippines, *Labour Code*, (1993), article 139. See also Government of the Philippines, *An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child*, Republic Act No. 9231, (December 19, 2003). For age to which education is compulsory and free public education, see Government of the Philippines, *Constitution*, (1987), article XIV, section 2(2). See also

U.S. Department of State, "Philippines," in *Country Reports on Human Rights Practices- 2008*, Washington, DC, February 25, 2009, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2008/index.htm>.

³¹²⁹ Terre des Hommes, *Sweet Hazards: Child Labor on Sugarcane Plantations in the Philippines*, Netherlands, June 2005, 8. See also ILO-IPEC, *Safety and Health Fact Sheet: Hazardous Child Labour in Agriculture-Sugarcane*, Geneva, March 2004. See also World Vision, *Combating Child Labor through Education in the Philippines: The ABK 2 Initiative*, Project Document, September 2008, 5, 11, 13. See also ECLT Foundation, *Eliminating Child Labour in the Tobacco Industry Project, Phase 2*, [online] May 29, 2007 [cited January 27, 2009]; available from <http://www.eclt.org/filestore/DOLE2Programme.pdf>. See also U.S. Embassy- Manila, *reporting*, December 6, 2007.

³¹³⁰ U.S. Embassy- Manila, *reporting*, December 6, 2007. See also World Vision, *ABK 2 Initiative, Project Document*, September 2008, 5, 11, 13, 14. See also Angelita Resurreccion, *Time-Bound Programme (TBP) Baseline Survey Integrative Report*, ILO-IPEC, March 2006, 28 and 31. See also U.S. Embassy- Manila, *reporting*, June 10, 2008.

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³¹³² ILO, *Employers' Demand for Child Labor in the Pyrotechnics and Fashion Accessories Industries in the Philippines*, December 2005, xxii-xxiii.

³¹³³ Visayan Forum Foundation Inc., *Trafficked into Forced Labor: Selected Case Studies of Domestic Workers in the Philippines*, Manila, 2006, Introductory notes. See also World Vision, *ABK 2 Initiative, Project Document*, September 2008, 5, 13.

³¹³⁴ U.S. Department of State, "Country Reports- 2008: Philippines," sections 5, 6c, 6d. See also ECPAT International CSEC Database, *Philippines*, accessed November 21, 2007; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp. See also Arnie Trinidad, *Child Pornography in the Philippines*, Manila, 2005, 14. See also ECPAT International, *Global Monitoring Report on the Status of Action Against Commercial Sexual Exploitation of Children: Philippines*, Bangkok, 2006, 11-12.

³¹³⁵ Charita Castro, *Child Sakadas in Philippine Agriculture: Researching Injury Hazards for Working Children in the Context of International Labor Standards and United States Foreign Policy*, May 20, 2007, 79.

³¹³⁶ Emma Porio and Christine Crisol, *The Use of Children in the Production, Sales and Trafficking of Drugs: A synthesis of participatory action-oriented research*

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³¹³⁸ U.S. Department of State, "Country Reports- 2008: Philippines," section 1g. See also Coalition to Stop the Use of Child Soldiers, "Philippines," in *Child Soldiers Global Report 2008*, London, 2008, 277-278; available from <http://www.childsoldiersglobalreport.org/>. See also UN Security Council, *Working Group on Children and Armed Conflict*, October 3, 2008, 1.

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³¹⁴⁰ Government of the Philippines, *Labour Code*, article 139. See also Government of the Philippines, *Republic Act No. 9231*, section 2.

³¹⁴¹ Government of the Philippines, *Labour Code*, article 59.

³¹⁴² Government of the Philippines, *Republic Act No. 9231*, section 3.

³¹⁴³ *Ibid.*, sections 2-4, 6.

³¹⁴⁴ *Ibid.*, section 3.

³¹⁴⁵ Government of the Philippines, *Revised Penal Code*, No. 3815, (December 8, 1930), article 272-274.

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³¹⁴⁹ Government of the Philippines, *Special Protection of Children against Abuse, Exploitation and Discrimination Act*, Republic Act No. 7610 (1992). See also

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³¹⁶⁰ U.S. Department of State, "Country Reports- 2008: Philippines," section 6d. See also Government of the Philippines, *Philippine Government's Efforts to Eliminate the Worst Forms of Child Labor*.

³¹⁶¹ U.S. Embassy- Manila, *reporting*, January 15, 2009, 12. See also Government of the Philippines, *Philippine Government's Efforts to Eliminate the Worst Forms of Child Labor*. See also U.S. Embassy- Manila, *reporting*, March 2, 2009, 3.

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³¹⁸³ U.S. Embassy- Manila, *reporting, January 15, 2009*, 20. See also Government of the Philippines, *Renaming the Bureau of Nonformal Education to Bureau of Alternative Learning System*, Executive Order No. 356, (September 13, 2004). See also U.S. Embassy- Manila, *reporting, December 6, 2007*, 21. See also Government of the Philippines, *National Action Plan to Achieve Education for All by Year 2015*, 26. See also U.S. Embassy- Manila, *reporting, August 29, 2003*.