

SENATE
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THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
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SENATE
P.S.R. No. 521

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING AN INQUIRY, IN AID OF LEGISLATION,
ON THE RISING INCIDENCE OF CHILD LABOR IN THE COUNTRY

WHEREAS, the Constitution, Article 2, Section 13, declares that, "The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs";

WHEREAS, the Constitution, Article 15, Section 3, provides that "The State shall defend x x x (2) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development";

WHEREAS, the Labor Code, Article 139 states that "Minimum employable age:

- (a) No child below fifteen (15) years of age shall be employed, except when he works directly under the sole responsibility of his parents or guardian, and his employment does not in any way interfere with his schooling.
- (b) Any person between fifteen (15) and eighteen (18) years of age may be employed for such number of hours and such periods of the day as determined by the Secretary of Labor and Employment in appropriate regulations.
- (c) The foregoing provisions shall in no case allow the employment of a person below eighteen (18) years of age in an undertaking which is hazardous or deleterious in nature as determined by the Secretary of Labor and Employment";

WHEREAS, the United Nations Declaration of the Rights of the Child, Principle 2, states that "The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose, the best interests of the child shall be the paramount consideration";

WHEREAS, the United Nations Declaration of the Rights of the Child, Principle 9, also states that "The child shall be protected against all forms of neglect, cruelty and exploitation. He shall not be the subject of traffic, in any form. The child shall not be admitted to employment before an appropriate minimum age; he shall in no case be caused or permitted to engage in any occupation or employment which would prejudice his health or education, or interfere with his physical, mental or moral development";

WHEREAS, the Philippines is a party to the International Labor Organization (ILO) Convention No. 138, also known as the Minimum Age Convention of 1973; and the ILO Convention No. 182, or the Worst Forms of Child Labour Convention;

WHEREAS, the 31 March 2006 issue of the *Philippine Daily Inquirer* reported that based on a study conducted by the Department of Labor and Employment (DOLE), working children aged between 5 and 17 years old can be found in three out of ten Philippine households;

WHEREAS, DOLE Undersecretary Luzviminda Padilla said that statistics from the 2001 Philippine Survey on Children shows that at least 3 million Philippine households have children who are working; according to her, of the country's 25 million children aged between 5 and 17 years old, 16 percent or at least 4 million are working;

WHEREAS, the survey also revealed the following alarming facts about child laborers in the country:

- ñ 2.4 million are exposed to biological, physical, and chemical hazards;
- ñ 1.08 million are reportedly engaged in heavy physical work,
- ñ 830,000 said that they found their work risky or dangerous;
- ñ 940,000 had work-related injuries;
- ñ 750,000 said they had work-related illnesses;
- ñ 1.3 million were not attending school regularly, of which 600,000 had difficulty catching up with their lessons;

WHEREAS, this alarming rise in the incidence of child labor in the country is a manifestation of the ineptitude of our government agencies to efficiently enforce and implement existing laws and conventions concerning child workers;

WHEREAS, legislation should be amended so that the proper government authorities would be able to efficiently and effectively promote the welfare and safety of child laborers, disseminate information on child labor, monitor child workers, and take appropriate action against abusive employers; now be it

RESOLVED, that the proper Senate committee shall conduct an inquiry, in aid of legislation, on the rising incidence of child labor in the country.


MIRIAM DEFENSOR SANTIAGO

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