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Senate
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SENATE
P. S. R. No. 55

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Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE CONTINUED PREVALENCE OF THE WORST FORMS OF CHILD LABOR, AND THE URGENT NEED FOR PROACTIVE ENFORCEMENT OF OUR EXISTING LAWS TO CURB THESE LABOR ABUSES

WHEREAS, the Constitution, Article 2, Section 13 provides: "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";

WHEREAS, Republic Act No. 9231, an Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child mandates: "It is hereby declared to be the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination, and other conditions prejudicial to their development including child labor and its worst forms; provide sanctions for their commission and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and discrimination";

WHEREAS, according to a 21 January 2011 article in the *Philippine Daily Inquirer*, the Philippines is one of over 120 countries where the "worst forms of child labor" continue to exist, perpetuating a cycle of poverty and often denying children the chance to attend school and learn the skills they need to become productive adults;

WHEREAS; this conclusion is based on the US Department of Labor report "Findings on the Worst Forms of Child Labor", a report mandated by the Trade and Development Act of 2000 that provides information on the efforts of certain U.S. trade beneficiary countries to eliminate the worst forms of child labor;

WHEREAS, the 2011 report introduced a new format, which highlights the major findings related to each government's efforts and includes country-specific suggestions for actions that would help combat these problems;

WHEREAS, the exploitation of an unspecified number of Filipino children in prostitution, pornography and the sex tourism industry, as well as agriculture, domestic work, drug trafficking and child soldiering, is a highly significant problem;

WHEREAS, according to the report, the eradication of the worst forms of child labor is a matter of urgency and the aim of these reports is to assist governments around the world in taking effective next steps to eliminate the exploitation of children;

WHEREAS, no human being should work under conditions of forced labor or debt bondage or be forced to work under fear of punishment and recognizing these problems is a first step toward motivating governments, the private sector and concerned citizens to take action to end these intolerable abuses;

WHEREAS, the report further revealed that Filipino children, especially girls, are trafficked from rural to urban areas for forced domestic service and commercial sex exploitation;

WHEREAS, while there are no reports of children in the military, child soldiering is a problem among anti-government and terrorist organizations;

WHEREAS, it is notable that secessionist Moro Islamic Liberation Front has made commitments to stop the recruitment and use of children as child soldiers, but the current status of children in its ranks is unclear;

WHEREAS, according to various news reports, both the extremist Abu Sayyaf Group and communist New People's Army continue to recruit and use child soldiers;

WHEREAS, the US Department of Labor report also said that many Filipino children are exploited in agriculture, where they often work long hours, perform physically arduous tasks, use dangerous tools, and face a high risk of occupational injury;

WHEREAS, children are also commonly employed as domestic servants and many child domestics work long hours and their isolation in homes makes them susceptible to sexual harassment and physical abuse;

WHEREAS, it was also reported that children are involved in compressor mining to extract gold, which requires them to dive into pools of mud using an oxygen tube, and in deep-sea fishing where they dive from platforms to cast and retrieve nets in deep waters, which can result in falls, drowning and injuries;

WHEREAS, some Filipino children also work in home-based manufacturing industries that range from making fireworks to fashion accessories which can be harmful because children work longer hours with no supervision;

WHEREAS, the report noted government efforts to strengthen its legal and policy framework to combat the worst forms of child labor by creating anti-child pornography legislation and granting labor inspectors the authority to close businesses violating child labor laws;

WHEREAS, despite the passage of the new law that seeks to eliminate the worst forms of child labor by providing for stiffer penalties against abusers to a maximum of P5 million and 20 years of imprisonment, significant gaps remain in child labor law enforcement efforts while existing social protection programs are clearly not sufficient;

WHEREAS, it is imperative for the State to be proactive in the enforcement of these laws in order to curb and ultimately eliminate the worst forms of child labor;

WHEREFORE, be it hereby resolved by the Philippine Senate to direct the proper Senate Committee to conduct an inquiry, in aid of legislation, on the continued prevalence of the worst forms of child labor, and the urgent need for proactive enforcement of our existing laws to curb these labor abuses.

Adopted,

Miriam Defensor Santiago
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