
PROCEEDINGS

**CONSULTATION WORKSHOP ON
CHILD LABOR MONITORING
IN THE
SMALL-SCALE MINING
AND QUARRYING SECTOR**

Organized By

**INTERNATIONAL LABOUR ORGANIZATION-
INTERNATIONAL PROGRAMME ON THE
ELIMINATION OF CHILD LABOUR (ILO-IPEC)**

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EXECUTIVE SUMMARY

What do we know about child labor monitoring (CLM)? How is it done in the Philippines particularly in the small scale mining sector? What are some of the major child labor monitoring challenges in this sector and how can we address them better? These were some of the key questions which the consultation-workshop on child labor monitoring in the small scale mining sector tried to address. In particular, the National Consultation-Workshop on Child Labor Monitoring in the Small Scale Mining and Quarrying Sector was organized for three key reasons:

- 1) to follow through on the World Day Against Child Labor 2005 commitment for the time bound elimination of child labor in small scale mining
- 2) to create a better understanding of child labor monitoring concepts, elements and processes
- 3) to formulate a framework upon which community-based child labor monitoring mechanisms for the small scale mining sector can be initiated.

The mining sector was targeted because work in mining and quarrying is widely recognized as inherently hazardous for child labor – one of the types of work that Convention 182 on the Worst Forms of Child Labor wants to address as a matter of urgency. Efforts are zeroed in on small scale mining because it is most often informal, unregulated, and usually occurs in remote areas where basic services are not available. Reflections and discussions on the theme were done through presentations of key resource persons who are practitioners in the field either as policy makers, implementers or enforcers.

Child labor monitoring is an active, regular and ongoing process of identifying (who they are, where they come from, what hazards they are exposed to) and referring child laborers to appropriate services. It involves a large number of partners from different key sectors, both public and private, including the community itself. Data collected is primarily used to help in: 1) direct action (referral); 2) improved social planning at the local and regional levels; and 3) national policy improvement and integration of child labor into national development priorities. Most importantly, it is crucial to help change attitudes and the way that community members and institutions at the local level deal with child labor.

CLM should be seen as a complementary mechanism to labor inspection as it provides an opportunity to increase the emphasis of labor inspection on child labor. It should be linked to labor inspection in order to provide it with legitimization, input critical information to competent authorities and improve coordination of action needed. In many ways, it can help to raise awareness on core labor standards and allows for transparency and good governance.

Actual practices of CLM on ground were looked into at different levels -- from the community and workplace, to the provincial, regional and up to the national. In the Philippines, a National Program Against Child Labor (NPACL) is already in place, which is part of the country's commitment to undertake a time-bound programme (TBP) to eliminate the worst forms of child labor. The NPACL aims to reduce the worst forms of child labor by 75% by the year 2015 through its flagship program called Sagip Batang Manggagawa (Rescue the Child Laborers). The SBM is an inter-agency quick response mechanism which aims to respond to cases of child labor in extremely hazardous and exploitative working conditions.

Other sector-specific efforts were also initiated and tested as part of a larger labor and child protection frameworks. This involved the trade unions through their anti-sweatshops campaign in the export processing zones, integration of CLM in collective bargaining agreements and the facilitation of the formation of the Barangay Council for the Protection of Children (BCPC) at the local level. At the community level, a community-based child labor monitoring system (CBCLMS) was designed and pilot-tested in one of ILO's focused areas (Camarines Norte) although this has not been fully maximized and sustained.

What can be done?

Based on the discussions and workshop results, the following key points for recommended practical actions as well as challenges emerged:

1) Data collection and consolidation

- design standardized monitoring tool on child labor shared to different partners for maximum utilization
- establish a national database for effective child labor monitoring with clear quantitative and qualitative indicators to help in assessing TBP progress
- link local level CLM to national information systems on child labor and make this information available to different national statistical offices (to enhance existing indicators i.e., APIS, SPRS, etc.)
- strengthen existing regional mechanisms (RCLC, RSCWC) to improve and consolidate data collection
- engage DILG in data collection and consolidation through facilitating the formation and functional operations of the Barangay Council for the Protection of Children (BCPC)
- inclusion of indigenous peoples data in child labor by working with local Indigenous Peoples' Council of Leaders/Elders

2) Labor inspection and enforcement

- strengthen inter-agency collaboration in labor inspection, particularly the inclusion and strengthening of the role of Department of Labor and Employment (DOLE) in the informal sector
- further intensify enforcement of laws and policies on child labor in the mining sector (DENR-MGB, LGUs and DOLE as key players)
- sensitize key actors on child labor issues, including the judicial system

3) *Provision of direct support services*

- provision of broad range of support for rehabilitation, particularly quality basic education and other basic services such as medical/health, legal aid, counseling, training, and others
- need to provide more viable alternative economic opportunities for parents and siblings of child laborers
- facilitation of financial assistance and other social development program with active support of employers' organizations as part of their corporate social responsibility

4) *Sustainability*

- institutionalize or mainstream CLM in local government units' processes and structures
- need to effectively, efficiently and pro-actively mobilize and converge resources where they are most needed (seek ILO-IPEC assistance on this concern)
- reinforce/enhance capacities of intervening actors through awareness raising and capability building activities, including values formation and peer monitoring (children's participation in monitoring)
- expand partnerships and coordinate different actions within a child labor monitoring initiative (for greater impact and ripple effect)
- promote pro-active legislation/further assist in devising policies and action plans at various levels (barangay, provincial, regional, national)

In the end, for a CLM process to be effective, it must be built on foundations that are already in place and which are going to be there for some time. It must be grounded on those who have the official mandate to ensure that workers are protected. At the same time, multi-stakeholder participation (NGOs, POs, LGUs, employers, trade unions) needs to be emphasized looking at the complementary roles of all critical stakeholders. The mix of experiences and competencies help ensure that the team has the needed knowledge, skills and resources to address the child labor situation at hand.

The consultation workshop hopes to stimulate new ideas in child labor monitoring as a means for the elimination of the worst forms of child labor. With the experiences and lessons learned from this consultation, ILO and its partners hope to take bold initiatives to actively motivate and contribute to the progressive elimination of child labor, and to take a stronger role in future programming in this thematic sector.

DAY 1: 10 OCTOBER 2005

Time started 9:00 a.m.

I. OPENING SESSION

The workshop started with a short opening program that included the singing of the Philippine National Anthem followed by the recognition of the workshop participants. Director Gloria Tango, DOLE Regional Director for Region 11, delivered her welcome address.

Highlights:

- Two-day activity as timely considering that we are celebrating the National Children's Month and this is an appropriate channel and initiative under the Philippine Time-Bound Program to propel our commitment to establish community-based mechanisms that can offer a package of services for the child laborers and their families.
- Program implementers and stakeholders who are present have a vital role to play in translating our commitment to promote and protect the best interests of children in need of special protection into concrete action.
- Needed action to help eliminate the worst forms of child labor is our capacity for shared and collective action, our dynamism to strengthen linkages and structures, our convergence of resources, strict enforcement of our laws and policies and our sustainability in monitoring.
- Task maybe difficult but with all of us as vanguards of children's rights and welfare, our vision to eliminate the worst forms of child labor and transform the lives of our child laborers, their families and communities towards their sense of self-worth, empowerment and development would never be impossible.

Expectation-Check

To check the workshop objectives with that of the participants' expectations, a brief expectation-check was done in the plenary. Participants were asked in terms of what they want to happen or achieve for the two-day consultation-workshop. Results of the expectation setting yielded the following:

UPDATES

- ❖ Current initiatives done on elimination of child labor
- ❖ Know the status of action programs submitted

PRACTICAL ACTIONS

- ❖ Have uniform monitoring tool in small scale mining
- ❖ Learn strategies to address time-bound elimination of child labor
- ❖ Develop and explore partnerships with other agencies or support groups
- ❖ Recommend policies and resolutions to address elimination of child labor in the mining sector

- ❖ Identify local level assistance that can be provided (for Compostela Valley)
- ❖ Initiatives done be seen as an inspiration for addressing concerns on child labor (for Philex Mining)

PROCESSES

- ❖ Have active participation and be open to share ideas and experiences
- ❖ Learn and unlearn concepts, principles and processes

II. PRESENTATION OF WORKSHOP OBJECTIVES

Mr. Tuomo Poutiainen, ILO-IPEC, Geneva

I. Context

- CLM is not new as such. ILO conceptualized CLM to monitor what is ongoing as projects or activities.
- In CLM, we basically identify children and if they are in a situation of danger, something can be done.

Global Context

- Annually, ILO celebrates World Day Against Child Labor with specific theme
- This year, it celebrated World Day Against Child Labor on 12 June 2005 with the theme– A Load Too Heavy: Children in Mining and Quarrying
 - Follow up to the global call to end child labor in SSM and Quarrying
 - Need for a global action plan and assessment of proven interventions

Why is ILO into this?

- Mining as hazardous labor
- Under Worst Forms of Child Labor Convention, 1999 (No.182)

“Work in mining and quarrying is widely recognized as hazardous child labor which the convention urges us all to address as a matter of priority”

Article 5

Each Member shall, after consultation with employers’ and workers’ organizations, establish or designate appropriate mechanism to monitor the implementation of the provisions giving effect to this Convention.

II. Consultation-Workshop Objectives

1. To follow through on the World Day Against Child Labor 2005 commitment for the time bound elimination of child labour in small scale mining
2. To create a better understanding of Child Labor Monitoring (CLM) concepts, elements and processes
3. To formulate a framework upon which community- based CLM mechanism for the small scale mining sector can be initiated

III. Why Community-Based Monitoring ?

- Because SSM is most often informal and unregulated
- Because SSM is often in remote hard to reach areas with low level of services
- Because SSM can be traditional and interlinked to the culture and beliefs of people living in these areas
- Because community (its institutions and attitudes) are always at the centre of family decision-making

The overall focus will be on small-scale mining discussing ways on how to address CLM in this sector. In the workshop groups later, focus will be on what communities and tripartite partners can do, and how all these efforts can be linked to a national concerted effort.

SESSION 1: OVERVIEW OF THE MINING SECTOR IN THE PHILIPPINES

Presenter: Mr. Lazaro Ramos, DENR Mines and Geosciences Bureau
(see Attachment 1 for presentation)

OPEN FORUM

CLM in small-scale mining

Atty. Deogracias Contreras, Jr., Philex Mining Corp:

Two questions raised in relation to child labor monitoring --

- 1) How can the government monitor child labor in small-scale mining considering it is unregistered?
- 2) Under PD 1899, areas falling below 12 hectares belong to the informal sector and are under the jurisdiction of the local government unit (LGU). In this context, do the LGUs have a listing of child laborers and has DENR included this in its inventory? In addition, does DENR-MGB issue census papers that include data as age, occupation, and others?

Response:

Inventories in the mining sector are done by the regional offices including the conduct of the environmental impact assessments. The inventory includes monitoring the presence of child laborers and these are all fed back to the national office.

For small scale mining (SSM), the LGU issues the permit under the Provincial Mining and Regulatory Board (PMRB) which is under the Governor. The LGUs have a listing of all issued permits and are required to submit copies of this to the MGB. The DENR Regional Executive Director (RED) submits the inventory of the SSM to the central office, including those that are identified as illegal. These are all monitored by the national office.

Dir. Edilberto Areza, DENR-MGB RXI:

Census done are on a case-to-case basis. For instance in Mt. Diwalwal, census was conducted because there was available funding. In other areas, this is not done but we are definitely monitoring both legal and illegal mining activities. The monitoring will involve the LGUs, particularly at the barangay level. We investigate the presence of child labor because in incidences such as rock falls or landslides, it is normally the fathers who are able to get out of the mine area quickly while the children are recovered later because they have weaker reflexes. These are sad experiences because children should not be there in the first place.

Labor standards and quality of life

David Gange, FFW:

Two conclusions drawn up based on observations:

- 1) Economic returns from mining are only good for the capitalists but not the workers who continue to live a hand-to-mouth existence.
- 2) Why is it that even with the presence of mining activities in an area, low standard of living still persists? This is true even in my hometown of Paracale and also in Mt. Diwalwal. Almost 600 kgs of gold are extracted daily but still the situation of the workers remains backward. There seems to be an issue with core labor standards and minimum labor requirements

Response:

This is connected with the issue of financing in small scale mining. At the start, a group of miners/laborers will look for a financier who will take care of their food and other material requirements. If they are able to discover gold, income distribution among all miners will be done but only after deducting all the expenses shouldered by the financier. Whatever is left is the only amount shared by the miners. In the case of tunnel mining, there are circumstances in which the financier will only fund until the laborers have digged around 50 feet, after which the laborers will have to find another willing financier. In most instances, the laborers are under the mercy of the financier who controls the sharing agreement.

In the case of the so-called *snicker mining*, there is no financier but an arrangement is done with another group of small scale miners. The laborers will make a contract with another group to mine in the latter's mining claim. The sharing is usually 70% to the owner and 30% to the snicker group. The snicker group usually have a manager who collects his/her share first before distributing the rest of the share to the laborers. Hence, there is the problem of low wages because of this practice.

Policy issues

Jesse Macasil, ILO-IPEC:

It is true that small scale mining involves big scale revenues but small scale in terms of capitalization. There is also a conflict in the policies in terms of allowable age for child labor. Under RA 7942, 16 years old are allowed to work except in underground mines. There seems to be a conflict with this law and that of RA 9231 in terms of allowable working age for children. Which law should prevail?

Atty. Deogracias Contreras, Philex Mining Corp:

We were involved in the drafting of the Mining Act of 1995. If the law has a repealing clause, the portion of that law is repealed by the Mining Act of 1995 as the latter is the prevailing law. The involvement of children is, therefore, non-negotiable.

Mr. Lazaro Ramos, DENR-MGB, Manila:

RA 9231 is the most recent law on mining so this is prevailing in terms of practice. There should be no child labor in mining. We will provide a memorandum to our Director to clarify this matter.

Strengthening and Monitoring of CLM Interventions

Ariel Castro, TUCP:

Considering the focus on CLM in mining, how can CLM mechanisms be strengthened and institutionalized in view of the existing political, economic and social realities?

Response:

When we did the map of the Mineral Action Plan, we identified child laborers already. These children were unable to go to school because of the lack of facilities. Thus, we are trying to put in the plan establishment of day care centers, clinics, schools (grades 1-6) in mining sites. These have been addressed already such as in Mt. Diwalwal where there are schools and clinics. Thus, child labor is reduced or eliminated because the children are kept busy during the day while their parents are working. The Bureau of Mines is spreading this practice.

Ms. Irma Valiente, DOLE-BWYW, Manila:

We were in Diwalwal two years ago for the TBP. We saw the conditions in the area. True, there are schools but these were overcrowded (i.e., almost 60 students per class). Does the MGB monitor Diwalwal and other mining sites not only in terms of looking at the social aspect but in their compliance with other regulations?

Dir. Edilberto Areza, DENR-MGB RED, RXI:

Interventions in Mt. Diwalwal is at its peak with National and Provincial Monitoring Committees in place involving different agencies such as DSWD, DOH. Monitoring is done to look at the whole situation and there are plans/programs to look at safety standards and provision of basic services such as proper tailing disposal system, electric lines, road access, among others. The problem comes in when site relocation is done so that the LGU (especially at the barangay level) will not have jurisdiction over the new site anymore.

Ms. Concepcion Sardana, ILO-IPEC:

If there is already a national inventory in place, how can we use this for CLM? Probably this can be discussed later in the workshop. In terms of inter-agency collaboration, we need to keep in mind that DOLE should be there. Director Valiente already expressed their interest to be part of these collaborative efforts.

Formal vs. informal sector and implications on labor standards and roles of different government agencies

Jesse Macasil, IPO-IPEC:

What is formal or informal economy?

Atty. Brenda Villafuerte, DOLE-BWC:

We are in a quandary where to situate ourselves. Formal means it is a registered company. But even in large scale mining, we do not undertake any inspection in the mining sites (underground activities). DOLE is non-existent except in terms of looking at their payroll which is not a basis for identifying occupational health and safety standards.

A lot more problems are present in small scale mining. There is no clear employee-employer relationship but only an arrangement so DOLE cannot intervene. Practically, DOLE is non-existent in this situation. We are even helpless in the face of problems in labor standards. While child labor is non-negotiable in mining, how can we intervene in an area where we are not there and not even part of the inter-agency activities? This is more problematic in snicker mining. It is time to look into government policies and check the role of DOLE.

Ms. Concepcion Sardana, ILO-IPEC:

What is the implication of EO 270? If we include small scale mining in the formal sector, would it make our work easier to identify child laborers? What is the extent of formalization?

Response:

If it is illegal, we do not have any hold on the group. They need to be formalized with a permit so we can do something such as issue a cease and desist order (CDO). We can have a hold on the financiers and will be able to cancel permits in case of violations. You have to make small scale mining legal to have a better hold on the arrangements. There are lots of documentary requirements before an activity is made legal.

Engr. Reynolfo Juan, DENR-MGB, RV:

We recognize the role of different agencies but I would like to put into perspective the role of DENR, particularly the MGB. MGB has oversight functions because the regulation of SSM has been devolved to the LGUs. We are doing our part by trying to extend technical assistance and monitor SSM operations.

With regards to the implementation of RA 9231, our partners from DOLE are leading this and it is emphasized that child labor is non-negotiable in mining. On the issue of enforcement of certain regulations, it is easier done in the formal sector (rather than

the informal sector) because MGB is handling it. In our regional offices, we have passed resolutions through the Provincial Mining and Regulatory Board (PMRB) that before the LGUs issue a mining permit, they should sign a contract with the permittee so there will be enforcement of CL in their operations. This is difficult in SSM which is unregulated. MGB provides assistance to LGUs to monitor these operations. We need to convince DOLE that they should be part of the group and be an active participant to be able to enforce RA 9231.

Dir. Elias Cayanong, DOLE ARD, RVII:

We are only tasked to conduct labor inspection in the formal sector. In small scale mining, you cannot define what category it falls. First, they are not paid by results, by salaries, by hour, or by volume. In this sense, there is no basis for partnership. There is only the financier and the implementers.

Based on my experience with DOLE in Region 9, Philex Mining was penetrating the area at that time. We started dealing with the financiers. When Philex Mining became strong, we encouraged the SSM to put up a cooperative. The cooperative is a name but it was actually a loose congregation of financiers in order to protect themselves from Philex Mining. After our inspection, we cannot define our role because of the situation because there was no formal employment.

Roland Moya, ECOP:

Getting the impression that if the establishment belongs to the informal sector, operations are already beyond the influence of the law. This is not exactly true. An illegal act should be encompassed by law. DOLE can push for the closure of an establishment violating provisions of the law. Otherwise, this is something that needs better coordination among the different government agencies. It is not just the case of DOLE doing it by itself but a question of putting the acts of different government agencies together. This is very important to bear in mind because this issue involves sensitive socio-economic implications. Political will is also the most important and critical ingredient, the absence of which will put to naught any intervention or advocacy.

Mr. Lazaro Ramos, DENR-MGB, Manila:

The issuance of a CDO in Mt. Diwalwal is a clear example. It was no less than the President of the Philippines who issued this.

Atty. Brenda Villafuerte, DOLE-BWC:

It is really time that the leadership of DOLE, DENR and DILG will have to sit down and talk things over. We need to see how we can harmonize the different policies and for DOLE to make its presence felt in this concern.

Under the new concept of labor standards, DOLE does not conduct inspection of establishments employing 200 workers or more because we are trying to develop among our partners/business enterprises the culture of self-assessment and voluntary compliance. For those with less than 10 employees, we also do not do inspection but we organize and call them for an orientation briefing on technical advisory services that we provide. The SSMs are included under this. We call on our partners in ECOP and the labor unions to discuss together on how we can get their support. Definitely,

there are still a lot of loose ends that need to be tied up so it is the leadership in Manila that would be the right forum to discuss all these concerns.

At this point, Mr. Tuomo Poutiainen (ILO-IPEC) tried to put into focus the direction of the discussions. He highlighted that while the discussions were interesting and productive, the group should not lose focus. Main focus is on children and child labor, and not so much on what the adults do, what parents do but more of what the children do. It is not so much a labor issue as such in terms of regulation, inspection. These can all be discussed because they are all important. But attention should be on what children do and the child protection issue. It's a question of who are the authorities to help children and protect them.

SESSION 2: DIGGING FOR SURVIVAL: THE CHILD MINERS

Presenter: Ms. Concepcion Sardana, ILO-IPEC
(see Attachment 2 for presentation)

OPEN FORUM

On defining appropriate strategies

Jesse Macasil, ILO-IPEC:

To address the CLM concern, we need to identify appropriate strategies. Part of this is provision of livelihood. However, it is ironic that we include this in an industry that is already profitable. Shouldn't the focus be more in terms of improving the employment conditions, the employee-employer contract system? This is an area that can be entered into or covered by DOLE rather than just focus on palliative measures like alternative livelihoods.

Engr. Reynolfo Juan, DENR-MGB, RV:

There is high potential revenue in small scale mining but the government is not getting anything from this. Most profits go to the financiers. That is why the strategy of MGB is to push for the formalization of SSM groups so that we can cover them. We can then impose sanctions, regulations and we can get the necessary revenues. The revenues generated can probably be used to improve working conditions.

Ms. Concepcion Sardana, ILO-IPEC:

What is meant by formalizing? What is the process – they apply, they get to be recognized?

Mr. Lazaro Ramos, DENR-MGB, Manila:

Organize them into associations, register with CDA and then eventually provide small scale mining operators' permits.

On the concern about why do we also need to provide alternative livelihoods, it is because small scale mining is destructive. Operations are not systematic, they bore

holes in just about any place and there is high wastage. If we make these mining operations bigger, better systems can be set in place which can be better regulated.

Re-focusing

At this point, Mr. Poutiainen provided an integrated perspective of the issue and brought the discussion back to its focus. It was highlighted that when we look at the issue of child labor, this can be done from two different perspectives: 1) what causes poverty in the communities (focus on livelihoods); and 2) from child protection, education, social services provided to children.

On the first level, nobody can just say there are small scale miners who became rich. Most revenues go to the middlepersons, financiers or to someone else. There are only a few cases of miners getting rich who are also financiers themselves. The government does not get much from it either. SSM is not something that takes you out of poverty. The way it is conducted or organized still keeps people in poverty. To formalize these operations, there maybe different agencies and people who have to invest to make it more productive, effective and systematic.

A related issue is on environmental protection. This is bad for the environment. In many cases, SSM pollutes vast areas of our water system affecting lowlands, and others. It has cumulative effective that is negative.

For many sectors, there are different ways to look at the child labor issue. At the end, however, we all have the responsibility to protect those who are vulnerable. These are the children and this is going to be the focus -- even as other concerns such as alternative livelihood options and empowerment issues are being discussed.

SESSION 3: THE NATIONAL PROGRAM AGAINST CHILD LABOR

Presenter: Ms. Irma Valiente, OIC, DOLE-Bureau of Women and Young Workers
(see Attachment 3 for presentation)

OPEN FORUM

Ms. Concepcion Sardana, ILO-IPEC:

The presentation provides a contextualization of existing efforts already in place vis-à-vis child labor concerns. A major question we need to ask is: How do we strengthen NAPCL with child labor monitoring? We can probably discuss this later in the workshop.

Response:

We certainly would welcome the integration of these efforts and improve our level of responding to similar concerns.

At this point, the morning session ended for lunch break at 12:30 p.m.

AFTERNOON SESSION

Time started: 1:30 p.m.

SESSION 4: CHILD LABOR MONITORING IN THE PHILIPPINES

Presenter: Dir. Elias Cayanong, DOLE Region VII
(see Attachment 4 for presentation)

OPEN FORUM

Prosecution and conviction of child labor cases in small scale mining

Atty. Deogracias Contreras, Philex Mining:

Have there been any convictions of child labor?

Response:

In other areas, this has been tested. There were instances wherein employers were forced to pay and settlements were arranged. In cases where minors were accepted, the firms were closed.

Ariel Castro, TUCP:

No employer has been convicted in the small scale mining sector although in the past, around 1,908 children have been rescued out of 532 rescue missions in small scale mining. In 1998, P1.9 million was given to the children as cash settlements although not in the small scale mining sector.

Atty. Brenda Villafuerte, DOLE-BWC:

There were four (4) convictions at the national level but not in the mining sector. These were mostly in factories, KTVs. Now we have seven (7) active cases in the Dept. of Justice (DOJ) undergoing trials/hearings. We hope to have more convictions in the future and strengthen CLM especially in terms of cases filed. DOJ needs to be actively involved in the prosecution of cases.

Pedrita Dimakiling, DSWD-RXI:

In Davao, the SBM-QAT exists but have different laws relative to children. What we need to do is look at the choke point and exit points in the region where minors are being recruited. There are many recruiters in the region coming from Surigao, Butuan, General Santos. We can only monitor in areas where there are terminals. We also noticed that there are no DOLE personnel in the overload terminals, only at the sea ports.

There has been no conviction of child labor cases in the mining industry. Probably, the child labor law could be included in the human trafficking law so we can strengthen our protection and prosecution processes.

Dir. Elias Cayanong, DOLE-RVII:

We can expand membership of the QAT. Recruiters are already very smart because in our case, for instance, many are bypassing Cebu and would go to Bohol then direct to

Manila. Other than looking at the law, we also need to consider the psycho-social aspect of the child in addressing child protection concerns.

Jesse Macasil, ILO-IPEC:

Under RA 9231, there is a section that highlights the speedy prosecution of child labor cases. Decision needs to be rendered within 15 days from date of submission of the case.

Roland Moya, ECOP:

Based on observation, gender cases are easier to prosecute because the courts are already sensitized. This is not the case for child labor. One of the problems is probably the judicial system which we need to sensitize about child labor concerns.

Woman Participant from Philex Mining:

What agency in the government is in-charge of prosecuting parents who allow their kids to work?

Dir. Elias Cayanong, DOLE-RVII:

This is emphasized under RA 9231. Anybody can file a case including responsible citizens.

Jesse Macasil, ILO-IPEC:

Anybody can file a case where the violation occurred.

Ms. Lorna de Claro, PSWDO, RV:

In Camarines Norte, we made an innovation in our SBM-QAT. We agreed to create a similar group called the Task Force-Sagip Bata which has the same mandate but under the Governor. It is supported by the Provincial officers and by DOLE. This group will focus on children in the informal sector such as those in prostitution, mining or other hazardous sectors. One question though is on how DOLE can help us rescue children like those working in compressor mining?

Dir. Elias Cayanong, DOLE-RVII:

DOLE intervention is not directly to the child but to the parents. In filing cases, it is only the prosecutor who can file while DOLE provides assistance in documentation. For instance, the Cebu Lady Lawyer's Association provides support in prosecution and we assist them. We can also take a pro-active role by providing capability building trainings and livelihood support but only after they have been organized into a potent group.

Need for accurate database

Engr. Reynolfo Juan, DENR-MGB RV:

It is good to revisit the TBP in child labor. By 2015, we are projecting that 75% of identified child labor will be eliminated from the worst forms of child labor. Since we started in 1993, it is important to check how we are progressing with regards to this objective. Do we have exact figures how we are rating now in terms of this effort?

Dir. Elias Cayanong, DOLE-RVII:

We are more into advocacy and we cannot stop child labor immediately. We assist in providing alternatives and putting them in place. ILO can probably give more data in terms of actual figures.

Jesse Macasil, ILO-IPEC:

We have already started but we need more consolidation of data. Even NSO has integrated this documentation but we need to be sure of the data. DOLE is more into data-sharing initiative (especially in Region 7) but DOLE should have some database.

SESSION 5: TRADE UNION EFFORTS IN CLM

Presenter: Mr. Ariel Castro, TUCP
(see Attachment 5 for presentation)

OPEN FORUM

CLM database and process of data gathering and feedback

Ms. Concepcion Sardana, ILO-IPEC:

With the systems that you have presented, can you already provide the numbers in terms of actual child labor?

Response:

We have the numbers based on the research we conducted. However, I cannot share the information now because this is very sensitive concerning different companies who were part of the research. In one company we have checklisted, despite the permits provided, there were seven (7) children (minors) in the garment industry. Sometimes we discovered one or two children working in these industries.

We make sure that these numbers are provided to the agencies concerned so they can take appropriate actions. The checklist we have will be used to verify compliance with core labor standards especially for external funded projects.

Roland Moya, ECOP:

We are interested if the companies who participated in the research are unionized or not. If these are non-unionized, non-TUCP affiliated, how did you get the data? Also, did your monitors enter the premises to validate the data with management?

Follow up question: There is a similar program on social compliance. Our assessors gained actual entry into the premises and interacted with the employers and workers. Question is: are we a neutral third party?

Response:

Results are based from interviews. We are starting from the perspective that they are not unionized. There were also efforts to validate information especially when PEZA got involved in the verification.

In terms of neutrality, we handled the whole process sensitively that's why I also cannot provide information. A conference was done after the SUCs were completed. At that level, we can ensure correctness and what appropriate actions can be taken.

Roland Moya, ECOP:

After the deficiencies/shortcomings or alleged violations have been surfaced, are there efforts undertaken to ensure that the violations are corrected and remedial procedures are implemented?

Response:

After the conference, actions taken are fed back to the area coalitions and we put to task the agencies responsible. We don't stop at identification only but make sure that the violations do not happen again. This works because there is multi-agency involvement within areas of operation.

Woman participant from Philex Mining:

Does your survey include small scale mining?

Response:

We only focused on the export processing zones (EPZs) which include the garment and semi-conductor establishments.

Informal sector interventions

Ms. Irma Valiente, DOLE-BWYW:

Child labor incidences are mostly in the informal sector. Are there reported cases in the informal sector in your organization and what interventions were done? We have not received any reports from TUCP on the informal sector. Can we get data from TUCP in this area?

Response: The formation of the Barangay Council for the Protection of Children (BCPCs) is an effort to extend an arm to the informal sector. This is how we try to partner with the informal sector where child labor is prevalent. We reported to the national office but I don't know where it went as this is also new to us. As to the number of children rescued, we cannot ascertain the exact number of child laborers.

Jose Macalalad, ECOP:

In terms of the BCPCs, are these organized only in Bulacan or in other areas also? Are the BCPCs functional?

Response:

There is a memorandum circular from DILG mandating all barangays to form their BCPCs. But apparently, not all barangays are in full knowledge of this. What we are doing in TUCP is to orient the barangay officials of the need to create their BCPCs and make sure that these are functioning at the barangay level.

David Gange, FFW:

As additional information to the group, FFW has its own initiatives one of which is the Light Child Program. It is our way of demonstrating that we can provide alternatives to children especially where union members are residing. We provide

access to educational opportunities. We also have the Youth Organization of Workers which is a predecessor of the Light Child program. This is still an active intervention in dealing with child labor

Integration of Child Labor in CBAs

Dir. Gloria Tango, DOLE RXI:

In terms of your advocacy for child labor protection to be included in the CBAs, are there companies which have these CBA provisions? We are interested because DOLE is involved in labor management education and part of it is on collective bargaining. Perhaps we can include this in our advocacy for child protection especially in companies vulnerable to children laborers. We would appreciate if we can get sample copies.

Response:

This is already in effect in Negros Occidental. It is an active campaign in our unions in the sugar industry. We can provide copies through email. But it should be emphasized that the company should underwrite all the expenses for child protection measures.

SESSION 6: IPEC MINING PROJECT EXPERIENCE – CAMARINES NORTE

Presenter: Mr. Ronaldo Ponciano, ILO-IPEC
(see Attachment 6 for presentation)

OPEN FORUM

Inclusion of IP data

Datu Edmund Pangilan, Sarangani Province:

Are there IPs in Camarines Norte? IP concerns were never mentioned in the CBCLMS. Data generated were more from purok/barangay leaders. Suggest that the IP Council of Elders should be added as source of information so that IP data can be integrated such as how many IP children are involved in child labor. For IPs, it will help us know our status also as IPs.

Response:

There are IPs in Camarines Norte. Other organizations are involved with IPs such as UNICEF which is conducting a baseline survey. The CBCLMS design can actually cut across all sectors. There is no problem if it is applied to an industry or at community level.

Profiling process

Ariel Castro, TUCP:

It is interesting to develop a database using the tool. But who actually does the profiling and master listing? Is this done at the provincial or municipal level, or at the

level of DOLE? If with DOLE, who is actually doing this? An important element in CLM is also the person doing the monitoring. Are the inspectors supposed to use this tool or other people in the municipal level?

Response:

Database generation and monitoring is a collaborative effort of the community and other sectors including the local government units. DBMS-MIS is a manual operation suitable in the municipal and provincial levels because they have the resources, equipment and expertise to use this system. The challenge is more on how the local sectors can develop mechanisms for feedback and use of data for appropriate interventions of which the beneficiaries will be the working children. We never reached this level. We just designed and pilot-tested the tool.

Maximized utilization and better coordination

Roland Moya, ECOP:

We may develop the best monitoring tools but the question is whether these tools will be utilized? Maybe these are only used for the projects that we implement but we do not contemplate the use of the tools after project completion. We also need to identify for whom these tools are developed. Who are the focal institutions responsible? We know for a fact these tools are helpful but if they are not utilized, then for what reason do we design these tools for?

Ms. Irma Valiente, DOLE-BWYW:

In DOLE, there is a master listing effort we have started where we spent lots of money. It would have been helpful if the tool presented was shared so DOLE could have used it as reference.

While we have our own initiatives, we encounter some constraints on ground. For instance, our regional operating units do not have enough resources to go down in the community level to look at where the child laborers are. We also farmed out some forms but these were not returned to us so the tool developed has not been fully maximized due to lack of data.

DOLE is the lead agency with respect to NPACL. While there is a number of existing CLM initiatives, these have not been properly coordinated so we have pockets of interventions but with no significant impact as yet. We suggest if we could work out a common CLM tool that will work at all levels so that it will not be difficult to identify and coordinate appropriate interventions. It will also help us do better monitoring of our progress vis-à-vis the TBP.

Ms. Lorna de Claro, PSWDO RV:

We are using a database facilitated by the PPDO and MPDO. The tool developed has been helpful to us especially for our TBP advocacy. In my own capacity, I am able to use it for program planning and for advocating some policies. We use the data from the database although utilizing this is very expensive and its sustainability is a concern. We can present the data to the provincial and municipal governments for them to infuse budget into specific programs. In fact, I was able to ask a minimal amount for the provincial council for child labor as counterpart funds. This will be

allocated for meetings and for travel expenses of field personnel. If I have the data and I know the needs of these children, I will be able to propose more services which I can justify when budget hearing comes.

Roland Moya, ECOP:

The use of monitoring tools requires technical expertise. Hence, this involves massive mobilization of resources. First, we need to get the commitments of agencies, including the LGUs to use the software/tool. Assuming we get their support, the next concern is -- will these LGUs (and agencies) be able to allocate funds so that the use of the tool can be maximized? These are questions we need to address.

Jesse Macasil, ILO-IPEC:

We already have a lot of existing infrastructures for CLM. Our provincial government has comprehensive data on provision of children even at the barangay or purok level. We have BHWs (barangay health workers) who gather data consistently. These are existing infrastructures so we don't have to mobilize resources. The challenge is more on how to convince the LGUs the need to integrate the component of CLM in their processes.

Inclusion of children in monitoring

Ms. Faustina Carreon, Kaugmaon Development Foundation:

In all presentations, not much is said about children's participation in CLM. As much as possible in the NGOs, children are included in our work. This facilitates their empowerment if they are actively involved. Perhaps it is best to let the children participate in the monitoring process and promote "peer monitoring."

Response:

The Sangguniang Kabataan (SK) is involved in data collation at the barangay level so there is some level of peer participation.

Final comments from Mr. Tuomo Poutiainen, ILO-IPEC:

The Camarines Norte experience is a good example of a community-based CLM project that was not carried through. It was a little bit the fault of IPEC in a way because we were trying to expand and enforce this initiative but the momentum was lost for various reasons. There is lots to learn from this initiative as we move along exploring better ways to do CLM. The database can be potentially used for other sectors. One thing about database nowadays is that they can talk to one another. It doesn't mean we need to have a different database for CL, for child protection, for health -- because they can be interlinked. If interlinked, then information can be transferred to another database and it can continue to work.

The question is really *how to coordinate information collection and how we can come up with common denominators*. At the end, what we are asking our multiple partners in development is what information they need and the people we want to use to collect that. We want to use the teachers, the community members so we need to see what we can do to get the information, doing the most little damage in terms of time, people used in collecting information, questions to be asked and the purpose for which this information is collected for.

SESSION 7: CHILD LABOR MONITORING: CONCEPTS, PRINCIPLES AND PROCESSES

Presenter: Mr. Tuomo Poutiainen, ILO-IPEC, Geneva
(see Attachment 7 for presentation)

OPEN FORUM

No questions were raised but a participant shared his insights on the theme.

David Gange, FFW:

We should always consider what people have in their communities. Much more if we are developing programs, we should consider where people are, what they have, what they can and what their current initiatives are. This is based on the premise that the people themselves should be involved in their own development and empowerment. In the past, interventions in development would sometimes be interpreted as meddling in the lives of the people.

In Mt. Diwalwal which is our project area for our child labor program, people felt they were being used in these researches but they get no direct interventions. For us, CLM should not only be the basis for direct services. We have provided some projects and capital for their livelihood but we also do conscientizing, enhancing the level of awareness of the people to address their issues. We should consider these things and not only focus on identifying the incidences of child labor.

Mr. Poutiainen then proceeded to present the workshop questions so that the participants can start reflecting on these guides. For the workshop, the participants were divided into three groups that will cover the national, community and multi-sectoral collaboration. Actual workshop started on the second day.

SESSION 8: GROUP WORK

WORKSHOP QUESTIONS:

Group 1: Community-based Child Labor Monitoring

- How can communities in SSM areas address and monitor child labor?
- What existing capacities and institutions exist and can be used for CLM (name them with roles and responsibilities)?
- What should be the mechanism and starting point for this work (If you were to teach others on how to monitor child labor, where would you start and what kind of tools or guidance would you give?)?
- Try to come up with a short checklist for community people on what to do when they encounter a serious child labor situation.

Group 2: Child Labor Monitoring in the Mining Sector (Multi-stakeholder partnerships: Government, Employers, Trade Unions, Civil Society)

- Who are the main actors responsible for CLM in the mining sector and what are their roles and responsibilities?
- How could the formal mining industry (employers and workers) and those regulating it help in the elimination of child labor in the SSM?
- Provide some examples of tools and processes that could be used and suggest different starting points to launch multi-stakeholder action.

Group 3: National Child Labor Monitoring

- Who are the main actors responsible for CLM and what are their roles and responsibilities?
- How could the existing information collection systems and regulatory processes (health, education, poverty, etc.) be tapped to identify child laborers?
- Are there basis for common child labor indicators (CSR, poverty monitoring, labor surveys, etc.)?
- What could constitute a functional referral system?
- How could voluntary community monitoring be linked to national anti-child labor work?

WORKSHOP GROUPS

Community	Tripartite	National
1. Lazaro Ramos	1. Henry Montilla	1. Atty. Brenda Villafuerte
2. Cosme Lambayon	2. Dir. Elias Cayanong	2. Atty. Gloria Tango
3. Sol Ebarle	3. Engr. Reynolfo Juan	3. Pedrita Dimakiling
4. Ronaldo Ponciano	4. Engr. Edilberto Areza	4. Jose Nomer Macalalad
5. Kalunsiang Dimalen	5. Jose Roland Moya	5. Concepcion Sardana
6. Vicente Magallanes	6. David Gange	6. Nimfa Calera
7. Liza Apit	7. Jesus Macasil Jr.	7. Ariel Castro
8. Dr. Carlos Buasen Jr.	8. Atty. Deogracias Contreras	8. Irma Valiente
9. Faustina Carreon	9. Lorna de Claro	
10. Emilia Tabula	10. Virgie Ceniza	
11. Josephine Frasco		
12. Datu Edmund Pangilan		

DAY 2: 11 October 2005

Time started 8:30 a.m.

I. RECAPITULATION OF DAY 1

To refresh the participants about the highlights of the discussions on the first day, the facilitator started with a brief synthesis.

A) Expectations vis-à-vis Workshop Objectives

EXPECTATIONS	WORKSHOP OBJECTIVES
<ul style="list-style-type: none">• Current initiatives on CLM• Practical, simple actions<ul style="list-style-type: none">-monitoring tools-partnerships-policy recommendations or resolutions-identify local level assistance-existing initiatives to serve as inspiration• Processes – active participation, sharing and learning experience	<ul style="list-style-type: none">• Follow through on World Day Against Child Labor 2005 Commitment for TBP• Better understanding of CLM concepts, elements and processes• Framework formulation of CB-CLM for SSM

B) Context Setting

- Overview of the Philippine Mining Sector
- Child Labor in the Mining and Quarrying Sector – ILO Initiatives
- National Program of Action Against Child Labor
 - ✓ Philippine Time Bound Program
 - ✓ Sagip Batang Manggagawa – flagship program

C) CLM in the Philippines

- CLM on the National Level (DOLE initiatives)
- Trade Union Initiatives
 - ✓ Anti-sweatshop campaign in EPZs
 - verifiers/monitors
 - feedback to area coalitions for action
 - ✓ CLM in CBAs
 - jointly organize appropriate committees
 - company to underwrite all expenses
 - ✓ Facilitating creation of Barangay Councils for the Protection of Children
 - for identification and immediate response/action

- IPEC Project Mining Experience – Community Based CLM
 - ✓ Development of Community-Based Child Labor Monitoring System (CBCLMS)
 - LGU-led monitoring
 - Output: DBMS-MIS (electronic database program)
 - Easily manipulated for data entry and retrieval
 - Tracking system
 - Challenge: maximized utilization + feedbacking mechanism with other offices/sectors

D) CLM Concepts, Principles and Processes

- Monitoring – identification, assessment, referral
Follow up – verification and tracking
- Regular, ongoing process
- Multi-stakeholder participation
- Uses:
 - direct action
 - improved social planning: local and regional
 - national policy improvement and integration of child labor into national development policies
- Criteria: area-based and applicable to all CL types, operates at local level, linked to national CL policy and action, sustainable, replicable, builds upon existing information collection and poverty monitoring systems, transparent, etc.
- Different scales and starting points
 - Attitudinal change (personal change to affect policies and processes)
- Emerging Concerns and Recommendations
 - ✓ Maximum utilization of tools to be developed
 - get LGUs/agencies commitment
 - allocation of resources
 - ✓ Feedback mechanism (information sharing)
 - coordination (collection and collation/consolidation)
 - ✓ Strengthening role of DOLE (inter-agency collaboration especially in labor inspection)
 - ✓ Peer monitoring (children’s participation in monitoring)
 - ✓ Speedy prosecution of child labor cases
 - ✓ Consider where people are, what they have (capacities, level of awareness, available resources, current practices/initiatives)
 - ✓ How to strengthen NPACL by integrating CLM

After the review of the first day highlights, the participants went to their workshop groups to start their discussions. Plenary was called back after an hour and half. Each group then reported the outputs from their discussions.

II. WORKSHOP RESULTS

GROUP 1: Community-Based Child Labor Monitoring

a) *How can communities in SSM areas address and monitor child labor?*

- Awareness building, capacity building
- Massive IEC, Advocacy program
- Community organizing
- Profiling, data gathering

b) *What existing capacities and institutions can be used for CLM?*

- PTCA- School monitoring, identification of needs
- BCPC- Policy formulation/data gathering/ awareness building
- PO – Actual implementation
- Religious Organizations – mobilization, advocacy
- Children’s Youth Organization – information

c) *Mechanisms and starting point for work*

- Organizing / strengthen the monitoring team
- Barangay resolution/ municipal ordinance
- Capability Building for members of the monitoring team

d) *Check list for community people on what to do when they encounter a serious child labor situation.*

1. Investigate incident
2. Document to prevent recurrence
3. Provide training
4. Come up with reporting procedures

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Jesse Macasil, ILO-IPEC:

We need to emphasize two sides of the community: 1) poverty and 2) values. Emphasis should also be given to values education as this affects the way people think about things.

Also, we need to always check first what is the community situation, identify pertinent information before we get into capability building initiatives.

GROUP 2: CLM in the Mining Sector

a) Main actors and their roles (sectoral approach)

➤ DENR-MGB

- monitoring of mine sites at least once a year (safety, health, environmental and NOW child labor)
- provision of technical assistance to LGUs (also encourage LGUs to pass an ordinance that would task them to conduct regular monitoring in mine sites (SSM))
- mainstream CLM in regular monitoring activities in SSM

➤ DOLE

- technical assistance in organizational development (rural workers formation program)
- enabling child labor committees to provide direct services to child laborers or those withdrawn from mining sites

➤ LGUs

- Conduct regular monitoring of mine sites (SSM). This can be strengthened further by virtue of an ordinance.
- Make available an array of services for child laborers and their families (education, health, livelihood, etc.)
- Strengthen licensing system by integrating a provision on anti-CL and improve enforcement capacities

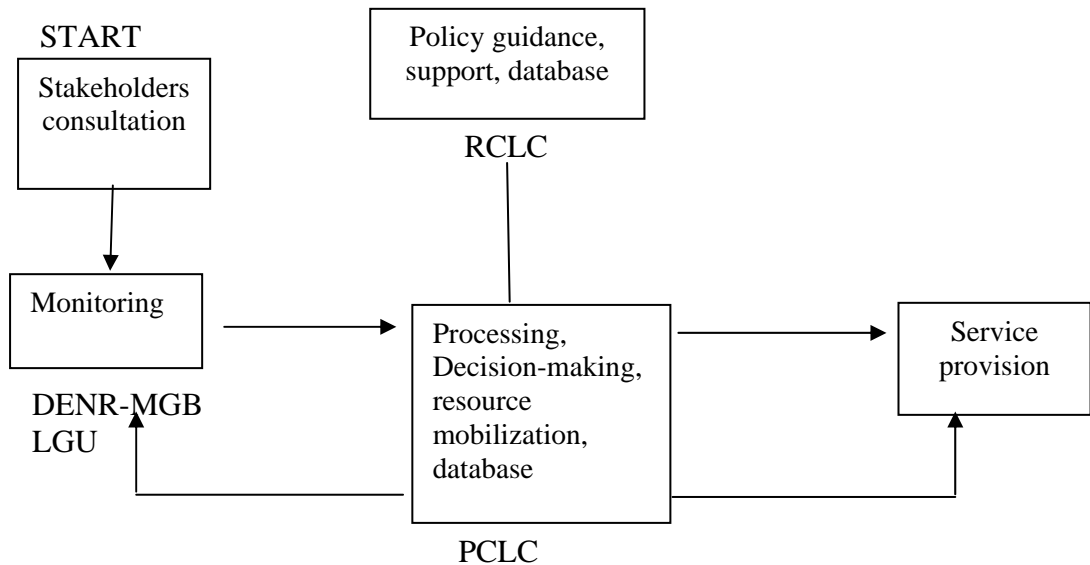
➤ DepEd and DSWD

- Monitoring of drop outs and putting in place a tracking system for drop outs and provision of appropriate assistance to identified child laborers

➤ Employers (Philex/ECOP)

- Strict monitoring for sub-contracting arrangements
- Opening up employment opportunities and providing a package of assistance to SSM families with the help of local chambers of commerce
- Extending outreach to SSM families particular those with CL
- Extending financial aid (through credit) to SSM families

b) Process



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General Comment:

Instead of extending financial aid, it is better to *facilitate* financial assistance rather than provide direct financial aid. This can be done with the support of companies like Philex and also through ECOP.

Local structures (RCLCs, BCPCs, etc.) and their roles and status

Jesse Macasil, ILO-IPEC:

Did you look at the state of the RCLCs and the capacities of the sectoral representatives in the RCLCs? In many instances, the RCLCs are not active or non-functioning. We should not limit the structure to the RCLCs.

Dir. Elias Cayanong, DOLE-RVII:

Membership in the RCLC is mostly voluntary and based on their mandate, grouping together to reach one goal.

Jesse Macasil, ILO-IPEC:

We refer to state right of the RCLCs which is similar to situation of the barangay council which is not also not very active although there are functional BCPCs. But the idea is not to limit the structure in the Provincial and Regional levels to the PCLCs or RCLCs. There are provinces which do not have these but have Regional Councils for the Welfare of Children by virtue also of the Provincial Children's Code which have been passed in many provinces. There are many provinces which have Provincial Councils for the Welfare of Children instead of the PCLCs. They can take the place of the PCLCs.

Ariel Castro, TUCP:

The original idea behind the RCLCs/PCLCs is to ensure tripartite partnership and to have active participation of all sectors related to child labor. Does the composition of the Provincial Council for the Welfare of Children have active representation of the unions or employers?

Jesse Macasil, ILO-IPEC:

That would be the handicap because the composition of the PCWC is very much defined in the Provincial Children's Code. There is a percentage for NGO representation but most members are from government agencies. I doubt if there is representation from the workers or private sectors.

Atty. Brenda Villafuerte, DOLE-BWC:

The composition of the NCLC/RCLC/PCLC are the LGUs, NGOs, and other stakeholders. Is this the same with PIC that they are in the structure?

Dir. Elias Cayanong, DOLE-RVII:

In areas, it tends to be a generic term but same functions. In Cebu, for instance, the Mayor has a group for the welfare of children, the members of whom are also the general child labor committee. This is the same with the province. The Governor is the active chairperson but it is the DOLE who is running the show with membership from NGOs and LGAs concerned like DSWD. The labor unions are represented (TUCP) under the Provincial Board Member of local unions.

Jesse Macasil, ILO-IPEC:

Consensus in the group earlier was that the composition is not restrictive. Whatever is appropriate, whatever is there already can be strengthened. In many areas served, there are provincial councils, sub-committees – called by many names but the focus is on children so we can utilize. There is no need to re-invent the wheel but utilize the institutions that are already existing.

Ms. Irma Valiente, DOLE-BWYW:

The terms have been changed -- NCLC/RCLC, PICs and then PCLCs. The PIC was removed in the lower level to conform to the PCWC which is the structure at the LGU level. This is another term for the structure. This might create confusion at the lower level. I'm looking at this from the nation-wide structure.

The structures are not similar in the different regions. For instance, there are other regions with no ICLCs and they are subsumed in the ICWC. That's another issue but since we are here, we should agree on the terminologies. This was one issue we discussed with Dir. Laygo of the Council for the Welfare of Children. There are some regions which are not active in IRCWC because they have their ICLC where they are active.

Jesse Macasil, ILO-IPEC:

The groups have different mandates. RCWC is very general, focusing on children's welfare. ICLCs are specific to child labor. In many cases, DOLE is represented in the RCWC because one of the children's welfare concerns is child labor.

One major reason why these PCLCs/RCLCs are evolving at the provincial level is that these committees (especially on child labor) do not have resources so they have to look at the provincial government to get resources in order they can operate. In that case, they assume different names corresponding to the LGU structure. These committees adapt depending on realities in the field. In Negros Oriental, for instance, the Provincial Committee on CL has no financial resources except for manpower so it looks to the LGU for support.

MGB role and need to capacitate LGUs

Engr. Reynolfo Juan, DENR-MGB, RV:

I would like to clarify the role of the DENR-MGB because people might have high expectations about the office. The MGB conducts actual on-site monitoring of small scale mining areas in terms of health safety standards and environmental monitoring. For our commitment, we would like to mainstream the monitoring of CL within our existing system. Our main apprehension is that we are not there all the time because of logistical constraints. Thus, we need to capacitate the LGUs, especially the barangay level so they can handle data collection and child labor monitoring. We also need the assistance, particularly of ILO in terms of logistics.

Group 3: National Child Labor Monitoring

A) MAIN ACTORS

Government

➤ DOLE

•BWW (NPAAC Secretariat)

–Lead agency

–Analysis and consolidation of data (quarterly)

–Plugs data into existing indicators (limited to surveillance and number of children)

•BWC (inspectors)

–Integration in inspections, LSEF (Labor Standards Enforcement Framework)

–Enhance the existing checklist to include the FWP and CL

–Need for qualitative data, no narratives

•BLE (employment issues, work permits, etc.)

–Data generation from issuance of work permits

- BLES
 - Establishment survey

- DOLE Regional Offices
 - Divisions to submit data to Internal Management Statistical Division (IMSD) for consolidation for Statistical Performance Reporting System (SPRS)
 - Need for regional consultations to identify and correct gaps on reporting systems
 - Database

- DSWD
 - (data for illegally recruited CL)
 - SPPBS (statistical report)
 - Support for illegally recruited, rescued CL
 - IACAT (Inter-Agency Council Against Trafficking); another source of data
 - Regional offices maintain database

- LGUs
 - Issuance of domestic travel permit for children

- DILG
 - BCPC data

- Employers
 - Regularly submit required reports to DOLE
 - Engage relevant DOLE agencies in discussions

- Unions/workers
 - Regularly submit required reports to DOLE
 - Engage relevant DOLE agencies in discussions

B) CHALLENGES

- Ensure CLM discussions in NCLC
- Need to engage DILG in data consolidation (BCPC)
- Multi-sectoral assessment of SBM

C) COMMON INDICATORS

- DOLE
 - DO 33 (master listing)
 - SPRS
 - Data from regions (IMSD)
 - Establishment survey
 - PRPA (Implementing rules governing private recruitment & placement agencies)

- NSO

–LFS (BLES to run revised data set, data on working children (5-17)

–APIS (Annual Poverty Indicator System - households with working children)

D) FUNCTIONAL REFERRAL

Should include:

- Medical and health services
 - Family Planning/responsible parenthood/RH services
- Geared towards education (make children go back to school)
- Assistance to parents (alternative livelihood to augment income)
- Parenting seminars (value formation for parents)
- Counseling

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Mobilization of resources

Jesse Macasil, ILO-IPEC:

Issue of resources is always there and seen as a constraint but we don't have proactive approach – what we need to do in order to generate resources so the committees can be sustainable. One of these is active lobbying at the national level but it is a long process. We can probably do fund-raising activities at different levels so we can support our respective operations.

Engr. Reynolfo Juan, DENR-MGB, RV:

One of our discussion points in the CLM mining sector group was sourcing out of possible assistance for the referral system. In case a small scale mining community exists within a large scale mining operations, we'd like to convince the mining industry that part of their social development program should include these SSM areas. On the part of Philex, they are committing that they can have it programmed. In terms of the implementation of the social development program, we at the MGB can facilitate or perhaps impose on the mining companies that they target these child labor monitoring system.

SYNTHESIS OF WORKSHOP RESULTS

Major points raised:

1. Identification of major actors/players and their roles
 - mandated institutions: LGUs (Provincial, Regional, Barangay) and LGAs (DOLE, DSWD, DENR, etc.)
 - Employers
 - Trade unions
 - Civil society: POs/IPOs, NGOs, Youth organizations (SK)
2. Existing indicators – i.e., SPRS, SPPBS, APIS, etc.; need to strengthen/enhance and coordinate
3. Mechanisms or Starting points
 - emphasis on multi-stakeholder participation: for feedback and coordination, moving towards convergence
 - various forms: organizing, stakeholders consultations, capability building, policy formulation and institutionalization
4. Highlight also VALUES FORMATION in the work so that a change in attitude may be translated into concrete actions supportive of CLM work
5. Do resource mobilization to help sustain the work

FINAL REFLECTIONS

Mr. Tuomo Poutiainen, ILO-IPEC, Geneva

Mr. Poutiainen shared some reflections based on group discussions and provided an overall wrap up of the consultation-workshop. Major points highlighted were the following:

In the group discussing the CLM in the mining sector, the centrality of the theme was how to introduce the sector's specific concerns into these various processes at different levels –whether at community, provincial or national. As a matter of practice, the tripartite partners have representation in the different committees but it does not necessarily mean that sectoral concerns like mining are fully represented.

In terms of the community, two different things were emerging from the reports. In the Philippines, because of the very strong presence of the local government and the structures that exist, one would assume that when one introduces something, it will always have to go through the local government and would have to be backed by local ordinances to have an element of local government support. On the other hand, communities can do something among themselves but it is something that has to be coupled with advocacy, centralization and values change. It is important to look at these two things together.

In the national level, there's a lot of work to be done in terms of how to converge the different information collection efforts. It is not only for the purposes of being able to get the data but also to be able to see how we are faring in terms of how we do it. Maybe it is an opportunity to re-create our scheme in terms of using the child labor training as a rallying point. It is not that nothing is happening. Lots of things are happening but we are not able to show it so well, and one of the potentials of CLM is for us to be able to show. It is this idea of small streams of information pooled into one big database that can show something is moving.

There were three objectives for this consultation. First, to see and to get some ideas how communities can be part of CLM. We did a little of that. We got ideas on what communities can develop and globally, we are doing a lot more on that. It is hoped that this consultation (and others) will feed into a generic guidance globally on the matter. In the Philippines, there is such a wealth of knowledge in terms of community participation, community-based participatory methods. So far there is nothing we can teach you, you are teaching others.

We set out to introduce and to make available for discussion the concept of CLM. This was the secondary objective. The way it was done was for the participants to present what they were already doing in CLM, without necessarily thinking of it as CLM. Then the overall concepts were presented. The idea was to spark the participants into thinking, to use this as food for thought. If when people go back to their respective locations and start discussing child labor issues, if they are able to introduce CLM or at least contemplate the use of these strategies, tools or concepts, then we are successful in that respect as well.

As a third objective, we wanted to follow up on the World Day of Mining. We introduced CLM through the sectoral idea of mining because we wanted to bring in also the mining issues. But in essence, we wanted to bring in the idea of CLM. This is the commitment of ILO and the global partners in the mining sector. We want that after this consultation, when we all go back to our respective places we keep the issue of child labor and SSM in the Philippines. The time-bound program and the other partners will hopefully follow up on this concern. Some of the concerns raised here but were not addressed will not be left alone. They will be addressed later on.

Lastly, the different CLM materials and resources that are already available were not presented because of time. There's a huge volume of information that exists in terms of different CLM projects and communities, businesses, governments working on it. All materials will be left at the ILO office in Manila and on request basis, people can further text us and ask for the basic set of materials depending on what they need. The materials will also be posted in the ILO website in month or so.

CLOSING REMARKS

Ms. Concepcion Sardana, Senior Programme Office, ILO-IPEC

The results of the consultation-workshop will serve as an input for further discussions with partners. We have received certain commitments already i.e., DOLE-BCWC will include child labor in its indicators and DENR to forward some policy recommendations. Other commitments are negotiable. We will look at this concern seriously.

Proceedings of the consultation-workshop and the other materials will be provided, as requested.

Sincerely thanked Tuomo for not forgetting the Philippines and for helping the local ILO team. Appreciation was also expressed to all resource persons and the participants for their inputs, and for ILO colleagues who provided support.

Workshop ended at 12:15 p.m.