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PANEL II

Capacity-building on mainstreaming a gender perspective in the development, implementation and evaluation of national policies and programmes for the elimination of all forms of discrimination and violence against the girl child.

Written statement*

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* The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.

1. My task this afternoon is to share with you some of the initiatives that have been taken by the Philippine government to address issues of discrimination and violence against girl-children engaged in child labour. In this presentation, I will first describe the national framework and mandates for Gender Mainstreaming and for safeguarding children's rights. Following this overview, a short situationer on Child Labour will be provided. Finally, I will describe a project I implemented as part of the preparatory activities for the implementation of ILO-IPEC's Philippine Time-Bound Programme, a significant component of the Philippines' National Programme against Child Labour (2000- 2004).

Mandates for Mainstreaming Gender and Development

2. The *Women in Development and Nation-Building Act* (Republic Act No. 7192) provided one of the earliest legislative frameworks (1991) for the "integration of women as full and equal partners of men in development and nation-building." It specifies that a substantial portion of funds received through official development assistance (or ODA) be set aside by government for women-specific activities. It also directs government organizations "to review and revise all their regulations, circulars, issuances and procedures to remove gender bias therein." In 1995, coinciding with the Fourth World Conference on Women, the *Philippine Plan for Gender-Responsive Development* (PPGD) was adopted by the Philippine Government. As a companion document to the Philippine Medium-Term Development Plans, the PPGD provides directions for the mainstreaming of gender interests in all facets of development undertaking. Through Executive Order No. 273, former Pres. Fidel Ramos instructed all government agencies to incorporate GAD concerns in their respective planning, programming and budgeting processes. It instructed them to apply the PPGD in the formulation, assessment and updating of annual and medium-term plans, and in the preparation of "sectoral performance assessments, public investment plans and other documents." (PPGD 1995:ii).

3. The present government has adopted the *Framework Plan for Women* as a strategic policy framework for the implementation of the *Philippine Plan for Gender-Responsive Development* within the shorter-term period of 2001 to 2010. The *Framework Plan* directs government and civil society to generate specific policy and program responses in three key areas of concern, namely: the promotion of women's economic empowerment, the upholding of women's human rights, and gender-responsive good governance. It presents strategies, suggests various strategies and desirable outcomes for each of the 3 areas of GAD concern. To ensure that resources would be available for mainstreaming gender, a GAD Budget has been allocated in the Philippines for use in both national and local machineries of government (Section 28 of the General Appropriations Act of 1995; Annual Local Budget Memorandum). National departments and local governments have been directed to allocate a minimum of 5 percent of each one's total annual appropriation for GAD projects. Implementing guidelines for the use of these resources have also been disseminated, to enable government agencies to effectively formulate GAD plans and allocate resources for these programs and projects.

Safeguards to Children's Rights

4. In 1974, the Philippine government enacted the Child and Youth Welfare Code (PD 603), which detailed the rights and responsibilities of children as well as the duties and obligation of parents and social institutions to promote their welfare. It also created the Council for the Welfare of Children as the mechanism for the full implementation of the Code. The Philippine Constitution, crafted in 1987, incorporates guarantees over the rights 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” (Philippine Constitution, Article XV, Section 3). Following this, a number of important legislations were enacted to provide protection of children from abuse and exploitation. These include 2 laws on the Special Protection of Children against Abuse, Exploitation and Discrimination (R.A.7610 1991 and RA7658 1992), which penalizes persons who exploit children through prostitution, trafficking, and engagement in illicit activities. The minimum age for working children was set at 15 years (except in non-hazardous work under the sole responsibility of their parents or in family-based enterprises), and 18 years for hazardous labour.

5. More recently, four legislative acts have been enacted that bear directly on children’s rights. The first law that women’s groups successfully lobbied to be instituted was the Anti-Rape Law of 1997 (RA8353), which classifies rape as a heinous crime against persons, thus imposing the most severe penalty to offenders. Another legislative victory for rights advocates was the passage of an act to Eliminate Trafficking in Persons, Especially Women and Children (RA9208 2002). It created the Inter-Agency Council against Trafficking, composed of five government agencies and three NGOs: each representing women, overseas Filipino workers and children). A third protective legislation is the Anti-Violence against Women and their Children Act of 2004 (RA9262). It defines rape, sexual coercion, prostitution and economic abuse as forms of violence against women and children, imposes penalties to transgressors and details procedures for the protection and treatment of abused women and children. The fourth legislation that provides more specific guarantees over the rights of working children is a law that provides for the elimination of the worst forms of child labor, (RA9231, 2003). Corollary to these statutes, the Local Government Code of the Philippines (RA7160 1991) also provides for the protection and total development of children, particularly those below 7 years of age, and adopts measures towards the prevention and eradication of drug, abuse, child abuse, and juvenile delinquency.

Child Labour

6. Within the context of Philippine statutes, child labour is the illegal employment of children below 15 years of age, or those less than 18 years old in hazardous occupations (ILS, DOLE 1994). When defined in terms of its nature, child labor pertains to the *participation of children in a wide variety of work situations, on a more or less regular basis, to earn a livelihood for themselves or for others*. Children’s work may be paid or unpaid, and remuneration for their efforts may be made to adults rather than to themselves, or assessed in non-material ways - such as food, education, shelter or clothing (Torres 2002).

7. A *Survey on Children* in 2001 (NSO –ILO-IPEC 2003) highlights the following situation of child workers in the Philippines. Of 10.4 million Filipino households in 2001, about a fourth (2.7 million) had children working either in their own household-operated enterprises or in other households. Two-thirds of these enterprises were in agriculture and a third were in services. Households with working children fared less well on economic indicators than those without working children (i.e. on income and expenditures, housing characteristics and household amenities).

8. There were 4.18 million children working under these circumstances, with boys outnumbering girls two-to-one in both urban and rural areas. Close to 2/3 of the working children did so within their own household farms or businesses. A fifth worked in private establishments (21%), in private households (9.3%) or were self-employed (4.4%). The

survey revealed that there were twice as many more boys than girls in agriculture, hunting, forestry and fishing but more than half of child workers in service occupations were girls.

9. A majority of the working children were at least 10 years of age, with median ages of 14-15 years, although 7% of the girls and 6% of the boys were between the ages of 5 to 9. The most common reasons given by the children for their labour participation were economic in nature: to help in their family farms or businesses and to add to the family's incomes. Less than 10% of either girls or boys said they worked in order to gain experience, acquire training, or to 'learn the value of work.'

10. A fourth of the children worked the whole year; the rest worked either only during the summer vacation, or had short-term casual jobs. Hence, a majority of both boys and girls combined schooling with working (66%), with girl-children enjoying a slight advantage over boys. On the average, the children worked for 1 to 4 hours daily, for 3½ days in a week. But there was a higher proportion of girls who worked longer hours and for more days in a week.

11. This profile may seem to indicate that the plight of child workers in the Philippines is not too bad. However, the survey further reveals that more than half of the working children had been exposed to hazardous environments in their work places. These risks included physical, biological and chemical hazards, and the children were often exposed to a combination of any or all of these.

12. It was against this backdrop that the Philippines formulated a Strategic Framework and Programme to address the worst form of child labour.

The National Program against Child Labour

13. The Philippines ratified ILO Convention 182 on the Worst Forms of Child Labour in 2000. The Convention lists four categories of worst forms of child labour, which requires elimination:

- All forms of slavery or similar practices, such as the sale or trafficking of children, debt bondage, serfdom, and forced or compulsory labor, including the recruitment of children for use in armed conflict;
- The use, procurement or offering of a child for prostitution, production of pornography or pornographic performances;
- The use, procurement or offering of a child for illicit activities, such as in the sale or trafficking of drugs;
- Work which, by nature or by the circumstances under which it is carried out, is likely to harm the health, safety and morals of children (ILO 1999).

14. The ratification of Convention 182 meant that the Philippine government had to take immediate and effective steps to eliminate these worst forms of child labour. These concerns were incorporated in the Strategic Framework of the *National Program against Child Labour* (NPACL), a document crafted by a network of social partners to address issues of child labour (BWYW-DOLE 2006).

15. As part of the implementation of the NPACL, a Convention 182 Implementation Team was formed, led by the Bureau of Women and Young Workers of the Department of Labor and Employment (DOLE), and with the participation of the Bureaus of Elementary Education and

Non-Formal Education of the Department of Education, trade unions, non-government organizations, and ILO-IPEC. One of their decisions was to undertake several in-depth studies on child labor, including the conduct of six cursory assessments on what had been identified in 1994 as among the worst forms of child labor in the country (Mantee & Cruz 2002) and Rapid Assessments on Girl-Child Labor (ILS-DOLE 2002). Thus, researches were completed on the situation of girl-child workers in the following worst forms of child labour: agriculture (particularly in sugar plantations), child prostitution, deep-sea fishing, domestic work, mining, and pyrotechnics. These special studies served as the bases for designing ILO-IPEC's Philippine Time-Bound Program, "an integrated, sector and area-based, multi-pronged, knowledge-based response implemented by a broad range of social partners," and linked to both the Medium-Term Philippine Development Plan and the NPACL (Mantee & Cruz 2002:54).

Gender Review and Capability Building Project

16. The Strategic Policy Framework of the ILO for 2002 – 20005 explicitly refers to the fundamental role of gender as a crosscutting concern in achieving decent work for all. Its mainstreaming strategy is an integrated approach in addressing gender issues, based on equal rights and partnership between men and women, boys and girls. (PROG/EVAL Guidelines, January 1995: 3-4, in Jensen 2001). Consistent with the strategic concern of ILO for gender mainstreaming in child labour, the *Gender Review and Capability Building Project* was initiated in November 2002, five months before the Philippine Time-Bound Programme (TBP) was scheduled to commence in February 2003, in order to be able to influence the processes of effectively integrating gender concerns in all of IPEC's forthcoming activities (Torres 2004).

17. The Gender Assessment Project had three main components:

- Gender analysis of documents (particularly situation analyses and rapid assessments) pertaining to each of the six priority sectors of hazardous forms of child labor in the Philippines, in order to identify the nature and patterns of gender inequalities that exist in these sectors;
- Inventory of the capacity of IPEC-TBP staff and partners to address gender inequalities in efforts to remove boys and girls from the worst forms of child labor; and
- Development of training and informational materials, as well as the conduct of workshops and training sessions, for ILO and IPEC staff and their partners, on key concepts, strategies and processes to address gender inequalities in the worst forms of child labor.

18. Research Framework. In this project, the causes, patterns and consequences of child labour were scrutinized in terms of gender factors that are identified in the culture, family (or household), market, and the state. Factors in the micro-setting that have been examined in previous researches include the children's own psyche, family and community relations. Often, the results of micro-level studies point to child labour as a survival strategy among poor families (Del Rosario & Bonga 2000). In other studies, structural factors the local and global economy have been extensively discussed and implicated in relation to children's work participation (Boquiren 1987; ILS 1994). Child labor supply and demand have been examined, not only in relation to micro-factors, but also in the context of political and legal events, economic policies, structures and trends. As such, child labour can be understood economically and politically, within the context of global and local capitalism; and ideologically, socially and culturally as a manifestation of hierarchical gender and generation systems (Del Rosario and Veneracion 1987; Del Rosario and Torres 1993; ILS 1994).

19. Gender Assessment. This framework was applied to identify and analyze the gender dimensions in the 6 worst forms of child labour. (A summary of the gender analysis results are reproduced in Table 1 at the end of this report.) As a second objective, an assessment was undertaken of the capacities of ILO-IPEC's social partners to mainstream gender in their respective plans and projects under the Time-Bound Programme. Focus-group discussions were held with implementing organizations and each social partner was asked to complete a Gender Assessment Tool that I had developed. It was formulated to capture the extent of gender consciousness and mainstreaming in the organizations of the partners. A Profile Sheet was also administered to determine the academic background, training and work experience related to GAD of those who took part in the FGD sessions. Visits to project sites were undertaken in an effort to validate the results of gender analysis from documentary research, and to interact with the children, their parents and other community partners.

20. The results of the assessment revealed that, in general, the partners were not ready for mainstreaming gender in child labour programmes. All of them agreed that IPEC partners needed increased capacities on approaches for integrating gender in child labour. These findings and self-assessments formed the foundations for the capacity-building sessions we designed.

Developing Capacities for Gender Mainstreaming In Child Labour Programmes

21. Three Regional Workshops on the *Integration of Gender Concerns in IPEC/TBP Projects and Programmes* were conducted with ILO-IPEC's various partners in the geographic areas where there were ongoing efforts and interventions against the worst forms of child labour. A fourth workshop was held with ILO and IPEC staff. The workshops were designed for 2-days, with the following modules:

- Introduction to Key Concepts on Gender and the Gender Framework on Child Labour
- Gender Assessment of the Worst Forms of Child Labour in the Philippines
- Integrating Gender in Time-Bound Projects for Child Labour
- Agenda Setting: Gender-Responsive Projects for Child Labor Programmes.

22. The objectives of the gender mainstreaming workshops were for the partners to be able to:

- Identify how gender constructs and gender roles influence the causes, patterns and consequences of child labour participation;
- Identify, develop and implement gender-sensitive policies and programs aimed at the protection of child workers;
- Identify, develop and implement appropriate and gender-sensitive policies and programs that will minimize child labour participation, especially in the worst forms of child labour;
- Develop and validate useful indicators for measuring gender equality and child empowerment in IPEC-TBP within the Philippine setting;
- Ensure that the Rights of the Child, particularly boy- and girl-children engaged in child labour, are safeguarded and promoted through child labour policies and programs.

23. Written and oral evaluations were carried out after every workshop. The results were generally favorable. According to the partners, the workshops had improved their knowledge and skills on gender analysis and on how to mainstream gender in child labour programmes and projects. Many were overwhelmed by “the immense work to be done by different agencies or groups” towards this goal. In terms of gender awareness, they realized the importance of gender equality in both personal and professional lives. They were concerned with the need to modify and redefine our values in order to mainstream gender equality in daily life (Torres 2004).

The Girl-Child in the Time-Bound Programmes

24. The Time-Bound Programmes that were implemented in the past two years have addressed the concerns of working girl-children in various ways (ILO-IPEC 2005). Baseline surveys were conducted in the priority sectors, which led to the identification of children at-risk. Educational assistance for their entry or retention into formal education was provided to many of these children. A study on child trafficking was completed jointly with UNICEF, which led to the adoption of a vulnerability assessment model for determining the risk to trafficking of specific sectors of children, including the predominantly female group of child domestic workers (CDWs) and prostituted girl-children. Programmes were initiated to identify and rescue prostituted girls and boys in different cities. They were provided educational assistance, including tutoring lessons, to enable them to catch up with their school work. These tutoring lessons were also used as venues for value-formation among the children. Families were given livelihood skills and employment opportunities, and village officials were given orientations, to lessen the risk of the children returning to work. A trade union provided orientation to its members on how to spot children at-risk in entertainment establishments, and to prevent trafficking from occurring in these places. Working and at-risk children were withdrawn and prevented from working as child domestic workers through the provision of vocational skills, psychosocial services, counseling, and medical assistance. Groups of CDWs were organized and provided orientation on their rights, and trained as anti-child labour advocates for their sector. In most cases, gender sensitization forms part of training and orientation seminars provided to partners, local officials, assisted families and the working children.

25. Regional offices of national departments, local governments, police enforcement units, and village law enforcers were provided orientation on child labour, especially on the worst forms found in their localities. As a result, inter-departmental procedures, ordinances and administrative orders have been promulgated that broaden the scope of protection over the rights of child workers against exploitation and abuse. At the same time, a child-monitoring scheme was developed by the DOLE to enable its labour inspectors to continually assess the child labour situation in different sectors.

26. Child labour remains an issue in the Philippines. Nonetheless, gender sensitivity to the causes, patterns, and consequences of children’s work has led to the development of programmes more attuned to the common and distinct features and of the world of work of girl-children and boy-children. It has also heightened the commitments of social partners. To quote from one of our workshop groups:

Pahayag ng Pagtatalaga

Expression of Commitment

May pagkilala sa karapatan

Realizing the rights

Batang babae o batang lalaki man

Of the girl-child and the boy-child

<i>Parehong kaagapay tungo sa kaunlaran</i>	As partners in development,
<i>Kaming mga lingkod bayan</i>	We service providers
<i>Na ngayo 'y nag-uugnay</i>	Now united
<i>Sama-samang kikilos</i>	And working together
<i>Tungo sa tagumpay</i>	Towards victory,
<i>Aming isisigaw at paninindigan</i>	Will commit to and declare:
<i>Wakasan ang pinakamalalang uri ng child labor!!!</i>	End the worst forms of child labour!

Table 1. Gender Analysis of the Causes of Child Labour

Domestic Services	Agriculture (Sugar)	Mining & Quarrying
<p><u>Gender constructs favor girls as CDWs</u> Girls are trained by their mothers for domestic work Parents allow daughters to work as CDWs because it is seen as the safest kind of work for girls Employers stereotype domestic work as girls' work Young girls are perceived to be obedient and willing to be trained Parents provide fewer opportunities for education among girl-children than boys Older sisters may also be DWs</p>	<p><u>Children are perceived as part of the work force</u> Children accompany mothers as casual or temporary workers Children are part of a collective labor force represented by the father as the only paid worker The children live in the haciendas or in nearby barangays Many children means more hands for farming CL helps parents to comply with their contracts with their landlords Both boys and girls take part in sugar production, although boys are more numerous</p>	<p><u>Gender constructs favor boys as CL</u> The NSO survey lists only boys in SSMQ Surveys indicate that boys usually outnumber girls in SSMQ by 2:1 Manual labor and heavy load required in SSMQ is generally associated with male work Girls have been found at work with their mothers CL from 3-14 yrs work in stone quarries Cultural belief that presence of women will dispel the "luck" in finding the lobe vein in gold mining Belief that presence of girl-children in mines will result in cave-ins or other accidents</p>
<p><u>Domestic work can benefit the CDW and her family</u> Some employers provide CDWs the means and time for schooling Employers are a ready source of cash for the family DW enables parents to pay-off their debts DW provides income to children with no skills DW provides income in the absence of alternative sources of employment</p>	<p><u>Farm work instills work values in children</u> Parents believe that the farm activities fit the mind and bodies of their children Children are groomed to become the successors of the older generation of sugar workers</p>	<p><u>SSMQ is often a family-based operation</u> It is a family activity with children and parents engaged in different stages of extracting and processing gold CL replicates the experiences of their own parents, who were also CL Families mine deposits located beneath their houses</p>
<p><u>Trafficking of children from rural to urban areas is widespread</u> There is a flourishing market for young CDWs who command lower pay than older DWs Unregulated recruitment processes encourage the illegal trafficking of children</p>		<p>SSMQ is often the only source of livelihood in the area Depleted resources & competition favor child labor participation LGUs tolerate CL in the absence of alternative livelihoods for families</p>

Agriculture (Fishing)	Pyrotechnics	Prostitution
<p><u>Gender constructs favor boys as fishers</u> Men usually work as fishers while women get employment as DWs in Cebu or Manila There are more males than females in the fisherfolk households Operators perceive that boys are easier to deal with than adults and will be satisfied with low pay Boys from coastal communities are good swimmers</p>	<p>Pyrotechnics provides employment to families with no alternative livelihoods Women displaced from garments industry by globalization work with their children Migrants with no access to agriculture enter pyrotechnics Provides off-season employment to families dependent on agriculture Labor-intensive, simple, repetitive processes can be handled by children in their homes</p>	<p>Gender constructs & power relationships result in the commodification of children, esp. girls Men consider it their prerogative to seek sexual pleasure Cultural preference for young, innocent and virginal sex partners [<i>pag bata ang ginamit mo, babata ka rin</i>] Families lacking other economic means commoditize their own children</p>
<p>Fishing is the traditional occupation of the households/families Most males work in <i>pa-aling</i>, <i>kubkub</i> or other types of fishing Women find other types of work in their barangays Sons join their fathers in <i>kubkub</i> fishing Relatives & neighbors recruit boys for <i>kubkub</i></p>	<p>Stiff licensing requirements and competition lead to sub-contracting and small-scale production Pyrotechnics production has shifted from factories to households Sub-contractors need very little capital to finance household production</p>	<p><u>Sex tourism</u> Commercial sex is offered in tourist destinations as part of 'tourist attractions' Hotels, restaurants & other entertainment areas become 'pick-up points' for prostituted children</p>
		<p><u>Trafficking of children</u> Rural children recruited for domestic work become prostituted Pimps, brokers, etc. lure children into prostitution with deceptions & false promises</p>
<p>There is an active recruitment system for <i>pa-aling</i> operations Canvassers recruit children from coastal to upland areas Families receive a cash advance for the boys' 10-months of work Children are fetched by vehicles from their homes when the <i>pa-aling</i> expedition begins</p>	<p>Pyrotechnics is usually a community enterprise Communities in pyrotechnics production have been in the business for more than a decade Skills are transferred from adults to children Small-scale family enterprises proliferate to take advantage of product demand during the holidays Children work with their families at home or in workshops</p>	<p><u>Dysfunctional family relationships lead to child prostitution</u> Sexual abuse in the home decreases self-worth and children who think they have 'nothing else to lose' become prostitutes Experience of domestic abuse results in running-away to join other children engaged in drugs, petty theft & commercial sex</p> <p><u>Easy money from sex trade lure children</u> Children envy peers earning from commercial sex Income from and perks of commercial sex entice poor children with no other skills Children are witness to & envy the 'success stories' of older siblings & relatives who have been prostituted</p>

Legend: CDW –child domestic worker
DW – domestic worker
SSMQ – small-scale mining and quarrying

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