



GOVERNMENT AND CIVIL SOCIETY:

Advancing Efforts to Fight Online Sexual Abuse and Exploitation of Children (OSAEC)

ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN

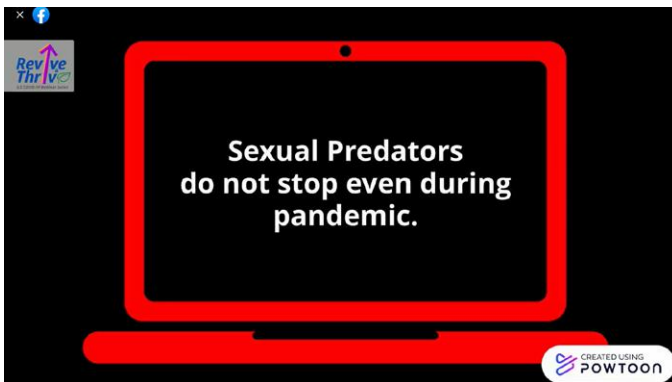
OVERVIEW

Children are among the most marginalized and vulnerable members of society. During this pandemic, they are not exempted from suffering the negative impacts of this crisis. As many parents lose their jobs, some children are forced to work to augment their family's income. Unfortunately, parents and their children resort to online sexual abuse and exploitation as a source of livelihood.

Online Sexual Abuse and Exploitation of Children (OSAEC) is a worst form of child labor. With lockdowns brought by the pandemic, it has widely

proliferated and exponentially increased. To shed light and raise public awareness on this issue, the Institute for Labor Studies (ILS) organized a webinar titled *#KeepKidsSafe: Advancing Efforts to Fight OSAEC¹*, which gathered different representatives from national government agencies, local government units, and civil society organizations to share their experiences and best practices in addressing OSAEC that has continued to exploit the vulnerable state of children and their rights.

This year, in observance of the International Year for the Elimination of Child Labor, this issue paper² seeks



¹ In 2020, the ILS launched the Revive and Thrive Webinar Series, which tackled urgent issues and discussed possible actions toward creating a decent future of work amid and beyond COVID-19. The series of webinars became an accessible platform for the public and the Institute's partners to discuss existing development issues exacerbated by the pandemic and address policy gaps that were put on the sidelines but warranted the attention of various sectors.

² A qualitative research design was employed in this issue paper. Information was drawn primarily from the webinar, with representatives from the Council for the Welfare of Children, Department of Justice-Office of the Cybercrime, Iloilo City Social Welfare and Development Office (CSWDO), and Save the Children Philippines as resource persons. Likewise, the discussions and recommendations from the stakeholders serve as primary inputs for this issue paper.

to contribute to the growing data on OSAEC by mainstreaming the existing interventions and the actions in which the multisectoral organizations face the challenges during the onset of the

COVID-19 pandemic. Moreover, ways forward are identified on how children will be more protected from abuse and exploitation.

POLICY ISSUE

The United Nations has declared 2021 as the International Year for the Elimination of Child Labor. Through a resolution, member states are urged to “take immediate action and effective measures” in eradicating child labor worldwide. The International Labor Organization (2002) defines child labor as work done by children that degrades their mental, physical, social, and moral development. By performing dangerous work, the childhood, dignity, and potential contribution to society of these children are compromised. A number of indicators in the UN Sustainable Development Goals (SDGs) are aimed at eradicating child labor (i.e., Targets 8.7: *Take immediate and effective measures to eradicate forced labor, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labor, including recruitment and use of child soldiers, and by 2025 end child labor in all its forms; and 16.2: End abuse, exploitation, trafficking and all forms of violence and torture against children*). However, despite the global efforts to reduce child labor, a lot of children are still victimized by this crime.

One of the worst forms of child labor that exponentially increased because of lockdowns during this pandemic is the Online Sexual Abuse and Exploitation of Children (OSAEC). The United Nations Children Fund (UNICEF) (2016) has characterized this crime as using the Internet to exploit children sexually, including cases in which contact child abuse and/or exploitation offline is combined with an online component. OSAEC involves capturing images or footage containing sexual abuse and exploitation of minors and children

for online distribution in exchange for compensation. Minors and children may also be forced into sexual acts in front of a camera or online Livestream. Further, the proliferation and consumption of these pornographic materials representing children and minors are also considered OSAEC.

Unfortunately, there has been a 264% increase in OSAEC cases in the Philippines since the pandemic in 2020 (United Nations Office for the Coordination of Humanitarian Affairs, 2021). With this alarming phenomenon, various organizations within the Philippine Government and civil society have started conducting studies to shed light on the technicalities of the issue and the reasons for its exponential increase. Existing studies (UNICEF, 2016; International Justice Mission, 2020) mentioned various factors for the vast proliferation of OSAEC in the Philippines.

Widespread poverty is said to be the primary reason, resorting to OSAEC as a source of income for the family. Apart from this, the Philippines has a robust money transfer infrastructure and a widespread English language proficiency among Filipinos, making it is easy to communicate and transact with OSAEC perpetrators, who are often foreigners. Affordable internet access is also a contributing factor, ranging from free to inexpensive mobile data packages, enabling those in impoverished households to participate in this money-making scheme. Likewise, the reporting of OSAEC cases has been difficult for victims because immediate family members or relatives usually facilitate

the abuse and exploitation. They believe that OSAEC is not harmful because there is no physical contact between the children and the perpetrator.

Given the complexity of its nature and its devastating effects on children, it is imperative to tackle OSAEC from a

“multi-disciplinary approach through the concerted effort of different government units at the national and local levels, non-government agencies, international agencies and organizations, and inter-agency councils.” (UNICEF, 2016, p. XII).

DISCUSSION

Addressing OSAEC at the National Level

In 2019, Executive Order No. 92 was issued institutionalizing the National Council Against Child Labor (NCACL) to strengthen youth protection against exploitation. Likewise, the issuance upscaled the implementation of the Philippine Program Against Child Labor (PPACL) from the formulation of action plans and policies to the conduct of advocacy campaigns and studies on child labor. Under EO 92, the National Child Labor Committee was reorganized into a new body consisting of various government agencies and representatives from the workers, employers, and non-government organizations to eliminate child labor.

The Council for the Welfare of Children (CWC), a member of the NCACL, is the focal inter-agency body of the Philippine Government for children. CWC is mandated to coordinate the implementation and enforcement of all laws to protect child rights and create an environment through policies and programs for developing children’s full potential. In line with this, CWC collaborates with different sectors to conduct researches to address the current and emerging issues that Filipino children face.

Some of their research projects that are highly relevant to OSAEC are the National Baseline Study on Violence Against Children (NBSVAC) in 2016 and A Systematic Literature Review of the Drivers of Violence Affecting

Children: the Philippines (2016), both conducted in partnership with UNICEF, Child Protection Network, and various organizations. The NBSVAC Study revealed that three out of five children experience physical violence, most prevalent at home, with corporal punishment as the most common form. Likewise, psychological violence in verbal abuse, threat, or neglect are common at home and is experienced by three in five children. The study also showed that one in five children below 18 years old had experienced sexual violence while growing up, wherein common perpetrators are family members, such as brothers and cousins. Another alarming finding is that two in five children experience violence online, whether sexual violence or cyberbullying. These situations highlight the reality that violence against children (VAC) both exists online and at home, being subjected to abuse by closest family members and relatives. These fortify the various literature that describes the role of children’s families in the proliferation of OSAEC.

Meanwhile, the Literature Review of the Drivers of Violence Affecting Children: the Philippines (2016) showed that high poverty, unemployment, and poor child protection system, among others, are factors that drive adults to inflict violence among children. As the pandemic causes severe pressure in the country’s child protection programs, this emphasized how Filipino children

become more vulnerable to violence and exploitation, including OSAEC.

From the study’s findings, CWC and its partners developed the Philippine Plan of Action to End Violence Against Children

(PPAEVAC) 2017-2022, which aims to eliminate all forms of violence against children (VAC) by 2022. According to CWC, the said plan of action has six (6) conditions or key result areas (Table 1):

Table 1. Philippine Plan of Action to End Violence Against Children (PPAEVAC) 2017-2022

Key Result Areas	Lead Agency/Agencies
1. Parents and caregivers are aware of and practicing evidence-based parenting skills and positive discipline towards building a safe, nurturing, and protective environment.	Department of Social Welfare and Development (DSWD)
2. Children and adolescents demonstrate personal skills in managing risks, protecting themselves from violence, reporting their experience of violence, and seeking professional help when needed.	Department of Education (DepEd)
3. All children in need of special protection have access to appropriate and quality protective, social, mental, health, legal, economic, and judicial services, preventing the recurrence of violence and trauma.	Department of Justice (DOJ), Department of Health (DOH) and DSWD
4. Well-developed and effectively managed Monitoring and Evaluation system for PPAEVAC is in place.	CWC
5. All VAC-related laws are in place and are effectively enforced.	CWC
6. Multi-stakeholder child protection structures and systems are operational and effectively functioning at the national, provincial, municipal, city and barangay levels.	Department of the Interior and Local Government (DILG) and CWC

Source: Council for the Welfare of Children (2016)

Since OSAEC is a form of VAC, implementing the Action Plan is crucial to preventing and protecting its victims, especially the children. Key Results Areas (KRA) are identified to address the challenges based on the findings of NBSVAC (2016), which include the following:

- Since children experience violence at home, there is a need to change the way children are raised or the way parents raise children, including positive approaches such as positive parenting (KRA 1).
- With only a few of the children who experienced violence get reported and sought professional help, CWC and its partners recognized the skills needed to protect themselves from any form of violence and report their

experience to proper authorities, with hotlines that children can call for free and managed by appropriate service providers (KRA 2).

- Professional help in access to medical assistance, especially to abuse victims, is also highlighted. Suppose a victimized child needs to be sheltered outside or away from home. In that case, the community needs to have foster families recognized by the local government and community to take care of the child victim (KRA 3).
- To track the Action Plan’s progress, government agencies must be regularly monitored to ensure the conduct of projects and activities to end VAC, including child protection systems to combat OSAEC and other programs and services to empower children (KRA 4).

- CWC also ensures that essential laws and legislation concerning children will be passed (KRA 5). This includes the Bill on Positive Discipline, which CWC believes will impact children and parents positively since studies show how violence frequently happens at home.
- Regarding advocacy, local councils for the protection of children in the provincial, municipal, city, and barangay levels, should be functional as frontline services and should be directly accessed by the children themselves (KRA 6).

On the other hand, law enforcement investigations are the most prominent means to combat online child sexual exploitation and abuse. The DOJ-Office of the Cybercrime (OOC) handles OSAEC cases pursuant to Republic Act 10175 or the Cybercrime Prevention Act of 2012. Because there is no Philippine law that specifically tackles OSAEC-related issues, OOC leads the investigation efforts, covers international legal cooperation and extradition, and obtains electronic

evidence from internet service providers to track the account details of OSAEC perpetrators. Likewise, the OOC serves as the National Center for Missing and Exploited Children (NCMEC) Point of Contact, in which the team tracks investigative leads and cyber tipline reports on the spread of child exploitation materials. Government agencies are also tapped, such as the Philippine National Police (PNP), Philippine Internet Crime Against Children Center (PICACC), Bureau of Immigration (BI), and DSWD, to conduct full-blown investigations and operations to identify OSAEC victims. OOC also conducts monitoring of internet service providers' compliance to Republic Act 9775 or the Anti-Child Pornography Act of 2009. Aside from law enforcement, OOC spearheads the capacity-building efforts for all criminal justice sector players, information dissemination (i.e., issuance of public advisories to raise awareness on OSAEC) and facilitates national and international cooperation to continuously combat this worst crime to children.

Good Practices at the Local Level

While the Convention on the Rights of the Child emphasizes the state's responsibility to protect and promote children's welfare, local government units (LGUs) are vital to making this initiative work. For two consecutive years (2017-2018), Iloilo City had been a Child-Friendly City Finalist, with its City Social Welfare Development Office (CSWDO) actively working to uphold the rights of a child under four categories: developmental, survival, participation, and protection. Aside from maintaining two (2) centers catering to children: Layunan Home for Boys (for children in conflict with the law) and the Crisis Intervention Unit (for children at risk and victims of abuse who need temporary shelter), the CSWDO has long recognized the urgency of addressing OSAEC, especially in this time of crisis where

incidences of violence and harassment are expected to increase (David, C., Albert, J., & Vizmanos, J., 2017). Some of the good practices from Iloilo City that is worth emulating are the following:

- **On capacity building and civic engagement.** The pandemic did not stop the city government from capacitating its government personnel and making its constituents engaged in addressing the issue of OSAEC. Barangays and private sector personnel undergo a series of online training to familiarize themselves with the current reporting mechanisms and case documentation of abused children and human trafficking victims. At the barangay level, the city government also trained community watch groups

to specifically report cases of human trafficking. As of November 2020, the city has trained 20 Pilot Barangays in writing and documenting human trafficking cases, including OSAEC. Moreover, to encourage youth involvement in their child protection efforts, 70 youth were trained using a mix of online and small group face-to-face sessions on COVID-19 prevention, children's rights, human trafficking, OSAEC Prevention, and the ill effects of drug abuse.

- **On advocacy.** Disseminating information to rescue and protect children from violence and exploitation is crucial, especially during this pandemic. Thus, the city government partnered with the DepEd to conduct online advocacy to raise awareness about OSAEC and encourage reporting of cases in the community. They conducted advocacy activities targeted at the youth, such as peer-to-peer counseling, as young victims are more comfortable sharing and listening to their fellow youth than adults. Thus, mobilizing the youth in raising awareness on preventing and reporting abuse and exploitation is another strategy.

- **On rescue and protection.** Since 2016, Iloilo City has implemented 24/7 on-call social workers, with the objective of not letting the children wait for the next day to address their concerns. As a result, the CSWDO conducts rescue operations even in the middle of the night. In 2010, An Executive Order was issued by the City Mayor establishing the Task Force on Internet and Gaming Centers, Anti-Piracy and Pornography. The creation of this task force is a preventive measure to protect minors and children. The task force checks internet shops within the city and ensures no viewing of pornographic materials among minors. During the pandemic, the task force continued to conduct a door-to-door inspection within the city and prohibited minors from entering internet shops for the time being. Under normal circumstances, no child is allowed to enter internet shops during class hours. Moreover, the Sangguniang Lungsod issued the Parental Responsibility Ordinance, which holds parents or guardians liable for their children's illegal activities such as drug trafficking, hazing, and joining violent gangs, among others. This is to encourage parental responsibility in ensuring the welfare and protection of their children.

Initiatives from Civil Society Organizations (CSOs)

Curbing OSAEC does not only entails enforcement and prosecution. For child rights advocates, a multisectoral response is needed to address the threat of online exploitation of children, especially in the time of this COVID-19 pandemic. Thus, the efforts of CSOs are crucial in the fight against OSAEC. The SaferKidsPH, a consortium composed of Save the Children PH, The Asia Foundation, and UNICEF, aims to reduce the online sexual abuse and exploitation of children in the Philippines. The group ensures that children are safe and protected online

while working with different stakeholders at the national and local levels.

Save the Children PH, an independent children's organization and a member of the consortium, has trailblazed efforts in policy development and implementation, community engagement, and advocacy to combat OSAEC in the country. To encourage more people to protect children from abuse and exploitation, intensive awareness-raising campaigns, evidence-based advocacy, and constant engagement with the private sector for

support have been in practice. They share resources and collaborate with the Philippine Government and local communities to have a stronger voice and influence in addressing OSAEC through the following initiatives:

- **On protection, prevention, and case management.** To further strengthen responsiveness in handling OSAEC cases, Save the Children PH has been in partnership with the government in terms of the policies and processes of specific executive, judicial, and legislative government agencies. Among the initiatives are: advancing case management; enhancing policies and procedures to manage and respond to OSAEC adjudication in the family courts; improving referral mechanisms for recovery and reintegration; and strengthening the coordination between the PICACC and PNP. They also help equip courts with child-friendly mechanisms so that children can testify appropriately and avoid being subjected to further trauma.

To protect children in target hotspots, Save the Children PH has been collaborating with local communities and local government units to effectively implement child protection programs. They work with schools to improve their ability to detect and prevent OSAEC and to seek help when necessary.

- **On awareness-raising and community engagement.** In Mindanao, Save the Children PH capacitated children to protect themselves and their families to protect their children from exploitation and abuse in the online sphere. To continue operations amidst the COVID-19 pandemic, Save the Children PH adapted its programs quickly by developing a business continuity plan. Despite mobility restrictions, they determined how to maximize existing resources to spread awareness on OSAEC while protecting

children and their families from COVID-19.

‘Pamilyang Protektado’ is a brochure that Save the Children PH has developed, which contains relevant information on COVID-19 and how children and their families can get themselves protected from the virus. It also has online safety tips and hotlines for reporting cases of exploitation and where to seek support when necessary. Copies of the brochure were distributed to partner communities in Cagayan de Oro and Iligan Cities. Given the limited resource of the government and CSOs, this initiative highlights the importance of mobilizing different community actors to protect children and continuously monitor instances of abuse. To combat OSAEC offenders who use internet communications to victimize children and their families, CSOs use social media and online meeting platforms frequently to widen their reach of knowledge dissemination on positive parenting and child protection.

- **On reintegration.** The devastating effects of OSAEC on children and their families range from psychological, emotional, and physical harm. Good reintegration services are needed to ensure that victims recover, and that abuse will not be repeated. Literature (UNICEF, 2016; International Justice Mission; 2020) mentioned that the victims’ family members or relatives are frequently the facilitators of this crime and are motivated by a lack of financial resources. Thus, OSAEC victims and their families need social protection and economic support. As a response, the Safer Kids PH consortium provides livelihood and skills development opportunities for families of OSAEC victims.

WAYS FORWARD

Notwithstanding the current efforts to end OSAEC, there are still existing policy gaps and implementation obstacles encountered by the different sectors. Regarding national policies, a Philippine law directly punishing OSAEC remains absent and current regulations only relate to offenses to the Cybercrime Law Prevention Act of 2012. Further, the pandemic has caused limited mobilization efforts and activities to address OSAEC. Reporting cases is also hampered because perpetrators are at home and lockdowns are imposed, making detection difficult for authorities. Providing rescue and aftercare services for survivors of OSAEC has also become more challenging due to the additional protocol in pulling out children from their homes and the need to undergo swab testing and quarantine procedures.

Aside from regulatory and implementation challenges, supporting OSAEC victims and providing adequate reintegration services is imperative. The number of shelters to accommodate the growing number of abused victims is insufficient and the fund source to support these safe havens is yet unclear. Further, the inadequate quantitative and qualitative data on OSAEC victims through proper profiling and needs assessment is causing inadequate support and reintegration services to the victims and their families. Likewise, the lack of information, particularly sex-disaggregated data, hampers the government and its partners in addressing the specific needs of victimized boys and girls to recover appropriately and thrive in the future. Given these circumstances, the country needs a functional and sustainable child protection system to endure leadership, resources, and environmental changes. While combatting OSAEC is indeed a complex issue, the following recommendations can be used as a guide by the government and civil

society in coming up with feasible and integrated solutions to protect children and preserve their right to a safe and just environment:

- **Intensify cross-sectoral collaboration.** Complementary efforts of different actors increase cooperation to end OSAEC. For one, the business sector must detect and monitor suspicious online activities, especially from money transfer, social media, and telecommunication services. Internet service providers who have firsthand access to information must vigorously report instances of OSAEC needed for investigations. Public and private sectors should also work together to develop systems that could detect live streaming and distribution of pornographic materials involving children. Similarly, media companies (especially those in the mass media) should raise awareness about child abuse and exploitation and promote responsible parenting given their broad audience reach.
- **Develop more inclusive interventions for children with special needs, especially in education.** Partnership with the education sector is vital in keeping children safe. Under DepEd's directive, all schools must ensure the establishment of effective child protection policies and procedures and compliance monitoring systems (i.e., setting up of child protection committees). Likewise, schools are mandated to raise awareness on child protection issues, help identify abuse cases, and refer them to proper authorities for support. During the pandemic, DepEd has adopted cyber safe modules that teachers can use in educating children on how to stay safe online and protect them from abusers. However, there is a lack of

special education services for children with special needs in the Philippines, making them more vulnerable to abuse and exploitation. To ensure that no one is left behind in the fight against OSAEC, the government and its partners can develop PWD-friendly platforms where they can be informed and consulted.

- **Strengthen parental responsibility and positive parenting.** As first responders, parents must be equipped in detecting and reporting OSAEC to authorities. Likewise, positive parenting is encouraged, in which the culture of safety and respect of one's rights starts at home. Parent-teacher cooperation can also monitor one's behavior in school, where a child spends most of their time. This is essential to end the culture of normalizing violence as a form of discipline and care.

- **Promote community action against OSAEC.** The public can detect and report OSAEC within their community and on a larger scale. Being mindful within their neighborhood is an initial step (e.g., reporting to proper authorities of instances of abuse and exploitation, online proliferation of child pornographic materials circulating online, or within their vicinity). Thus, there is a need to conduct programs to spread public awareness on proper internet use, the nature and effects of OSAEC to children and their families, and its identification and prevention. Shared responsibilities among adults are important in safeguarding vulnerable children.

- **Enhance advocacy efforts to end child labor and its emerging forms.** The reality of child labor in the online sphere is unknown to many. Hence, advocacy efforts should not be concentrated on dissemination, but constant communication research for better messaging and targeting

of audience ranging from children and their families, community leaders, perpetrators, legislators, potential partners in the international community, among others, both on national and local levels. The assessment of the information and education materials produced, including the composition and distribution channels, will also be helpful for advocates and members of the NCAAC.

- **Ensure adequate victim support and reintegration services.** A robust and secured data collection can aid in better policy development and resource planning to establish more functional shelters for victims, equipped with skilled personnel to provide psychosocial support and treatment. Regarding fund sources, the government agencies' prescribed Gender and Development (GAD) Budget can be utilized to fund shelters and advocacy efforts to stop child abuse. Also, the fund can be used on other reintegration-related services such as skills development of victims and further studies on the long-term impact of OSAEC on boys and girls. Organizations and agencies can maximize Official Development Assistance from the international community to direct their efforts in providing reintegration services and facilities for OSAEC victims.

There is also a need to improve the sustainability of livelihood projects given to parents of child laborers. Because of the pandemic, livelihood owners struggle to sustain their businesses, increasing the possibility of reverting to their old ways of engaging their children in child labor. The government and its partners need to explore alternative business models to improve the provision of livelihood assistance and its sustainability both in the urban and rural areas. Further studies in improving the country's social protection floor, especially for the informal sector, are also necessary.

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**Government and Civil Society:
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