

DENR MEMORANDUM

***INTENSIFICATION OF THE INTENT OF E.O.
92 TO INTENSIFY THE GOVERNMENT'S
CAMPAIGN AGAINST CHILD LABOR***



Republic of the Philippines
 Department of Environment and Natural Resources
MINES AND GEOSCIENCES BUREAU

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MEMORANDUM

TO : ALL REGIONAL DIRECTORS

FROM : ATTY. WILFREDO G. MONCANO
Acting Director

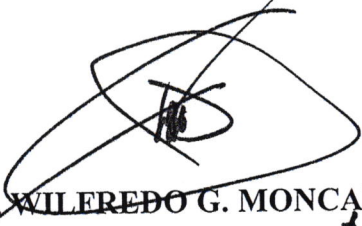
SUBJECT : INTENSIFICATION OF THE INTENT OF E.O. 92 TO INTENSIFY THE GOVERNMENT'S CAMPAIGN AGAINST CHILD LABOR

DATE : OCTOBER 16, 2019

In order to support the government's intent contained in Executive Order No. 92, to amplify efforts for the protection of the rights of vulnerable sectors, especially the children, strengthen related institutional mechanisms, and establish further measures that will contribute to the prevention, reduction and elimination of any form of child labor; withal, the law against child labor in the mining industry as provided for under Section 163 of DAO 2010-21, you are hereby directed to require the mining companies within your area of jurisdiction to conduct an IEC on the heretofore mentioned EO, within a reasonable period which should not be later than end of December 2019, from receipt of instruction from your office, and to submit their report thereafter.

In addition, you are hereby further instructed to submit copies of the said reports on the IEC conducted by the mining companies within five (5) days from your receipt of the same.

For your guidance and compliance.



ATTY. WILFREDO G. MONCANO



**"MINING SHALL BE PRO-PEOPLE AND PRO-ENVIRONMENT
 IN SUSTAINING WEALTH CREATION AND IMPROVED QUALITY OF LIFE."**

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MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 92

**INSTITUTIONALIZING THE NATIONAL COUNCIL AGAINST CHILD
LABOR TO UPSCALE THE IMPLEMENTATION OF THE PHILIPPINE
PROGRAM AGAINST CHILD LABOR**

WHEREAS, Article II, Section 13 of the Constitution declares it a policy of the State to recognize the vital role of the youth in nation-building and to promote and protect the youth's physical, moral, spiritual, intellectual and social well-being;

WHEREAS, Republic Act (RA) No. 7610 or the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act," as amended by RA No. 9231, declares it a policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination, and other conditions prejudicial to their development, which includes child labor in its worst forms;

WHEREAS, the government has established the Philippine Program Against Child Labor (PPACL) as a nationwide program for the prevention and elimination of child labor in the Philippines, and has institutionalized the National Child Labor Committee (NCLC), through a Memorandum of Agreement dated 14 December 2011 between various government agencies and instrumentalities with relevant mandates, to coordinate policies and inter-agency arrangements relative to the PPACL;

WHEREAS, in line with the objectives under the Philippine Development Plan 2017-2022 of realizing the country's vision of a "Child Labor-Free Philippines," reducing inequality, and molding socio-economic resilient Filipinos, this Administration aims to provide universal and transformative protection to all families and children;

WHEREAS, there is an urgent need to amplify government efforts for the protection of the rights of vulnerable sectors, especially the children, strengthen related institutional mechanisms, and establish further measures that will contribute to the prevention, reduction and elimination of any form of child labor; and

WHEREAS, Article VII, Section 17 of the Constitution provides that the President shall have control over all the executive departments, bureaus and offices, and that he shall ensure the faithful execution of laws;

THE PRESIDENT OF THE PHILIPPINES

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Creation of the National Council Against Child Labor. The NCLC, is hereby reorganized and shall be referred to as the National Council Against Child Labor (Council), to be composed of the following:

Chairperson: Secretary, Department of Labor and Employment (DOLE);
Co-Chairperson: Secretary, Department of Social Welfare and Development (DSWD);
Members: Secretary, Department of Education;
Secretary, Department of Health;
Secretary, Department of the Interior and Local Government;
Secretary, Department of Justice;
Secretary, Department of Agriculture;
Secretary, Department of Environment and Natural Resources;
Secretary, National Commission on Muslim Filipinos;
Director General, National Economic and Development Authority;
Director General, Philippine Information Agency;
Director General, Technical Education and Skills Development Authority;
Executive Director, Council for the Welfare of Children;
Chairperson, National Youth Commission;
Chairperson, National Commission on Indigenous Peoples;
National Statistician, Philippine Statistics Authority;
Police Director General, Philippine National Police;
Director, National Bureau of Investigation; and
Sectoral Representative, Basic Sector on Children, National Anti-Poverty Commission

Apart from the aforementioned, there shall be two (2) representatives from the workers sector, two (2) representatives from the employers sector and two (2) representatives from non-government organizations with programs on child labor, who shall likewise participate as members. These representatives shall be nominated by the sectors themselves, for appointment by the President for a term of three (3) years, without prejudice to reappointment.

The members of the Council may designate their permanent representatives who shall have a rank not lower than an Assistant Secretary or its equivalent, to attend meetings of the Council. The Council may invite other government agencies or instrumentalities to participate in its proceedings, as it may deem necessary.

SECTION 2. Powers and Functions of the Council. The Council shall have the following powers and functions:

- a. Formulate a framework, national action plan, and such other policies, guidelines and programs for the effective enforcement of RA No. 7610, as amended, and other related laws and regulations;
- b. Coordinate and oversee the implementation of the PPACL by all concerned agencies and organizations;
- c. Coordinate and conduct advocacy campaigns and information dissemination on child labor and existing laws related thereto;
- d. Establish child-appropriate mechanisms, including the conduct of capacity-building activities for child laborers, their families and communities, towards their meaningful participation and empowerment;
- e. Develop and maintain a knowledge and data management system on child labor that ensures the sharing of relevant information, fosters communication, and improves program monitoring of child labor case referrals;
- f. Ensure the conduct of researches, studies, surveys and assessments on child labor, for policy and program development and enhancement;
- g. Establish and maintain effective monitoring and evaluation mechanisms, taking into account national action plans and other time-bound measures;
- h. Monitor the status of cases filed against individuals, agencies, institutions or establishments that violate the provisions of laws on child labor;
- i. Foster cooperation with international development agencies and other competent bodies to provide expert advice on the implementation of the United Nations Convention on the Rights of the Child, International Labor Organization (ILO) Convention 138, ILO Convention 182, RA No. 7610, as amended, and other related laws;
- j. Accept donations, contributions, grants or bequests from domestic or foreign sources for purposes relevant to the Council's mandates and functions, pursuant to relevant laws and subject to applicable budgetary, accounting and auditing rules and regulations; and
- k. Perform such other powers and functions as may be directed by the President.

SECTION 3. Meetings of the Council. The Council shall meet regularly at least once every quarter, without prejudice to special meetings to be called by the Chairperson as may be necessary. The Council shall promulgate guidelines for the conduct of its official business.

SECTION 4. The Council Secretariat. The DOLE's Bureau for Workers with Special Concerns and Bureau of Working Conditions, shall jointly function as the Council Secretariat, which shall provide technical and administrative support to the Council. They shall jointly develop and maintain a database on child labor, ensure the sharing of information among relevant stakeholders, when appropriate and necessary, and perform such other functions as may be determined by the Council.

SECTION 5. Technical Working Groups. The Council shall convene Technical Working Groups (TWGs) anchored on the strategic directions of the PPACL Framework or such other framework that the Council has formulated. These TWGs shall review, monitor and evaluate the implementation of the PPACL Plan of Action and address the identified gaps and issues that may arise, improve the documentation and dissemination of stories of qualitative changes in the lives of former child laborers, their families and communities, and facilitate sharing of available resources, expertise and good practices among social partners. The TWGs shall likewise have distinct functions in relation to the implementation of their respective strategic directions and goals.

The members of the Council shall designate their representatives to the TWGs.

SECTION 6. Regional and Local Structures against Child Labor. The Council shall take the necessary measures to ensure implementation of the PPACL and all other related frameworks or national action plans in all the geographic regions of the country, through the existing regional and local councils for the protection of children or related structures.

SECTION 7. Reporting of Child Labor Incidence. The Council shall establish and widely disseminate a mechanism by which the general public can easily report child labor incidence to government authorities such as any member of the Barangay Council for the Protection of Children, the Local Social Welfare and Development Office of the municipality, city or province, DSWD, DOLE, and law enforcement agencies.

SECTION 8. Agency Support. Consistent with their respective mandates, all government agencies and instrumentalities are hereby directed, and all local government units are hereby enjoined, to extend active support and assistance to the Council to effectively implement this Order.

SECTION 9. Funding. The initial funding requirements for the implementation of this Order shall be charged against the current appropriations of the member-agencies of the Council. For the succeeding years, the funding requirements of the member-agencies shall be included in their respective budget proposals, subject to the usual budgetary process.

SECTION 10. Reporting. The Council shall submit semi-annual reports to the President, through the Executive Secretary, on the operations of the Council, and its accomplishments relative to the prevention and elimination of child labor.

SECTION 11. Separability. If any part or provision of this Order is held unconstitutional or invalid, other parts not affected thereby shall continue to be in full force and effect.


SECTION 12. Repeal. All other orders, rules and regulations, or parts thereof, which are contrary to or inconsistent with the provisions of this Order are hereby repealed or modified accordingly.

SECTION 13. Effectivity. This Order shall take effect immediately.

DONE, in the City of Manila, this 17th day of September, in the year of our Lord, Two Thousand Nineteen.



By the President:



SALVADOR C. MEDIALDEA
Executive Secretary

