





There are harmful traditional practices that affect children and impact their health, growth, and development. These are cultural practices that are passed on across generations and over long periods of time that make them seem acceptable.

These practices are discriminatory and harmful to children, especially girls, both physically and psychologically, reflecting deeply rooted societal values that marginalize girls and accord them low esteem. Among the prominent harmful practices include early marriage and pregnancy, female genital mutilation/cutting (FGM/C), traditional birth practices, and child labor.

## Child labor remains a sticky problem as many children, especially boys, are made to or have to engage in child labor.

Child marriage has many far-reaching consequences on girls and boys. It may cause direct grave harm including deprivation of education, or diminished opportunity to access education, reduced employability and opportunity to get decent work or livelihood, and perpetuation of generational poverty.

For girls in particular, child marriage is likely to contribute to increased health risks due to early pregnancy and childbirth, maternal mortality, and violence. Child marriage is prohibited in the Philippines through Republic Act No. 115961 - An Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations There, which was repassed into law in 2021 and provided an enabling environment and mechanisms for the prevention of child marriage in the country.

Child marriage in the Philippines persists despite the fact that the legal age of marriage in the country is 18 years old and parental consent is required up to 21 years old.

Child labor remains a sticky problem as many children, especially boys, are made to or have to engage in child labor. While many children are engaged in work, paid and unpaid, that are not considered harmful, there are those who are engaged in harmful work when children are either too young to work, or are working in hazardous activities and conditions.

Child labor is a harmful traditional practice that may compromise the physical, mental, social, or educational development of children, especially of boys.

There are laws, policies, and programs, which are guided by international conventions, which govern efforts to eliminate child labor in the Philippines, including R.A. No. 9231 - An Act Providing For The Elimination Of The Worst Forms Of Child Labor And Affording Stronger Protection For The Working Child, which amended R.A No. 7610 - Special Protection Of Children Against Child Abuse, Exploitation And Discrimination Act.

## Child Rights Situation Analysis

The indicators highlighted in this subdimension are on child marriage and child labor. Child marriage in particular is monitored in terms of marriage or union of adolescent girls when they were children, i.e., before age 15 and 18 years.

**Child marriage among girls has declined, but still persistent.** The prevalence of women aged 20-24 years who reported getting married or into a union before turning 18 years old decreased from 16.5 per cent in 2017 to 9.4 per cent in 2022, while those that did the same before age 15 years also dropped from 2.2 per cent in 2017 to 1.5 per cent in 2022.

However, there were still some 460,000 girls that got married or into a union with a partner before they turned 18 years old, with 73,000 of whom doing so before their 15th birthday.

**Registered marriages among young and adolescent children are still concerning.**

Despite the legal marrying age set at 18 years old, there were marriages involving children that got registered in the civil registration system, specifically children under the age of 15 years.

**In 2022, 31 girls and 4 boys under 15 years old were registered as married, although a significant drop from 2021, with 63 girls and 3 boys, and 2020, with 49 girls and 2 boys.**

Almost all of these registered marriages were done through Muslim or tribal ceremonies. On the other hand, registered marriages among adolescents aged 15-19 years have been increasing, by 15.9 per cent for boys and 10.5 per cent for girls from 2021 to 2022, and by 61 per cent for both boys and girls since 2020.

**Girls significantly outnumber boys in registered marriage among children aged below 15 years.** While the number of cases is very small and has declined after the passing of the anti-child marriage law in 2021, it is a fact that far more girls below 15 years were married than boys, 8 girls for every boy, which means that most if not all of those girls were married with boys that are older than them, including male adults.

It may also be important to note that for every registered marriage of an adolescent boy, there were 4 registered marriages among adolescent girls.

**Around 828 thousand children aged 5-17 years are engaged in child labor in the country in 2022, a 11.4 per cent drop from 2021 but still higher by 29.5 per cent than in 2019 just before the pandemic.** In terms of proportion to the number of working children, child labor declined from 61.2 per cent in 2019 and 68.4 per cent in 2020 and 2021 to 56 per cent in 2022.

**There were an estimated 1.48 million working children among the 31.7 million children aged 5-17 years in 2022, also higher than previous years' estimated population of children in the same age group.**

**On average, nearly 7 in every ten children engaged in child labor in 2022 are boys.** A significant majority of child laborers in 2022, at 66.8 per cent, are boys. However, as the proportion of boy child laborers decreases, from 72.8 per cent in 2020 and 67 per cent in 2021, the share of girls engaging in child labor increases.

**Older children, aged 15-17 years, constitute 61.6 per cent of all child laborers in 2022, down from 73.3 per cent in 2020 and 64.7 per cent in 2021.** This means that the number and share of young children aged 5-14 years are increasing. Nearly half of child laborers are engaged in agriculture.

**In terms of magnitude, Region XII has the most number of child laborers in 2022, approximately 103 thousand, or 12.5 per cent of the country's total.** Region XII with the highest estimated count of children engaged in child labor were Region VII with 87,000 (Or 10.5 per cent), BARMM with 86,000 (or 10.4 per cent), Region X (77,000; 9.4 percent) and Region I (64,000; 7.7 per cent).

BARMM had largest year-on-year increase in child laborers, from only 18,000 in 2021 to 86,000 in 2022.

**By proportion to the number of working children, Region II, CAR, and BARMM have the highest share of children engaged in child labor, nearly eight of every ten working**

**children in 2022.** Region XII had 78.1 per cent of working children doing child labor while CAR and BARMM posted 76.6 per cent and 76.1 per cent, respectively, much larger than the national average of 56 per cent.

All regions except NCR, Region II, Region VIII and BARMM experienced a drop in the proportion of child laborers in 2022.

## Equity & Risk

### EQUITY

#### Gender

**Child marriage is much more prevalent among girls than boys, meaning they are much more likely to experience inequity under this subdimension.** Additionally, child marriage prevalence is higher among those identifying as Muslim and among those married in tribal ceremonies, indicating that Muslim girls and girls from some tribal communities are much more at risk of child marriage; this highlights the intersectional nature of how this harmful practice is experienced by girls.

Global studies indicate that early marriage can lead to challenges with rights realization in other areas of girls' lives; for example, early marriage often correlates with high rates of FGM/C (seen as a prerequisite for marriage in the BARMM region), child and teenage pregnancies, and high school rates of school leavers, including in South Asia. Conversely, the harmful practice of child labor is felt much more keenly by boys; of children engaged in child labor in 2022, 66.2 per cent were boys compared to girls with a 33.8 per cent share.

#### Disability

This situation analysis has not been able to determine any data which disaggregates by disability under this subdimension.

#### Subnational

- **Child marriage.** In the BARMM region, it is noted that Child, Early and Forced Marriage (CEFM) persists due to the facilitating environment of a family code that exempts Muslim Filipinos and indigenous groups from national marriage laws, enabling them to practice customary marriage laws which in some cases permit marriage once puberty is reached. It follows that girls in BARMM are more likely to be deprived with regard to child marriage.
- **Child labor.** There seems to be no clear direct correlation between child labor and poverty. While data indicates that BARMM and Caraga, for example, had among both the highest poverty incidence and proportion of child labor, it also shows that CAR, Regions I, II, and XI, and NCR with

significantly lower incidence of poverty had the largest percentage of child labor. There may be other factors aside from poverty that give rise to child labor in the regions such as urban centers and certain economic activities.

## RISKS

**Natural hazards**      **Climate change poses indirect risks with regard to child protection.** It can increase vulnerabilities, particularly for those who are displaced as a result of severe natural events and disasters.

**Conflict**                **Children in conflict situations are at increased risk of harmful practices like GBV and child soldier recruitment.** Additionally, there are reportedly instances of children in conflict zones being arrested on suspicion of terrorism despite little basis.

**Health Crisis/Pandemic**      No health-related risks were identified as yet under this subdimension.

**Other risks**

- **Changes to personnel and leadership within child protection actors affect the delivery of child protection services in the Philippines.** Each new senior official or representative appointed or elected may introduce new structures and priorities, which can make it challenging for INGOs and other partners to work effectively as they need to rebuild connections, networks and relationships, particularly for advocacy work and for training and capacitating new personnel.
- **There is constant risk that child protection laws might be repealed. Child protection in emergencies, particularly when it comes to armed conflict, is politically sensitive.** For example, laws against child military training were only recently enacted yet there are reportedly moves within some decision-making circles to water down this legislation. This represents a risk of backlash against progress made in human and child rights protection fields.

# Legislation & Policy Analysis

Regarding child marriage, the Republic Act No. 115961 was repassed into law in December 2021, “which prohibits marriage for persons under 18 years, and imposes penalties for violations of the law.

The law also includes specific measures to facilitate the implementation of programmes to prevent child marriage.” The responsibility then lies with LGUs to pass an ordinance adopting and localizing the implementation of the Act. In Muslim-majority BARMM, however, it is thought that CEFM persists in part because the Family Code exempts Muslim Filipinos and indigenous groups who are able to practice customary marital laws that, in some instances, permit marriage once puberty is reached.

Regarding other protection matters, the enactment of the Foster Care Act of 2012 represents an important step towards expanding the provision of family-based options for children deprived of parental care. In particular, the Act sets out to “Enable every child eligible for foster care to experience a caring and nurturing family life provided by a licensed foster family on a temporary basis towards permanent placement.”

The Philippines has failed to enact legislation to prohibit corporal punishment: in 2019, former President Duterte vetoed on the ground that it encroached on parents’ rights, the Positive and Non-Violent Discipline Law which sought to promote positive discipline instead of corporal punishment. This is a setback in a country where, according to a 2015 National Baseline Study on Violence Against Children, 64.2 per cent of respondents reported experiencing physical violence during childhood and more than half of these indicated that this violence had been experienced in the home.

Despite strong ratification of international treaties on child labor, and comprehensive national legislation that prohibits hazardous work for those aged under 18 and sets the minimum age for full-time work at 15 years old, child labor practices persist with the proportion of working children aged five to 17 years estimated at 2.8 per cent in 2021.

While this indicates a decrease in the use of child labor from 2019 (3.4 per cent), child labor rates are likely to have increased since the start of the pandemic due to higher-than-normal levels of poverty. The framework for managing this issue is spearheaded by the Philippine Program Against Child Labor 2020–2022 Strategic Framework, aimed at strengthening local National Councils Against Child Labor, improved and inclusive enforcement of anti-child labor laws at the national and local level, expanded access of child laborers and their families to education, health, child protection and decent work and improved generation, and dissemination and use of knowledge on child labor among stakeholders and the general public.

It also establishes a National Monitoring and Evaluation Framework on Child Labor. The Department of Labor and Employment recently consulted on the development of the Philippine Program Against Child Labor Strategic Framework 2023-2028. Internationally, the Philippines has ratified ILO Conventions 138 (the Minimum Age Convention 1983) and 189 (Domestic Workers Convention 2011) and has ratified and domesticated ILO Convention 182 (Worst Forms of Child Labor Convention 1999).

The Philippines ratified the UNCRC on 21 August 1990, followed by ratification of the Optional Protocol to the CRC on sale of children, child prostitution and child pornography in 2002 and the Optional Protocol on the involvement of children in armed conflict in 2003. Following the ratification of the former Optional Protocol, the Anti-Trafficking in Persons Act 2003 (Republic Act No. 9208) was passed to address sexual exploitation and to incorporate the Optional Protocol. Protection was broadened by the Expanded Anti-Trafficking in Persons Act 2012, which provides for more severe penalties for traffickers and decriminalizes victims of trafficking.

# Bottleneck Analysis

Demand	<p><b>Poverty can lead to child labor.</b> Some households require children to work to contribute to the family income, which can lead to exploitation through child labor. Ninety-six per cent of those engaged in child labor in the Philippines are from households living below the poverty thresholds of their region.</p>
Supply	<p>Underreporting of harmful practices is a common bottleneck at the community level. In particular, social norms can influence behaviors affecting reporting by making socially acceptable practices like early marriage which may otherwise be deemed harmful. This can result in the 'silencing' of those who have experienced a form of violence.</p>
Enabling environment	<ul style="list-style-type: none"> <li>• <b>Early and forced marriage is still permitted by, and accepted, within some Muslim and traditional communities.</b> The gap in national legislation to accommodate for Islamic and traditional laws enabling some communities to permit marriage once girls reach puberty is a key challenge in this area. There are also implementation challenges which mean that, even where legislation exists against child marriage, it is not always complied with and there is limited recourse to address this challenge.</li> <li>• <b>Lack of data on early and forced marriage.</b> Correspondingly, there is also reported to be limited data on child marriage which makes it hard to determine the true extent of this practice in the Philippines.</li> </ul>



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