

terre des hommes



SWEET HAZARDS

Child labor on sugarcane plantations in the Philippines



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heart for children, eye for results

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Terre des Hommes

Terre des Hommes Netherlands (Earth of Mankind) is a Dutch child focussed development organisation based in The Hague. Founded in 1965 as a non-profit organisation, Terre des Hommes Netherlands aims to improve the quality of life of deprived children by ensuring their rights.

Through partnership with local, non-governmental organisations Terre des Hommes Netherlands supports projects and programmes which help to protect children from worst aspects of poverty and to create better and sustainable opportunities for them.

The objectives of Terre des Hommes Netherlands include the provision of immediate and efficient support to children in need through services, which not only upgrade the general conditions of the child, but also contribute to the community at large.

In addition, Terre des Hommes Netherlands advocates, on national and international level, child rights, as laid down in the 1989 UN Convention on the Rights of the Child.

Index

Foreword	vii
1. Introduction	1
2. Child labor	3
3. Child work on sugarcane plantations	7
4. Responses	15
5. Conclusion	21
Annex 1: Literature	25
Annex 2: List of interviews	27
Annex 3: Chemical hazards of agricultural child labor	29

Foreword

As a child rights organization, Terre des Hommes works for and with children. In creating a world where children can enjoy their rights, we need the support and protection of adults. This research report was set up within that same principle. The research was carried out in the field by talking to children and by asking them to share their daily realities and their opinions. Their parents, their employers, their government representatives and their plight bearers all contributed visions and opinions to the research. Together, they form the world of working children and together they can change it.

I would like to thank ECLIPSE for the partnership, their support and their contributions to the research; the children and communities of Talisayan, Patag, Sumangga, Masarayao, Valencia, Magsaysay, Luayon and Malalag Cogon; the OHSC, FPA, ILS and DOLE departments; mr. Romeo Quijano for his knowledge on pesticides; and all others who contributed to this research. Also, I would like to thank Alex Apit for commenting on the draft report and Liza Apit for her assistance in Mindanao. Lastly, I want to thank Telay for her support and organizing talent.

With this report, Terre des Hommes illustrates how different factors and different actors are responsible for turning child work into intolerable forms of child labour. It's up to all of us to join forces in the struggle against the exploitation of children.

Jennifer de Boer

Child Rights Policy Officer
TERRE DES HOMMES

1. Introduction

As a child rights organization Terre des Hommes, together with her local partners, fights to eliminate child labor. Following international policy frameworks on child labor, Terre des Hommes contributes to the elimination of the worst forms of labor performed by children through programs, advocacy and campaigning. However clear the international guidelines may be on child labor, the daily reality in which children find themselves often does not fit into the clear frameworks as outlined by policy makers. This research, a case study on the sugarcane plantations in the Philippines, takes a closer look into the reality of working children's lives in order to measure this reality against the international policy framework on child labor. The situation on the sugarcane plantations is illustrative of the hazardous forms of child labor, which are often overlooked by policy makers and researchers. Furthermore, plantation work illustrates the grey area between children's work, child labor and the worst forms of child labor – distinctions that influence the protection offered to children.

Research methodology

The aim of the research is to gain more insight into the situation of children who work on the sugarcane plantations in the Philippines in relation to the (chemical) hazards they encounter and to identify measures that will improve their situation. The following questions guide the research: What is the general child labor situation in the Philippines? Why and how is child labor maintained in the sugarcane production? To what extent are children threatened by hazards in this work? And what action is needed to end the existence of child labor in this particular form of agriculture?

Information was gathered by means of focus group discussions with parents and children on the islands of Leyte and Mindanao and by interviews with other key players like local government officials, a

landowner, medical staff, a toxicologist, representatives from various government institutions such as the labor inspection and the fertilizer and pesticide authority and staff members from Terre des Hommes' partner organization ECLIPSE who are actively involved with working children in the sugarcane fields of Leyte¹. Most of the interviews, except for the interviews with government officials, were conducted with the assistance of an interpreter.² Field visits were made to various sugarcane plantations in Leyte in order to observe the situation in the fields. Secondary sources, for example research reports by other institutions, information materials from government bodies and newspaper articles, are incorporated in this study.

Scope and limitations of the study

This report aims to illustrate the hazardous labor done by children worldwide by highlighting one particular case. Being illustrative, the report aims at telling the stories of the children's daily working conditions at the sugarcane plantations in Leyte, the Philippines. It does not attempt to be complete in its account of these working and living conditions, nor does it pretend to speak for all children involved in hazardous work of any kind. However, it is Terre des Hommes' conviction that the children from the sugarcane plantations around Ormoc face and voice problems that are of equal importance to other children in the world.

The field research was carried out within a limited time frame. However, the long time involvement of Terre des Hommes partner organization ECLIPSE in this area provides a sound basis for the observations and analysis

¹ ECLIPSE was founded in 1996 in Ormoc. Their name is an acronym for Exodus of Children from Labor Into Play, Socialization and Education. Apart from being an acronym the name was chosen because the children in the sugarcane plantations wish for the sun not to shine while they are at work.

² For a complete list of interviews see Annex 2

of the underlying study. Furthermore, the field research is complemented by and crosschecked with the findings of similar studies conducted by other organizations and government agencies.

This report begins with an exploration of child labor. By determining what child labor is and which forms it takes, chapter one provides the broader context in which the research is placed. The report then focuses on the situation on the sugarcane plantations in the Philippines. What is the role that children fulfill in the production of sugar and why do they work? Because the acceptability of

children's work is subject to international rules and standards, the fourth chapter takes a closer look at the hazards of the work in the fields. Chapter five explores the responses of the different stakeholders to child labor and their responsibilities in resolving the issue in the sugarcane plantations of the Philippines. Finally, conclusions are drawn on the nature of children's work on the sugarcane plantations and some recommendations are given for improving the situation for these children and future generations.

2. Child labor

Concern over children's well being in relation to the work they perform makes the international community determined to tackle child labor. But what is child labor? Which kinds of work do we perceive as normal for children, and which kinds of work are absolutely not suitable for minors? The international child labor debate has been going on for several decades now, resulting in different definitions and approaches. First, the International Labor Organization (ILO) set minimum ages in its convention 138. Agreement was sought over the age at which work can be allowed as a necessary or even useful part of young people's lives. All economic activity performed under the minimum ages is perceived as 'child labor' by the ILO.

Choosing a different line of thought, the UN Convention on the Rights of the Child (UN CRC) defines child labor not so much in strict age-related terms, but more in terms of work that threatens a child's development. It stresses that adults should protect children from this threat:

"State parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development."³

Child labor is viewed by the UN as work that hinders a child in his or her enjoyment of children's rights. As the UN CRC is signed and ratified by almost all countries in the world⁴, states are bound to take measures against economic exploitation and other harmful forms of work. Even though the UN CRC may be very all-encompassing on the issue of children's economic exploitation, states need clear definitions on what it is exactly that they want to tackle when drawing laws and

policies to protect children from labor exploitation. By amending the UN CRC with two Optional Protocols – one on prostitution, pornography and the sale of children, the other on the use of child soldiers – the UN CRC goes into details on at least two forms of exploitation that affect children worldwide.

Still it is the ILO that provides states with the most comprehensive series of definitions, drawing lines between *child work*, *child labor* and *worst forms of child labor*. In this respect, the ILO plays a major role in setting the agenda for child labor issues worldwide. It considers child *labor* to be

"work situations where children are compelled to work on a regular basis to earn a living for themselves and their families, and as a result are disadvantaged educationally and socially; where children work in conditions that are exploitative and damaging to their health and to their physical and mental development; where children are separated from their families; often deprived of educational and training opportunities; where children are forced to lead prematurely adult lives"⁵

Other situations where children work – for instance helping their parents in the household for a few hours every week – are not considered child labor but merely *child work*. In an attempt to give more impetus to the abolition of child labor the ILO further distinguishes between child labor and the so-called '*worst forms of child labor*' in Convention 182 (1999):

- a) slavery or practices similar to slavery (such as child trafficking and debt bondage)
- b) prostitution and pornography
- c) illicit activities (like drug trade)
- d) work which is likely to harm the health, safety or morals of children⁶

³ UN CRC article 32

⁴ Exceptions are the United States and Somalia.

⁵ In: Albada et al. (200?)

⁶ ILO C182 Worst Forms of Child Labor Convention, 1999

Apart from defining the most intolerable forms of work that children can be trapped into, the convention sets policies for the elimination of these types of work. It places priority on the abolition of the above-mentioned work for children. The international community, faced with an enormous amount of working children and not enough capacity to resolve the child labor issue all at once, agrees on the urgency of eliminating at least the most detrimental forms of child labor.⁷ ILO convention 182 offers the necessary definitions and draws the lines on what governments should prioritize, requiring a set series of measures from governments for each type of labor: worst forms are to be eliminated immediately, other forms should be restricted in time by establishing minimum age laws and other legal frameworks that protect children from exploitation.

Without denying the value of ILO's conventions in the battle against child labor, it can be argued that dividing child labor into worst forms and other forms leads to justification of persisting child labor practices. The prioritization for eliminating the worst forms might be used as an excuse for not working on the abolition of other forms of child labor. Or it leads to strategies of improving children's working conditions when not engaged in one of the worst forms. This, as some organizations and academics argue, will even make working more attractive to children and will send out the message that child labor is tolerable.⁸

Theory and reality

Another problem with the strict demarcations in ILO's definitions and subsequently in national laws and policies is that these are challenged by the realities of working children's lives, as children are not bound to one category of work per se. Sociologist Ben White presents a view where child work should be seen as a continuum. On one end of this continuum we find acceptable forms of work, situations where children help their parents but still go to school for instance. On

this side, work can be even considered to be a valuable part of the child's upbringing: learning discipline and responsibility. But the continuum flows from there through less acceptable and unacceptable forms of work to situations where children's work cannot be accepted under any circumstance. Somewhere on the continuum the valuable contributions that working can bring to children's development do not outweigh the negative consequences anymore.

This view offers a wide range of policy options and program interventions to organizations working with economically active children. TdH uses this spectrum of interventions in its fight against child exploitation. Recognizing that the ultimate goal of all anti-child labor efforts may be to establish a world in which no child has to work, Terre des Hommes takes the elimination of child labor in its worst forms as a starting point, in correspondence with ILO convention 182. However, the organization further works on improving the working and living conditions of working children who are not engaged in worst forms of child labor. In TdH's experience children sometimes do not object to working as such, but they do express the wish for better working situations. Taking the best interest of the child as a basis for action, TdH is convinced that improving the work environment of children can contribute positively to their development. Of course, these interventions are highly dependent on the specific context and are not applicable to every work situation in which children are involved. Also it must be noted that the choice to support children in their wish for better working conditions does not hinder most of TdH's partner organizations to work towards the elimination of certain types of work. Improving children's working conditions is a step in the process towards better chances for development for all children.

In practice, labeling certain types of work done by children as the 'worst forms' and others as plain 'child labor' is not as easy as it sounds. When encountering children who work as prostitutes or who are sold and trafficked as commodities, it is obvious that these violations of their rights should be put

⁷ Myers 2001

⁸ See for example Lieten 2003

to an end immediately. However, when it is not the job per se but the circumstances under which the work is carried out that pose a threat to the child's well being, the picture becomes more vague. It becomes difficult to draw the line between tolerable work and harmful practices when children move from one end of the continuum to the other, depending on the season or on other factors that provide an ad-hoc need for additional labor performed by children. Children's work on the sugarcane plantations in the

Philippines illustrates the practical difficulties of labeling and tackling children's work within the international policy framework. As the next chapter will show, children's work on the plantations is highly flexible and children can move in and out of the 'worst forms of child labor', so to speak. Because of the policy implications of this movement, children's work on the sugar cane plantations presents an interesting case for both governments and NGOs.

3. Child work on sugarcane plantations

Filipino children grow up in a country that comprises more than seven thousand islands. 80 million people inhabit these islands. At first sight, the Philippines are doing well. The GNP is over a thousand dollars per year and a Filipino can expect to live for seventy years. The national economy survived the crisis that hit the region in the late 90's and the country's main worry at the moment is the unrest on the southern islands of the archipelago. But the good statistics and figures do not guarantee a joyful youth for Filipino children. Five million households live below the poverty line of 1 dollar a day per person, surviving on 5000 pesos (74 euro) per month to feed and cloth an average of six family members. Education is free, yet additional costs make education an unreachable dream for too many Filipino children.

Children's rights are being violated daily in the Philippines. One of the ways in which this happens is through child labor. Even though the government signed and ratified important international agreements on the elimination of child labor, an estimated four million Filipino children work. Some of them help out a few hours per week; others are exploited through one of the worst forms of child labor as defined by the ILO. Yet it is clear that most of the children do not work for extra pocket money since three million out of four million economically active children give at least part of their earnings to their families. While younger children give all of their earnings, older children have some money for themselves, which is mostly used to pay their own education costs. Working is a necessity for them.

At a time when much attention goes to the horrors of child prostitution and trafficking of children in the Philippines, the sector where by far most children work, agriculture, is often forgotten. It is estimated that 2.3 million children are economically active in this sector. Agriculture is traditionally a very important source of

income for the Philippines. According to the Department of Agriculture, the sector contributed 23% to the gross domestic product in 1995 and has continued to grow. The crops are cultivated on about 47% of the country's land area with the labor of one-half of the Filipino labor force. In order to keep providing income for the growing rural population and to sustain the expansion of the national economy, the government is looking for ways to increase the productivity in this sector.

Since the agricultural sector is often mistakenly understood to mean working on the family farm, it tends to be overlooked as an area in which exploitation of children takes place. In reality, the agricultural sector has its exploitative variants in commercial farm work and bonded labor, and poses many threats to children. A national survey on the situation of Filipino children conducted in 2001 does not distinguish between children working on their family's farm or children working in commercial agricultural undertakings like plantations, while both of these forms of 'working in agriculture' have different consequences on children. The survey report states that most children are working in the agricultural sector and that sixty percent of the working children are unpaid workers in household-operated farms or businesses.⁹ These findings present a view of children's work in the agricultural sector as 'helping out their parents on the family farm' where rice, corn, vegetables and fruits are grown. In fact, the view of children's agricultural work as helping out – which is considered to be non-hazardous for children – is shared by sectors of the Filipino government. But this means that the thousands of children working in commercial farms are overlooked. Commercial farms and plantations in the Philippines grow coconut, banana, pineapple, tobacco and sugarcane. These commercial crops are sold at the

⁹ National Statistics Office 2003

domestic market, as well as on the export market. Children working on large scale plantations are in much greater risk of exploitation due to the profit-oriented approach of the commercial undertakings. Also, by assuming that agricultural work is done by children under the supervision of their parents, one assumes that children are protected from the hazards of farm work. Thus seen as non-threatening family work, agricultural work as a category is not prioritized as a form of child labor that needs to be eliminated immediately.

In reality however, exposure to hazards in agriculture is tremendous. Sixty percent of the Filipino children in this sector struggle with health problems as a result of the work they perform. Figures from the National Statistics Office reveal that 61% of the children working in agriculture, forestry and hunting are exposed to physical hazards. Among these hazards are temperature and humidity. Chemical hazards were reported to threaten 53,000 children in agriculture.¹⁰

Sugarcane plantations

The island Leyte, part of the Visayas, lies in the middle of the Philippines. The land is fertile and Leytes villages and cities are situated amidst green fields and coconut trees. Nevertheless, the inhabitants of the *barangays* (neighborhoods) are among the poorest of the Philippines. Most of them are working on other people's land, surviving on daily wage labor with earnings that lie below minimum wage. Many families live and work on the island's eleven big sugar cane plantations. It is estimated that more than 5000 children work there too. Leyte provides an opportunity to understand the dynamics of child work in the Filipino sugarcane plantations.

Sugarcane is traditionally an important commercial crop for the Philippines. The total production in the Philippines came to 2.3 million tons of sugar in 2004. Most of it is used for the domestic market, but ten percent is exported to other markets like the United States, South Korea, Japan and China. In 1997 the sugar industry contributed 30

billion pesos to the national economy¹¹, which is about 2.5% of the GNP. The Sugar Regulatory Authority (SRA) of the Philippine government estimates that some 5 million Filipinos depend on the sugarcane production, among which children who work in the fields. The presence of children in the sugarcane labor force has been recorded since 1909.¹² Although several plantations today strictly follow the laws on child labor and do not allow children to work in their fields¹³, the Department of Labor and Employment (DOLE) estimates that 60,000 children work on Philippine sugarcane plantations. However, Apit (2002) estimates the number at 200,000 basing his calculation on reports from sugarcane workers.

Inhabitants of some Philippine islands already grew sugarcane as a food crop when the Spaniards arrived in the 16th century. As soon as the colonial powers discovered the international market for the sweetener, they began to grow sugarcane on plantations, particularly on the island of Negros. By the beginning of the 20th century America took over the power from the Spaniards in the Philippines. The US created a steady market for the Filipino sugar, thus supporting its production. Rich families expanded the sugar cane plantations to other islands outside Negros, such as Leyte. Many small farmers sold their lands to the bigger landowners and tried to find a job as '*hornals*' (agricultural daily wage workers) on the sugarcane *haciendas*. They were offered the chance to live on the *hacienda* and remained there generation after generation. The *hacenderos* - rich Spanish families - took care of their workers, providing them medical care and loans creating a mutual dependency between the *hacenderos* and the workers.

The guaranteed market created by the occupying United States in the first half of the 20th century contributed to the wealth of the *hacenderos*, but when the United States left, they took their trade-privileges with them. Gradually, the amount of sugar imported by the US decreased. Opening the

¹⁰ National Statistics Office 2003

¹¹ Rollolazo&Logan, 200?

¹² Apit 2002

¹³ Rollolazo&Logan, 200?

Philippines to the global sugar market in 1974 worsened the situation because the prices of locally produced sugar could - and still can - not compete with the global market.¹⁴ "There was a time when the sugar was sweeter" say some Filipinos when speaking of the declining income in the sugar industry. Presently, even with the government subsidies, the price of Filipino sugar is higher than that of other sugar producing countries, like Brazil. One factor contributing to the present uncompetitive position of the Filipino sugar is the lack of modernization. For decades there has been no incentive for modernization, since the sugar was bought by the US for a set price. Only recently has the government recognized that reform of the production processes in the agricultural sector is necessary for the country's economic development.

Living conditions of the sugarcane workers

The biggest losses of the current situation are felt in the households of the workers, the *hornals*. Some families have lived there for generations; others have arrived recently from the mountainous areas looking for work: sugarcane needs to be planted yearly in the Philippines. There is weeding to be done - manually. Applying fertilizers and controlling pests is necessary during the planting and growing season. And of course there is the strenuous harvest at the end of the season. The workers get paid 60 to 80 pesos per day, which is far below the minimum of 153 pesos per day¹⁵ that is prescribed by the government.

Most plantation owners offer their workers a house on the plantation itself. These barracks are built on the *haciendas* out of bamboo, cane and palm leaves. Drinking water is mostly obtained from pump wells, as there are no sanitation facilities near the houses. The houses stand closely together and are overpopulated with average family sizes of eight to ten people. They are divided into two or three small spaces and are accommodating families up to twelve or

thirteen people. Most families on the *haciendas* are big, since birth control is not very propagated in the catholic Philippines.

Not all farm workers live on the plantation itself. Those who don't are a little bit more independent than the workers who live on the owner's land. On the other hand, the *hornals* (sugarcane workers) who live on the *hacienda* are more likely to have work than 'outsiders'. The hacienda is a community within a community, with its own organization and hierarchy.¹⁶ This provides the government with some problems in determining the extent of their interference in the hacienda's business. Since the land is privately owned, the government is limited in the construction of roads and other infrastructure. This makes the living conditions on some *haciendas* worse than in normal villages.

The power that landowners have over the *hornals* is big. Especially the *hornals* living on the *hacienda* are too dependent on the landowner to question his decisions, since both their jobs and their housing depends on the *hacienderos*. As one man claimed: "The regulation is that to live here you have to work on the plantation. The landowner owns the houses, it is his land. So I am not sure what would happen if my sons would not work as *hornals* anymore. I think we would be evicted from our house. The *hacienderos* do not like it if their people work for other companies, they throw you out. There is one inspector here that even threatens to beat you up if you do not work for the landowner. If you live here, you are forced to work in the plantation." Even though it is reasonable that only people who work on the plantation are offered accommodation there, the lack of financial means to buy other houses force the *hornals* to stay in the *hacienda* and accept the negative aspects of plantation work.

Due to low wages and big families, poverty is widespread among the sugarcane workers' families. Parents have difficulties in feeding all their children. Even though the land where the families live is fertile, they are in many instances not allowed to use small plots to grow their own food. From this

¹⁴ Garcia-Dungo, 1994

¹⁵ As stipulated in Per Wage Order No. RB VIII-10a (effective January 18, 2002)

¹⁶ Rollolazo&Logan 200?

perspective the people on the *haciendas* are worse off than other rural families, who at least have a backyard where they grow some fruits and vegetables for own consumption or raise pigs. Often, children growing up in the workers' families are malnourished as a result. They are susceptible to diseases due to their bodies' low resistance. The local health center in Ormoc knows about the situation. "Malnutrition, pneumonia, coughs; we see that a lot in children" says Dr. Lampong. "It is caused by a lack of food but also by lack of knowledge concerning a balanced diet. People here tend to buy food by quantity, not by quality. Also the immunization levels are low – the mothers have no time to come to the hospital to immunize their children."

The people in *barangay* Sumangga, in the Ormoc district, calculate that the low wages are by far not enough to make ends meet. An average family of eight persons needs 400 pesos a day for basic needs and essential household items. So they count: "If one person earns a salary of 60 pesos per day and five family members are working, you are still 100 pesos short! How do we cope? We borrow from the local store, or we don't eat fish anymore. But when it comes to paying education costs or buying new clothes for the children, the children need to work for it themselves. The situation has worsened during the years. Under Magsaysay in the 1950's we were better off. Even under Marcos we were better off because the food prices were lower!" In an in-depth study of the living conditions of sugarcane child laborers, the researchers found that a household earns an average of 3,290 pesos per month, while the poverty threshold in that particular region lies at 10,800 pesos per month.¹⁷ In general, sugarcane workers do not enjoy any benefits or pension, which makes elderly people dependent on either their own labor or their children's income.

Working children

As stated before 60,000 to 200,000 children work in the sugarcane plantations. They are both pushed and pulled into this work. Looking at the circumstances that *push*

children towards work, some people claim that parents are lazy and push the children to work to provide income for them. Claims are even made that people start big families because of the income that the children can provide: "The parents allow the children to work for the extra income they provide. This is a family planning-issue. The families want to have many children for the money that they earn. They don't want their families planned!" says a local doctor.

Many children themselves however say it is the absolute need for additional family income that pushes them into the fields. With their parents' wages lying far below the prescribed minimum, families cannot make ends meet. Children are aware of the needs of their families. When asked why they work, their answers indicate financial reasons first. "I work to buy rice," said one young worker. Another one told that he was the breadwinner of the family. "The new school year will start in June so we need new books and materials. That is why we are working now, to be able to pay the education costs", explained a 12-year old girl who works during the holidays, together with her younger sister. The children are aware that their parents' income is not enough to provide for the whole family, and they feel compelled to help. Especially boys are expected to help out. One of them, Amir, acknowledges this responsibility that he feels: "I wanted to go to school, but I also want to help my family so I work. I still want to go to school, but how?"

In his study on the causes and consequences of child labor in Leyte, De Vries states that children's educational aspirations strongly influence their decision to work, since they need money to pay their school fees.¹⁸ This is certainly the case with the children included in this research. Most of them use their earnings to save for educational costs – their own or their brother's or sister's. It is common for the older siblings to sacrifice their own education for the schooling of their younger brothers and sisters. Like Vicente, who lives in Valencia. He works to earn the money for his

¹⁷ Rollolazo&Logan 200?

¹⁸ De Vries, 2001

sister's education. "She starts the First Grade this June." Working to earn his sister's educational costs does not prevent him from dreaming about returning to school himself, because he adds: "And myself, I want to go back to school in June, to Grade 5." In Sarangani, working boys estimated their school costs at 1000 pesos annually. This money is used for school materials, uniforms, enrolment fees and other additional costs. "We keep 10 or 20 pesos for ourselves, to save for school materials," they explain. The rest goes to their mothers, who "need it to buy food". There was only one boy who said that working children use the money to buy coke and candy for themselves. All others stated that they needed the money or otherwise they could not go to school or did not have enough food.

The dilemma between the child's wish and the family's need does not go unnoticed by parents either. They too cite financial hardships as the first and foremost reason why their children are working. "There is no other way. We are poor and our own income is not enough to provide for the whole family. We need the money, so the children need to help," say parents from Talisayan. "Our economic problems force us to allow the children to work," agree parents from Sumangga.

In regards to what *pulls* children to work, there is an overall demand for children's labor. In literature it is widely propagated that this demand is so big because children can be paid less than adults. The reality in Leyte seems to be a bit different. Certainly financial factors play a role, even though the wages of children and adults are more or less equal. However, the outdated production methods in sugar cane ask for many laborers to do the manual work. For instance, keeping the fields weeded is cheaper if done manually rather than by spraying herbicides. For this relatively simple job children are hired to replace expensive production methods. What's more is that children are more docile than adults. "The sugarcane industry is known for its union history," explains Alex Apit, "The adults have been organized, and this has even led them to armed battle. So now the *hacenderos* want to prevent trouble in their

plantations. So they hire children, because children don't join unions. You see, unions are for working people, and children are not supposed to work." Children do not ask for additional benefits that workers are entitled to and do not stand up for their rights as easily as adults do.

What kind of work?

There are big differences between amounts of work that children do on the plantations. At the age of seven or eight children start to help in the fields during school holidays and weekends. During the year they usually end up working more. By the time the harvest season is at its peak, a lot of children work four or five days every week. Some of them do not return to school after the harvest, but most of them try to combine school and work by working part time. For instance, during an on site visit to a plantation where 39 children were at work, 28 children claimed they also attended school. The other 11 children worked full time.

The young children (7 to 10 years old) usually start with weeding or planting the cane. In the Philippines new stalks of cane have to be planted each year. Once the cane is planted, fertilizer is added to make the cane grow. Fertilizers however also stimulate the growth of weeds. "Weed is the number one enemy of sugarcane" according to plantation manager Zosima Larrazabal. So every row of cane needs to be cleared of weeds every few weeks. Since all work is done manually, this chore provides work to tens of people per hectare. Children can do the work, since it is simple and not as heavy as some other tasks, like harvesting. The children clear the fields of grasses and weeds with big cutting knives called *bolos*. For weeding one row of cane – which stretches for 100 meters – a child receives about 30 pesos. Like 11-year old Joy-Marie: "I earn 30 pesos for clearing one line, 100 meters. I start working at six in the morning and I finish at five in the afternoon. It takes me two days to clear one line."

Applying fertilizer is another task considered to be suitable for children. Most plantations use a mixture of urea and potash to make the cane grow faster and to sweeten

it. In the first few months of the growing cycle, the mixture of granules is applied near the roots of each cane stalk. Groups of children, supervised by an adult, walk into the fields to spread the fertilizers. Every now and then they return to reload their buckets or tins with granules. They use this time also to drink some water, until the supervisor sends them back into the fields again. Working eight, nine or sometimes even ten hours, the children earn 60 pesos per day. However, when it comes to pesticides which are used to protect the crops from insects, plant diseases and weeds, the interviewed parents do not allow their children to *spray* chemicals. Since pesticides such as insecticides and herbicides are applied by way of spraying, children are not involved in applying pesticides. Parents are aware of the dangers of inhaling chemicals and forbid their children to do this job.

Harvest time is the time when all labor is needed to cut the cane and carry it to the trucks that will bring it to the sugar mills. The cane is high, thick and strong by now. During harvest most plantation owners pay per ton of cane that is cut. Take the Larrazabal family for instance. Zosima Larrazabal: "A cane cutter earns 100 pesos for every ton of cane that he has cut, so his earnings depend on how hard he works." "Harvesting and carrying the cane is heavy, very heavy. Because I work hard I can earn 700 to 800 pesos a week. I work five days per week – Saturdays and Sundays I do not work: I need the time to sleep" tells Rocky (16 years old), who is the breadwinner of his family.

Unlike in some other cane-growing areas in the world, the sugar cane in the Philippines is newly planted each year. After the harvest, the fields need to be cleared in order to be able to plant new cane, work which is done by children as well. But when the new cane is planted, the fields are cleared of weeds and the fertilizers and pesticides are applied, there is no more work until the harvest. In this two-month period, there is a huge shortage of income since the workers – adults and children alike – receive no daily wages. Usually one member can continue the work on the sugarcane

plantation, but the children cannot provide the same amount of additional income anymore. Men migrate to cities like Cebu, Tacloban or Manila to look for work. Women try to grow vegetables and fruit and look for work on other plantations, like rice fields. People from job agencies from Manila or Cebu come to look for children who are willing to take their chances in the big city. Often these trips do not work out the way the families had hoped: children disappear into illegal forms of work, are exploited in city jobs and do not return nor are they able to send money back to their families. Fortunately the people in Leyte are not so eager to send their children to the cities anymore – but they have had to learn the hard way: from bad experience. Some people take credit from the plantation administrators or others who give out loans. But in the high season, the families need to pay back their debts. So when their children manage to earn extra money by working on the sugarcane plantation during the rest of the year, parents feel relieved that at least they can feed their families.

Hazards

One of the ways in which child labor distinguishes itself from child work is the level of hazards that the job encompasses. It is too often assumed that working in the agricultural sector does not pose a big threat to children's well being. This assumption is based on the false belief that the agricultural sector is made up of family farms, where there is not much harm in the additional labor that the child delivers to help out the family. Working on the family farm does in fact expose children to a variety of risks. Even when the job itself may seem relatively harmless, it is the circumstances under which the work is carried out that can create a high risk to the child. Furthermore, the story changes altogether when children do not work on the land of the family, but in commercial agriculture. Where family farms may strive to provide just enough food for its own consumption, commercial farms are by their very nature aimed at gaining a profit. The likelihood of workers being exploited increases dramatically. On top of this,

commercial farms have better access to agricultural chemicals that pose another, often underestimated, threat to the workers' well being.

In the sugarcane fields of Leyte, there is no doubt that the first hazard to the children is the sun. Almost all children complain about the heat they have to endure while working. While the work in itself is already tiring, the heat makes it almost unbearable. Taking into account that the children work eight or nine hours every day, the exposure to heat is dangerous. The children do what they can to protect themselves from the sun. They cover as much of their body as possible; in any case they cover their heads. Other environmental factors include the weather changes and sudden rain showers, which can occur in Leyte. "The children work, rain or shine, they take no rest and sometimes cannot find time to eat properly," say the parents. The combination of heat and rain makes the children susceptible to colds and fevers.

For the children who are weeding, harvesting or preparing the soil, the equipment is not suitable. They use big machetes to cut the weeds and the cane. These *bolos* are made for adult handling. In children's hands they become dangerous tools that cause serious wounds. The risk of accidents is enlarged because cane is a tough plant and a certain amount of effort is needed to cut it. As Larimi (12) says, "The work is heavy, especially cutting the remains of the cane stalks after the harvest. My back often hurts. The machete often bounces back from the cane stalks if it is not sharp." The harder one tries to cut, the more serious the injury will be when the machete does not hit the cane but the child's leg or foot instead. It is not only the older children who use the *bolos* but small seven-year-olds as well.

Apart from injuries caused by the machetes, the sugarcane leaves themselves also cause small cuts on the children's legs and arms. Snakes and insects living between the sugarcane stalks sometimes cause deadly accidents with their poisonous bites.

A fourth hazard is carrying the heavy loads of cane during harvest time. Carrying the cane from the field to the truck and loading it on the truck can be dangerous to

adults considering the weight of the cane. To children it is even more strenuous. They load the trucks by climbing them while carrying the heavy bundles of cane on their shoulders. An adult man tells about his accident that happened during this activity: "The truck was loaded with cane. But it slipped and the load fell off. I was buried under the heavy cane. I was brought to the doctor who operated on my spine [he shows us the scars of the operation] but the lower part of my body was still paralyzed. Ever since I have not been able to work anymore." Apart from being a tiresome and accident-prone job, carrying heavy loads can cause physical damage to the developing children's bodies.

One last, but very important hazard is caused by the use of agrochemicals in the production of sugarcane. Even though not much long-term research into the direct and indirect effects of herbicides, insecticides and fungicides has been undertaken, the exposure of the children to these pesticides is obvious. Spraying pesticides is considered to be a job for adults only, but children work on fields where pesticides have been sprayed. Working in this unhealthy environment harms the physical and mental development of the working children. Prolonged exposure may result in severe respiratory problems, skin and eye irritations, reproductive problems and a general decline in health status. Since their bodies are not fully developed, smaller doses of pesticides are enough to permanently damage their health. This hazard is particularly grave since the plantations use pesticides that are toxic and are banned in other countries for their poisonous effects on farm workers. The fact that children in the sugar cane industry are at serious risk of pesticide poisoning is too often denied.¹⁹

The work that children do on the plantations exposes them to different hazards. The extent to which the children are at risk varies with the tasks they do and the amount of time that they are doing it. In general, parents are aware of the dangers

¹⁹ Terre des Hommes is of the opinion that this issue should receive much more attention. A paper on chemical hazards for children working in agriculture has been compiled, see annex 3.

that their children are exposed to. But in spite of all the hazards that children encounter, child labor in the sugarcane plantations is still widespread. The question is to what extent children and parents are in

a position to change this situation and how the government can eliminate this hazardous form of child labor.

4. Responses

Most parents, children and others involved in the sugarcane plantations agree that a child ideally should not work. However, child labor still persists on a large scale. Apart from the discussion if children should be working at all, children themselves indicate that the hazardous working conditions in the sugarcane plantations bother them. Improving working conditions seems to provide a solution to this problem. However, there is discussion about the effect this would have on the child labor situation. Alex Apit explains the dilemma: "What makes it very difficult is of course that child labor is prohibited. So you can hardly work on improving their labor conditions, because they are not allowed to work in the first place! This is a matter of discussion between NGOs as well: should you improve the working conditions of children or is that only making the work more attractive to children? Are you improving or worsening the situation if you negotiate for better wages for children?"

This issue is of particular relevance for the children in the sugarcane plantations. Considering the hazards they encounter, part of their work can be classified as a 'worst form of child labor'. Working more than ten hours per day, performing heavy work under the heat of the sun, using dangerous equipment and being exposed to chemical substances all contribute to the classification of the work as 'hazardous'. Since the worst forms of child labor are to be banned immediately, child labor on the sugarcane plantations should be abolished immediately. The problem is that the hazardous classification only applies to some tasks or specific conditions at the sugarcane plantation. I.e. a child who works four hours a day at the plantation and who is protected against exposure to heat, chemicals and other physical or biological hazards is not involved in a 'worst form' of child labor and therefore should not be 'rescued' from that work immediately. In view of the fact that children on the plantations perform different

tasks with different intensity during the year, it is hard to say whether all of their plantation work is a 'worst form of child labor' and for that reason should be abolished immediately. However, it is clear that the conditions that make the work hazardous (heat, long working hours, unsuitable equipment and exposure to chemicals) should be banned immediately for children.

When asked who is responsible for protecting the children against the hazards of working on the plantations, there are different reactions. First of all, parents feel responsible. They are however puzzled over the question how to change the situation and see no opportunities to end their financial need for children's income. Some parents or children suggest they should work even harder ("We could maybe work 11 hours every day – so that we earn a bit more"), or try to find other sources of income such as raising pigs or growing vegetables. There simply are no other, better-paid jobs around and asking the landowners for minimum wages is not seen as an option. It would mean risking their jobs and thus aggravating the situation. A NGO worker tells: "We had an experience in Sarangani where the workers asked for higher wages. They landlord told them they could look for higher wages elsewhere, meaning that asking for higher wages leads to unemployment."

The responsibility for increasing wages lies with the landowners. They argue that they cannot raise the pay for the adult laborers because of two reasons. One is that the present low market prices of sugarcane and the uncompetitive situation of the Philippine sugar on the global market leave no room for higher wages. The other is that raising the wages of laborers will only increase the prices of the commodities they produce. This means that the prices of their daily needs will also increase. In the end higher wages will not contribute to a better financial situation for the families, is the argument.

However, deciding on the wages is not only in the hands of employers. The Philippine government has set minimum wages for each region and each sector of work. As became clear during the research, the wage of the *hornals* in Leyte is 60 pesos per day while the actual minimum is 153 pesos. The government labor inspection reports do show that on some plantations the paid wages were below the minimum, but the deviance was only small and underpayment did not occur on many inspected plantations. So even though the adult workers on the plantations have the law on their side, increasing the wages is not a realistic option as long as law enforcement lags behind.

When it comes to ending child labor by not hiring children anymore, landowners claim that it is not in their power to do this even though they agree that children should not work. As one plantation administrator puts it: "I don't like it, I don't want kids to work! But when I say that to them they just smile, look innocent and work!" Another person in the line of plantation subcontractors claims that even if he would not hire children, the parents would be angry with him. "I think it's not good for the children to work here. I pity them. And I wouldn't want my own children to work here. But as a *kapatas* I cannot push the other parents to do the same. They want the income to lead an easy live! So even if I was forbidden to supervise a team of children the parents would be mad at me for not employing the children."

Indeed, the parents and children do express the wish for income generating opportunities for children. But this wish is born out of financial necessity, as parents and children state. Children want to work because they want to eat, or – very often – because they want to go to school and they need money to do that. Many parents consider it their responsibility to ensure that children can go to school, seeing education as a way out of poverty and child labor. "I will not allow my children to drop out of school. Even if they progress only slowly and have to skip classes: I want them to continue studying." With education children will be able to find better jobs, is the general

feeling. Because even simple jobs like working in a household requires some skills. "You should know how to read if you need to operate the household machines" a mother from one of the villages comments. Landowners feel that employing children provides an opportunity for them to earn the money that is needed for education. In this way they see the employment of children as a form of welfare, even though in principle they agree that children should not work. "It is my opinion that children should not be working, so I help them by offering them an opportunity to earn money for their additional educational expenses." says Zosima Larrazabal.

Government responsibility

As stated earlier, government policies usually are based upon the distinction between different forms of children's work as offered by the ILO. This is the case in Filipino child labor law. The subdivision within children's work is clearly recognizable, for instance in the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act (RA 9231), which was adopted in December 2003. The Act is meant to align national policies to the spirit of ILO C182.²⁰

It stipulates that children below fifteen are not allowed to work. There are two exceptions to this rule: children working under the sole responsibility of their parents are allowed to work if the child can go to school and if her or his life, safety, health, morals and development are not endangered. The second exception is made for children in the entertainment industry, like radio and television. But in any case children below fifteen are not allowed to work more than four hours per day, five days per week. Children between fifteen and eighteen are allowed to work in non-hazardous circumstances, but never more than eight hours per day, in no case more than forty hours per week. Also, the laws sees to it that working children have at any time access to primary and secondary education and training, be it formal or non-formal.

²⁰ Flores-Oebanda 2004

The Act explicitly states “No child shall be engaged in the worst forms of child labor.” (RA 9231 sec. 12-D). The worst forms in the Philippine law entail the same categories as the ones mentioned in ILO C182, with the only difference that it defines the last category (work which is likely to harm the health, safety or morals of children) further as work that

- a) degrades the worth and dignity of children
- b) exposes the child to abuse (emotional, physical or sexual)
- c) is performed underground, under water or at dangerous heights
- d) involves dangerous machinery and tools (power-driven)
- e) exposes the child to physical danger (like manual transport of heavy loads)
- f) is performed in an unhealthy environment
- g) is performed under difficult conditions
- h) exposes the child to biological agents (bacteria, parasites, fungi)
- i) involves explosives

The Act also provides for penalties for violators such as employers, subcontractors or others facilitating the employment of children in any of these ‘worst forms’. Whereas involving children in trafficking, prostitution and drug trade was already punishable under other Acts; Republic Act 9231 ensures that the penalties in the case of children will be maximal. Furthermore, the new Act sets penalties for involving children in hazardous work.

The Act amends the previous child protection Act (RA 7610) and is “(...) providing for the elimination of the worst forms of child labor and affording stronger protection for the working child”.²¹ Stronger protection is needed since the previous Act 7610 has not lead to many court filings on child labor and to even fewer convictions. Also, during its fourteen years of existence child labor did not cease to exist in the country. On the contrary child labor has been on the increase from 3.7 million children

working in 1996 to 4 million children in 2001.²² Under the new act, children and parents or other concerned citizens can file complaints. It is hoped that this law, together with government programs, will create the right environment to abolish intolerable forms of child labor.

Since the law in the Philippines is clear on what is allowable work and what is not, it is up to the government to enforce these laws and protect children from exploitation in labor. In correspondence with ILO convention 182 the government is working on a Time Bound Program to end child labor. Six priority areas are selected for the Time Bound Program: pyrotechnics, mining, deep-sea fishing, domestic work, agriculture and prostitution. Different agencies are involved in the effort: the Department of Labor and Employment, Department of Justice, Department of Social Welfare, Department of Health, the police and NGOs. The laws are implemented down to *barangay* levels, where the *barangay* council for the protection of children is reportedly very effective. “They organize the parents, educate them on the hazards and dangers of letting their children work. They provide peer pressure on the people not to let their children work,” explains Mrs. Soriano of the ILS, the agency that spearheads this network of agencies involved in the elimination of child labor. She adds: “Unfortunately our justice system has yet to change, they are still not prosecuting anyone for hiring child workers. Under the new law an employer is actually liable, and this liability goes down to subcontractors as well, to the *kapatas* for instance. The law is very strict, but the challenge now is to enforce it.”

One of the law enforcement agencies, the Bureau of Working Conditions, conducts labor inspections. These include underpayment, working conditions and minimum ages. The use of child labor should be monitored and noted by this agency. However, the inspection reports of 211 sugarcane plantations inspected between January and June 2001 do not indicate one single working child. These findings are very contradictory to

²¹ Republic Act 9231

²² Flores-Oebanda 2004

the observations in this research. There appear to be two explanations for this discrepancy. The first reason is that there are only 250 inspectors nationwide, inspecting 800,000 establishments. This means that inspections cannot be carried out with great accuracy. Up until now, landowners can therefore easily mislead the inspectors by including false information in their records. Anonymous sources claim that the records mention the names of the children who work at the plantation, but only state ages that are above eighteen. Furthermore, the wages that are put down in the records are much higher than the actual wages that are paid. Considering the amount of establishments that the 250 labor inspectors have to monitor, one can imagine their attention goes to a look at the books and not to on site inspections. Thus employers can get away with hiring children, even under the inspection of the government. The second reason for the inefficiency of labor inspections in relation to child labor is the opinion that children working in agriculture only work on family farms. As the Officer in Charge of the Bureau of Working Conditions explains: "We are not so much focused on agriculture. Our Bureau deals with formal employer-employee relations. And agricultural child labor is found more in the informal sector." When asked, BWC admits "We are alarmed by the statistics on the number of children working in agriculture, but these findings do not coincide with the ones from our inspections." BWC does expect child labor to be found on sugarcane plantations once there is an explicit focus on child labor in the inspections. Faced with the problem of a labor inspection force of only 250 inspectors for all establishments in the country, the government is looking for new monitoring systems. For instance, they let establishments monitor themselves together with the workers after instructing them on labor standards.

Inspection alone is not enough to guarantee the elimination of child labor. "The problem is that the parents are the ones who send their children to work. So it will be a battle between the state and the parents," says Mrs. Soriano from the Institute of Labor Studies (ILS), an attached agency of the

Department of Labor and Employment. Since removing the child from his or her family is not an option ("We don't have the capacity to remove the children and give them shelter"), a lot of government efforts are directed toward changing attitudes in the communities. "You'll find very poor families where children do not work, and others that are relatively well off in which the children have to work. So the root cause of child labor is poverty, but it also depends on the attitude of the parents," explains another employee of the ILS. The government also recognizes that the outdated production methods in sugarcane create a huge demand for seasonal labor on the plantations, thus not providing families with a steady financial basis. For this reason government programs try to initiate other sources of income for the parents, outside the plantation.

When it comes to chemical hazards it is unclear who should protect the children while they are at work. Since they are not supposed to work, existing guidelines for safe use of agrochemicals are not adjusted to children's susceptibility to poisoning. And, as the OSHC (Occupational Safety and Health Center) states: "Manufacturers do not label their chemicals properly, so usually there is no information on the content, on safe use, on handling emergencies. The retailers and the sellers are absolutely also responsible, as are the buyers. Sometimes the farmers will buy it by the gallon, so they can find no labels with information." Even if workers knew this information and the measures were facilitated by employers, this would still not protect children at work.

Further restrictions on pesticides and other chemicals could limit the exposure to highly toxic substances. Yet it seems that too many parties have an interest in pertaining the situation as it is: pest control producers and handlers do not want to see their market decreased and the government can not close its borders to chemicals unless they can prove their poisonous effect on human beings. Although the government is aware of the toxicity of pesticides, market demands are more important. "We cannot afford to be choosy," jokes Mr. Sabularse from the Fertilizer and Pesticide Authority. But this is

the reality: farmers and landowners want to sell their produce and do whatever is needed. The Occupational Safety and Health Center: "The agrochemical industry promotes the use of pesticides and trains the farmers. But they gave the wrong signal: it is OK to use it in large amounts." As said above, adjusting safety guidelines to children's bodies is not an option because it would mean a silent

agreement with the fact that children are applying pesticides. However, banning pesticides is not an option either since too many stakes are in the pesticide market. The best way to protect children from the chemical hazards they encounter in the sugarcane fields then is to remove them from this harmful work.

5. Conclusion

In the international child labor debate, and consequently in national laws and policies, distinctions are drawn between child labor and so-called 'worst forms of child labor' which are to be eliminated without further delay. Even though many NGOs and governments welcome this priority on one of the most widespread violations of children's rights, in practice the borders between child labor and worst forms are not so easily established. When it is not the job per se, but more the variable working conditions that nominate certain child work as 'worst form of child labor' there is room for interpretation on how to deal with it.

The work that children perform on the sugarcane plantations of Leyte is exemplary of this gray area between child labor and the worst forms. Children's tasks vary from weeding and planting to applying fertilizers and harvesting. Even though parents and overseers try to protect children from the most hazardous work at the plantation – spraying pesticides – children are exposed to a number of hazards while at work. Heat, heavy work and long working hours, cuts and wounds from the equipment used and insect bites affect the children's well being. On top of this, the children risk pesticide poisoning by working in or near sprayed fields. However, the level of involvement and the sort of work they do varies along with the cane growing season.

Very striking is the fact that most people interviewed in this research agree that children should not have to work, that children should go to school and have time to play, not hindered in their development by heavy and hazardous plantation work. With the exception of one or two interviewees who were of the opinion that children do not work in agriculture apart from helping their own parents, all involved – children, parents, government representatives, NGOs, the interviewed plantation manager – would rather not see children work. The question is

why child labor still persists if all these players in the field want it to end?

The answers given point out various barriers to the elimination of hazardous child labor on the sugarcane plantations. Children's foremost barrier consists of lack of money and the lack of power to go against their family's expectations of children helping their parents. Parents mainly point out financial barriers: when the children do not work, how will we pay the educational costs, or even the daily basic needs? Apart from this they recognize a lack of other employment options that ties them – and their children – to the sugar plantations where the work is heavy and the pay is low. NGOs see a set of barriers hindering the elimination of child labor, varying from children's and parents' attitudes and values ('work is important to learn children discipline') to landlords' aim to increase their profits, and to lack of political will from the side of the government.

The government in turn says its efforts have limited impact due to lack of manpower for law enforcement (as is the case with labor inspection), but also points to parents' values as a huge barrier when it comes to working children in agriculture. Contributing to this last idea is the strong belief that child labor in agriculture comes down to children helping their parents on the family plot. Limiting its own influence to formal employer-employee relationships, child labor in agriculture is something that the government is involved in to a very limited extent.

Landowners and their subcontractors like the *kapatas* claim that parents want their children to work and that even if they would not allow children to work, the parents would be angry. Another barrier they identify is money for the families. Not hiring children will leave the families behind in great poverty and with no opportunity to pay educational costs. Furthermore they state that they cannot increase adult workers' wages because higher wages will raise the prices of

commodities, thus making life expensive for the workers.

All these barriers are exemplary of the dilemmas that the actors in the child labor-issue face. Looking at the laws in place in the Philippines, it is hard to establish which children working in the plantations are engaged in not only child labor, but also in one of the worst forms of child labor, and which are not. The hazards that children encounter while working vary a great deal along with the number of hours a child works and the task he or she performs. Since working in the sugarcane plantations is seasonal, flexible and divers children move in and out of the category 'worst forms' from week to week. However, several of the found hazards of plantation work clearly fall under the definitions of hazardous work as indicated by both international standards and Philippine law. Long hours, exposure to heat and heavy work indicate that at least some children in the plantations are engaged in a worst form of labor. But almost all children are exposed to chemicals during their work, no matter how many hours they work or what task they do. Therefore working in the sugarcane plantations qualifies as one of the worst forms of child labor and it should be eliminated immediately. This is not to say that children should be removed from the field without further delay. A carefully planned set of measures involving all actors should make both the supply and the demand for child labor disappear.

Proposed action

Ending child labor in the sugarcane fields is a responsibility of all people and institutions involved. With a new child labor law in place, law enforcement is needed to attain the desired results. This means that labor inspections should be carried out in the fields on a regular basis. Employers who violate the law should be held accountable. Given the fact that most parents claim economic necessity to be the reason for them to let their children work, penalizing parents for child labor seems to be punishing them for their poverty. With the government slowly recognizing child labor on the sugarcane plantations as one of the worst forms of child

labor in the country, children should be removed from the production process. This can however only take place with the provision that their parents have enough alternatives to pay for basic needs and education costs. The recognition of sugar cane as a sector where children are being entrapped in a worst form of child labor should not lead to international bans on Philippine sugar. Measures like these will hit the laborers in the plantation hardest, aggravating the poverty and the general living conditions of children on the *haciendas*. However, lessening the dependency on the *haciendas* as the sole source of income and as the major political power ruling the lives of farm workers probably contributes to a better negotiating position. This in turn could create openings for them to lobby for better wages and benefits, thus lowering the number of children that have to work to supplement the family's income. Organizing parents and children so that they can voice their stand together has proven to be effective in this process. Furthermore, the hazardous effects of plantation work should be further researched since pesticides endanger the health and well being of plantation workers and other living on or near the plantation. The hazards of plantation work should be made clear to parents and children, especially when it comes to the chemical hazards. Awareness of the hazards can lead to better protection for the workers, to be provided by the employers.

The situation on the sugarcane plantations in the Philippines is just one example of child labor in agriculture. And even though working in agriculture might seem harmless, a closer look into the daily realities of working children learns that the children are confronted with more dangers than the international community agreed to tolerate. It is very likely that other seemingly tolerable forms of child work contain hidden hazards as well. However, more research into the exact dangers and effects of working on the health and development of children is necessary in each sector of work before steps can be taken to eliminate hazardous child labor.

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Annex 2: List of interviews

<i>Leyte</i>		
Ormoc	ECLIPSE staff	17 May 2004
Ormoc	Alex Apit, KDF	19 May 2004
Barangay Talisayan (Albuera)	9 parents 4 children	18 May 2004
Barangay Patag (Ormoc)	Field visit	18 May 2004
Barangay Sumangga (Ormoc)	7 parents 17 children	18 May 2004
Barangay Masarayao (Kananga)	13 parents 11 children	19 May 2004
Barangay Valencia 1	Field visit	19 May 2004
Barangay Valencia 2 (sitio Laray)	39 children Supervisor	19 May 2004
Ormoc City	3 medical staff	20 May 2004
Ormoc City	Plantation owner	20 May 2004
<i>Mindanao</i>		
Magsaysay	Plantation owner 4 parents 6 children	21 May 2004
Barangay Luayon (Makilala)	Plantation owner Barangay captain 5 parents 7 children	22 May 2004
Barangay Malalag Cogon (sitio Kitagan)	9 parents 24 children (not working) 4 working children	22 May 2004
<i>Manila</i>		
Dr. Romeo Quijano, toxicologist	University of the Philippines	25 May 2004
Staff members (6)	Occupational Health and Safety Center (DOLE)	27 May 2004
Mrs. Soriano, director	Institute of Labor Studies (DOLE)	31 May 2004
Atty. E. Anaya, chief	Bureau of Working Conditions- Inspections (DOLE)	31 May 2004
Mr. Sabularse, deputy executive director	Fertilizer and Pesticide Authority	1 June 2004
Mr. Alex Apit,	Kamalayan Development Foundation	2 June 2004

Annex 3: Chemical hazards of agricultural child labor

This paper calls attention to the chemical hazards of agricultural work for children by highlighting sugarcane, mango and rubber production in the Philippines. The agricultural sector is generally considered to be 'harmless' to children, but in fact certain parts of the work in the fields can be classified as hazardous child labor. Especially when taking into account the chemical hazards that children are exposed to in the fields. Child rights organization Terre des Hommes Netherlands conducted research on sugarcane, mango and rubber plantations in the Philippines to assess the chemical risks and effects of commercial agriculture on working children. Interviews conducted with working children, adult farm workers, government representatives, employers, health staff and other experts indicate that there is not enough awareness on the threats that working in agriculture poses on children.

It is estimated that 2.1 million children in the Philippines work in agriculture. Many of them work on their family's farm, but others work on commercial plantations. In general, these commercial agricultural undertakings have greater access to agrochemicals than family farms that lack financial means to buy the chemicals. Sugarcane plantations, mango plantations and other fruit farms use chemicals to control pests and induce better growth and higher yields.

Sugarcane plantations are found mainly on Negros, Leyte and Mindanao. Five million Filipinos depend on sugar production among which 60,000 to 200,000 children who work in the sugar fields. The children perform different tasks: clearing land, planting, weeding, fertilizing and harvesting. Their involvement in the sugarcane production varies as the cane growth moves from one stage to another. Weeding and harvesting times are the busiest times for children, when many of them drop out of school to perform farm work. In Leyte, the children are being employed by the plantation owners or their staff whereas on other islands children are reported to come to the field to help their parents, not being employed themselves. Although children do not spray pesticides in the sugar cane fields, they often work in or near pesticide spraying areas. It must be said that this was not the case for all plantations visited during the research: one plantation claimed not to use pesticides at all and another said it just uses chemicals very occasionally. But in most cases, pesticides are being used and children work in or near sprayed fields. An overseer tells: "At this plantation we use herbicides to remove weeds. We mix them with diesel gasoline and the adults spray them. The children do not spray. The advice is to keep children out of the sprayed area for one month. But in reality? In reality we cannot prevent them from entering the sprayed areas. I can not prohibit the children to work there."

Production of other food crops, such as mango, pineapple and bananas also have high chemical inputs. These fruits are produced for export and therefore quality requirements are high. Plantation owners want to make sure their produce looks and tastes good so that they will find buyers on the international market. Although banana plantations are notorious for the health effects of the pesticides on plantation workers, in the Philippines children are hardly involved in banana production. However, on mango farms children are found to be working. Mango trees grow to be twenty meters high. Spraying therefore needs to be done from the ground up to the highest branches of the trees. Children are reported to help with the spraying. When doing so, the pesticides are falling down on them. They are standing in a shower of chemicals. Since the mango trees need to be sprayed often, exposure levels are very high.

In the case of rubber, the chemicals that pose a threat to children's well-being are acids which are added in order to process the fluids from the rubber tree into rubber. The acid turns the fluid into a lump that can be transported. Mixing the acid and collecting the resulting 'cup lump' is a job for the younger children, since it does not require particular skills. Older children tap the rubber trees.

Chemicals in agriculture: harmless?

The use of agrochemicals has been promoted in many developing countries since the Green Revolution, but the actual health effect of pest control products and fertilizers is an issue of debate. Whereas people in developed countries worry about chemical residues in their food, the exact impact of the use of chemical fertilizers and pesticides on farm workers is not well-researched. Some people claim that the influence of the chemicals on the farm workers is negligible. There are different arguments supporting this line of thought.

For one, in many cases where poisoning might be suspected there is no proof that chemicals cause illnesses and health problems. The long-term effect of exposure to agrochemicals minimizes the chance of establishing a sound link between pesticides and illnesses. In general farm workers do not complain or visit a doctor at the first indication of some physical problem, they accept it rather than spend their

money on consulting a medical officer. When farm worker's health problems have become so serious that they do visit a doctor, a long time has passed between the first symptoms and the visit to the doctor making it difficult to determine the original cause of the problems. A second reason for the difficulties in establishing a clear link between the use of pesticides and farm worker's health situation is that other factors may contribute to health problems. Certainly the living conditions of the farm workers in the Philippines are generally not good. Their poor housing, sanitation and other facilities lead to higher susceptibility to communicable diseases and other illnesses like TB. So it is difficult to determine whether one's increased susceptibility is caused by general living conditions, or by pesticide poisoning. The long term health effect of pesticides and other chemicals remains largely invisible.

Another argument that is often expressed by people who are not working on the farms themselves is that the workers cannot be influenced too badly because they are supposedly provided with protective clothing and instructions. People are too lazy to wear masks or ignore directions of use by spraying against the wind, is the opinion of some: "The people are being taught to spray away from the wind direction. But because they do not notice harmful effects immediately they neglect this advice and spray against the wind. This is the Filipino nature: if we do not notice negative effects we think everything is OK." In other words: even when people would be poisoned by pesticides, it would be the result of unnecessary overexposure caused by people's negligence of the instructions. When speaking of children in particular, it is mentioned that children do not spray so therefore they are not at risk of poisoning. This is only partly true. While children indeed seem not to be involved in the actual spraying of pesticides on sugarcane plantations, on mango plantations they do help with spraying and mixing the chemicals.

One last argument that is used to demonstrate the relative harmlessness of agrochemicals is that the use of these products is being regulated and controlled. In the Philippines the Fertilizer and Pesticide Authority (FPA) is responsible for registration of approved agrochemicals and for licensing handlers of these chemicals. Mr. Sabularse, deputy executive director of the FPA explains: "All allowed pesticides underwent evaluation before approval. Their registration is controlled by the FPA, who asks for data. The data we ask for is similar to what is required by other countries: their chemical identity, toxicology – like their effects on humans. Furthermore we look at the environmental influence, the irritation effects and of course the efficacy of the product. We must also consider the ways in which the chemicals can be handled here, locally. A product can be safely handled in circumstances provided in first world countries, but not by the way it will be handled or stored here. If a product is effective and it can be handled safely we register the product for use on a specific crop. All the information is contained in the label so that users can read the specifics for this product. Use of the pesticide according to good agricultural practice assures that residues will be within tolerable levels. In that way both handlers and consumers are protected."

Chemicals in agriculture: harmful!

This being said, there are indications that the use of chemicals on sugarcane, mango and rubber plantations do pose a threat to children's health. First of all, chemicals labeled as 'highly and moderately hazardous' are used on plantations. Secondly, farm workers – adults or children – are not provided with the required protection devices or information on safe use of chemicals. Thirdly, children are even more at risk when exposed to chemicals than adults, since their bodies are not full grown. And fourth, indeed children and adult workers on commercial plantations do show signs of poisoning.

1. Hazardous chemicals are used on plantations

Looking at a list of agrochemicals that are used on the sugarcane plantations on Leyte – collected from the plantation staff - it shows some examples of very toxic chemicals. It includes Tamaron, an insecticide with methamidophos – classified by the World Health Organization as a Category I (highly hazardous) pesticide. Eleven pesticides used contain Category II chemicals (moderately hazardous) and three others can be found in WHO's Category III (slightly hazardous) chemicals. Despite their hazardous features, all these pesticides and thus considered safe are registered by the FPA.

List of pesticides used on sugar cane plantations in Ormoc, Kananga and Albuera (Leyte, Philippines)

Table 1: Herbicides

<i>Name of product</i>	<i>Active ingredient</i>	<i>Registered in Phils. (toxicity level)</i>	<i>Company</i>	<i>WHO toxicity class of active ingredient*</i>
Karmex	Diuron	Yes (4)	Du Pont Far East, Inc.	Unlikely to present acute hazard in normal use

Tramex Combi 80 WP	Atrazine Ametryne	Yes (4)	Zagro Corp.	Class III
Diuron 80 WP	Diuron	Yes (3 and 4)	Leads Agri Product Corp. Bayer CropScience	Unlikely to present acute hazard in normal use
2,4 D Ester	2,4 D IBE	Yes (2)	Zagro Corp.	Class II
Agroxene S	MCPA	Yes (2)	Jardine Davies, Inc.	Class III
Butakill 600 EC	Butachlor	Yes (4)	Zagro Corp.	Unlikely to present acute hazard in normal use

Table 2: Insecticides

<i>Name of product</i>	<i>Active ingredient</i>	<i>Registered in Phils.</i>	<i>Company</i>	<i>WHO toxicity class of active ingredient</i>
Chix	Betacypermethrin	Yes (3)	Jardine Davies, Inc.	Class II
Master	Lambdacyhalothrin	Yes (2)	Jardine Davies, Inc.	Class II
Tamaron	Methamidophos	Yes (1)	Bayer CropScience, Inc.	Class Ib
Malathion	Malathion	Yes (4)	Luv Agrochem Trading	Class III
Chaku (Arnis 2.5 EC)	Lambdacyhalothrin	Yes (2)	Leads Agri Product Corp Kemistar Corp.	Class II
Carvil	BPMC	Yes (2)	Planters Product, Inc.	?
Premium 5 EC	Cypermethrin	Yes (4)	Grand Harvest Ventures	Class II
X-phos 20 EC	Chlorpyrifos	Yes (2)	Zagro Corp.	Class II
General	Lambdacyhalothrin	Yes (2)	Access Agricare	Class II
Cypex	Cypermethrin	Yes (4)	Zagro Corp.	Class II
Cobra	Chlorpyrifos	Yes (2)	Grand Harvest Ventures	Class II
Warrior	Chlorpyrifos BPMC	Yes (2)	Cyberth Phils., Inc.	Class II ?
Supremo EC	Chlorpyrifos BPMC	Yes (2)	Access Agricare	Class II ?

* WHO classification: Ia: Extremely hazardous, Ib: Highly hazardous, II: Moderately hazardous, III: Slightly hazardous

How come highly toxic pesticides are available to plantation owners? According to dr. Quijano, the Philippine government is slow in forbidding pesticides and cannot restrict just any pesticide. "Under the new GATT treaty it is stated that you can protect the health of your people and your environment, provided that this does not harm trade," explains dr. Quijano. "You would have to prove that your residents are dying because of the chemicals. The burden of proof lies with the victim. That means that we have to wait until Filipinos die from a certain pesticide before we can restrict it, while we already know that Americans have died because of it." Further, a possible maze in the Philippine laws and regulations as explained by the FPA is the lack of monitoring of pesticides on site. According to the FPA this should take place but there is not enough manpower to do so. Therefore there is no strict control on the use of pesticides. The FPA assumes that once farmers possess the right information pesticides will only be used in a responsible and safe manner. However, in the case of commercial agriculture the workers are not the ones deciding how and when to use which chemicals.

2. No protective measures are available

In general employers do not provide their workers with protective clothing and other protective measures. That makes working with these hazardous chemicals a health risk. The workers are generally not well informed on the use of the pesticides and the dangers of not following instructions by pesticide producers.

But even if protective clothing would be at hand, these garments are generally too hot for tropical temperatures. Researchers in an Indonesian study even argue that wearing protective clothing can increase poisoning risks in hot climates because perspiration increases dermal absorption of pesticides.²³ Lacking the information and suitable devices that would guarantee them safe use of chemicals, the workers are indeed at risk of poisoning.

3. Health effects of exposure are higher for children

What needs to be stressed is that the possible negative effects of exposure to pesticides on children are graver than those on adults. Their body mass is less, so the 'safe' exposure levels for children are lower than those for adults. Since children are not supposed to work in the fields at all, no government stipulates what is to be considered a safe chemical exposure level for children. This has implications on the instructions given for working with pesticides: protective clothing and measures, minimum time between spraying of the field and entering the fields again and so on. Furthermore, children's bodies are still in development and exposure to poisonous chemicals can have damaging effects on the development of their organs.

Even if children would not work in or near sprayed areas, living on sugar cane *haciendas* poses a health threat as well because their homes are located in the middle of the fields. When the wind blows towards the houses at the time of spraying, the children and their families inhale the pesticides. A study in a banana plantation showed high levels of pesticides in the water from pump wells that are used by families living on or near plantations. 700 villagers living near the researched banana plantation showed signs of pesticide poisoning after prolonged exposure to chemicals. The pesticides were sprayed aerially and some of it landed on the villagers instead of the banana trees. Dr. Quijano, who undertook this research, claims a similar effect can be expected on the sugarcane plantations: "It [living on the *hacienda*] will surely affect their health. Even before they are born, the exposure of their mothers can influence their intellectual or psychomotor development later on. (...) Organochlorides for instance are highly persistent. So when they enter the soil, they will enter the groundwater. Even when only very low concentrations are found in the water, the chemicals will accumulate in the products and eventually in your body." He adds: "But of course the symptoms are hard to see. Who knows if the child is ill because of the indirect effects of pesticides, or because of other causes?" About the children who work at the *hacienda* he is even surer: "I would say that 100 percent of them will be affected by the pesticides."

4. Health problems indicated and observed in farm workers

People who have worked on the plantation for some time indicate health problems. When asked if they heard of poisoning cases one of the interviewed overseers said: "O yes, sure! Workers from a neighboring *barangay* got affected. Their bodies weakened. Other common complaints are coughing, fevers, some people even died from overexposure. They worked even when they were ill from the chemicals." The man who told this story had complaints himself too. His body was covered with bumps. "I myself am more than worried about my situation! I went to the doctor and I got medicine, but now it's finished and the rash is still there. But what can I do? There is no protection that helps me and I cannot walk away from the exposure. In other *haciendas* they wear masks when spraying pesticides, but here they don't." In Talisayan, one interviewee believed he suffered from lung problems after working in the fields for too long. When he visited a doctor he was told he had TB. It is hard to determine if the man got infected due to his weakened state caused by living conditions, or caused by pesticide poisoning. But the man himself and his fellow workers all believed his state was caused indirectly by the chemicals. Interviewed children complained of being dizzy when working near sprayed fields, others had developed allergic reactions and skin rashes after working in the fields. Although sugarcane, mango and rubber require less chemical input than some other commercial crops, the workers at these plantations are indeed victims of prolonged exposure to agrochemicals considering the fact that most of them start working when they are still very young.

The Occupational Safety and Health Center in Manila found that children who worked near sprayed vegetable fields were affected: "We found that the adult workers who have health problems related to pesticide exposure started working when they were children, so their exposure has been going on for a

²³ Kishi, M., N Hirschhorn, M Djajadisastra, LN Satterlee, S Strowman, R Dilts (1995)

'Relationship of pesticide spraying to signs and symptoms in Indonesian farmers' in: *Scandinavian Journal of Work, Environment and Health* 1995; 21: 124-33.

long time. Although the children do not spray pesticides they are exposed to pesticides residues when they go in the fields. The residues do not change forms, so the chemicals still affect the children.”

Rubber production involves other chemical hazards for children. Children here come into direct contact with chemicals when mixing latex from the rubber trees with acid. The acid irritates their skin and can cause serious injuries when it comes in their eyes. There is another risk lying in the use of chemicals in rubber plantations. Since rubber plantations, other than sugarcane plantations, are often owned and operated by families chemicals are stored at home. It is bought from big barrels in the local store and kept in bottles. The bottles are not labeled and no safety warnings are to be found on them. Small children mistake the colorless acid in the bottles for water and drink it. Several accidents are reported in rubber producing areas where children died from drinking acid. Apart from these accidents however the skin contact with acid affects the children: their skin peels off and gets irritated.

Conclusion and further action

There are strong indications that children who work in commercial agriculture are indeed negatively affected by the chemicals that are used. Interviews with adult farm workers, working children, health staff and chemical experts showed that farm workers (adults and children alike) are exposed to hazardous chemicals without sufficient protection. Children’s physique makes them more at risk of chemical poisoning: their bodies can handle smaller amounts of chemicals and their developing organs are easily affected by hazardous chemicals. Whether or not the children come into direct contact with chemicals, prolonged indirect exposure is likely to harm the children’s mental and physical development. The fact that farm workers and working children are complaining of health problems associated with pesticide poisoning endorses this statement.

In general, awareness on chemical hazards should be raised among farm workers, working children and parents so that they can protect themselves better to exposure. Plantation owners should provide required protective clothing and other measures to comply with Philippine occupational safety standards. The Philippine Fertilizer and Pesticide Authority should monitor the safe use of agrochemicals in daily practice by on-site monitoring visits, where they should have specific attention for the practices of the workers. Furthermore, the FPA should consider restricting more chemicals than is presently the case. The burden of proof that lies with the victim should be replaced by a system of ‘restricted unless proven to be safe’.

When it comes to children, working with pesticides or other chemicals comprises one of the worst forms of child labor according to ILO convention C182 and according to Philippine law. Therefore it should be eliminated immediately. The government should undertake long term toxicological research into the health effects of working on and living near plantations, with specific attention on the effects on children. Efforts of the government should be directed at establishing the exact effect of the chemicals on the children’s well being and consequently at taking the necessary measures to protect children from these hazards. **Even though working in agriculture might be acceptable for children under certain circumstances, the present day situation in regard to chemical use on sugarcane, mango and rubber plantations in the Philippines is intolerable and should be banned immediately.**