

INCREASING THE IMPACT OF REMITTANCES ON CHILDREN'S RIGHTS IN THE PHILIPPINES

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**INCREASING THE IMPACT OF
REMITTANCES ON CHILDREN'S
RIGHTS IN THE PHILIPPINES**

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Executive Summary

This paper uses a human rights based approach to study how remittances could have greater impact on children rights realization and looks at the relationship between migration-remittances and children rights realization for a clearer understanding of the challenges to face to reach greater respect, protection and realization of children rights.

A commonly held belief on migration is that poverty is the main force driving large numbers of people to cross national borders to eke out a better future. The most glaring proof of this contention is that the list of top labor-sending and top remittance-receiving countries is dominated by the developing economies of Latin America, Asia and Africa. Still, there is a global perspective that slices the argument more thinly and contends that “wages apparently need not differ very much to trigger large scale migration” (Hirose, 2004). As the paper will indicate, the Philippine experience on migration issues depart little from these two perspectives.

The data available to link migration with poverty in the Philippines is still sketchy at best. In-depth studies are needed to isolate poverty factors as determinants of migration. On the other hand, in-depth research is also needed in identifying the impact of migration and remittances on poverty alleviation of migrant households, their communities and regions.

However, the statistics on deployment of temporary overseas workers and irregular or undocumented overseas workers (TOW/IOW) and the estimate of stocks of overseas Filipinos and their remittances simply defy this official proclamation by leaps and bounds.

In the midst of this apparently schizophrenic policy environment the current emerging perspective is that this symptom of poor governance and a weak state – migration - is among the solutions to the debilitating problem of poverty.

It appears that a country that uses migration as a strategy to cope with the effects of unemployment without developing the capacity of the local economy to absorb more workers and that does not harness the skills and resources of its returning migrant workers is failing to provide parents with the opportunity and capacity to offer effective protection and care to their children.

As a signatory to the CRC, the Philippine government needs to search for ways to compensate, reduce, limit or overcome the negative effects of migration on the affected children by promoting the use of the remittances for the realization of children’s rights. It must also search for ways to influence migration such that vulnerable groups like children and women are diverted from risky occupations and destinations where very little protection from receiving States are available to them.

Pattern of Philippine migration – It appears that what makes the case of the Philippines particularly interesting is the fact that its migration pattern is characterized by:

- Large percentage of temporary/undocumented workers (62%) compared to permanent emigrants (38%).

- A relatively young migrant population.
- Slightly over half of migrants (55%) are married.
- Growing feminization of temporary/undocumented workers, many of them deployed in the services industry.

The implications of this pattern are:

- the effect of migration on children, especially those of young age, may be higher in the case of Philippines.
- the use of remittances for the best interest of children falling into the hands of fathers cannot be considered as obvious because social roles do not prepare men to be effective caregivers of children.
- the decision and pattern of expenditures (as proven by studies in other countries) are very different in a male-headed household than in a female-headed household.

Remittances and migration – Migration involving the separation on children from their parents and where parents (particularly mothers) are in vulnerable situations and legal status, negatively impacts on children’s and women’s rights. Separation of children from their parents, particularly from their mothers, is likely to result in emotional and psychological problems. However, existing data is not sufficient to warrant categorical conclusions. There are initial studies that seem to indicate that inherent Philippine social institutions like the extended family mitigate the impact of migration on children.

The Philippine government is challenged to expand its policy and action in protecting migrant workers, particularly children and women. It needs to find ways to articulate a national perspective on migration as it impacts on women and children.

There are significant examples of mechanisms both in the public and in the private sector (including the non-profit sector), that exhibit promising results in terms of mobilizing remittances to advance local development in general and children’s rights in particular. However, existing data cannot directly identify conclusive directions. There is a pressing need to fill up the data and knowledge gap on the utilization and impact of remittances – at the family and community levels given the socio-economic environment and pressures of Philippine society.

Migration, remittances and children’s rights – The first level of analysis of the impact of migration on children is in terms of negative effects or the so-called social “costs” of migration. While there appears to be massive evidence of economic benefits from migration, the social costs – to the worker and to the recipients of remittances alike, by gender and by age groups – are only beginning to surface in varying degrees in different surrogate indicators.

These surrogates include allegations that migration contribute to increased juvenile delinquency, drug abuse, psycho-social mal-adjustments, loss of self-esteem, early marriages, teen-age pregnancies, and family breakdown among children of TOW/IOW and therefore practically disregarding the realization of the rights of the children of concerned families.

While there are no research documents encountered in the preparation of this paper to support these suspicions in terms of hard field data, it does not also mean they should not be considered seriously.

The paper suggests that research on psycho-social impact of migration particularly TOW/IOW should be part of the agenda of UNICEF in the Philippines. Presently, the available data on psycho-social impact of migration are anecdotal in nature. These include case studies prepared by various NGOs working with migrants and the handbook of the OFW Journalism Consortium.

The second level of analysis of migration and children is in terms of understanding the potential of migration and remittances to mitigate the so-called social costs. It is quite possible that the social impact of migration can be “offset” or mitigated by the way remittances is utilized by the extended family members or care takers.

A 2004 survey indicated that remittances:

- have positive impact on the education and health of children left behind by migrant parents.
- children are able to adjust to separation from parents.
- members of the extended family provide the necessary care of children left behind by migrant parents.

Studies of this scope and focus need to be replicated and expanded to validate its initial findings. Necessarily, caution must be exercised in interpreting responses by children. The intense dynamics between the social, economic and psychological surroundings of children and their own physiological and psychological pressures make up for a complex matrix of variables that make their answers to survey questions difficult to categorically indicate reality. At the very least, these types of studies provide broad parameters of the range of potential effects of migration and its mitigating factors.

While it is easy to assume that remittances positively impacts on children’s education, there are actually no conclusive data to support this assumption. In addition, it is also unknown how remittances or its flipside, migration, contributes to the quality of learning of children given that one or both parents are absent for long periods of time.

The same can be said with respect to the impact of remittances on children’s health and general well-being. It is difficult to say whether the extended family is better or worse in terms of taking care of children’s health.

Again, the Scalabrini study pointed out that children appear to benefit from remittances in terms of opportunity to attend better schools, eat well and have access to health services. There may be a need to further validate its findings in terms of indicating the improvements made available by remittances on the learning quality of children left behind by migrant parents.

Agenda for development – The Philippine government, by improving the status of migrants abroad, could increase the volume and utilization of remittances such that this income flows can be tapped and employed to promote the achievement of children’s rights. This is not limiting the

issue to using the existing remittance flows available from a smaller share of relatively better-off permanent emigrants.

In studying the potential of remittances, it is important to consider the status and conditions of the migrant worker. The more secure the condition of the overseas worker is, the better is his/her ability to send remittances for his/her children in a stable, longer-term basis that enables the family to provide for better education, health care, nutrition and general well-being for children left behind.

This also means that tapping remittances to advance the realization of children's rights involves improving the status of migrant workers while providing efficient and low-cost channels to transfer money and leaving the families the options of allocating remittances. Otherwise, efforts would be concentrated on remittances from relatively "better-off" overseas workers while remittances from relatively more vulnerable migrants will not be able to off-set the effects of separation on one or both parents from his/ her children.

The Philippine government needs to improve the data base of migration – both the migrants themselves and the families affected. It must understand both in macro terms and at the family level the dynamics and impact of migration and remittances in order for State policies to become a more useful tool of advancing children's rights – the first casualty of migration.

The private sector, NGOs and the Academe all have contributions to make to the efforts of the National Government. As in all other development issues, migration is a call to all sectors concerned. It is not just the State that is challenged to respond.

Resumen Ejecutivo

Este documento utiliza un enfoque basado en los derechos humanos para estudiar la forma en que las remesas podrían tener mayores repercusiones sobre la realización de los derechos de la infancia y analiza la relación entre la emigración y las remesas y la realización de los derechos de la infancia para arrojar mayor luz sobre los problemas que ponen trabas a un mayor respeto, protección y realización de los derechos infantiles.

Una creencia muy generalizada sobre la migración es que la pobreza es la causa principal que lleva a un gran número de personas a traspasar las fronteras nacionales en búsqueda de un futuro mejor. La prueba más flagrante de este argumento es que la lista de los países que mayor fuerza de trabajo exportan y más remesas reciben está dominada por las economías en desarrollo de América Latina, Asia y África. Sin embargo, hay una perspectiva mundial que analiza más minuciosamente la cuestión y argumenta que “los salarios no tienen que diferir aparentemente demasiado para desencadenar una emigración a gran escala” (Hirose, 2004). Como demostrará el documento, la experiencia de Filipinas sobre cuestiones de emigración se aleja muy poco de estas dos perspectivas.

Los datos disponibles para vincular la emigración con la pobreza en Filipinas es como mínimo muy esquemática. Se necesitan estudios en profundidad para aislar los factores determinantes de la pobreza sobre la emigración. Por otra parte, también se necesitan investigaciones minuciosas para establecer cuáles son las repercusiones de la emigración y de las remesas sobre el alivio de la pobreza en los hogares de los migrantes, sus comunidades y sus regiones.

Sin embargo, las estadísticas sobre el despliegue de los trabajadores temporales en el exterior y de los trabajadores irregulares o indocumentados en el exterior y los cálculos sobre las propiedades de los filipinos en el exterior y sus remesas ponen simplemente en cuestión esta proclamación oficial.

En medio de este aparente entorno esquizofrénico en materia de políticas, la perspectiva que surge en la actualidad es que este síntoma de mala gestión de los asuntos públicos y de debilidad del estado –la emigración– se encuentra entre las soluciones del debilitante problema de la pobreza.

Parece que un país que utiliza la emigración como una estrategia para luchar contra los efectos del desempleo sin desarrollar la capacidad de la economía local para absorber a más trabajadores y no aprovecha las aptitudes y los recursos de sus trabajadores migrantes que regresan al país, no logra proporcionar a los progenitores la oportunidad y la capacidad de ofrecer a sus hijos una protección y un cuidado eficaces.

Como país firmante de la Convención sobre los Derechos del Niño, el Gobierno de Filipinas tiene que buscar maneras de compensar, reducir, limitar o superar los efectos negativos de la emigración sobre los niños afectados mediante la promoción de la utilización de las remesas para la realización de los derechos de la infancia. También debe buscar la manera de influir en la emigración de tal manera que grupos vulnerables como los niños y las mujeres no tengan que

hacerse cargo de ocupaciones y destinos arriesgados donde tienen a su disposición muy poca protección de los Estados que los reciben.

Modelo de la emigración en Filipinas. Parece que lo que hace que el caso de Filipinas sea especialmente interesante es el hecho de que su modelo de emigración se caracteriza por:

- Un amplio porcentaje de trabajadores temporales/indocumentados (62%) en comparación con los emigrantes permanentes (38%)
- Una población emigrante relativamente joven
- Un poco más de la mitad de los migrantes (55%) están casados
- Una creciente feminización de los trabajadores temporales/indocumentados, muchos de los cuales están empleados en la industria de los servicios

Las implicaciones de este modelo son:

- el efecto de la emigración sobre los niños, especialmente los más pequeños, puede ser más elevado en el caso de Filipinas
- no es posible considerar como algo tan obvio que los padres utilicen las remesas que caen en sus manos en favor del interés superior del niño, debido a que las funciones sociales no preparan a los hombres para ser cuidadores eficaces de los niños
- la decisión y el patrón de los gastos (como lo demuestran los estudios realizados en otros países) son muy diferentes en un hogar encabezado por el hombre que en un hogar encabezado por la mujer

Remesas y emigración. La emigración que implica la separación de los niños de sus progenitores y que conlleva que los progenitores (especialmente las madres) se encuentren en situaciones y estatus jurídicos vulnerables, afecta negativamente los derechos de los niños y de las mujeres. La separación de los niños de sus progenitores, especialmente de sus madres, conlleva por lo general problemas emocionales y psicológicos. Sin embargo, los datos existentes no son suficientes como para permitir conclusiones categóricas. Hay estudios iniciales que parecen indicar que las instituciones sociales inherentes de Filipinas, como la familia ampliada, mitigan la repercusión de la emigración sobre la infancia.

El Gobierno de Filipinas tiene el desafío de ampliar su política y sus medidas para proteger a los trabajadores migrantes, especialmente los niños y las mujeres. Tiene que encontrar la manera de articular una perspectiva nacional sobre la emigración y sus repercusiones sobre las mujeres y los niños.

Hay ejemplos significativos de mecanismos tanto del sector público como del privado (incluido el sector sin fines de lucro), que muestran resultados prometedores en lo que atañe a la movilización de remesas para impulsar el desarrollo local en general y los derechos de la infancia en particular. No obstante, los datos existentes no permiten dirigirse directamente de una manera concluyente en ninguna dirección. Existe la necesidad urgente de superar las lagunas en los datos y en el conocimiento sobre la utilización y las consecuencias de la remesas, a escala de la familia y de la comunidad, dado el entorno socioeconómico y las presiones de la sociedad de Filipinas.

Emigración, remesas y derechos de la infancia. El primer nivel de análisis sobre las consecuencias de la emigración sobre la infancia es en lo que se refiere a los efectos negativos o los llamados “costos” sociales de la emigración. Aunque parece haber numerosas pruebas que reflejan los beneficios económicos de la emigración, los costos sociales –tanto para el trabajador como para los beneficiarios de las remesas, por género y grupos de edad– solamente comienzan a aparecer en grados diferentes mediante distintos indicadores sustitutivos.

Entre estos indicadores sustitutivos cabe mencionar las alegaciones de que la emigración contribuye a un aumento en la delincuencia juvenil, el abuso de drogas, los desajustes psicosociales, la pérdida de autoestima, el matrimonio temprano, el embarazo de las adolescentes y en la ruptura familiar de los niños de los trabajadores temporales en el exterior y los trabajadores irregulares o indocumentados en el exterior y por tanto prácticamente no tienen en cuenta la realización de los derechos de los niños de las familias implicadas.

Aunque en la preparación de este documento no se encontraron materiales de investigación para apoyar estas sospechas en términos de datos firmes del terreno, esto no significa que no se deban tener seriamente en cuenta.

El documento sugiere que las investigaciones sobre las consecuencias psicosociales de la emigración, especialmente de los trabajadores temporales en el exterior y los trabajadores irregulares o indocumentados en el exterior, debe formar parte del programa de UNICEF en Filipinas. En la actualidad, los datos disponibles sobre las consecuencias psicosociales de la emigración son de naturaleza incidental. Entre ellas cabe mencionar estudios monográficos preparados por varias ONG que trabajan con migrantes y del manual del OFW Journalism Consortium.

El segundo nivel de análisis de la emigración y la infancia se refiere a la comprensión del potencial de la emigración y de las remesas para mitigar los llamados costos sociales. Es muy posible que las consecuencias sociales de la emigración puedan “compensarse” o mitigarse por la manera en que los miembros de la familia ampliada o los cuidadores utilizan las remesas.

Una encuesta realizada en 2004 indicó que la remesas:

- tienen consecuencias positivas sobre la educación y la salud de los niños de progenitores migrantes que permanecen en el país de origen
- los niños son capaces de ajustarse a la separación de sus progenitores
- los miembros de la familia ampliada ofrecen a los hijos de progenitores migrantes que permanecen en el país de origen el cuidado necesario

Es preciso reproducir los estudios en este ámbito y mediante este enfoque para validar sus conclusiones iniciales. Es importante ejercer cautela a la hora de interpretar las respuestas de los niños. Las intensas dinámicas entre los entornos sociales, económicos y psicológicos de los niños y sus propias presiones fisiológicas y psicológicas configuran una matriz compleja de variables que hacen que resulte difícil decidir si las respuestas a las preguntas de la encuesta indican categóricamente la realidad. Como mínimo, este tipo de estudios ofrecen amplios parámetros de la gama de efectos potenciales de la emigración y sus factores mitigantes.

Aunque resulta fácil asumir que las remesas influyan positivamente en la educación de los niños, no hay datos concluyentes que apoyen esta afirmación. Además, también se desconoce cómo las remesas, o su otra cara de la moneda, la emigración, contribuyen a la calidad del aprendizaje de los niños, dado que uno o ambos progenitores están ausentes por largos períodos de tiempo.

Lo mismo se puede decir con respecto a las repercusiones de las remesas sobre la salud y el bienestar general de los niños. Es difícil decidir si la familia ampliada se encuentra mejor o peor en lo que atañe a la tarea de ocuparse de la salud del niño.

De nuevo, el estudio de Scalabrini señaló que los niños parecen beneficiarse de las remesas en lo que respecta a la oportunidad de atender a mejores escuelas, comer bien y tener acceso a los servicios de salud. Puede existir la necesidad de validar más ampliamente sus conclusiones indicando las mejoras que supusieron las remesas en la calidad del aprendizaje de los niños que permanecen en el país de origen cuando sus padres y madres emigran.

Programa para el desarrollo. El Gobierno de Filipinas, al mejorar la situación de los migrantes en el exterior, puede aumentar el volumen y la utilización de las remesas de tal modo que estos flujos de ingresos puedan aprovecharse y emplearse en la promoción de la realización de los derechos de la infancia. Esto no limita la cuestión a la utilización de los flujos existentes de remesas disponibles de una pequeña proporción de emigrantes permanentes que se encuentran relativamente mejor.

Al estudiar el potencial de la remesas, es importante considerar la situación y las condiciones del trabajador emigrante. Cuanto más segura sea la condición del trabajador en el exterior, mayor será su capacidad de enviar remesas para sus hijos según una base estable y a largo plazo que permita a la familia proporcionar una mejor educación, atención de la salud, nutrición y bienestar general del niño que permanece en el país de origen.

Esto significa también que aprovechar la remesas para avanzar la realización de los derechos de la infancia requiere mejorar la situación de los trabajadores migrantes al mismo tiempo que se proporcionan canales eficaces y de bajo costo para transferir el dinero y dejar a las familias las opciones para asignar las remesas. De otro modo, las actividades se concentrarían en la remesas de trabajadores en el exterior que se encuentran relativamente mejor, mientras que las remesas de migrantes relativamente más vulnerables no podrían compensar los efectos de la separación de uno o ambos progenitores de sus hijos.

El Gobierno de Filipinas tiene que mejorar la base de datos sobre emigración, tanto con respecto a los propios migrantes como las familias afectadas. Debe comprender, tanto en términos macroeconómicos como a escala de la familia, las dinámicas y las repercusiones de la emigración y las remesas a fin de que las políticas del Estado se conviertan en un instrumento más útil para avanzar los derechos de los niños, que son las primeras víctimas de la emigración.

El sector privado, las ONG y las instituciones docentes tienen todas contribuciones que hacer a las actividades del Gobierno nacional. Como en otras cuestiones relacionadas con el desarrollo, la emigración es un tema de importancia para todos los sectores implicados. No es solamente el Estado quien tiene que responder.

Résumé Analytique

Cette étude utilise une approche fondée sur les droits humains pour étudier comment les envois de fonds pourraient avoir un plus grand impact sur la réalisation des droits de l'enfant, et examine la relation entre envois de fonds de migrants et réalisation des droits de l'enfant pour mieux comprendre les difficultés à surmonter dans l'amélioration du respect, de la protection et de la réalisation des droits de l'enfant.

En évoquant la migration, on croit souvent que la pauvreté est la principale force poussant un grand nombre de personnes à traverser les frontières nationales pour gagner un meilleur avenir à la sueur de leur front. La preuve la plus éclatante en est que la liste des pays générateurs qui envoient le plus de main d'œuvre et des pays qui recueillent le plus gros volume d'envois de fonds est dominée par les économies en développement de l'Amérique latine, de l'Asie et de l'Afrique. Il existe cependant une perspective mondiale qui nuance cette position, en affirmant que « les salaires n'ont apparemment pas besoin de différer beaucoup pour déclencher des migrations à grande échelle » (Hirose, 2004). Comme cette étude l'indiquera, l'expérience philippine sur les questions de migration s'écarte peu de ces deux perspectives.

La date à laquelle il est possible de lier la migration à la pauvreté aux Philippines est encore vague dans le meilleur des cas. Des études approfondies sont requises pour isoler les facteurs de pauvreté comme déterminants de la migration. Par ailleurs, des recherches approfondies sont aussi requises pour identifier l'impact de la migration et des envois de fonds sur l'atténuation de la pauvreté des ménages de migrants, leur communauté et leur région.

Toutefois, les statistiques sur le déploiement de travailleurs outre-mer temporaires et de travailleurs outre-mer irréguliers et non documentés et l'évaluation des populations philippines d'outre-mer et de leurs envois de fonds s'inscrivent tout simplement en faux, et de très loin, contre cette proclamation officielle.

Dans cet environnement décisionnel apparemment schizophrénique, la perspective qui émerge actuellement est que ce symptôme de mauvaise gouvernance et d'état de faiblesse – la migration – est une des solutions au problème débilisant de la pauvreté.

Il apparaît qu'un pays qui utilise la migration pour traiter des effets du chômage sans développer la capacité qu'a l'économie locale d'absorber davantage de travailleurs et qui ne capture pas les compétences et les ressources de ses travailleurs migrants revenant au pays ne réussit pas à fournir aux parents l'occasion et la capacité d'offrir à leurs enfants une protection et un soin efficaces.

En tant que signataire de la Convention relative aux droits de l'enfant, le Gouvernement des Philippines doit rechercher des manières de compenser, réduire, limiter ou surmonter les effets négatifs de la migration sur les enfants touchés en favorisant l'utilisation des envois de fonds pour la réalisation des droits de l'enfant. Il doit aussi rechercher des façons d'influer sur la migration de manière à ce que les groupes vulnérables comme les enfants et les femmes se détournent des activités professionnelles à risque et des destinations où l'Etat d'accueil ne leur accorde que très peu de protection.

Schéma de la migration des Philippins. Il semble que le cas des Philippines est particulièrement intéressant car son schéma de migration se caractérise par :

- un grand pourcentage de travailleurs temporaires ou non documentés (62 %) par rapport aux émigrants permanents (38 %)
- une population migrante relativement jeune
- un pourcentage de migrants mariés d'un peu plus de la moitié (55 %)
- une féminisation croissante de travailleurs temporaires ou non documentés, dont la plupart sont déployés dans l'industrie des services

Les implications de ce schéma sont les suivantes :

- L'effet de la migration sur les enfants, notamment les plus jeunes, peut être plus élevé dans le cas des Philippines
- L'utilisation par les pères des fonds envoyés dans l'intérêt des enfants ne peut pas être considérée comme évidente parce que les rôles sociaux ne préparent pas les hommes à être des dispensateurs de soins efficaces aux enfants
- La décision de dépenses et leur schéma (comme le prouvent des études d'autres pays) sont très différents dans une famille dirigée par un homme et dans une famille dirigée par une femme

Envois de fonds et migration. La migration impliquant la séparation des enfants de leurs parents là où la situation et le statut juridique des parents sont vulnérables, a un impact négatif sur les droits des enfants et des femmes. La séparation des enfants de leurs parents, notamment de leur mère, a toutes les chances de se solder par des problèmes affectifs et psychologiques. Toutefois, les données existantes ne suffisent pas à motiver des conclusions catégoriques. Il y a des études initiales qui semblent indiquer que des institutions sociales inhérentes aux Philippines comme la famille élargie atténuent l'impact de la migration sur les enfants.

Le Gouvernement des Philippines est au défi de développer sa politique et ses mesures de protection des travailleurs migrants, notamment les enfants et les femmes. Il doit trouver le moyen d'élaborer une perspective nationale sur la migration, car celle-ci a un impact sur les femmes et les enfants.

Il y a des exemples significatifs de mécanismes dans le secteur public comme privé (y compris le secteur à but non lucratif) qui affichent des résultats prometteurs en termes de mobilisation des envois de fonds pour faire progresser le développement local en général et les droits de l'enfant en particulier. Toutefois, les données existantes ne peuvent pas directement identifier des directions probantes. Il est urgent de combler les lacunes de données et de connaissances sur l'utilisation et l'impact des envois de fonds aux niveaux familial et communautaire, dans le contexte de l'environnement socio-économique et des pressions de la société philippine.

Migration, envois de fonds et droits de l'enfant. Le premier niveau d'analyse de l'impact de la migration sur les enfants se situe en termes d'effets négatifs ou des soi-disant « coûts sociaux » de la migration. Bien qu'il semble exister des preuves massives des bienfaits économiques de la migration, les coûts sociaux – pour le travailleur comme pour le destinataire des envois de fonds, par sexe et par groupe d'âge – ne font que commencer d'apparaître à des degrés divers dans différents indicateurs auxiliaires.

Ces indicateurs comprennent la supposition que la migration contribue à l'accroissement de la délinquance juvénile, de l'abus de drogues, de l'inadaptation psychosociale, de la perte de l'estime de soi, des mariages précoces, des grossesses d'adolescentes et de la désintégration des familles chez les enfants de travailleurs outre-mer irréguliers et non documentés, donc pratiquement sans égards pour la réalisation des droits des enfants dans les familles concernées.

Bien qu'il n'y ait pas de documents de recherche qui aient été identifiés dans la préparation de la présente étude pour appuyer ces suppositions en termes de données tangibles sur le terrain, cela ne veut pas aussi dire qu'elles ne devraient pas être considérées sérieusement.

Cette étude suggère que les recherches sur l'impact psychosocial de la migration, notamment celle des migrants outre-mer non documentés, devraient faire partie de l'ordre du jour de l'UNICEF aux Philippines. À l'heure actuelle, les données disponibles sur l'impact psychosocial de la migration sont de nature anecdotique. Il s'agit en particulier d'études de cas préparées par diverses ONG travaillant avec des migrants et du manuel de l'OFW Journalism Consortium.

Le second niveau d'analyse de la migration et des enfants a trait à la compréhension du potentiel de la migration et des envois de fonds pour atténuer les soi-disant coûts sociaux. Il est tout à fait possible que l'impact social de la migration soit « compensé » ou atténué par la façon dont les envois de fonds sont utilisés par les membres de la famille élargie ou les dispensateurs de soins.

Une enquête de 2004 a révélé :

- que ces envois de fonds avaient un impact positif sur l'éducation et la santé des enfants délaissés par des parents migrants
- que les enfants étaient capables de s'adapter à la séparation avec leurs parents
- que les membres de la famille élargie fournissaient les soins nécessaires aux enfants délaissés par des parents migrants

D'autres études de cette ampleur et sur ce thème doivent être reproduites et élargies pour valider ses premières constatations. Nécessairement, la prudence est de mise pour interpréter les réponses données par les enfants. La dynamique intense entre l'environnement social, économique et psychologique des enfants et leurs propres pressions physiologiques et psychologiques donnent lieu à une matrice complexe de variables qui fait que leurs réponses aux questions de l'enquête sont difficilement identifiables comme indicatrices catégoriques de la réalité. À tout le moins, ces types d'études fournissent de larges paramètres sur l'éventail des effets possibles de la migration et sur les facteurs qui les atténuent.

Bien qu'il soit aisé de présumer que les envois de fonds ont un impact positif sur l'éducation des enfants, il n'y a actuellement pas de données concluantes qui soutiennent cette supposition. De plus, on ne sait pas non plus comment les envois de fonds ou l'envers de la médaille, la migration, contribuent à la qualité de l'apprentissage des enfants, puisqu'un parent ou les deux ont des absences de longue durée.

Même chose concernant l'impact des envois de fonds sur la santé et le bien-être général des enfants. Il est difficile de dire si la famille élargie est meilleure ou pire pour s'occuper de la santé des enfants.

Ici aussi, l'étude de Scalabrini a montré que les enfants paraissaient bénéficier des envois de fonds dans la mesure où ils avaient l'occasion d'aller à de meilleures écoles, de mieux manger et d'avoir accès aux services de santé. Il peut y avoir un besoin de valider encore davantage ses conclusions, en montrant les améliorations possibles, grâce aux envois de fonds, de la qualité d'apprentissage des enfants délaissés par des travailleurs migrants.

Ordre du jour pour le développement. Le Gouvernement des Philippines, en améliorant le statut des migrants à l'étranger, pourrait accroître le volume et l'utilisation des envois de fonds de façon à pouvoir exploiter ces flux monétaires et les utiliser pour promouvoir la réalisation des droits de l'enfant. Cela ne cantonne pas la question à l'utilisation des flux d'envois de fonds disponibles d'une plus petite portion d'émigrants permanents relativement mieux lotis.

En étudiant le potentiel des envois de fonds, il est important de considérer le statut et les conditions du travailleur migrant. Plus la condition du travailleur outre-mer est sûre, meilleure est sa capacité d'envoyer des fonds à l'intention de ses enfants sur une base stable et à plus long terme, permettant ainsi à la famille de prévoir une meilleure qualité de l'éducation, des soins de santé, de la nutrition, et du bien-être général des enfants laissés au pays.

Cela signifie aussi qu'en exploitant les envois de fonds pour faire progresser la cause des droits de l'enfant, on améliore le statut des travailleurs migrants tout en fournissant des canaux efficaces et économiques de transfert de l'argent et en donnant aux familles le choix de l'affectation des fonds expédiés. Autrement, les efforts se concentreraient sur les envois de fonds de travailleurs outre-mer relativement « mieux lotis », alors que les envois de migrants relativement plus vulnérables ne pourront pas contrebalancer les effets de la séparation d'un parent ou deux et de leurs enfants.

Le Gouvernement des Philippines doit améliorer la base de données des migrations : à la fois celle des migrants eux-mêmes et des familles touchées. Il doit atteindre une compréhension à la fois macroéconomique et familiale de la dynamique et de l'impact de la migration et des envois de fonds, afin que les politiques de l'État deviennent un outil plus utile pour faire progresser la cause des droits de l'enfant, première victime de la migration.

Le secteur privé, les ONG et le milieu universitaire ont tous apporté leur contribution aux efforts du gouvernement national. Comme pour les autres problèmes du développement, la migration en appelle à tous les secteurs concernés. Ce n'est pas seulement l'État qui est mis au défi de répondre.

Introduction

This paper aims at understanding how in the case of the Philippines, remittances could have a greater impact on the realization of children's rights.

In fact, at the global level as well as in the Philippines, migration is too often viewed in a financial and economic perspective by considering the flow of remittances and its contribution to a country GDP. As a result of this biased approach, the social costs of migration on family members left behind and on children in particular are too rarely taken into account while ways to make proper use of remittances have a positive impact on the realization of children rights are almost never explored.

Therefore, this paper intends to use all relevant data and information available for the Philippines¹ to understand, define and precise:

- the trends and pattern of migration (with a gender approach) that actually influences the pattern and flow of remittances
- the psycho-social impact of migration and remittance flows on left behind child(ren) and spouse, taking into the natural resilience of children to adjust to changes and pressures in their environment
- the ways remittances can/ could work towards mitigating the negative impact of migration on children with reference to existing initiatives from social institutions, community organizations or networks
- the relationship between remittances and the promotion and realization of children's rights
- research areas and policy level interventions for further studies and action for greater impact of remittances on children rights

As such, the paper only represents a first step prior to the conduction of more extensive studies focusing on remittances and aims at defining clear areas for research as well as for policy and program interventions that shall help improve the use and effects of remittances for the realization of the rights of the children.

To do so, a human rights based framework of analysis is developed and used to study the issue of remittances and children rights in a broader context wherein remittances are analyzed in relation to the migration pattern and wherein duty bearers and rights holders as well as their respective capacities are considered.

¹This comprises published/unpublished, formal/informal information, indicative observations and anecdotal inferences as conclusions of studies made for other countries.

And, at this stage, it is worth mentioning that within such a HR based approach, because migration entails the separation of one or both parents from their child/children, migration cannot be seen as a decision which is in the best interest of children. Therefore, we are of the point of view that remittances can be considered to contribute to the realization (of some) of the children's rights if and only if they are used in an appropriate way and even then, it is still not proved that it is sufficient enough to compensate the physical, emotional and psycho-social effects of the separation of children from one or two of their parents².

Given the previous, this paper shall therefore try to also identify the circumstances and conditions under which remittances can have a bigger impact for children rights realization looking at the duty bearers' duties and capacities as well as at the right holders claim and capacities. Therefore, the issue this paper addressed is **not just** how to best tap into the present volume of remittances for the realization of children's rights **but also** how to increase the potential of using remittances for the realization of children's rights. This, in a HR based approach, starts by making sure migrant workers, when abroad are not in vulnerable situation that prevents them from being able to fulfill their duties towards the(ir) left behind child/children nor making free and right allocation of the money sent back home.

1. Methodology

The methodology used for this paper mainly consists of a desk review of existing research and an analysis of the relation between remittances and children's rights, using all relevant available data and information from a human rights perspective.

The human rights-based framework developed for this study permits us to link the proven, or possible, effects of the use of remittances to:

- assessing the capacity gaps of responsible entities and rights-holders with the aim of identifying interventions that will enable both of them to adequately contribute to the realization of children's rights
- the general framework offered by the CRC and the conclusions of the Geneva-based CRC committee report on the level of implementation of the CRC in the Philippines, in order to ensure that this report takes into account the country situation
- particular categories of children's rights so that clear social, political and economic policies can be drawn up
- the child's life cycle and age-related rights so that programmatic orientations adapted to the child's age can be drawn up

² All those emotional and psycho-social effects seemed actually not to have been studied in a systematic way on a large enough sample of children.

This framework helps us recognize that the social impact of remittances on children’s rights cannot be fairly discussed without considering it in the broader context of migration. Remittances are only one of the by-products of migration and migration has an impact on the migrant parent’s capacity to act as a care-giver towards his/her children.

Finally, before we go further, it is worth clarifying a few terms used in this study. While at this stage of the work³ we have not tried to restrict the use the remittances term, we have felt necessary to precise a bit more the definition of Overseas Filipinos.

1.1. An evolving definition of overseas Filipinos

Over the past three decades, the term for Filipinos living and working abroad has evolved to reflect the changing political sensitivities about them. During the 1970s and ‘80s, they were referred to as Overseas Contract Workers (OCW). This term underlines the fact that most of them were contractual laborers during the construction boom of the Middle East. During the 1990s, the Philippine government hailed them as the new heroes and began calling them Overseas Filipino Workers (OFW). Among NGOs, the predominant term used is “migrants” or “migrant workers.” However, this paper will adopt a simple nomenclature for overseas Filipinos, one that is more generic and reflective of their varied status.

Box 1: Some useful definitions

Overseas Filipinos (OF) – refers to all Filipinos living and working abroad and includes temporary overseas workers (TOWS), permanent emigrants (PE) and irregular/undocumented overseas workers (IOWS)

Temporary Overseas Workers (TCWs) – refers to contractual workers, both land-based (the majority of whom are in the Middle East and industrializing Asian countries) and sea-based (seafarers)

Irregular or Undocumented Overseas Workers (IOWs) – these include the so-called *TNT (tago ng tago)* or illegal aliens in the US, workers who obtain fake travel documents (to gain illegal entry or due to being under-aged), and over-staying tourists abroad who are working illegally

Permanent Emigrants (PE) – refers to Filipinos who have migrated abroad either singly or with their families

2. The pattern of migration in the Philippines⁴

2.1. Philippine migration in the global context

A common belief about migration is that poverty is the main force driving large numbers of people to cross national borders to seek a better future. The clearest proof of this perception is that most labor-sending and remittance-receiving countries are the developing economies of Latin America, Asia and Africa. Another perspective contends that “wages apparently need not differ very much to trigger large scale migration” (Hirose, 2004). As the following discussions

³ The original TORs of this study were more those of a quick desk review of existing documents and data.

⁴ Tables, graphs and figures mentioned in the text are found in Annex B

will indicate, the Philippine experience with migration issues departs little from either of these two perspectives.

2.2. Estimated number of overseas Filipinos

The actual figures may be lower since there are cases where both father and mother work abroad but this reduction does not improve the overall picture. And there is little reason to believe that the situation has improved since then.⁵ The deployment of Filipino migrants is growing every year and is now at the rate of about 2,400 daily. More than half (56 percent) of those departing are married. **Table 1** shows the estimated number of Filipinos overseas by the end of 2001:

Table 1

Estimates of Overseas Filipinos (as of December 2001)

	Permanent	Temporary	Irregular	TOTAL	Total Temp/Irreg	Temp & Irreg as % of Total
World Total	2,736,528	2,844,671	1,566,426	7,402,894	4,411,097	61.71%
Africa	271	31,530	10,103	41,904	41,633	99.35%
Asia (East & South)	70,349	826,782	360,527	1,257,658	1,187,309	94.41%
Asia (West)	1,546	1,233,325	123,332	1,358,203	1,356,657	99.89%
Europe	152,851	420,232	203,249	776,332	623,481	80.31%
Americas/Trust Territories	2,291,311	286,793	848,879	3,426,983	1,135,672	33.14%
Oceania	220,200	46,009	20,336	286,545	66,345	23.15%
Total Land-based				7,147,625		
Sea-based Total				255,269		

(Source: Commission on Filipinos Overseas)

Permanent Migrants

The top five destinations for Filipinos who move overseas permanently are the US, Canada, Australia and Japan (CFO). **Table 2** shows the profile of Filipino emigrants by major occupational group covering the period 1981-2003:

⁵ See article sourced from Agence France Presse on 22/01/01, "1M Filipinos Join Diaspora" indicating that according to Philippine Overseas Employment Administration, there were over 8 million Filipinos working overseas during 2006 with their remittances for the 11mths till November totaling US\$11.44 billion

Table 2: Number of Registered Filipino Emigrants by Major Occupational Group: 1981-2003

OCCUPATIONAL GROUPING	TOTAL	PERCENTAGE
A. EMPLOYED		
Professional, Technical and Related Workers	134,053	10.82%
Managerial, Executive, and Administrative Workers	13,667	1.10%
Clerical Workers	50,986	4.12%
Sales Workers	52,751	4.26%
Service Workers	30,808	2.49%
Agri, Animal Husbandry, Forestry Workers & Fisherman	28,661	2.31%
Production Process, Transport Equipment Operators & Laborers	49,645	4.01%
Members of the Armed Forces	4,443	0.36%
B. UNEMPLOYED		
Housewives	264,423	21.34%
Retirees	40,833	3.30%
Students	299,733	24.19%
Minors (Below 7 years old)	98,772	7.97%
Out of School Youth	2,939	0.24%
Refugees	3	0.00%
No Occupation Reported	167,217	13.50%
TOTAL	1,238,934	100.00%

Source: Commission n Filipinos Overseas, 1993-2003.

Nearly three out of ten (29.4 percent) emigrants during the period covered indicated that they were employed at the time of departure. More than half of the total was accounted for by college students, housewives and minors (53.5 percent).

More than half (54.13 percent) of these emigrants left the country when they were less than 30 years old, and three out of ten were less than 20 years old. Slightly over a tenth (11.3 percent) of the emigrants left when they were 60 years and older.

Temporary Overseas Workers (TOWs)

The top three destinations for TOWs are East, South and West Asia. The term temporary is used primarily to contrast them with permanent emigrants. This is important to point out because even though most of the workers under this category are actually so-called contract workers or OCWs, many of them work overseas for long periods. It is not unusual to meet TOWs who have been working in the Middle East for fifteen to 20 years.

Of the estimated total of 8.8 million Overseas Filipinos shown in Table 3, about 62 percent are temporary (TCWs) or irregular overseas workers (IOWs). In absolute terms, this is equivalent to about 5.46 million Filipinos, or 6.4 percent of the estimated 2005 Philippine population.

Table 3

Estimates of Overseas Filipinos by end of 2005

Year	Newly Hired Departures	Emigrants Average for 2004-2005	Estimated Additional Stocks
2002	288,155	57,720	345,875
2003	290,073	55,137	345,210
2004	292,005	59,760	351,765
2005	293,949	59,760	353,709
Estimated Additional Overseas Filipinos 2002-2005			1,396,559
Add: Dec 2001 Estimate of Stocks of Filipinos Abroad			7,402,894
Estimated 2005 Stocks of Filipinos Abroad			8,799,453

Note: Projections by the author using data from Table 2 and Table 4. Projections for 2002-2005 for Newly Hired Departures are based on a 10-yr average of 0.67% growth rate. Projection for Emigrants for 2004-2005 are based on average of a 10-year period from 1991-2002.

Three out of five migrants have temporary or irregular work status and their insurance package from the Overseas Workers Welfare Administration (OWWA) is largely inadequate to allow their families to survive if they were to suffer an accident, hospitalization or death.

Irregular or Undocumented Workers (IOWs)

As we have seen, Table 1 shows that there were about 1.6 million IOWs as of December 2001. This represents more than a fifth (21 percent) of the total land-based workers. In terms of distribution, there are about three times more IOWs than TOWs in Americas & Trust Territories, nearly half as many IOWs as TOWs in Europe while IOWs in East and South Asia and in Oceania are less than half the number of TOWs. In West Asia IOWs are only about a tenth of TOWs and less than a third in Africa.

Estimating the Number of TOWs/IOWs Aged 20 and Younger

Data in the 2000 Census on Population reveals an interesting element of the migration pattern. About 167,870 Filipinos below age 20 were working overseas during that census year, and 65.45 percent of them were females. The 2002 NSO survey on migrants, which ended up with different figures but showed the same pattern, indicates that in 2002 there were about 8,000 overseas Filipino workers aged 15 to 19, three-fourths of whom were (see **Table 4**) and that the total number for the 20-24 age-group is 114,000, with 69.3 percent of them being female.

Table 4

Overseas Filipino Workers, by Age

In thousands

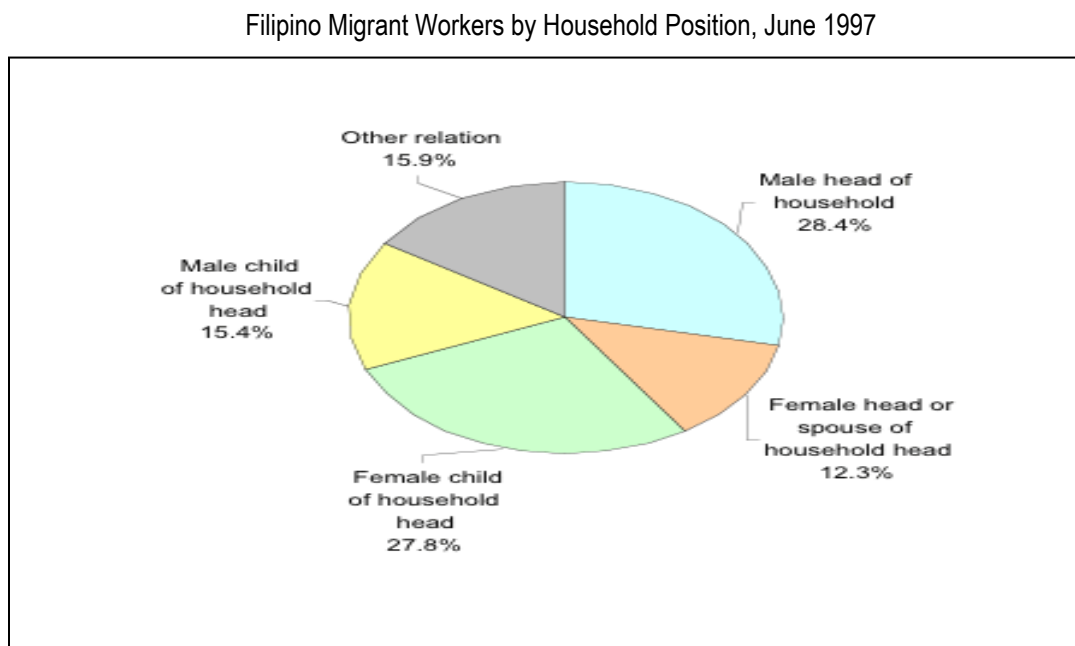
		Total	Male	Per cent	Female	Per cent
	2002	1,056	554	52.5	502	47.5
15 - 19 years		8	2	25	6	75
20 - 24 years		114	35	30.7	79	69.3
25 - 29 years		248	111	44.8	137	55.2
30 - 34 years		181	83	45.9	98	54.1
35 - 39 years		159	90	56.6	69	43.4
40 - 44 years		147	95	64.6	52	35.4
45 and over		198	137	69.2	61	30.8
Not reported		1	*	-	*	-
	2001	1,029	528	51.3	501	48.7
15 - 19 years		6	2	33.3	5	83.3
20 - 24 years		121	37	30.6	84	69.4
25 - 29 years		227	100	44.1	127	55.9
30 - 34 years		190	86	45.3	104	54.7
35 - 39 years		147	80	54.4	68	46.3
40 - 44 years		137	89	65	48	35
45 and over		201	135	67.2	65	32.3
Not reported		1	1	100	-	-

(Source: Survey of Overseas Filipinos and adapted from NSO, 2002)

2.3. Estimating the number of children left behind by migrant parents

With an average family size of three (3) children, the number of children of migrant mothers left behind would be about 1.5 million. **Figure 1** indicates that 28.4 percent of migrant workers are male heads of household.

Figure 1



Source: Dean Yang, "How Remittances Help Migrant Families," University of Michigan, Dec 1, 2004, using data from the 1997 Survey on Overseas Filipinos, National Statistics Office, Philippines

Thus we have an indicative figure of about 1.25 million fathers. Again using the average family size of three (3) children, we extrapolate about 3.75 million children left behind by their fathers. This yields a total of 5.25 million children left behind by migrant mothers and fathers. A draft study on children of migrants in three Asian countries indicates an estimate of 3-6 million children left behind by migrant workers. About 15 percent of total families have children growing up without either a father or a mother to ensure care, guidance and protection.

2.4. Special gender considerations in the pattern of migration

The ILO reports that from 1992-2002, the share of women in annual deployment of land-based overseas Filipino workers grew steadily from 50 percent to more than 70 percent. This is accounted for by increased deployment in services and production jobs (primarily domestic work). Women also account for three-quarters of deployments in professional/technical types of work. If this is not a surprising phenomenon in a country where the male-female ratio of students

from primary to tertiary levels is about equal, the feminization of Filipino migrants poses a different perspective to the migration issue.

The growing number of mothers leaving their husbands and children behind creates cultural and social pressures:

Pressures at the Family Level

- Fathers, who are not traditionally geared to be house-bound, must suddenly take over the role previously held by the wife and mother. While it is true that extended families provide substantial physical, moral and emotional support, the fact remains that before family members are able to settle in under this new arrangement, children and fathers live for a while in a disrupted family and are likely to be emotionally tense. Young children and teen-age girls face increased risks as fathers may not be able to provide adequate care for infants, pre-schoolers and adolescents, particularly girls, the way a mother would do. And even if, in a number of cases, the role of the mother is taken over by grandmothers, aunts and older sisters, for the children this may actually mean an additional separation from the father.

Pressures at the Societal Level

- The growing feminization of migrant workers in the Philippine context is a phenomenon that implies a redefinition of the economic role of women in the society and within their families as well as a redefinition of the traditional Filipino family.
- Aecdotes and formal reports often mention the psycho-social effects of migration on the teenage children of OFWs; stress on families and marriages after the spouse migrates; infidelity and separation of couples; and cases of children born out of wedlock in the Philippines or abroad⁶.
- The feminization of migration may result in, or be associated with, an increased vulnerability of women migrants to abuse and exploitation as well as the sale and trafficking of women.
- The stereotyping of Filipinas working abroad as “domestic helpers” in Hong Kong, Singapore and Italy and as entertainers (“*japayuki*”) in Japan has become a concern among NGOs and social commentators. However, as more educated women (nurses, etc.) join the ranks of migrant Filipinas, this perception may change.

In conclusion, it appears that what makes the case of the Philippines particularly interesting is the fact that its migration pattern is characterized by the following:

- A large percentage of temporary/undocumented workers (62 percent) compared to permanent emigrants (38 percent)

⁶ This often, but not exclusively, refers to children born out of wedlock from Filipina entertainers working in Japan.

- A young migrant population
- A high percentage of migrants being married (55 percent)
- A growing feminization of temporary/undocumented workers, many of them deployed in the services industry

These migration patterns have implications for all levels of society; they disrupt the way families, and communities are traditionally organized, which has particular impacts on the provision of care to children for their survival and development.

The problems created by migration for the proper realization of children's rights need to be overcome, reduced or solved. Given the foregoing and from a HR perspective, it is thus imperative to take a closer look at the following issues which are particularly relevant for the Philippines:

- the effect of migration on children who are left behind – this is especially important to consider for younger children and females in particular who are separated from their mothers and therefore may become exposed to a physically, socially and emotionally stressful or risky environment
- The effect of the growing feminization of migrant workers on the status of women in work sites abroad (type of contracts, etc) – consideration must be given to their vulnerability (to prostitution, sale and trafficking) and thus to their ability to act as primary care-givers who are responsible for the promotion and realisation of their children's rights.

The Ability to Use Remittances to Ensure the Realization of Children's Rights

- The process of decision-making and the pattern of expenditures in male-headed households is different from that of female-headed households
- The responsibility of using remittances in the best interest of the children falls to fathers, who may not be well-prepared to become the primary and single caregivers in light of traditional male and female roles.

2.5. Migration and structural issues

Migration is a sensitive issue for the Philippine government because of the prevailing perception within the media establishment, researchers and political analysts that poverty is the main driver of emigration. It is argued that the incapacity of the government to address the widespread problems of poverty forces it, albeit grudgingly, to tolerate the deployment of Filipino workers overseas even if it means they work in risky jobs and destinations. In fact, this position is to some extent buttressed by the idea that a state like the Philippines, where public institutions are ill-equipped to provide mitigating measures, is practically helpless in the face of globalization's pressure on labor and that migration is merely a symptom of the deficiencies in governance and resource management in the country.

The data available to link migration with poverty in the Philippines is still sketchy at best.⁷ While in-depth studies are needed to isolate poverty factors as determinants of migration, in-depth research is also needed to identify the impact of migration and remittances on poverty alleviation in migrant households, their communities and regions.

2.6. The need for coherence between policy and reality

What is common in the literature is the view that the Philippine government has no coherent policy on migration.⁸ Indeed, Section 2 (c) of Republic Act 8042, otherwise known as the Migrant Workers Law, states that:

*...the State **does not promote** overseas employment as a means to sustain economic growth and achieve national development... The State, therefore, shall continuously create local employment opportunities and promote equitable distribution of wealth and benefits of development...*

However, the statistics on deployment of Overseas Filipinos and their remittances contradict this official proclamation dramatically. The vast nature of migration, the massive role of remittances in the economy and the burgeoning number of private enterprises promoting migration all belie this statement. A “business sector” revolving around migration has emerged, some tertiary schools and even IT and technical schools have begun offering nursing and care-giving courses targeted at the US and Japanese markets. Companies offer to process migration requests and visas, etc.

In the midst of such a confusing policy environment, a perspective is emerging that poor governance and a weak state foster migration, is one of the solutions to the debilitating problem of poverty. A country that uses migration as a strategy to cope with unemployment while achieving little success in developing the local economy’s capacity to absorb more workers, and that does not harness the skills and resources of its returning migrant workers, is failing to provide parents the opportunity and capacity to offer their children protection and care.

As a signatory to the CRC, the Philippine government must search for ways to influence migration in order that the rights of vulnerable groups, such as children, are protected and respected. The government must also ensure that migrants are protected from entering risky occupations and from going to destinations where little protection is available to them. The government must also find ways to compensate, reduce, limit or overcome the negative effects of migration on children left behind by promoting the use of remittances for the realization of the children’s unfulfilled rights.

⁷ Go 2002, Tan 2001, Opiniano 2004, Bagasao 2004.

⁸ O’Neal 2004, Opiniano 2004, Ofreneo & Samonte 2001

3. Remittances: mitigating the negative impact of migration

From a human rights perspective, in discussing how migration and remittances can promote children's rights, two basic facts need to be considered:

- Parents who migrate leave their child(ren) behind to earn a living overseas take a decision that cannot be considered to be in the best interests of their child, because children who are left behind are deprived of their right to grow up with both their parents providing them with care, affection and protection
- In addition, the lack of a parent's physical presence, care and guidance resulting from the migration of one or both parents, cannot be replaced by remittances and other material substitutes (gifts, souvenirs, etc.)
- With these basic elements as fundamental to our analysis, it is clear that remittances, if used properly, must first contribute to mitigating the negative effects of migration⁹ before they can be said to contribute to the realization of children's rights.¹⁰
- It is therefore important to analyze the volume of remittances volume and patterns of their use.

3.1. The volume of remittances and their importance in the Philippine economy

Remittances sent by overseas Filipinos through formal channels alone reached US \$11.44 billion for the 11 months prior to November 2006¹¹. This is equivalent to 10 percent of GDP for the same year. This is more than the combined GDP contribution of Mining and Quarrying, Construction and Electricity, Gas and Water, and accounts for more than 65 percent of the GDP contribution of Agriculture, Fishery and Forestry. Experts believe that actual total remittances could easily double if funds sent through informal channels are added.¹² In addition, it is worth

⁹ These are often under-estimated social costs of migration have not been sufficiently studied. They result in additional psychosocial and emotional stress on the children's psychology and wellbeing, as well as in psychological and emotional stress for the parent(s) leaving their child(ren) behind.

¹⁰ The idea here is that if remittances contribute to the realization of children's rights it means they must first of all mitigate the negative effects of migration and then offer new opportunities for children's rights to be respected, protected and realized.

¹¹ Sourced from Agence France Presse, 22/01/07, 1M Filipinos join diaspora

¹² Bagasao, Ildelfonso, Jr., "Overseas Filipino Workers in the National Development Agenda: Perspectives from a Migrant Advocate"; paper presented at the media-experts forum titled, "Overseas Filipinos as Part of the National Development Agenda", Ateneo de Manila University, Quezon City, Philippines, 27 June 2003. ADB Paper on Enhancing the Efficiency of Overseas Filipino Workers' Remittances, 2004

noting that during the two-year period 1999-2001, remittances accounted for 20.6 percent of exports and 6.2 percent of GNP.¹³

Since remittances account for nearly 10 percent of GDP in the Philippines, the dependence of the economy on these remittances is high. The advantage of this figure for the economy is the possibility of relying on Filipino overseas workers to stabilize the exchange rate, manage the Balance of Payments and spur consumption.¹⁴ Opiniano (2004), citing Tenorio (2002), indicated that remittances are one of the three reasons why the Philippines survived the 1997 Asian financial crisis. In fact, as exports declined from 1997 to 2001 in the aftermath of this crisis, the Philippine economy was kept afloat by a stable flow of remittances from nearly nine million overseas workers scattered across 192 countries.

The sheer magnitude of remittances sent home by nearly 8 million overseas Filipinos, with money sent through formal channels nearing the US \$9 billion mark this year, significantly impacts the country's Balance of Payments and its ability to generate foreign exchange.

As already mentioned, this fact has placed the Philippine government in a conflicting position, where it tacitly promotes overseas employment while remaining unable to declare an official migration policy. This apparent contradiction creates an ineffective policy environment where the government does not mitigate the impact of migration on children and women or influence the way remittances are used so as to realize its obligations as a signatory to the CRC.

3.2. Distributive impacts at the macro and micro levels

The 5.46 million temporary and irregular overseas Filipino workers send remittances affecting at least 23 million individuals or about one-fourth of the country's population.¹⁵ Seafarers alone account for a quarter of a million families receiving nearly US \$1.5 billion annually.¹⁶ In the Philippines, de Vera's paper (2003), using data from the Family Income and Expenditure Survey, indicated that 55 percent of migrant workers come from the two lowest income brackets, those earning less than US \$267 per month while 15 percent of migrant workers come from households in the lowest income bracket of US \$100 per month. An ADB paper in 2004 revealed that 80 percent of migrants, predominantly temporary (or contract workers) and irregular workers, remit to their families on a monthly basis. The normal amount of remittance is US \$150-500 for 65 percent of respondents.

General Patterns of Use

In the Philippines, 36 percent of remittances in a given household are used to repay debts incurred by the costs associated with the TOWs/IOW's applying for work abroad (see Table 5).

¹³ Opiniano, Jeremiah, "Our Future Beside Exodus: Migration and Development Issues in the Philippines", citing Tenorio (2002), published by Friedrich Ebert Stiftung, Manila, 2004

¹⁴ Asian Development Bank, Country Economic Review, CER: PHI 2003-08, August

¹⁵ Commission on Filipinos Overseas

¹⁶ Bangko Sentral ng Pilipinas, (www.bsp.gov.ph)

Table 5

Typical Use of Remittances among TOW/IOW in the Philippines

Uses of Remittances	Share (%)
Payment of debts	36
Household expenses	32
Appliances & furniture	13
Children's education	10
Capital for business	5
Purchase of house & lot	3
Cash on hand/savings	1

(Source: Bagasao, 2004)

Household expenditures account for 32 percent and when added together with Appliances/Furniture (13 percent), account for nearly half. Only 10 percent goes to the education of children, with savings and investments accounting for 9 percent.¹⁷

The only change in Philippine figures over the past two decades¹⁸ is that the absolute numbers have become staggeringly large. According to the 2000 National Family Income and Expenditure Survey, TOWs/IOWs migrants and their families spent Php13.6 billion¹⁹ on durables like appliances and furniture²⁰.

Table 6 shows the Philippine pattern of using remittances as compared to that in other countries with high levels of remittances.

¹⁷ Bagasao, Ildefonso, Jr., MIT Conference on Public Policy, Migration and Development, Boston, October 2003

¹⁸ "Empowering Filipino Migrant Workers: Policy Issues and Challenges", a report prepared for the Gancayco Commission that was tasked by the Philippine government to review policies on migrant workers, Dec 2001

¹⁹ Equivalent to US\$243 million at USD 56 for Php 1 exchange rate.

²⁰ For comparison, this figure is two and half times the annual export earnings of the country's entire coconut industry.

Table 6

Uses of Remittances in Selected Countries (%)

Researcher	Country	Consumption	Education/Health	Investments/ Saving	Home	Social Ceremonies	Others/ Debts
Bagasao (2003)	Philippines	45	10	6	3		36
Siddiqui and Abrar (2003)	Bangladesh	48.9	5.97	7.83	16	9.07	21.3
Bendixen and St. Onge (2005)	Brazil	46	43	19	7		
Bendixen and St. Onge (2005)	Colombia	68	12	11	3		
Bendixen and St. Onge (2005)	Dominican Republic	60	17	10	4		
Bendixen and St. Onge (2005)	Ecuador	61	2	16	4		
Bendixen and St. Onge (2005)	El Salvador	84	4	8	0		4
Bendixen and St. Onge (2005)	Guatemala	68	7	21	0		3
IOM (2004)	Guatemala	63.7	11.1	25.2			
Bendixen and St. Onge (2005)	Honduras	77	10	8	0		3
Orozco (2004a)	Mexico	70	6	8	1		12
Amuedo-Dorantes et al. (2004)	Mexico	34.2	46.5	2.2	7.4	0.3	9.2
Cohen and Rodriguez (2004):	Mexico	58.4	9.7	8.5		2.4	8.5
Orozco (2005)	Nicaragua	72	19	7	21		2
Addleton (1984)	Pakistan	60		12.8	21.7	2.35	3.19
Stahl and Arnold (1986)	Sri Lanka	52		10	28.5		9.5

Source: Rosalia Cortez, "Challenges and Opportunities for the MDGs: Social Impact of Remittances on Children's Rights

However, in the context of the Philippines, it is important to note that since Filipino TOWS/IOWS mostly come from relatively poor households, they have to use a substantial portion of their remittances to pay back family members and others who lent them the money to get jobs abroad. In fact, it appears that prior to and immediately after migration, they have

negative net assets. This negative balance sheet is exacerbated by the huge expenses they incur in preparing for work abroad. The cost of going to work abroad is quite high, with different official fees totaling about Php 7,155²¹. As an example, in the municipality of Mabini in the Province of Batangas (about three hours south of Manila), three generations of overseas workers have been shelling out large sums to procure illegal travel documents to Italy.²² The starting amount for these documents is Php 250,000 (about US 4,500) and is often higher. Although the costs are quite high, the continuous flow of migrants from that municipality has reinforced the conclusion of the locals that it apparently makes economic sense to borrow money to go and work abroad.

Patterns of Remittance Use Mirror the Income Levels of Migrant Workers

Raw as the data may seem, the figures on the use of remittance are perhaps reflective of the fact that 86.4 percent of overseas Filipinos come from the bottom income brackets, with 55 percent coming from the two lowest brackets.²³ At close to subsistence economic levels, households of emigrants are expected to use most of the remittances they receive for consumption and household amenities. In addition to that, there is a temptation to promote the view that households should be left alone to decide how to use remittances. As Bagasao (2005) recently pointed out, “remittances are inherently private transfers, that is, remitters have the proprietary and moral right to spend them in whatever and however way they want.” Despite this view, there remains a need to better establish the relationship between the migrant’s status abroad, remittances and the capacity to use them to contribute to the realization of children’s rights.

Figure 1 indicates that 27.8 percent of non-emigrant overseas workers are female children of the head of household. In this situation, leadership in the family affairs may shift significantly. The role of provider that is normally played by the parents, particularly the father, is now taken over by a younger, female breadwinner. An interesting example of this shift is the case of female entertainers, usually young girls who can earn substantial amounts of money for the five to twelve years that they are qualified to work as entertainers. When they have the power to decide how and where to spend their savings, they often buy appliances and trinkets.

Diaspora Giving and Community-Based Associations

From 1990-2002, the Commission on Filipinos Overseas (CFO) reported having raised a total of US \$ 21,196,428²⁴ in donations to its LINKAPIL (Lingkod sa Kapwa Pilipino or Service to Countrymen) program from Filipinos abroad. Table 7 shows that a little over 80 percent of this amount came from the United States.

²¹ Equivalent to US\$128 at USD 56 for php 1 exchange rate

²² OFW Journalism Consortium, 2004.

²³ Opiniano (2004), citing Roberto de Vera (2003)

²⁴ The latest unverified figures indicate this to total about US \$53,000,000 by 2005

Table 7

Major Sources of Donations to LINKAPIL (1990-2002)

Country	Amount (Php million)	Share (%)
USA	957.56	80.67%
Germany	57.96	4.88%
Canada	51.61	4.35%
Australia	39.72	3.35%
Japan	30.13	2.54%
The Netherlands	10.71	0.90%
Korea	8.91	0.75%
Belgium	6.78	0.57%
Sweden	5.00	0.42%
Italy	3.89	0.33%
Others	14.73	1.24%
TOTAL	1,187.00	

Source: Commission on Overseas Filipinos

This profile is closely linked to the profile of Filipino emigrants shown in Table 1. Table 8, moreover, shows that more than half (58 percent) of these funds went to health related and medical missions, nearly a quarter (24 percent) to relief and calamity, 15% to education and scholarships, 2 percent to livelihoods and 1 percent to infrastructure.²⁵

Table 8

Allocation of Donations from Overseas Filipinos through LINKAPIL

<i>Purpose/Activities</i>	<i>Share (%)</i>
Health-related and Medical Missions	58
Relief and Calamity	24
Educational Scholarships and Schools	15
Livelihood	2
Infrastructure	1

Source: Commission on Overseas Filipinos

There is also a wide proliferation of hometown associations of Filipinos abroad. In addition to supporting the type of projects LINKAPIL favors, hometown associations and individual givers

²⁵ Bagasao, Ildefonso, Jr., MIT Conference on Public Policy, Migration and Development, Boston, October 2003

are also significant donors to town fiesta celebrations. These festive occasions, most of which are held on the dry season (March to May) are normally the time when overseas Filipinos demonstrate the material benefits that migration has brought to them and their families. As they join various homecoming events, they interact with those neighbors and friends left behind, sharing both horrifying and inspiring stories of life and work abroad.

Local officials have made fundraising trips abroad to expand a growing trend of diaspora giving. San Pablo City in the province of Laguna is one example of a local community benefiting from donations of overseas Filipinos. There are also case studies of communities in the Philippines that have benefited substantially from donations from members working overseas. In the towns of Pozzorubio, Pangasinan (about four hours north of Manila), local officials attribute significant local development to the remittances coming from an estimated 10 percent of the local population living and working abroad. The benefits include public infrastructure, investments in business enterprises and improved housing units.

A Largely Untapped Resource

According to the Economic Resource Center for Overseas Filipinos (ERCOF), a number of Filipino associations in Europe have indicated their willingness to invest and donate more to local communities, and not necessarily just to their own communities. They have, however, raised the concern that the capacity of local communities to absorb these donations needs to be strengthened to ensure that the funds are managed well.

The recent effort of the Ayala Foundation to register a 401 (k) entity in the US to help raise charity funds for the Philippines is another opportunity that can be tapped by UNICEF. Under this scheme, U.S. corporations and nationals can give tax-deductible donations that can finance programs in the Philippines

Box 2: *The Need to Invest Remittances in Interest-bearing Accounts*

The challenge of teaching families to use remittances as investments

Bagasao (2005) pointed out that another view on the use of remittances is to ask whether families have another option whereby they can put the money allocated for consumption into a productive mechanism, that in turn generates the income stream that can support the family's daily needs even the beyond remittances they receive.

This view deserves serious consideration as discussions on the link between migration and development advance. Presently, the focus of multilaterals and government central bankers is on keeping track of remittances for taxation, foreign exchange and anti-money laundering purposes. Among migrants themselves, however, this agenda may appear offensive when well-paid executives are pictured dipping their "fat hands" into the cookie jar of hapless migrant workers.

The Use of Remittances for Asset Formation

It appears that while there are criticisms that Filipino overseas workers "waste" their money on consumption and therefore do not make productive use of their remittances – i.e., use them to

help realize their children's basic rights such as education and health – it is important to note that some so-called consumption expenditures are actually income transfers to members of the extended family who take care of the spouse and children of the migrant worker left behind. This practice nurtures the socio-cultural safety net that is essential to the migrant, particularly when the unstable and risky nature of his or her work abroad increases the need to rely on the extended family to care for family left behind.

On the other hand, this expenditure pattern tends to create impressions among neighbors within the community that migration is a much more desirable option than waiting for the country's economy to prosper. Thus, the visible acquisition of material goods continuously encourages the individual decision-making of potential migrants to emulate their new economic role models. The social acceptance that visiting and even returning migrants receive, the large amounts of donations these migrants make to various causes, the lavish parties, the expensive clothes, the latest electronics and appliances – all of this encourages others to aspire to join the migration bandwagon.

In some respects, this seems to be contrary to the evidence drawn from other countries where asset formation is more apparent than implicit in the expenditure patterns of migrant households.

These assets can be physical, i.e. farmlands, residential lots or houses, or durables, i.e. investments in human capital through the health and education of the migrant's children. These assets may also be investment in the so-called "Social Capital." As income streams improve, a migrant worker helps not only his direct household, but also his extended family, other relatives, friends and neighbors. Reciprocity is then expected as a result of this generosity.

In conclusion, various studies have shown that:

- Remittances sent through formal channels reached US \$8.55 billion at the end of 2004 (BSP) which is equivalent to 9.9 percent of GDP for the same year. As mentioned above, they reached US \$11.44 during the first 11 months of 2006.
- For 65 percent of respondents, the amount of remittance is between US \$150 and US \$500 per month
- The use of remittances depends on the economic level of the migrant. Thirty-six percent of remittances in a household are used to repay debts incurred by the TOW/IOW's application for work abroad because in 86.4 percent of cases, OFWs come from the bottom income brackets, with 55 percent coming from the two lowest brackets.
- A large part of the remittances are spent on consumption

Despite the important contribution of remittances to the economy, there is no clearly defined migration policy in the Philippines, nor policies to orientate the use of remittances for asset formation or the realization of children's rights.

An increasing number of OFWs are women, most of them mothers, and they are leaving the Philippines to take jobs that sometimes put them in vulnerable situations. It is therefore difficult to imagine that remittances coming from OFWs in illegal or vulnerable situations could quickly contribute to the realization of their children's rights. Given the socioeconomic origins of the migrants, the first income is often used to pay back the debts incurred at the time of migration.

It is time to consider the social, family and individual dimensions of the growing migration phenomenon because of the indivisibility of human rights. In the families of migrants, children's rights must be fulfilled by the state and its administration as well as those adults (parents, primary care takers, etc.) who bear duties towards the children and who fulfill their obligations. It is only under these circumstances that it will be possible to consider the use of remittances for the realization of children's rights.

4. The effects of migration and the use of remittances for children's rights

There are a number of costs at the individual, family and social levels that are revealed when one looks at the social dimensions of migration. Even though no study can presently highlight the precise levels, frequency, and intensity of these costs, the human costs of migration must be taken into account when considering the use of remittances for the realization of children's rights.

4.1. The social costs of migration

While there appears to be massive evidence of economic benefits from migration, the social costs – both to the worker, to the recipients of remittances, by gender and by age groups and to the child(ren) left behind – are only beginning to surface, in varying degrees and via different surrogate indicators. These indicators include allegations that migration contributes to increased juvenile delinquency, drug abuse, psycho-social maladjustments, the loss of self-esteem, early marriages, teenage pregnancies, and family breakdown among the children of migrants – thus practically having no positive impact on the rights of the children in these families. Although no documentation to support these suspicions could be found, this does not mean they should not be considered seriously through the implementation focused studies.

4.2. Psycho-social impacts of migration

Research into the psycho-social impact of migration should be carried out, particularly with regard to temporary and/or irregular migrants and their family members who are left behind. At present, the only available data on the psycho-social impact of migration is anecdotal in nature. These include case studies prepared by various NGOs working with migrants and the handbook of the Overseas Filipino Workers Journalism Consortium.

4.3. The benefits of remittances on children's rights

It may be easy to assume that remittances positively impact children's education but there is actually no conclusive data or definite findings to support this assumption. *Hearts Apart: Migration in the Eyes of Filipino Children*, a study prepared by the Scalabrini Migration Center in 2004, involved a survey of 1,443 children between the ages of 10 and 12. The study indicated that:

- Remittances have a positive impact on the education and health of children left behind by migrant parents
- Children are able to adjust to separation from their parents
- Members of the extended family provide the necessary care for children left behind by migrant parents

Nevertheless, studies of this scope and focus need to be replicated and expanded to validate such findings. In addition, caution must be exercised in interpreting responses by children. At the very least, these types of studies provide broad parameters of the range of potential effects of migration and its mitigating factors.

In addition, the degree to which remittances contribute to the learning capacity of children is also unknown. The same can be said with respect to the impact of remittances on children's health and general well-being. As long as no formal study is made, it is difficult to know whether the extended family is better or worse off in terms of taking care of children's health. Again, the Scalabrini study pointed out that children appear to benefit from remittances in terms of opportunities to attend better schools, eat well and have access to health services. However, there may again be a need to further validate those findings by indicating in more detail the improvements made in the learning quality of children left behind by migrant parents, as a result of the remittances sent home.

Analyzing the Impact of Migration and Remittances on Children's Rights from a Human Rights Perspective

Annex A presents the results of our analysis of the effects of migration and remittances on children's rights. Using a human rights-based approach and referring to the CRC, these matrices help to define for each type of right and by age group, the effects of migration on children and the issues to be addressed by remittances while also assessing capacity gaps of care-givers.

In addition to the detailed analysis offered in Annex A, these matrices allow us to reach the conclusion that in the case of the Philippines, in order for remittances to contribute to the realization of children's rights, the following axis of intervention must be considered (see matrix below).

INTERVENTIONS REQUIRED FOR GREATER IMPACT OF REMITTANCES ON CHILDRENS' RIGHTS

Effects of Migration	Remittances and Children's Rights	Axis for Required Interventions
Increased vulnerability of overseas workers particularly undocumented/illegal overseas workers	Increased risk for parents to not be in a position to provide protection and care for their children	<i>Axis 1 : to enable overseas workers to fulfill their duties as parents</i> To ensure and maintain the capacity of the overseas workers
Negative emotional, physical and psycho-social effects on children, particularly true in the case of the Philippines where there is a strong gender bias in the dynamics of migration.	Need for remittances to overcome those effects in addition to realizing children's rights	<i>Axis 2 : to assess the psycho-social costs to be overcome by remittances and offer an adequate response</i> <i>To understand the intensity of the negative emotional, physical and psycho-social effects on children</i> <i>To define an appropriate package of service to address these findings</i>
Increase of income of the overseas worker with direct economic effects on the family	Uncertain / no systematic effect of the increased economic power on the realization of children's rights	<i>Axis 3 :</i> <i>To facilitate the flow of remittances</i> <i>To channel the flow</i> <i>To refine the pattern of use of remittances</i>

In a more detailed way, this means:

- *Axis 1 – Capacity of overseas workers to fulfill their duties as parents*

A tentative analysis of the relationship between the status of the migrant, remittance flow, quantity and its pattern of use is provided in the following table:

Status of Migrant	Definition	Typical Remittances Flow	Predominant Remittances Utilization Pattern	Indicative Effects on the Parent's Capacity to Fulfill his/her Duty
Temporary Overseas Workers (TOWS)	Refers to contractual workers, both land-based (the majority of whom are in the Middle East and industrializing Asian countries) and sea-based (seafarers)	Tends to be regular, mostly on a monthly basis	Basic needs, but able to provide for better education, health care and nutrition Allows for relatively defined planning horizon, normally two years	Parents are able to provide money for education, nutrition and health needs; able to communicate with children on a more regular basis, have access to formal remittance channels
Irregular or Undocumented Overseas Workers (IOWS)	these include so-called <i>TNT (tago ng tago)</i> or illegal aliens in the US, workers who obtained fake travel documents (to gain illegal entry or due to being under-aged), and over-staying tourists abroad who are working illegally.	Tends to be irregular Vulnerable to sudden stoppage because of the legal status of migrant	Focused on basic needs Substantial part may go to paying debts incurred to work abroad Does not provide for long-term expenditure nor investment planning.	Migrant workers undergo stress and difficulties in the work place, are vulnerable to abuse, may encounter difficulties in sending remittances. Largely unable to fulfill duties and obligations to provide and care for children.
Permanent Migrants	Refers to Filipinos who have migrated abroad either alone or with their families.	Stable and dependable Relatively higher amounts	Relatively able to plan long-term; may involve savings and investments. Children's needs are provided for in both quality and quantity.	If children are with parents, children's rights are realized in country of destination. If children are left behind, stable and dependable remittance flows are able to provide for better education, nutrition and health care for children.

This analysis suggests that in order for remittances to have a maximum effect on the realization of children's rights, the status of migrants must be improved so that they can avoid being in

vulnerable situations which negatively affect their ability to provide care for their children. Examples of this care could be either the sending of remittances or going home regularly for visits.

Offering increased protection to a larger number of migrants should not only put them in a better position to fulfill their duties as parents by allowing the allocation of some remittance money to be used for their children's rights. It should also lead to both a change in the pattern (regularity of flow, amount, etc.) and an increase in the total volume of these remittances.

- Axis 2: To assess the psycho-social costs that need to be overcome by remittances and offer an adequate response

As initiated by the matrices of annex A, it is possible to map out the possible effects of remittances on particular types of children's rights as well as for a particular age group of children. This would result in a definition of the package of services to be delivered to each group of concerned children in relation to their situation and age.

Moreover, using a human rights-based framework of analysis, it is then possible to identify the stakeholders and in particular, the care-givers whose capacities need to be strengthened so that they can fulfill their duties towards children. This analysis will lead to the definition of various types of support and assistance to be provided to care-givers, support which would ultimately benefit the children of migrants.

- Axis 3: To facilitate the flow of remittances, to channel it adequately and to refine the pattern of use

The analysis suggests that migrants should be left with the maximum income after they have covered their own needs and expenditures, paid back the money borrowed at the time of migration, paid taxes, etc.

It also suggests that, in addition to being properly channeled towards expenditures favouring the realization of children's rights, the flow of remittances should be made more regular and less subject to fluctuations. This stability would enable the migrant to plan and decide within the framework of an increased number of options of expenditures, which would include expenditures favouring the realization of children's rights.

Box 3: Knowledge Gap and Data Needs

Knowledge Gap and Data Needs

The main issue when it comes to analyzing the use of remittances is the lack of in-depth field studies. There is a need to understand whether there is any difference in the spending patterns of migrant households based on details such as: varying levels of education of the overseas worker, whether the households of workers come from urban or rural areas, and the difference between households where the wife is abroad, where the husband is abroad or those where both spouses are abroad.

Consumption as an expenditure item needs to be defined and analyzed. Is there a significant improvement in the diet of children and other household members in households with members working abroad as compared to other households? What is the extent to which remittances are utilized for durables meant for “show” as compared to those meant to enhance quality of life (branded VCRs versus personal computers for children)? These are some of the questions surveys need to answer.

There is also a need to understand the impact of remittances on the income-generation activities of the household members left behind. Does the wife continue to engage in business or continue to be employed? How about the husband? Does the spouse left behind invest a portion of the remittances in a business enterprise, to what extent, and what are the driving factors? How do investment decisions and patterns differ according to the educational level of the overseas worker and other household members, or according to the income level of the household? Do investment decisions vary depending on the type of job taken by the overseas worker? Do they differ between married and single workers?

How significant is debt repayment as a share of expenditures from remittances? What are the major uses of debt with respect to working overseas? Does it vary according to educational level, household income level, urban or rural, by age group? How is debt incurred?

As with remittances, the trend of Diaspora giving needs to be analyzed if it is to be of value to the development of Filipino families and communities. What comprises donations for health services and medical missions? Do these donations help build the capacity of communities or do they in fact develop dependency behavior among beneficiaries, while the donors merely end up feeling good about giving?

Are scholarships funded by donations from overseas workers managed individually or institutionally? Do scholars “give” something in return, such as service to the community after graduation? How are scholars chosen? Are there counterparts from the beneficiary’s family?

While the present data available indicate that permanent migrants, mostly in the US, are the largest sources of donations, the sheer number of migrants is a factor that should be considered in planning for resource mobilization. Migrant workers understand the needs of their families and communities better than anyone else. It is highly probable that they would be as willing, if not as capable as permanent migrants to contribute to local development.

In conclusion, although it may seem easy to assume that remittances positively impact children's rights, such as education and health, there is actually no conclusive data nor definite findings to support this assumption.

Although the current volume of remittances would seem to be a great resource to tap for the protection and promotion of children's rights, the fact remains that migration involves the separation of one or both parents from their children and therefore goes against the best interests of the children. It is therefore important not only to find ways to increase the positive effect of remittances on children's rights, but also to promote the best use of those remittances, i.e., the creation of assets, as well as of human and social capital.

Secondly, it is important to acknowledge that in the case of the Philippines, a large share of remittances is used to repay debts incurred as a result of the heavy cost associated with migration. In order to ensure that remittances can have a quick, positive effect on the realization of children's rights, one or all of the following must occur: an intervention planned at the policy level, migrant/migrant family access to safety nets at least during the first year of migration, or interventions aimed at re-orienting the pattern of remittance use.

Lastly, reducing the vulnerability of migrants when abroad would not only increase their capacity to fulfill their duties towards their children but also contribute to increasing the volume of remittances sent home, thereby increasing the potential of using remittances for the realization of children's rights.

5. Research and policy agenda

As a result of our analysis, it is suggested that broad research work needs to be undertaken to support policy development and programme planning. The proposed research agenda draws from the different issues and angles discussed in this paper. More details can be found in the matrices presented in Annex A.

5.1. Research agenda

At the Macro Level

- National level baseline data, trends, patterns of migration with emphasis on temporary and irregular migrants, with dimensions on age group, gender, educational level, household income level, urban-rural, occupation, country of work, compensation

At the Micro Level

- Patterns and trends of remittance use, decision-making by: household type, gender of overseas worker, income and educational level of household, rural or urban, occupation type and country of work, length of contract
- assessment of the psycho-social impact of remittances and migration:

- On the separation from father, mother or both for specified periods of time, by country of work and by occupation type
 - By age and gender of children, by income and educational level of household, by rural or urban
- On the quality of learning and health profile of children
 - By age and gender of children, by income and educational level of household, by rural or urban

5.2. Policy agenda

Below is a summary of the different policy development challenges for the Philippine government, civil society (NGOs, academia), media, parents and families. A more thorough explanation is provided in the matrices presented in Annex A.

Government

Legislative agenda

- Development of a clear State policy on the separation of children from their parents because of overseas work (especially when very young children are at risk of being separated from their mothers).
- Stronger implementation of existing laws and regulations to protect children's rights against the impact of migration (pro-family and pro-children best interests migration law).
- Bilateral negotiations with countries where temporary and irregular migrants are deployed to ensure the protection of migrants abroad. This would reduce their vulnerability and increase their ability to use remittances to fulfil their duties towards their children. Additionally, these negotiations should secure the rights of migrants and their families, particularly children, i.e. enforcement of contractual obligations of employers, provision of medical and dental insurance, and recovery of maintenance for children.
- Drafting of new laws and regulations to protect children (official statistics on overseas workers incorrectly show age 15 as lowest age) and women from working in risky occupations and countries.
- Elimination of legislated discrimination against children and women. Examples include an age limitation for migrant workers and elimination of discrimination against children born out of wedlock.
- Provide a clear policy environment, including relaxing taxation rules that would encourage financial and technical contributions from overseas Filipinos. These contributions would help contribute to the development of the migrants' local communities, with particular emphasis on the promotion and advancement of children's rights.

Resource allocation agenda

- Expanded financial support for mechanisms of the State that provide protection and support for migrants and their families, particularly their children.
- Streamlining of government-sponsored, migrant-focused support agencies such as POEA and OWWA to ensure that resources are generated and deployed effectively and efficiently.
- Prioritization of a children's rights agenda in the budgeting process, particularly in terms of protection, education and health.

Civil Society, Academia and the Media

Public education and promotion agenda

- Champion the agenda of children and women by supporting existing programmes of the government and ensuring that any progress made towards their rights is protected and expanded.
 - Advocate for the development and implementation of responsive and effective policies aimed at mitigating the socio-economic impact of migration on women, children and families, while optimizing the opportunities available from the globalization of labour.
 - Support public education campaigns to raise the awareness of the different stakeholders who form part of the strategy or agenda of protecting women, children and families from the negative impact of migration.
 - Promote discussions and sharing of information on issues, trends, patterns, practices, mechanisms, institutional arrangements and methodologies that will advance the agenda of women and children with respect to migration.
 - Raise the awareness of families on the rights of children and the particular needs of women.

Research and development

- Conduct better research work on the psycho-social impact of migration on children and women.
- Model intervention mechanisms in managing negative psycho-social impact on women and children.

- Promote best practices among NGOs, self-help groups and community-based organizations that aim to enhance the social and economic viability of the households of migrant workers.

Parents and Families

- Ensure that parents are with their children during the children's growing up years.
- In cases where parents are migrant workers, ensure that the extended family into whose care children are entrusted is capable of raising children in an atmosphere and attitude that is closest to those that can be provided by their parents.
- Ensure that children are not allowed to work in occupations and places that are risky and where there is little or weak protection available for them.
- Support families whose parents are overseas to provide children with the care and attention they need.

6. Annex A

Migration and Children's Rights: Analysis Matrix on the Indicative Impact, Policy and Research Agenda

Children as Overseas Workers

Children's Right: PROTECTION FROM SEXUAL EXPLOITATION, CHILD PORNOGRAPHY AND TRAFFICKING	<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>		
	X	X	X
	<p>Female entertainers as young as 13 are exposed to abuse in Japan and elsewhere</p> <p>Jobs as entertainers often lead young girls into prostitution</p> <p>Irregular or undocumented migrants, particularly girls whose travel documents are fake, are vulnerable to sale and trafficking</p>		
Remittance issue to address	<p>In this particular case, the migration has to be properly addressed (issue of very young children, links with prostitution, etc) before considering the best use of remittances. Who benefits from the flow of remittances of young female entertainers? Is it their parents?</p>		
<i>Gaps of Rights (What they must receive?)</i>	Children should not be allowed to work, particularly in jobs that expose them to risks of sexual exploitation, child pornography and trafficking.		
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>
<i>Responsibilities and Action required</i>	<p>Intensify implementation of RA 9208 (Anti-Trafficking law), RA 7610 (Special Protection for Children)</p> <p>Support the NGO network against child prostitution and sexual exploitation</p> <p>Strengthen Anti-Illegal Recruitment Coordinating Councils</p> <p><u>UN CRC Committee recommendations:</u></p> <p>Review of relevant domestic laws</p> <p>Set clearly defined minimum age of sexual consent</p> <p>Study causes, nature and extent of commercial sexual exploitation and trafficking of children</p> <p>Provide adequate programs according to international commitments</p> <p>Pay particular attention to</p>	<p>Support advocacy programs targeting sexual exploitation, child pornography and trafficking</p>	<p>Not to allow children to work, particularly in high-risk occupations and areas.</p>

	<p>existing risk factors such as growing sex tour in the region</p> <p>Launch awareness-raising campaigns</p> <p>Endorse the recommendations by the Human Rights Committee in 2003 on taking appropriate measures to combat all forms of trafficking</p>		
<i>Capacity gap to undertake action required</i>	<p>Like many similar migrant-sending countries, the Philippine government is in a weak negotiating position.</p> <ul style="list-style-type: none"> • It heavily relies on remittances to maintain fiscal stability • Weak political will to translate policy into action. For instance, RA 8042 was passed a decade ago. Meager resources devoted to arm the law with enough teeth have practically rendered it useless in protecting migrants and their families. • The OWWA has allocated minimal personnel and resources to meet its obligations to protect migrants and their families under RA 8042. 	<p>Lack of awareness among NGOs and the media establishment on the issues of discrimination against children, particularly the children of temporary overseas workers living with their parents abroad.</p>	<p>Lack of awareness of the risks that accompany allowing children to work, particularly in risky jobs and locations.</p> <p>Poverty will continue to exert pressure on families such that they will find themselves having to sacrifice their children for financial gain.</p>
<i>Pre-requisite</i>	<p>Political will to declare a definite State policy on migration.</p> <p>RA 8042 must be amended or a new legislation passed to provide for regulatory control of migration among vulnerable age-groups.</p>	<p>Access to information and commitment to focus on the issue of migration and children's rights</p>	<p>Education and access to information</p> <p>Alternative income sources</p>

Children Left Behind by Temporary Overseas Workers

Children's Right: Non-discrimination		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	<p>There is a distinct social stigma at family, community and societal level of children born out of wedlock. This is heightened in cases where the mother is working as “entertainer” or as a commercial sex worker.</p> <p>Children who are able to live with their parents abroad tend to suffer from discrimination from the receiving State whether in the form of political, social, economic or legal discrimination, limited or denial of access to health and education.</p>			
Issue to be addressed by remittances	<p>How can remittances also benefit children born out of wedlock, given the cultural constraints, social context, etc?</p> <p>How can remittances benefit children who live abroad with their OFW parents but who are discriminated against?</p>			
<i>Gaps of Rights (What they must receive?)</i>	<p>Children must have the same access to social services, legal protection and social support irrespective of the circumstances of their births. Parents have the responsibility to ensure that their children are eligible for rights and recognition, whether born in the country of origin of parents or in the country where their parents work.</p> <p>The discrimination against children who live with migrant workers abroad should be eliminated.</p> <p>Children born out of wedlock continue to be discriminated by Philippine society. This discrimination must be totally eliminated, starting with changes from a legal perspective.</p>			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p>Pursue bilateral negotiations for the protection of migrants, particularly women and children</p> <p>Review the Family Code of the Philippines to ensure that all provisions that may be construed to discriminate against children born out of wedlock are eliminated.</p> <p>Implementation of the provisions of the Child</p>	<p>Intensify NGO initiative to amend the Family Code to eliminate all discrimination towards children born out of wedlock</p> <p>Media sensitivity to issues of “illegitimate” children is critical in educating the public on their equal rights and impact of discrimination against them.</p>	<p>Ensure that children are born under a legal family environment, such that a child’s birth circumstance does not become a source of discrimination.</p> <p>Demand appropriate social protection for them and their children when negotiating employment contracts.</p>	

	<p>and Youth Welfare Code (PD 603), the Family Code (Related Provisional EO 209) and the Special Protection Act (RA 7610)</p> <p><u>UN CRC Committee recommendations:</u></p> <p>Ensure effective implementation of existing laws</p> <p>Adopt a proactive and comprehensive strategy to eliminate all forms of discrimination</p> <p>Review laws in order to secure the right to equal treatment, inheritance and abolish the discriminatory classification of those children as “illegitimate”</p>		
<p><i>Capacity gap to undertake action required</i></p>	<p>Like many similar migrant-sending countries, the Philippine government is in a weak negotiating position.</p> <ul style="list-style-type: none"> • It heavily relies on remittances to maintain fiscal stability • Weak political will to translate policy into action. For instance, RA 8042 was passed a decade ago, and the meager resources devoted to arm the law with enough teeth have practically rendered it useless in protecting migrants and their families. • The OWWA has allocated minimal personnel and 	<p>Awareness among NGOs and the media establishment on the issues of discrimination against children, particularly the children of temporary overseas workers living with their parents abroad.</p>	<p>Awareness among migrants about the rights of their children against discrimination.</p> <p>Ability to negotiate fair contracts with employers.</p> <p>Lack of support from government in terms of negotiating employment contracts.</p>

	resources to meet its obligations to protect migrants and their families under RA 8042.		
<i>Pre-requisite</i>	Political will to declare a definite State policy on migration. RA 8042 must be amended or a new legislation passed to provide for regulatory control of migration among vulnerable age-groups.	Access to information and commitment to focus on the issue of migration and children's rights	Access to information Access to government support in contract negotiations

Children's Right: NAME, NATIONALITY AND IDENTITY		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	<p>There are cases where the birth registration documents of children born abroad are not recognized unless they are authenticated in the State where they were issued. This situation surfaces as a problem when parents have returned home and without the means to undertake this authentication.</p> <p>Migration can result in an "orphan feeling" among the children who are left behind as well as prevent them from getting the sufficient knowledge of their social, cultural and historical background that is necessary for them to shape their identity</p>			
Issue to be addressed by remittances	To solve this, it is a prerequisite to first address the issue of migration and children born abroad or out of wedlock. It is also necessary to make sure that all children of OFWs are registered.			
<i>Gaps of Rights (What they must receive?)</i>	The birth of children should be appropriately registered, with parents ensuring that the records are kept safe and ensuring that they are in form and substance acceptable to their home country and in cases where the children are living with them, acceptable in the State where they are working.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p>Provide for a dual birth registration system, i.e., allowing dual birth registration in the Philippines and in the State of birth</p> <p><u>UN CRC Committee recommendations:</u></p> <ul style="list-style-type: none"> - Encourage and facilitate parents, irrespective of their residence status, to register their children born abroad 	<p>Continue to support projects relating to birth registration.</p> <p>Educate temporary overseas workers about the significance and importance of proper birth registration for their children.</p>	<p>Even before conceiving a child, both parents must ensure that their offspring/s will have the proper nationality and identify.</p> <p>This includes ensuring children are born within marriage and that births are properly registered and documents kept safe.</p>	
Capacity gap to undertake action required	Facilitate the development of an enabling legal instrument that will provide for documents of birth to be issued to children born abroad	Familiarity with birth registration issues and procedures	Awareness of the issues surrounding the need for proper birth registration documents for children both born abroad and access to information on the proper course of action to take.	
Pre-requisite	Legal study on appropriate instrument/s	Access to information	Access to information	

Children's Right: RIGHT TO LIFE		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X		
	<p>There is growing medical proof that the development of a child begins at the womb: women who get pregnant while working abroad are at high risk of improper and/or inadequate pre- and post-natal care as they usually do not have health insurance or maternity benefits.</p> <ul style="list-style-type: none"> • In most cases, domestic helpers who get pregnant suffer abuse from their employers because of impediments to their physical movements brought about by pregnancy. • The Philippine diplomatic offices are understaffed and unable to deal with many cases involving migrants. 			
Remittances issue to address	<p>Before considering the best use of remittances in this case, it should be clear that migration should not put pregnant women, the development of the womb or the young children of OFW women at risk.</p> <p>How can remittances permit the access of OFWs to a minimum medical coverage for their children and themselves?</p>			
<i>Gaps of Rights (What they must receive?)</i>	Children have the right to develop within the mother's womb in the right physical, mental and emotional condition. Migration should not be an excuse to have this right waived.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p>Develop a crisis plan for the most relevant and critical diplomatic posts in order to address needs of migrants, particularly children, who become involved in legal and political cases.</p> <p>Pursue bilateral agreements for the protection of migrants and their children, especially those of very young age.</p> <p>Strengthen diplomatic offices in particularly critical regions like the Middle East and East</p>	<p>Media coverage of migrants' cases, bringing them to the attention of government. This role must be intensified given the sensitivity of the Philippine government to media stories.</p> <p>Advocacy + lobbying for extended medical coverage for OFW women when abroad and pregnant or having children</p>	<p>Ensure that the welfare of the mother and child is protected during pregnancy</p> <p>Expand social network in country of work</p> <p>Obtain the appropriate medical / insurance coverage when working abroad (see UN CRC committee recommendations)</p>	

	<p>Asia</p> <p><u>UN CRC Committee recommendations:</u></p> <p>Expand benefits from the Overseas Workers Welfare Fund (OWWA) because these are inadequate and access is often difficult</p>		
<p><i>Capacity gap to undertake action required</i></p>	<p>Capability, resources and political will to engage receiving nations in bilateral discussions on the protection of temporary overseas workers.</p> <p>Clear policy on temporary overseas workers and their families needs to be developed.</p> <p>Resources should be allocated to programs that aim to protect migrant workers as provided by RA 8042.</p>	<p>Access to information and familiarity with the issues of temporary overseas workers and their families.</p>	<p>Poverty will continue to put pressure on poor families to send parents and children to work abroad, even to high risk jobs and countries.</p> <p>The awareness that children need a wholesome environment to achieve their physical, emotional, intellectual, moral and social potentials is not that widespread among parents.</p>
<p><i>Pre-requisite</i></p>	<p>Political will</p>	<p>Awareness-raising programs</p>	<p>Economic opportunities to enable parents to provide for the well-being of their children</p> <p>Education and access to information</p>

Children's Right: STATE OBLIGATION TO ENSURE NECESSARY CARE AND PROTECTION		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	<p>There is no clear State policy on migration. Since the passage of RA 8042 in 1995, the deployment of temporary overseas workers has continued, reaching the current rate of about 2,500 daily departures.</p> <p>Women have increasingly dominated this deployment, including going to countries and jobs that continue to pose risks to them. This is contrary to the recommendations of the Gancayco Commission (upon which RA 8042 was based) , which proposed that women veer away from jobs and countries where they are vulnerable.</p> <p>RA 8042 even provided for the recall of under-aged migrant workers. However, the recent government statistics indicate that this provision of the law has not been followed.</p> <p>This State obligation to protect also applies to children left behind in a single parent family, an environment which may not prove to be the ideal for them to receive adequate care and protection</p>			
<i>Issue to be addressed by remittances</i>	<p>As already recommended by the Gancayco commission, migration should absolutely not put at stake the OFWs or increase the vulnerability of OFWs and/or that of their children.</p> <p>A share of the taxes gained from remittances transfers should be used for the care and protection of children, either those left behind or those gone abroad.</p>			
<i>Gaps of Rights (What they must receive?)</i>	<p>The Philippines is a signatory to the CRC. It must therefore ensure that in all its policies and actions, the rights of children are protected. Migration cannot be excused by the Philippine government as merely a global phenomenon that it is helpless to react to. There are 7.5 million Filipinos living and working abroad, and 63% of them are temporary or irregular/undocumented.</p> <p>NGOs have raised the issue of girls below 18 who work abroad as entertainers and domestic helpers. The Philippine government must not allow these children to work, particularly in countries and jobs where they are at high risk of abuse, exploitation and discrimination.</p>			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p>Develop a State policy on migration, providing for the protection of temporary overseas workers and their children.</p> <p>Develop State policy banning the deployment of</p>	<p>Advocate for full implementation of Philippine government's commitment to the CRC and the protection of migrants and their families.</p>	<p>Ensure that their children do not work abroad while they are still young and unprotected.</p> <p>Ensure that mothers are not employed in jobs that are risky and in countries</p>	

	<p>children (18 years old and below).</p> <p>Develop State policy banning the deployment of women in jobs and countries where they are vulnerable to abuse, exploitation and discrimination.</p>	<p>Use advocacy methods to highlight the case of under-aged temporary overseas workers and women working in high-risk countries and jobs.</p>	<p>where they do not have access to protection.</p>
<p><i>Capacity gap to undertake action required</i></p>	<p>The capacity of the Philippine government to perform regulatory functions is generally weak.</p> <p>While the tight budget situation of the National Government is a challenge in terms of funding programs targeting migrants and their families, the public funds lost to corruption are a more urgent area to focus on.</p>	<p>A number of NGOs are engaged with advocacies promoting the rights of migrants; while they are mostly clustered in the NCR, some of them are affiliated with regional networks. They need to work together to begin drafting a framework for policy discussion on migration and development issues.</p>	<p>Economic pressures are usually the main reason why parents allow under-aged children to work abroad. The same is true with allowing women to work in countries and jobs that are risky.</p>
<p><i>Pre-requisite</i></p>	<p>Political will must be exercised in ensuring the fulfillment of the Philippine government's commitment to the CRC.</p>	<p>Awareness of NGOs about other issues related to the migrants sector, particularly the issues of under-aged temporary overseas workers.</p> <p>Expansion of NGO work in the regional centers to ensure that they reach the communities where many overseas workers come from.</p>	<p>Economic improvement of families to enable them to provide for the needs of their children without having to allow them to work abroad and in jobs considered risky.</p>

Children's Right: BEST INTEREST OF THE CHILD		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	<p><u>At the level of the Family:</u></p> <ul style="list-style-type: none"> - Children normally do not have a say in the decision of parents to work abroad; while parents may decide to live and work abroad to provide for better material things for their children, the mental, emotional and psycho-social costs are not inputted in the decision-making process - Separation for long periods of time from one or both parents imposes substantial anxiety, emotional stress and trauma, and in some occasions leads to child behavior which is harmful to him or her self. - In the absence of both parents, the child may likely develop an “orphan” feeling, or that of abandonment, and is likely to develop resentment against the parents. - The mere presence of both parents is emotionally, spiritually, morally and psychologically nurturing to children. <p><u>At the level of Society:</u></p> <ul style="list-style-type: none"> - States cannot stop its citizens from living and working abroad, but when the State encourages them to do so, a host of complex issues arise and this complexity must not become a reason for the state not to fulfill its obligation - All stakeholders need to weigh the balance between economic opportunities being offered by migration and the best interest of children and that of future generations. 			
<i>Issue to be addressed by remittances</i>	<p>If the separation for long periods of time from one or both parents creates substantial anxiety, emotional stress and trauma, and in some occasions can lead a child to behave self destructively, how can remittances be used to overcome this possibility?</p> <p>How can remittances be channeled at family / community levels so that migration does not remain the single opportunity for thousands of families to earn a living? How can they be used to make migration more marginal in the society so that the best interest of the child is better respected?</p> <p>How can the decision on how to use the remittances be made more participative at the family / community levels so that remittances contribute better to the rights of children and their best interests in general?</p>			
<i>Gaps of Rights (What they must receive?)</i>	<p>Children need the presence of parents, starting in their early formative years and continuing all the way to their teen-age years. The prolonged absence of either mother or father at any time during these period results in psycho-social gaps in the child's development.</p>			

	The presence of mothers for children below age 3 and for both parents for children below age 5 is essential. The gaps in their growth potential are exacerbated when both parents are absent.		
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>
<i>Responsibilities and Action required</i>	<p>Protect the right of children to be reared by both parents particularly when they are young.</p> <p>The Philippine government should not allow deployment of:</p> <ul style="list-style-type: none"> • both parents with children below age 5 • mothers with children below age 3 • more than one (1) year for both parents with children below age 18 • either parent for more than two (2) years with children below age 18 	<p>NGOs in the migrants sector need to increase their understanding of the impact of migration on children's and women's rights.</p> <p>Conduct studies on the psycho-social impact of separation between children (for boys and for girls) and their parents (father or mother)</p> <p>Advocate for banning the deployment of either parents with young children.</p>	<p>Technology like SMS, mobile phones and the Internet are making communication over long distance easier, allowing children to have real-time contact with their parents abroad.</p> <p>Parents need to understand that there are non-material side-effects when a father, a mother or both parents (the effects are different under the three cases and different also for boys and for girls) leave their children behind to work abroad.</p>
<i>Capacity gap to undertake action required</i>	Impact studies of separation of parents from young children	Funding support Awareness of issues concerning separation of parents from their young children	Awareness of the importance of parental presence in the rearing period of children
<i>Pre-requisite</i>	Renewed commitment by the Philippine government to fulfill its obligations under the CRC and to fully protect overseas workers	Donor agencies need to be aware of the significance of the issues.	Education and awareness-raising programs.

Children's Right: RESPECT FOR THE VIEWS OF THE CHILD		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>		X	X
	The expression of children's sentiments regarding migration may be stifled because parents emphasize the economic benefits of migration, i.e. that they are working hard and enduring danger for their children), and in a sense, children develop some form of guilt that the separation is their fault.			
<i>Issue to be addressed by remittances</i>	<p>No child would agree to see one of his/her parents going abroad for a long period of time</p> <p>The decision to migrate does not respect the views of the child, and this should be made clear to the potential OFW's. At best, remittances can only ease the negative effect of migration.</p> <p>The State should offer alternative options to emigration as well as make it easier for OFWs to come back to the Philippines under privileged conditions.</p>			
<i>Gaps of Rights (What they must receive?)</i>	Children should be allowed to express their views on a family's plan for any of the parents to work abroad for long period of time. To respect the views of children means to consider them seriously and not merely dismiss them as unimportant because they are views of children.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p>Strong democratic traditions of the Philippines support the cultivation of freedom of expression</p> <p>The <i>Sangguniang Kabataan</i> (Youth Assembly) is a State instrument to institutionalize youth participation in national development and political affairs</p> <p><u>UN CRC Committee recommendations:</u></p> <p>Strengthen efforts to promote, within the family, schools and other institutions, a respect for the views of the child and facilitate</p>	Expand various private initiatives that allow children to express their views.	Encourage children to express their sentiments, particularly in crucial family issues like migration	

	<p>their interactive participation in all matters affecting them</p> <p>Undertake awareness-raising campaign on children's rights</p>		
<i>Capacity gap to undertake action required</i>			Awareness of the right of children to express their views
<i>Pre-requisite</i>			Access to information regarding children's rights

Children's Right: BIRTH REGISTRATION		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	<p>The birth records of children born abroad are often difficult to process. Upon return to the Philippines, local authorities demand that these records be authenticated in the country of birth. Parents come under pressure to produce them because these records are essential requirements for admittance to schools.</p> <p>Difficulties and embarrassment in birth registration of children born out of wedlock are also caused by strict requirements of the Catholic Church.</p> <p>Although it is easier in comparison to the registration of children born abroad, the birth registration process for those born in the Philippines is not systematic.</p>			
<i>Issue to be addressed by remittances</i>	<p>If remittances cannot contribute to the rights of children who have no official existence, how can remittances be systematically used to help birth registration, and its related costs?</p> <p>How to make OFWs understand that birth registration is necessary for the realization of children rights throughout their lives?</p>			
<i>Gaps of Rights (What they must receive?)</i>	Children must be accorded by the Philippine government the right to proper birth registration as well as the right of recognition by other States of the validity of these birth registration documents.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p>Continue the Unregistered Children Project conducted with PLAN and NSO</p> <p><u>UN CRC Committee recommendations:</u></p> <p>Develop an efficient and free of charge birth</p>	Continue to support birth registration programs	Ensure that all children born are appropriately registered and birth records are kept secure	

	<p>registration system</p> <p>Use of mobile birth registration units</p> <p>Ensure that children born abroad without official documentation are still allowed to access basic services such as health and education</p>		
<i>Capacity gap to undertake action required</i>	Funding allocation for birth registration program	Funding support	Education on the importance of proper birth registration documents
<i>Pre-requisite</i>	Continued commitment to birth registration as a right of the child	Awareness of donor agencies about the significance of proper birth registration	Awareness and access to information

Children's Right: CORPORAL PUNISHMENT		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	Children who are left behind by parents may be exposed to the risk of corporal punishment from schools or guardians			
Issue to be addressed by remittances				
<i>Gaps of Rights (What they must receive?)</i>	Children have the right to be protected from corporal punishment both in their home countries and abroad.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p><u>UN CRC Committee recommendations:</u></p> <p>Prohibit by law all forms of corporal punishment in the home, in schools, in private and public institutions, in the juvenile justice system and the alternative care system.</p>	<p>Conduct public discussions on child discipline</p> <p>Develop alternative child discipline methods that are culturally adaptable and yet sensitive to the child in his/her present context</p>	<p>Develop creative ways to discipline a child and ensure that corporal punishment is not resorted to by any member of the family</p>	

<i>Capacity gap to undertake action required</i>	Legal basis to prohibit corporal punishment	Knowledge on alternative child discipline approaches	Awareness of children's right against corporal punishment
<i>Pre-requisite</i>	Legislation providing for a ban on corporal punishment at home and in school.	Access to research on the impact of corporal punishment on children	Education and access to information on children's rights

Children's Right: PARENTAL RESPONSIBILITIES		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	Children who are left at a very young age by one or both parents are deprived of the right to develop the intimate relationship that is natural between parent and child; this is particularly significant during the early formative years of the child The impact of parental separation (different for mother or father or for both) is different depending on the sex of child and on the particular child life cycle the child is in (i.e. unborn, 0-2, 3-5, 6-12, and 13-17) The economic gains of migration must not be an excuse for parents to not fulfill their responsibilities as parents.			
<i>Issue to be addressed by remittances</i>	How can OFWs be made to use the remittances to better fulfill their responsibilities as parents? How to ensure that OFWs give enough share of their remittances to guarantee that "parental responsibilities" are fulfilled by the single parent left alone or the designated prime care takers acting as substitutes of parents ?			
<i>Gaps of Rights (What they must receive?)</i>	Children have the right to be reared by both their parents from the day of birth until their teen-age years. On the other hand, parents have the right to be with their children to rear them properly in a manner that develops their full physical, mental, emotional, moral and social potentials. When poverty forces parents to leave their children behind and therefore they are unable to rear them properly, the role of government in this equation is highlighted. Government must ensure that it has the appropriate policies to enable parents to rear their children, as well as allocate the necessary resources to implement such policies.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<u>UN CRC Committee recommendations:</u> Effective implementation of the Migrant Workers and Overseas Filipinos Act (RA 8042)	Advocate the protection of children's rights in the context of migration Develop alternative mitigating measures that will cushion the impact	Rear their children on their own as much as possible. In cases of parents having to work abroad, ensure that children are	

	<p>Take all necessary measures to ensure that overseas Filipino workers, both women and men, are able to meet their parental responsibilities. This may be done through including through concluding bilateral agreements with countries of destination, and by facilitating family reunification and a stable family environment for the upbringing of children</p> <p>Develop and provide child-sensitive family counseling services for overseas Filipino workers and their children</p>	of migration on children	left to responsible adults and monitor the care and guidance provided by these surrogate parents
<i>Capacity gap to undertake action required</i>	Awareness at the highest policy level about the need to ensure parents are able to fulfill their parental responsibilities	Funding source	<p>Skills and education to obtain sources of family income to ensure that parents do not leave their children behind to work abroad.</p> <p>Proper education on child-rearing and parental responsibilities</p>
<i>Pre-requisite</i>	Political will must be exercised in ensuring the fulfillment of the Philippine government's commitment to the CRC.	Children's issues receiving continued donor priority	Capacity to learn and available learning opportunities

Children's Right: RECOVERY OF MAINTENANCE		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	An Increasing number of Filipino children are born abroad, and in some cases, paternity has not been established Mothers encounter difficulties in the recovery of maintenance because of inability to contact the fathers. This is made more difficult by the absence of bilateral agreements.			
<i>Issue to be addressed by remittances</i>	How to make sure that those OFWs who must give recovery of maintenance will give the necessary share of their remittances to fulfill their duties as parents?			
<i>Gaps of Rights (What they must receive?)</i>	Children have the right to maintenance from their parents. Even if parents become separated, children have the right to obtain support from the State to help recover support from a parent who may be a national of another country. The Philippine government needs to sign bilateral agreements with countries receiving Filipino overseas workers to cover the recovery of maintenance for children.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<u>UN CRC Committee recommendations</u> Secure in practice the recovery of maintenance for the child Conclude bilateral agreements for reciprocal enforcement of maintenance	Advocacy for the issue of recovery of maintenance for the child	Ensure that the paternity of the child can be established in order to strengthen the case of recovery of maintenance for a child whose parent (mostly fathers) are foreign nationals	
<i>Capacity gap to undertake action required</i>	High policy-making bodies must be aware of the significance of recovery of maintenance issues	Awareness among NGOs about the significance of recovery of maintenance issues	Awareness among mothers about the right of children to recovery of maintenance	
<i>Pre-requisite</i>	Awareness has to be raised	Awareness has to be raised	Awareness has to be raised	

Children's Right: ABUSE, NEGLECT, MALTREATMENT AND VIOLENCE		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>	
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>		X	X	X
	Domestic abuse by adults under whose care children of migrants have been entrusted is a concern. Young children and adolescent girls are particularly vulnerable. Children left behind may feel neglected and be exposed to abuse, maltreatment and violence				
Issues to be addressed by remittances	How to make OFWs use part of their remittances to guarantee the well-being of their children, and avoid a situation where the children feel neglected and may be exposed to abuse, maltreatment or violence ?				
<i>Gaps of Rights (What they must receive?)</i>	Children have the right to be protected against all forms of abuse, neglect, maltreatment and violence. The absence of a parent or both parents increases the risk of exposure to these situations.				
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>		
<i>Responsibilities and Action required</i>	<p>Strengthen the Councils for the Protection of Children (CPC) that are established at national and local levels.</p> <p><u>UN CRC Committee recommendations:</u></p> <p>Review all domestic legislation to penalize all forms of abuse against children, clearly define those crimes, including incest</p> <p>Conduct timely and adequate investigations of abuse</p> <p>Ensure that child victims have access to adequate counseling and multidisciplinary assistance with recovery and reintegration</p>	<p>Intensify the NGO monitoring of the CRC by bringing in more participants and establishing an orderly approach.</p> <p>Expand coverage of <i>Bantay Bata</i> hotline</p> <p>Abuse, neglect, maltreatment and violence against children, particularly of overseas workers, is an oft-repeated plot in TV soap operas. While this should have contributed to awareness-raising, the media needs to send a broader, stronger message that parents should not be leaving behind their children in the first place.</p>	<p>It is the responsibility primarily of the parents to ensure they are around to protect their children from all forms of harm either from themselves or from other people.</p> <p>In cases where parents work abroad, they must ensure that children are left to responsible adults and monitor the care and guidance provided by surrogate parents.</p>		
<i>Capacity gap to undertake action required</i>	Funds of government agencies like the CPC and Council for the Welfare of Children (CWC) are	Proper briefing on the issues of abuse against children and expanding the reach of on-going	Some parents may not be fully aware of the different forms of abuse that children can be exposed		

	limited. This indicates the low-priority that government allocates for the issues they manage.	awareness-raising initiatives	to. Their understanding of emotional and psycho-social abuse must be raised and expanded to ensure that they become the frontline of defense for their own children.
<i>Pre-requisite</i>	Priority for the protection of children must be an integral part of the budgeting process.	Government agencies to highlight issue and donor agencies to support discussions	Education campaign

Children's Right: CHILDREN WITH DISABILITIES		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	Disabled children of migrants may likely suffer from diminished care and attention in the absence of one or both parents			
<i>Issues to be addressed by remittances</i>	How to make ensure that disabled children with at least one parent being an OFW receive a minimum of assistance from their parents to be able to live a decent life despite their disabilities?			
<i>Gaps of Rights (What they must receive?)</i>	Children with disabilities need the same protection and opportunities for developing their full potentials as human beings as other children. The welfare and needs of disabled children of overseas workers should receive the appropriate share of the remittances of their parents. The surrogate parents caring for them should ensure that their needs and welfare are looked after well. This includes not just their physical needs but their intellectual, emotional, moral and social needs.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<u>UN CRC Committee recommendations:</u> Prevent and prohibit all forms of discrimination against children with disabilities Ensure equal opportunities for their full participation in all spheres of life Ensure that all public education policy and school curricula reflect the principle of full	Expand the education of the public on disabled children and their rights Continued advocacy to government on the need to ensure protection of disabled children and promotion of their prospects and conditions	Ensure that children with disabilities are provided appropriate opportunities to develop his/her talents and potential despite the impairment	

	participation and equality, and that children with disabilities are included in the mainstream school system		
<i>Capacity gap to undertake action required</i>	Continued awareness of government's commitment to fulfill its obligations to the CRC	Financial and human resources	Awareness among parents and surrogate parents about the right of disabled children to develop their full potential
<i>Pre-requisite</i>	Continued pressures from civil society and international development organizations	Continued support from donors	Education and access to information on the rights of disabled children

Children's Right: PROMOTION OF HEALTH AND HEALTH SERVICES		Child 0-5	Child 6-12	Child 13-18
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	Remittances are mainly spent on consumption and consumer durables, with health-related costs usually not a priority. Caretaker adults may ignore early signs of health problems and act only when symptoms worsen. This condition is exacerbated by the fact that parents who migrate do so by incurring huge debts such that a third of remittances are used for repayment of these debts.			
<i>Issues to be addressed by remittances</i>	How to convince OFWs to give higher importance to health issues of their children?			
<i>Gaps of Rights (What they must receive?)</i>	The health of children must receive the appropriate share of the family expenditures. More importantly, health (both medical and dental, preventive and curative) expenditures for children should be a priority over living conveniences of families.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<u>UN CRC Committee recommendations:</u> Adopt necessary legislative, administrative and budgetary measures in order to fully implement	Support public health programs through advocacy and monitoring of government budget on health Advocate among families of overseas workers the	Ensure that the health needs of the child are appropriately addressed, including immunizations and a balanced diet	

	the Health Sector Reform Agenda Provide adequate resources	prioritization of children's health in the family expenditure pattern	
<i>Capacity gap to undertake action required</i>	Budget limitations	Database on families of overseas workers and knowledge of the expenditure patterns among families of migrants	Awareness of the importance of maintaining proper health of children and its impact on their emotional, mental and social development
<i>Pre-requisite</i>	Budgetary priority for health expenditures	Baseline research	Education and access to proper information

Children's Right: STANDARD OF LIVING		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	<p>The basic consequence of migration, particularly for temporary and irregular workers, is the separation of parents from children. This fact is the fundamental issue in the discussion of remittances and children's rights.</p> <p>While remittances may actually provide for the physical needs of children, the CRC defines appropriate standard of living to include adequate physical, mental, moral, spiritual and social aspects that promote the development of the whole child.</p> <p>Legal guardians, extended family members and other responsible adults, under whose care children are left behind by parents, may not provide the same mental, spiritual, moral and social development opportunities as parents would. The surrogate parents may either be more restrictive to the child because of their obligations as caretaker or be overly permissive (if not completely ignoring such responsibilities) because the parents are not present to monitor the situation.</p>			
<i>Issues to be addressed by remittances</i>	<p>How to prevent OFWs from considering "standard of living" something attainable only through purchasing power and consumerism? How to ensure they do not forget other critical elements such as the physical, mental, moral, spiritual and social aspects of living?</p> <p>How to influence choices made by OFWs in the way they will increase the standard of living of their children?</p>			
<i>Gaps of Rights (What they must receive?)</i>	<p>Parents should provide a home environment promoting the mental, spiritual, moral and social development of children, including the immeasurable benefits from the presence of both parents. The mere presence of parents is not enough though. They must ensure that they actually provide guidance, care and discipline such that children achieve their full potential.</p> <p>In the case of parents working abroad, the spending pattern of remittances sent to the family at home should prioritize the welfare of children in terms of education, health and well-being. However, remittances should not be viewed as a substitute for parental upbringing and care.</p>			

<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>
<i>Responsibilities and Action required</i>	<p><u>UN CRC Committee recommendations:</u></p> <p>Raise the standard of living through a poverty reduction strategy</p> <p><i>Note:</i> Free flow of remittances to support children is explicitly provided for under Art 27 (4) of the CRC.</p>	Sponsor multi-stakeholder discussion on migration and its impact on children and youth	Ensure that children are provided a wholesome environment to nurture their talents and potential.
<i>Capacity gap to undertake action required</i>	<p>Poverty levels remain high nationwide. While government statistics indicate that most deployments are from the NCR and Region 3 and 4, there is a high likelihood that the NCR departures are actually due to the fact that most overseas workers “pass through” the NCR before departure. The more complete deployment picture should include the idea that most overseas workers are from rural families escaping poverty at home.</p>	Financial and technical resources	<p>Poverty will continue to put pressure on poor families to send parents and children to work abroad, even to high risk jobs and countries.</p> <p>However, the awareness that children need a wholesome environment to achieve their physical, emotional, intellectual, moral and social potentials is not that widespread among parents.</p>
<i>Pre-requisite</i>	<p>As a political economy, the Philippine State remains captive to the different political tribes that regard it as a booty that is subject of “hunting-gathering” campaigns every election time.</p> <p>Governance, fiscal and institutional reforms are the key steps in liberating the State from this “hunting-gathering” condition. This must happen before the Government can expect to</p>	Continued support by donor agencies	Education remains the key ingredient in order for parents to provide the desired standard of living for the appropriate upbringing of children.

	<p>succeed in eradicating poverty in the country. There are strong arguments to buttress the position that poverty is not a result of resources being limited but rather that they are not deployed efficiently.</p>		
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Children's Right: ADOLESCENT HEALTH		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>			X
	Teen-agers without appropriate parental guidance may be at an increased risk of sexually-transmitted diseases, early marriages, early/unwanted pregnancies and abortions.			
Issues to be addressed by remittances	<p>Family level</p> <p>State level : in favor of children left alone ...</p>			
<i>Gaps of Rights (What they must receive?)</i>	<p>As their life cycle evolves towards young adulthood, adolescents need guidance from their parents. They need to be taught the proper care of their bodies. They need to be aware of and deal positively with the physiological and emotional changes their bodies are undergoing.</p> <p>In particular, girls need their mothers to guide them into the role of women in marriage and in the proper rearing of children. Fathers should be able to support their wives in this role.</p> <p>For children of temporary overseas workers, the responsibility of guiding teen-agers would fall into the hands of surrogate parents. These adults must be prepared to take on this role. As part of this, they must be aware that teen-agers have particular needs and demands that when not met properly can lead to various dysfunctional and anti-social behavior.</p> <p>Open communication lines must be kept between overseas parents and their teen-age children to assure them of parental support and care.</p>			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p><u>UN CRC Committee recommendations:</u></p> <p>Ensure access to reproductive health counseling and provide all adolescents with</p>	<p>NGOs and media need to support different family planning programs and sex education campaigns, both in terms of</p>	<p>Development sensitivity to the evolving needs of growing children.</p>	

	<p>accurate and objective information and services in order to prevent teenage pregnancies and related abortions</p> <p>Strengthen formal and informal education on sexuality, HIV/AIDS, STDs and family planning</p> <p>Education on alcohol, drugs and tobacco</p>	<p>advocacy and public education</p>	
<p><i>Capacity gap to undertake action required</i></p>	<p>Limited resources allocated for adolescent health programs</p>	<p>Financial and human resources</p>	<p>Awareness of the issues affecting adolescents. It appears that teen-agers are a misunderstood segment of the population. Parents often feel helpless in dealing with the problems of adolescents.</p>
<p><i>Pre-requisite</i></p>	<p>Recognition of the importance of promoting adolescent health</p>	<p>Continued donor support for adolescent health programs</p>	<p>Education and access to information on adolescents and their needs</p>

Children's Right: PROTECTION FROM HIV/AIDS		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	There are nearly 0.3M sea-based Filipinos who have a high HIV/AIDS risk profile, and who therefore endanger their spouses and children Children who illegally work abroad as entertainers are equally exposed to sexually transmissible diseases Children left behind may adopt risky sexual behavior			
Issues to be addressed				
<i>Gaps of Rights (What they must receive?)</i>	Children of overseas workers, both land-based and sea-based, have the right to protection against HIV/AIDS and other sexually transmissible diseases (STD). Under-aged overseas workers should not be allowed to migrate as they are at very high risk of exposure to HIV/AIDS and other sexually transmissible diseases (STD).			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	AIDS Prevention and Control Act (1998) Establishment of the AIDS Prevention and Control Program (NAPCP) <u>UN CRC Committee recommendations:</u> Strengthen existing program Expand public education	Expand public education programs, particularly those targeting sea-based workers and talent promoters of entertainers	Ensure that as parents, migrants are protected from HIV/AIDS	
<i>Capacity gap to undertake action required</i>	Limited resources allocated for prevention of HIV/AIDS and other STD's	Financial and human resources	Awareness of prevention practices	
<i>Pre-requisite</i>	Continued recognition of the social and economic costs of HIV/AIDS and other STD's	Continued priority by donor agencies	Education and access to information	

Children's Right: PARENTS HAVING COMMON RESPONSIBILITY FOR UPBRINGING OF CHILDREN		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	<p>Lack of proper parental guidance increases the likelihood of the child developing various dysfunctional and anti-social behaviors.</p> <p>Legal guardians, extended family members and other responsible adults, under whose care children are left behind by parents, need to understand the importance of proper role models and these should be provided.</p>			
Issues to be addressed by remittances				
<i>Gaps of Rights (What they must receive?)</i>	<p>Humans are social beings (Fukuyama, 2004). They are capable of developing norms of behavior that guide their relationships with each other and with their surroundings. Parents have a distinct role in the formation of positive values and behavior among children, and in a larger context, in shaping society.</p> <p>Both fathers and mothers must rear their children together; each performing their distinct roles and responsibilities. Children in turn deserve the upbringing from both parents. Surrogate parents, in the case of parents working abroad, need to realize the magnitude of their responsibilities in ensuring that children under their care grow up to their full human potential.</p> <p>The CRC was explicit in recognizing the principle that “both parents have common responsibilities for the upbringing and development of the child” (Art 18[1]).</p>			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	Promote the family as the primary citizenship-developing institution. The integrity of the family, both nuclear and extended, must be protected.	Advocate for proper parental care for children, particularly among temporary overseas workers.	Ensure that children are provided parental care by both parents	
<i>Capacity gap to undertake action required</i>	Need a policy on migration that protects the integrity of the family as the basic social institution.	Baseline studies on the impact of migration on the family and parental responsibilities.	Awareness of the importance of the family on the development of children	
<i>Pre-requisite</i>	Political will to make a clear stand on migration and its impact on families and children.	Support for research	Education and access to information	

Children's Right: EDUCATION		Child 0-5	Child 6-12	Child 13-18
<i>Indicative Impact of Migration</i>	<i>Impact on Life Cycle of Child</i>	X	X	X
	<p>Raw data indicate that about 10% of remittances are utilized for the education of children</p> <p>While remittances may enable children to attend better schools, they are likely to experience psycho-social problems in the absence of one or two parents</p> <p>During parent-teacher conferences/meetings, children may feel embarrassed that his/her parents are not around</p> <p>Schools are extensions of the home; if there is an emotional void that a child experiences at home, its impact is likely to be carried on into the classroom and this is likely to affect his mental and emotional ability to cope with academic pressures</p>			
Issue to be addressed	<p>How can remittances be more systematically used to contribute to children's higher achievements at school (attendance, completion, etc.)?</p> <p>How can remittances be more systematically used to permit access to ECCD?</p>			
<i>Gaps of Rights (What they must receive?)</i>	<p>The family expenditure pattern must reflect the prioritization of children's welfare, particularly health and education.</p> <p>Children must be provided the best opportunities to develop not only physically and emotionally, but intellectually, morally and socially as well. Formal schooling contributes substantially to the well-rounded development of children.</p> <p>However, parental guidance and presence are essential in enhancing the learning capabilities of children. Surrogate parents need to realize the importance of providing emotional support for children so that they may do well in school.</p>			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p>Free public education at the primary level and to some extent at the secondary level</p> <p><u>UN CRC Committee recommendations:</u></p> <ul style="list-style-type: none"> • increase budgetary allocation • ensure free and universal primary education • adopt measures to decrease the drop-out rate in the primary and secondary levels 	<p>Advocate and monitor government budgetary allocation for education.</p> <p>Work towards the elimination of corruption in the public school system and in Dept of Ed.</p> <p>Support reforms in the education sector, particularly in improving teacher competencies in teaching math, science and English subjects.</p> <p>Encourage families of migrants to prioritize their children's</p>	<p>Ensure that children receive the appropriate education, formally at school and informally at home. The home is the ideal place for children to develop emotional, spiritual, moral and social potentials.</p>	

	<ul style="list-style-type: none"> • upgrading of teachers' training • provide more infrastructure 	education in the family expenditure pattern	
<i>Capacity gap to undertake action required</i>	Limited financial resources to improve education	Baseline data on family expenditure patterns among migrant workers and their families Financial and human resources	Awareness of the importance of education not only to the child but for the family, as education improves their conditions and prospect of escaping the poverty trap.
<i>Pre-requisite</i>	Governance, fiscal and institutional reforms that will result in more efficient use of resources	Support for research on expenditure patterns of migrant households Continued support from donor agencies	Education and access to information

Children's Right: LEISURE, RECREATION AND CULTURAL ACTIVITIES		Child 0-5	Child 6-12	Child 13-18
	<i>Impact on Life Cycle of Child</i>	X	X	X
<i>Indicative Impact of Migration</i>	<p>In some cases, a balanced life of leisure and recreation is difficult to find among children of migrants. Since the family can afford to buy expensive toys and appliances, and often because parents shower their children with toys to make up for their absence, children become addicted to toys and television.</p> <p>This situation may likely result in gaps in the emotional maturity of children. It will also likely impact on the ability of children to develop adult responsibility as well as cultivate meaningful relationships.</p>			
Issues to be addressed	<p>How can remittances be used to permit increased access not only to leisure and recreation but also to cultural activities?</p> <p>How can remittances be used at a community level to develop the required infrastructures and offer the adequate services?</p>			
<i>Gaps of Rights (What they must receive?)</i>	Parents or adult should provide children with the appropriate guidance in pursuing leisure, recreation and cultural activities. They must ensure that the pursuit of these activities is in a balanced manner and not in a way that is detrimental to their well-rounded education.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<u>UN CRC Committee recommendations:</u> Take all necessary	Continued advocacy of government fulfillment of its obligations to the	Provide children with balanced leisure, recreation and cultural	

	efforts, and strengthen current programs to promote the right of the child to engage in play, particularly to the most vulnerable groups	CRC	activities
<i>Capacity gap to undertake action required</i>	Prioritization of State obligation to the CRC	Financial and human resources	Poverty (in situations where parents have to work abroad) and lack of time are the major obstacles to the ability of parents to exercise proper guidance to their children.
<i>Pre-requisite</i>	Continued recognition of the importance of the CRC in nation-building	Continued priority of CRC monitoring among NGOs	Awareness of the need for a balanced life of leisure, school and other activities

Children's Right: PROTECTION FROM DRUG AND SUBSTANCE ABUSE		Child 0-5	Child 6-12	Child 13-18
<i>Indicative Impact of Migration and Remittances</i>	<i>Impact on Life Cycle of Child</i>			X
	Absence of proper parental presence and guidance may contribute to drug abuse among children Family problems are often cited as the major driver of drug and substance abuse			
Issues to be addressed				
<i>Gaps of Rights (What they must receive?)</i>	Parents must guide their children in order to prevent them from being involved in drug and substance abuse. Children need to be protected from the influence of illegal drugs and substances.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<u>UN CRC Committee recommendations:</u> <ul style="list-style-type: none"> - Effectively implement the Comprehensive Dangerous Drugs Act of 2002 - Expand public education on drug abuse prevention 	Support advocacy programs on prevention of drug and substance abuse	Provide children with a balanced family life and the appropriate standard of living for total development.	
<i>Capacity gap to undertake action</i>	Limited resource devoted to the prevention of drug	Financial and human resources	Poverty (in situations where parents have to	

<i>required</i>	and substance abuse. Need to eliminate corruption in the police and anti-drug agencies.		work abroad) and lack of time are the major obstacles to the ability of parents to exercise proper guidance to their children.
<i>Pre-requisite</i>	Governance, fiscal and institutional reforms – particularly focusing on the police, NBI and the justice system.	Donor interest	Awareness of the dangers, dynamics and influence of drug and substance abuse

Children's Right: ADMINISTRATION OF JUVENILE JUSTICE SYSTEM		<i>Child 0-5</i>	<i>Child 6-12</i>	<i>Child 13-18</i>
<i>Indicative Impact of Migration and Remittances</i>	<i>Impact on Life Cycle of Child</i>			
	As a result of the inadequacy of parental guidance, the number of children in conflict with the law as juvenile delinquents may increase		X	X
<i>Gaps of Rights (What they must receive?)</i>	Children of temporary overseas workers should be provided guidance and care to prevent them from committing crimes. The absence of their parents should not be an excuse for them to be in conflict with the law.			
<i>Responsible Entities</i>	<i>Government</i>	<i>Media, NGOs, Research</i>	<i>Parents and Family</i>	
<i>Responsibilities and Action required</i>	<p>Organization into networks of the five pillars of justice system in some provinces to collectively work for the prevention and management of children victims of abuse</p> <p>Children's and women's desk established in police stations and at the National Bureau of Investigation</p> <p><u>UN CRC Committee recommendations:</u></p> <ul style="list-style-type: none"> pass legislation on Comprehensive Juvenile Justice System and Delinquency Prevention Program raise the minimum 	Pursue active NGO advocacy on reforms in the juvenile justice system and on passage of legislation governing juvenile justice	Parents should ensure that they rear up their children in the right atmosphere and with proper guidance to prevent them from committing crime.	

	<p>age of criminal responsibility to an international level</p> <ul style="list-style-type: none"> • expand juvenile justice system 		
<i>Capacity gap to undertake action required</i>	Limited resources devoted to the reforms needed in the justice system	Financial and human resources	Poverty (in situations where parents have to work abroad) and lack of time are the major obstacles to the ability of parents to exercise proper guidance to their children. Awareness of the impact of the home environment on children's behavior.
<i>Pre-requisite</i>	Governance, fiscal and institutional reforms – particularly focusing on the police, NBI and the justice system.	Donor interest and continued support for reforms in the justice system	Education and access to information

Rights of Parents

<i>Right Holder</i>	Mothers who are temporary overseas workers	Fathers who are temporary overseas workers
<i>Rights</i>	<ul style="list-style-type: none"> ▪ Right to bear children in the proper physical, psychological, emotional and spiritual environment ▪ Right to provide her daughters with an appropriate role model ▪ Right to provide her adolescent daughters with proper guidance as they go through their teen-age years 	<ul style="list-style-type: none"> ▪ Right to be with his wife in her pregnancy to provide her with physical, psychological, emotional and spiritual support ▪ Right to provide his sons with an appropriate role model ▪ Right to provide his sons with proper guidance as they go through their teen-age years
	<ul style="list-style-type: none"> ▪ Right to be with their children to provide them guidance, care and proper example ▪ Right to communicate with their children regularly ▪ Right to provide for the physical, psychological, emotional, spiritual, mental and social needs of their children as father and mother and having joint common responsibilities as parents 	

<i>Indicative Impact of Migration and Remittances</i>	<ul style="list-style-type: none"> ▪ Mothers who work abroad are unable to provide the motherly care and guidance that her children needs, particularly those who are very young ▪ Because of the pressure to earn a living, mothers leave very young children, some newly born, to surrogate mothers ▪ Pregnant women who continue to work abroad are exposed to tremendous risk and pressures, endangering the welfare of the child they are carrying ▪ Women are forced to take the so-called 3-D jobs (dirty, demeaning and dangerous) ▪ Women are vulnerable to physical and sexual abuse, maltreatment and violence in their work places 	<ul style="list-style-type: none"> ▪ Men suffer the emotional stress of being separated from their families 	
	<ul style="list-style-type: none"> ▪ Separation of spouses has contributed to infidelity, marital quarrels and in many cases break-up ▪ Other children are born out of wedlock because of marital infidelity 		
<i>Desired Impact of Remittances and Migration</i>	<ul style="list-style-type: none"> ▪ Mothers should be with their families to provide them care and guidance ▪ Working abroad must enhance the ability of mothers to take care of their children and perform her role ▪ Women should be protected in their workplace 	<ul style="list-style-type: none"> ▪ Fathers should be with their family to provide them care, guidance and protection 	
	<ul style="list-style-type: none"> ▪ Migration should involve the entire family and not separate children from their parents. ▪ Temporary overseas work must only be undertaken for short periods of time and only when children are older. 		
<i>Responsible Entities</i>	<i>Government</i>	<i>NGOs, Academia, Media</i>	<i>Family</i>
<i>Action required (How?)</i>	<ul style="list-style-type: none"> ▪ Promote economic development to provide more employment and business opportunities locally ▪ Issue clear policy on migration and temporary overseas workers ▪ Protect the ability of parents to 	<ul style="list-style-type: none"> ▪ Involvement in the issues of migrants and their families ▪ Media discussion on the impact of migration on children, women, family, 	Protect the integrity of the family as the best environment in the rearing of children to enable them to attain their full development potential

	<p>perform their socially ordained roles as fathers and mothers</p> <ul style="list-style-type: none"> ▪ Mothers should not be allowed to leave when they have children below age 3. ▪ Both parents should not be allowed to work abroad for long periods of time when they have children below age 5 	<p>communities and society as a whole</p> <ul style="list-style-type: none"> ▪ Promoting discussions that migration is not the solution to development problems in the Philippines; that it merely masks the underlying fiscal, governance and structural issues. 	
<i>Capacity gap to undertake action required</i>	<ul style="list-style-type: none"> ▪ Political economy is controlled by oligarchs and political tribes ▪ Weak institutions 	Awareness of the issues of migration and its impact on children, the family, communities and society	Economic means to provide for the children
<i>Pre-requisite</i>	<ul style="list-style-type: none"> ▪ Fiscal, institutional and governance reforms 	Baseline data and research on the social impact of migration	Education and commitment to protect the integrity of the family

7. Annex B

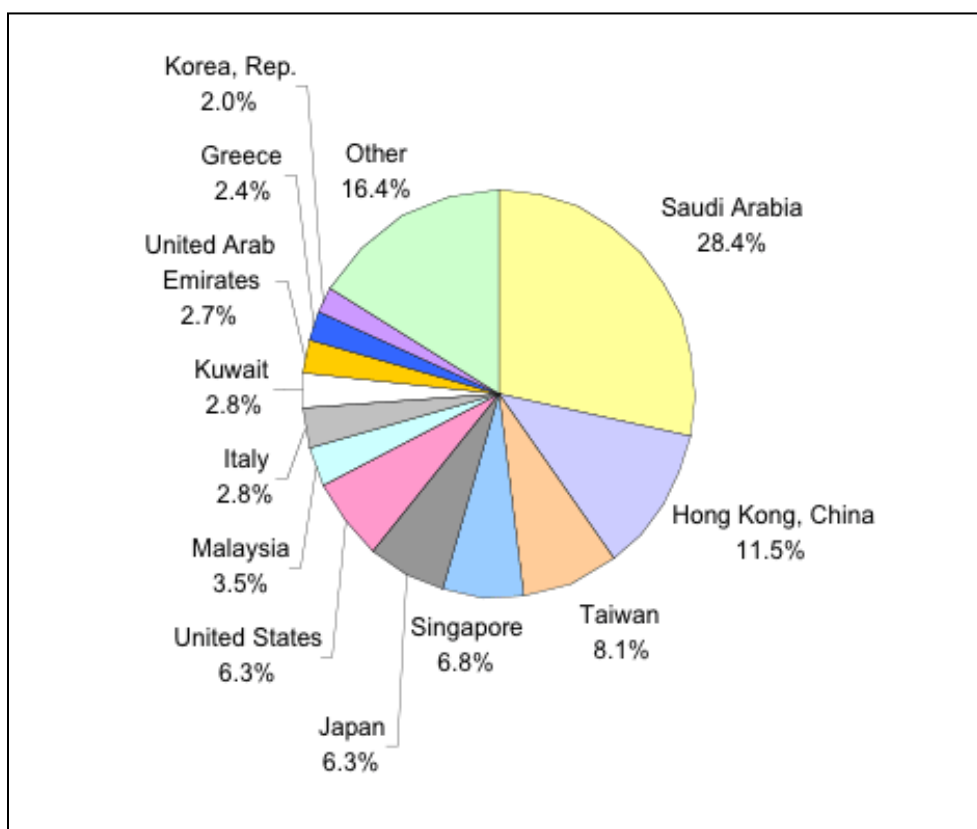
Deployment of Overseas Filipino Workers, 1984-2002

Year	Land-based	Growth Rate	Sea-based	Growth Rate	Total	Growth Rate
1984	300,378	-	50,604	-	350,982	-
1985	320,494	6.70	52,290	3.33	372,784	6.21
1986	323,517	0.94	54,697	4.60	378,214	1.46
1987	382,229	18.15	67,042	22.57	449,271	18.79
1988	385,117	0.76	85,913	28.15	471,030	4.84
1989	355,346	-7.73	103,280	20.21	458,626	-2.63
1990	334,883	-5.76	111,212	7.68	446,095	-2.73
1991	489,260	46.10	125,759	13.08	615,019	37.87
1992	549,655	12.34	136,806	8.78	686,461	11.62
1993	550,872	0.22	145,758	6.54	696,630	1.48
1994	564,031	2.39	154,376	5.91	718,407	3.13

1995	488,173	-13.45	165,401	7.14	653,574	-9.02
1996	484,653	-0.72	175,469	6.09	660,122	1.00
1997	559,227	15.39	188,469	7.41	747,696	13.27
1998	638,343	14.15	193,300	2.56	831,643	11.23
1999	640,331	0.31	196,689	1.75	837,020	0.65
2000	643,304	0.46	198,324	0.83	841,628	0.55
2001 ^r	662,648	3.00	204,951	3.30	867,599	3.08
2002	682,315	3.00	209,593	2.30	891,908	2.80

r - revised

(Source: Philippine Overseas Employment Authority)



(Source: Dean Yang, "How Remittances Help Migrant Families, University of Michigan, Dec 1, 2004, using data from the 1997 Survey on Overseas Filipinos, National Statistics Office, Philippines.)

Deployment of Newly-Hired Land-based Overseas Filipino Workers (1992-2002)

Year	New Hired Departures	Growth Rate (ave. of 0.67%)
1992	260,594	
1993	256,197	-2%
1994	258,986	1%
1995	214,157	-21%
1996	205,791	-4%
1997	221,241	7%
1998	219,215	-1%
1999	237,260	8%
2000	253,030	6%
2001	258,204	2%
2002	288,155	10%

(Source: Commission on Filipinos Overseas)

Estimate of Repeat Departures, 1992-2002

Year	New Hired Departures	Total Departures	Repeat Departures
1992	260,594	549,655	289,061
1993	256,197	550,872	294,675
1994	258,986	564,031	305,045
1995	214,157	488,173	274,016
1996	205,791	484,653	278,862
1997	221,241	559,227	337,986
1998	219,215	638,343	419,128
1999	237,260	640,331	403,071
2000	253,030	643,304	390,274
2001	258,204	662,648	404,444
2002	288,155	682,315	394,160

Notes: The figures on New Hired Departures were taken from **Table 4** and the figures on Total Departures were extracted from **Table 2**.

Growing Feminization of Recent Departures of Land-based Overseas Contract Workers, 1992-July 2002

Skills Category	Females (%)
Professional and Technical Workers	Ave. 77, growing from 75-85
Managerial Workers	Ave. 22, growing from 16 to 22
Clerical Workers	Ave. 42, growing from low of 28 to high of 62
Sales Workers	Ave. 42, growing from low of 38 to high of 57
Service Workers	Ave. 89, growing from 82 to 91
Agricultural Workers	Growing from 1 to 7
Production Workers	Growing from 11 to 28
Other Skills	Growing from 50 to 72

Source of figures: ILO Tables, Deployment of Land-based Newly Hired OFWs, by Skills Category and Sex, 1992-July 2002

Other Examples of Filipino Diaspora Giving

- The Filipino American Medical Incorporated, a New York based group of doctors, from 199 to 2003, completed 124 major surgeries, provided free medical consultants to about 20,000 medical patients and shipped over USD2 million in medicine, surgical supplies and equipment.
- The Carolina Medical Mission, a committee of the Philippine American Association of North Carolina, soliciting donations from fellow Filipinos and Americans, conducted medical missions in seven rural provinces from 2000 to 2002 and provided some USD 114,848.69 to various beneficiaries, excluding the value of various medical equipment.
- The Filipino-American Community of South Puget Sound in Olympia, Washington State, channeled about USD216,000 through their Philippine counterpart, the Loving Presence Foundation, based in Bislig City, Surigao del Sur, to fund rehabilitation and livelihood programs of persons with disabilities in Bislig.
- In the North American region, Feed the Hungry, Inc, had shipped over Php38 million to poor Filipinos in some 70 provinces nationwide, in the areas of school building, libraries, books, wells, and other infrastructure.
- Hometown associations likewise have pooled their funds to renovate their hometown's auditorium, finance fiesta celebrations, build or renovate their churches, or provide scholarship grants to poor but deserving students in their hometowns.
- Alumni associations, such as the UST Medical Alumni Association in the US provided over USD700,000 for medical research and faculty development for UST's Faculty of Medicine.
- Possibly the most visible initiative is that of Gawad Kalinga, which builds houses jointly with beneficiaries in depressed communities in the Philippines. As of May 24, 2005, GK has reportedly sourced over Php25 million from overseas Filipino members of the Couples for Christ to build about 500 houses.

From: Idefonso F. Bagasao, Jr., "Tapping Filipino Migrant Remittances for Local Economy and Development: Issues, Case Studies and Recommendations for Policy Consideration, a paper for presentation to the Ateneo Policy Center, October 11, 2005

Investments in children

Prior to the Asian financial crisis, a migrant's household back in the Philippines spent 5.4 percent of household income on education. A 25 percent improvement in exchange rates led to an increase in educational expenditures equivalent to 0.7 percent of household income.

Investments in children aged 10 to 17 also improved with positive exchange rate shocks, but in slightly different ways for boys and girls. The 25 percent exchange rate improvement led to a 3.3 percent increase in girls' school attendance and a 1.7 percent increase for boys, from base attendance rates of 95 percent and 93 percent, respectively.

Prior to the crisis, boys and girls aged 10 to 17 worked an average of 1.5 and 0.6 hours per week, respectively. A 25 percent exchange rate improvement decreased hours worked per week by 0.81 hours for boys, and by 0.54 hours for girls. Most of these declines in child labor were in unpaid work in a family farm or business.

*From "How Remittances Help Migrant Families", Dean Yang,
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