

November 2020

Children's Rights and Business in the Time of COVID19

Introduction

As the world deals with the current COVID-19 pandemic, governments around the world have issued policies and implemented measures not only to arrest the spread of the pandemic, but to mitigate its impact as well. Different stakeholder groups — including civil society organizations and the business sector — have also been contributing to initiatives that aim to provide safety nets for citizens most affected by the pandemic.

In the Philippines, businesses have stepped up in providing aid to frontline workers, employees and Filipinos affected by the pandemic by: donating protective personal equipment; extending financial assistance; initiating donation drives; and, pledging the use of their facilities.¹ For instance, Aboitiz Foundation has set up a fundraising page called Help Our Health Workers Fight COVID-19 to raise money for PPE sets and has donated surgical masks and gloves to different government hospitals. Araneta City and Ayala Malls have waived rentals of their tenants who were not allowed to operate during the lockdown.

The COVID-19 pandemic has all the more exposed how businesses impact children's lives. As the Philippine economy took a hit due to the restrictions imposed by the government, businesses had to limit, temporarily suspend, or permanently terminate their operations depending on firm size.² As such, the ways in which companies adapted their operations to the new normal did not only affect the employees and workers of these businesses but also their families and their children. Children are stakeholders as they can be members of a community where businesses operates; or they become direct consumers of a business's products and services; or they can be children of the company's employees.

Moreover, due to mobility restrictions, some businesses were forced to shift towards e-commerce in order to generate revenue during this time.³ This shift led consumers — including children — to rely more on the Internet and social media to purchase products and services. This would require businesses to be more responsible in advertising and selling their products and services online, especially with regards to the online safety of children who are now spending most of their time on the Internet.

In 2012, the United Nations Global Compact, Save the Children, and UNICEF developed a set of principles that serves as guidelines for what businesses can do to respect and protect children's rights. The Children's Rights and Business Principles (CRBP) does not only highlight the government's duty to protect and safeguard children's rights, but also defines the scope of businesses' corporate responsibility towards children. This revolves around the idea that the private sector has the responsibility to respect children's rights, and they should make a commitment to support such rights through clear policy commitments, due diligence processes, and remediation measures.

The CRBP covers a wide range of critical issues affecting children and lay down ten (10) principles that apply in the different impact areas of businesses — in the workplace, the market place and the environment and community.

Principle 1 outlines the responsibility of companies to respect and support children's rights through policy commitments, due diligence, and remediation. Principles 2, 3, and 4 revolve around the conditions faced by children in the workplace and provide action points to address these, such as: providing access to decent working conditions for children or their parents and caregivers; and protection in business activities and facilities. Principles 5 and 6 are applicable to the marketplace and highlights how products and services, marketing, and advertising catered to children should

1 LIST: Aid from Philippine companies during corona virus pandemic, rappler.com, Mar 23, 2020, available at <https://www.rappler.com/business/aid-philippine-companies-coronavirus-pandemic> (last accessed Nov. 25, 2020).

2 Asian Development Bank, The Covid-19 Impact oh Philippine Business Key Findings from the Enterprise Survey, (2020), available at <https://www.adb.org/sites/default/files/publication/622161/covid-19-impact-philippine-business-enterprise-survey.pdf> (last accessed Nov 11, 2020), at 23.

3 Ibid. at 23.

respect and protect their rights. Lastly, principles 7 to 10 focus on the impact of businesses in the community and the environment in relation to children, and reinforce community and government efforts to respect and protect children's rights.

CRBP: 10 GUIDING PRINCIPLES



- 1** Meet their responsibility to respect children's rights and commit to supporting the rights of children
- 2** Contribute to the elimination of child labor, including in all business activities and business relationships
- 3** Provide decent work for young workers, parents, and caregivers
- 4** Ensure the protection and safety of children in all business activities and facilities
- 5** Ensure that products and services are safe, and seek to support children's rights through them
- 6** Use marketing and advertising that respect and support children's rights
- 7** Respect and support children's rights in relation to the environment, and land acquisition and use
- 8** Respect and support children's rights in security arrangements
- 9** Help protect children affected by emergencies
- 10** Reinforce community and government efforts to protect and fulfill children's rights

These principles do not impose new obligations for businesses, but reinforce internationally recognized standards. First, the CRBP does not create new or additional rights for children. Rather, it provides an operational framework for businesses to respect children's existing and inalienable rights as established under the UN Convention on the Rights of the Child (CRC).⁴ General Comment No. 16⁵, issued by the UN Committee on the Rights of the Child, emphasized that the duties and responsibilities to respect the rights of children apply not only to governments, but also to private actors and business enterprises. It further stressed that all business enterprises must meet their responsibility towards respecting and supporting children's rights and gave governments guidance on how to regulate and engage the business sector to ensure that children's rights are respected in their operations.⁶ The CRBP also draws from the International Labour Organization's Conventions No. 138 on Minimum Age and No. 182 on the Worst Forms of Child Labour which seeks to eliminate child labor and sets out minimum acceptable ages for child work. In addition, the CRBP is grounded on the UN Guiding Principles on Business and Human Rights that seeks to prevent and address the adverse impacts on human rights of business activity, centered on three pillars: (1) State duty to protect human rights; (2) Corporate responsibility to respect human rights; and (3) Access to remedy.⁷

Why Business and Children's Rights?

When pertaining to negative impact that business may have on children's rights, oftentimes, reference is made to child labor and practices that seek to eliminate this. However, businesses affect children directly and indirectly in a myriad of ways, as children are an unique stakeholder group with specific vulnerabilities. For example, business practices that are harmful to the environment may affect the health and well-being of children. In addition, the failure to provide

4 Save The Children & UNICEF, Child Rights and Business Principles in Context, available at https://resourcecentre.savethechildren.net/node/8401/pdf/crbp_incontext.pdf (last accessed Nov. 11, 2020)

5 UNCRC, General Comment No.16

6 UNCRC, General Comment No. 16 par.8

7 Save The Children & UNICEF, Child Rights and Business Principles in Context, available at https://resourcecentre.savethechildren.net/node/8401/pdf/crbp_incontext.pdf (last accessed Nov. 11, 2020)

decent employment conditions like fair wages, flexible working hours and parental leaves negatively affect the quality of childcare that parents provide to their children. Parents who do not earn income sufficient to meet the cost of decent living will have difficulties providing their children with proper nutrition and healthcare. Irresponsible marketing practices may expose children to harmful content or entice them to use products that are not age-appropriate. These are just some of the child rights risks that the CRBP seek to address and mitigate.

As more companies shift towards sustainable operations, they have also become more aware of their impact not only on their employees and their consumers, but also on the environment and their communities. Notably, the Security and Exchange Commission has required all publicly listed companies to comply with sustainability reporting requirements through Memorandum Circular No. 4 released last February 2019.⁸ This includes reporting on the social, environmental, and rights impact of the business operations. Businesses that integrate children's rights into their framework will generate benefits and returns in the long run. Incorporating social and environmental issues, human rights and safeguarding children's interests into a company's definition of risk will help improve their risk management. Complying with laws that are aimed to fulfill children's rights such as prohibitions against child labor and provision of maternity leaves and breastfeeding supports, companies will also avoid lawsuits for unlawful business practices. Better integration and respect for child rights will also mean improved recruitment, retention and morale of workers, increased productivity, mitigated reputational risks, and improved investor confidence.⁹ Further, businesses adhering to the CRBP can build a business' reputation and help secure the 'social license to operate' by demonstrating that the beneficial impacts of companies' products, responsible marketing and good relationships with local communities can meet the needs of parents and children.

In the context of the current pandemic, using the CRBP as guiding principles for how companies should conduct their business operations is even more crucial. Children are exposed to higher risks of violence, abuse and exploitation and their vulnerabilities of children are exacerbated in emergency situations such as the COVID19 pandemic. Thus, with parents losing their jobs and families losing their source of income as more businesses cease their operations while the country is in community quarantine, the risk of children being subjected to forced and exploitative labor also increases. Similarly, it becomes imperative for companies to ensure that products offered online are safe for children, and

that children are not exposed to age-inappropriate digital marketing content. In a time when the business sector implements a number of measures to cope with the pandemic and to extend assistance to government relief efforts, CRBP serves as useful guide posts on what businesses can do to protect and support children's rights in every aspect of business operations.

Realizing CRBP amidst the COVID-19 Pandemic

Businesses can contribute significantly in protecting and supporting children's rights especially during this pandemic. In developing their strategies and in making business decisions to adapt to the new normal, companies are encouraged to promote and support children's rights while using the CRBP as their guidelines.

Sustaining the Fight Against Child Labor

Principle 2 of the CRBP calls on businesses to contribute to the elimination of child labor, including in all business activities and business relationships. This is consistent with Article 32 of the Convention on the Rights of the Child, ILO Convention 182 on the Elimination of the Worst Forms of Child Labour and ILO Convention 138 on the Minimum Age of Employment which recognize the right of every child to be protected from economic exploitation and from performing any work that is likely to interfere with the child's education or harm the child's health.

With the current pandemic, cases of child labor and exploitation are projected to rise. The International Labour Organization estimates that around 42-66 million children could fall into poverty this year due to the current crisis.¹⁰ At a time when poverty is rising, children may be required to take on extra caregiving responsibilities or they may be forced into child labor to help increase family finances.¹¹ This, along with the disruption in education, job loss, and health shocks associated with the COVID19 are likely to drive child labor numbers up.¹² Loss of their parents' jobs and household income can also drive children into exploitative work. The ILO and UNICEF has warned that the positive trends and gains from efforts to fight against child labor in the past two decades may falter and backtrack as the pandemic takes its toll on children and their families.¹³ Anticipating such an impact in the Philippines, the Department of Labor has intensified the

8 Securities and Exchange Commission, Sustainability Reporting Guidelines for Publicly-Listed Companies, Memorandum Circular No. 4 Series of 2019 [SEC Memo.Cir. No. 4 (2019)] (Feb. 15, 2020).

9 UNICEF, Children's Rights in the Garment and Footwear Supply Chain, (2020) available at <https://www.unicef.org/media/70121/file/Childrens-rights-in-the-garment-and-footwear-supply-chain-2020.pdf> (last accessed Nov. 11, 2020), at 37.

10 International Labor Organization, COVID-19 Impact on Child Labour and Forced Labour: The response of IPEC+ Flagship Programme, (2020) available at https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@ipec/documents/publication/wcms_745287.pdf (last accessed Nov. 11, 2020) at 3.

11 Save the Children International, The impact of COVID-19 on children's lives, (2020) available at https://resourcecentre.savethechildren.net/node/18218/pdf/vr59-01_protect_a_generation_report_en_0.pdf (last accessed Nov. 11, 2020) at 48.

12 LIST: Aid from Philippine companies during corona virus pandemic, rappler.com, Mar 23, 2020, available at <https://www.rappler.com/business/aid-philippine-companies-coronavirus-pandemic> (last accessed Nov. 25, 2020).

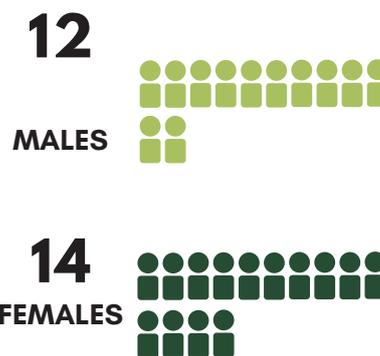
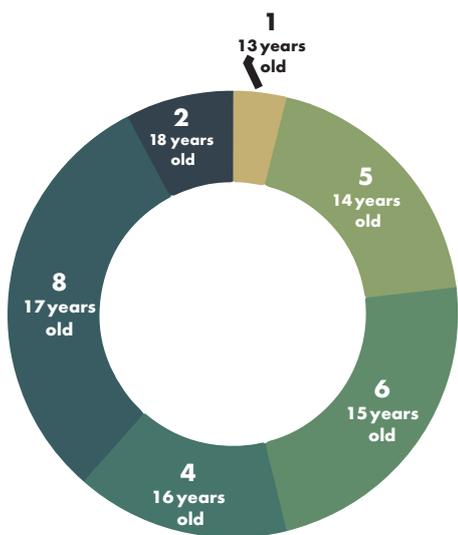
13 Ibid.

QuaranTEEN Stories: Online Consultation with Children

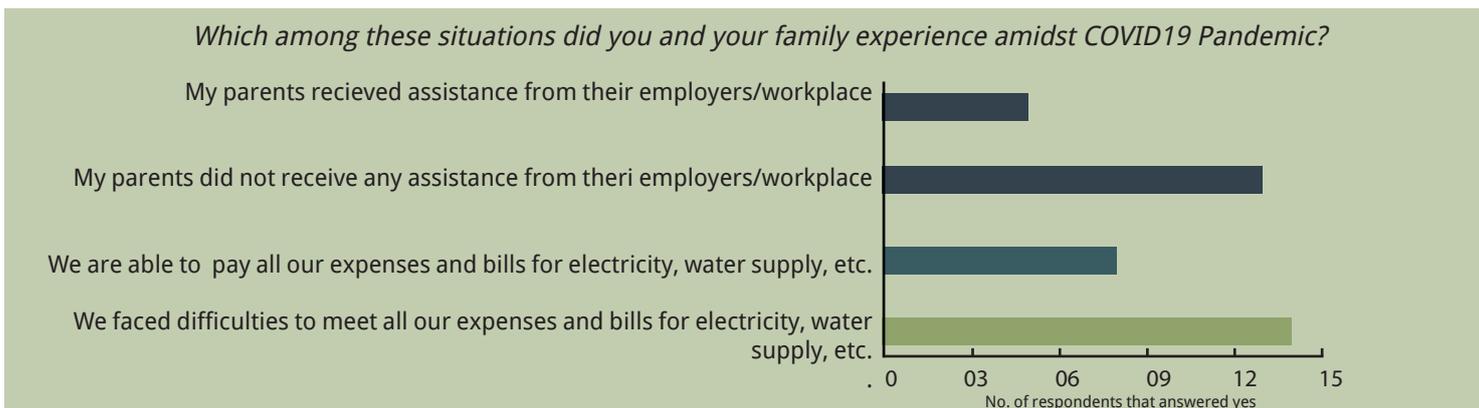
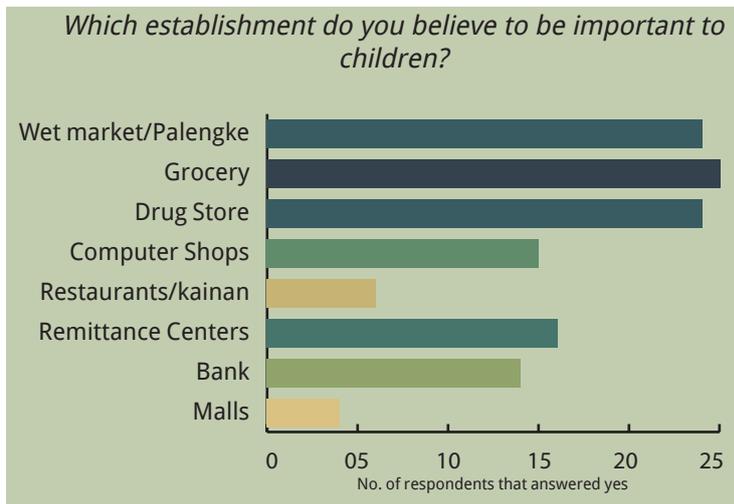
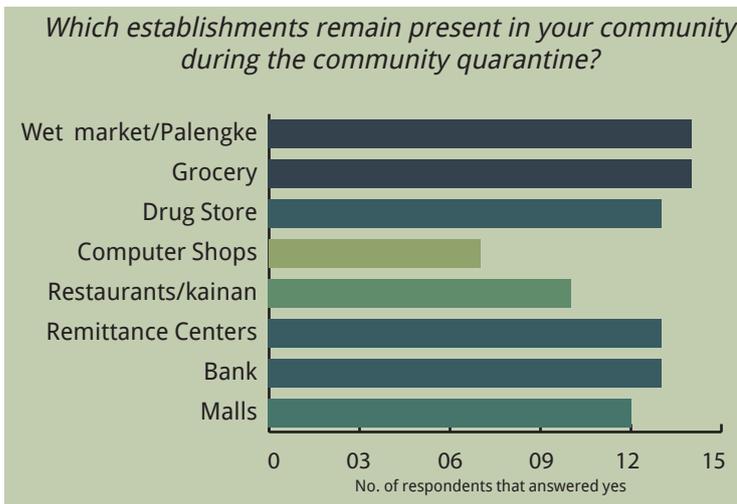
Twenty-six children ages 13-18 were consulted about children's rights and business practices through an online survey conducted from 2 October to 3 November 2020. The survey sought children's insights on issues related to business practices in the context of the COVID19 pandemic such as their parents' or guardian's access to employment, work immersion, and youth work. The survey also allowed children to share their observations about the accessibility of establishments such as markets, drugstores, remittance centers, among others, in their community. Lastly, the survey solicited children's recommendations regarding the programs extended to them by the government and business sector during the pandemic.

Generally, the respondents expressed concern regarding the safety of their parents and guardians from COVID19 as they return to their work. While the children are aware that safety kits such as face masks and shields are provided by the companies to their working parents and guardians, they feel that additional measures such as free swab testing should also be given. Most respondents shared that they would want to be allowed to apply for part-time jobs to help with basic expenses for home and school. Respondents recommended that the government and business sector work together to ensure that the basic needs are well distributed among people, and livelihood assistance can be provided to those who need it the most.

Profile of Respondents



Summary of responses to questions related to availability of establishments and situation of children during the pandemic:



Through a Child's Lens

From the QuanranTeen Survey: Children and Business during a Pandemic, most children shared the need to have an opportunity to help their family and engage in part-time work. One respondent shared that she is currently working as a call center agent as she is away from her family and her working hours is not fixed. Others cited the need for extra income to support their own education.

One child participant shared: *"[Hiling ko ay magkaroon ng] part-time jobs po para kahit papaano ay makatutulong kami sa aming mga magulang sa gastusin, kahit pambili na lamang ng mga kagamitan sa paaralan. Nais po naming ipabatid na kung maaari po ay matulungan ninyo kami na makahanap ng maaaring pagkakitaan sa panahon ng pandemya. Lumalaki na po ang aming gastusin lalo na ngayon sa aming pag-aaral [pambili ng school supplies at bayad sa load]. Sana ay mabigyan kami ng trabaho kahit sa Sabado at Linggo lamang po, magkaroon lang kami ng mapagkukunan ng pera para sa aming pag-aaral."* (Shin, 17 years old, Leyte)

Another shared: *"Nais ko lang pong sabihin na bigyan po nila ng pagkakataon na makahanap kaming mga kabataan ng pwedeng mapasukan na kung saan ay ikinokonsidera nila ang aming mga limitasyon at sinisiguro ang kaligtasan ng bawat kabataan nang sa ganoon ay matulungan namin ang aming mga pamilya."* (Arvin, 16 years old, Leyte)

Based on the survey responses, children shared that their parents who work during the quarantine period strictly follow health guidelines to ensure their safety. However, not all workplaces require and provide swab and rapid tests. One child participant shared:

"Kasalukuyang naghahanapbuhay ang isa sa nakatatanda kong kapatid. Mahirap para sa kaniya na maghanapbuhay sa gitna ng pandemya. Kinakailangan niyang sundin ang mga health protocols tulad ng pagsusuot ng face shield at face mask, gayundin ang pagdadala ng alcohol. Gayunpaman, siya ay binigyan ng kaunting tulong upang maprotektahan ang sarili at kalusugan tulad ng alcohol, disposable surgical mask, at Vitamin C." (Luis, 18 years old, Binan)

Another shared: *"Sumusunod naman po sila sa health guide ngunit wala pong rapid test or swab test na naganap. Hindi naman kasing dami ng dati ang nakakahubilo nilang tao ngayon. Wala po silang natanggap na kahit ano...sana magbigay sila ng hazard pay or bayad sa overtime kasi patuloy pa rin po silang nagseserbisyo kahit may pandemiya."* (Mae, 15 years old, Mandaluyong)

implementation of its "Project Angel Tree" under which children from poor rural families are rescued from the crutches of child labor.¹⁴ In an online survey conducted with children, most of the respondents indicated a need for opportunities for part-time work employment to enable them to help their family and support their own education.

Adherence to Principle 2 requires companies to cease the employment of children in any capacity that is likely to endanger their health, safety, or development. Despite numerous challenges to sustaining business operations during a pandemic, companies must adopt measures to reduce and ultimately eliminate child labor not only in their workforces, but also in their supply chain. Corporate action following this principle would also involve cooperation with other groups, including government and other stakeholders, to promote education and sustainable means of addressing the root causes of child labor. Due diligence should be conducted to ensure that the measures adopted by the company to deal with the pandemic does not exacerbate risks of child labor and exploitation. Corporate action under this principle in the context of a pandemic calls on business entities to consider how they can support safe return back to school for children that might be engaged in their supply chain, considering that school closure is one driver for the increase in child labor during a pandemic. Companies should have in place policies and codes of conduct that require their suppliers to commit to adhere to laws prohibiting child labor. This may be complemented by more stringent labor inspection and monitoring systems by the Department of Labor and Employment to ensure that only allowable child work are engaged by companies. Cooperation with other groups including government and other stakeholders for the promotion of education and sustainable means of addressing problems at the root of child labor should also be considered by companies. Finally, supporting decent employment for adults, which includes providing a living wage, is vital to the prevention and elimination of child labor.

Access to Safe and Decent Working Conditions

Businesses are called upon to provide decent work for young workers, parents and caregivers under Principle 3 of the CRBP. Decent work entails employment conditions that enable working parents and caregivers to fulfill their responsibilities of child-rearing and caring. It requires ensuring not only the safety and protection of workers but also their personal development.

Since the global pandemic was announced in March 2020, businesses have implemented different arrangements for their regular and part-time employees to adapt to government restrictions and minimum health safety standards. They granted leaves, offered work from home arrangements, reduced salaries and benefits, or suspended payment of wages.¹⁵ Some companies in industries considered essential during the lockdown implemented measures to ensure ease of going to and from work of their employees. For instance, CDO Foodsphere, engaged in the manufacturing industry, provided temporary shelter for its employees who live far from their factories and shuttle services for employees who go to and from work daily.¹⁶ P&G's manufacturing plant in Cabuyao City produced face masks for distribution to its employees for free, while the PHINMA Group has allocated P3.75Million to fund assistance for their 1,500 contractual staff.¹⁷

¹⁴ Department of Labor and Employment, DOLE Intensifies Program to save child labourers, Aug. 29, 2020, available at <https://www.dole.gov.ph/news/children-as-collateral-from-pandemic-dole-intensifies-program-to-save-child-laborers/> (last accessed Nov. 11, 2020).

¹⁵ Ibid.

¹⁶ <https://www.rappler.com/business/aid-philippine-companies-coronavirus-pandemic>

¹⁷ Ibid.

Through a Child's Lens

A child participant suggested that *"For businesses, they should always follow safety protocols and advise people on what to do based on the health guides that are given. For the government, provide us with health kits, conduct online programs for our mental health because I know that all of us have been stressed lately and constantly worrying on what will happen."* (Lademma, 14 years old, Pasay)

On the impact on the safety of children in relation to their access to products and services, one child shared that *"Sa tingin ko wala namang negatibong nakakaapekto sa mga batang tulad ko sa panahon ngayon. [Maliban] na lang sa pagpapabaya [ng magulang] sa kaniyang anak na makahawak ng negatibong produkto't serbisyo."* (Matthew, 14 years old, Pasay)

While children did not explicitly share any instances of online abuse, most respondents shared that they are aware of the dangers of online mobile gaming as it may directly impact their behavior towards studying. They also shared how advertisements may affect children. *"[Mula nang magsimula ang pandemya] mas gumamit [ang business] ng mga ads na nakakaakit sa mga bata. Dahil kami ay nasa bahay lamang, magandang oportunidad sa kanilang makabenta sa amin through online dahil majority sa amin mga bata ay naka online lagi."* (Matthew, 14 years old, Pasay)

Another shared: *"Ang mga pagkain sa fastfood restaurant ay [produkto at services na tingin kong may negatibong epekto sa mga bata] sapagkat madalas kahit may online delivery na ay natutukso pa rin ang iba na lumabas, gumala at pumunta sa mall upang kumain kahit hindi naman essential worker. Masasabi kong mas magiging ligtas kami kung hindi matutukso ang mga bata sa ganitong palabas."* (Jemuel, 15 years old, Mandaluyong)

Respondents shared how the government and business can work together to ensure people's safety during emergencies. One child participant shared: *"[Upang makatulong sa gobyerno, ang business ay dapat] maging responsable sa kanilang manggagawa, bigyan ng karapat dapat na sweldo at siguraduhing sumusunod ang kanilang trabaho at manggagawa sa mga health guides."* (Mae, 15 years old, Mandaluyong)

Another shared: *"[Dapat may] partnership sa pagitan ng gobyerno at ng mga business na kung saan ang business ang susuporta sa mga plano na ipapatupad ng gobyerno."* (Arvin, 16 years old, Leyte)

These responses and adaptive measures impact not only the company's workers, but also affect the children of their workers. Based on the online survey responses of children, they are concerned about the safety of their families and appreciate when the workplace of their parents or siblings has provisions for health hygiene essentials like alcohol, disposable surgical masks and vitamins. They also feel that companies should give hazard pay for their family members who continue working during the community quarantine. A respondent also noted that not all companies observe health and safety protocols such as requiring rapid or swab tests for their workers.

In the context of the pandemic, CRBP 3 becomes even more important as companies adjust and change the ways how they conduct their business and operations. Adhering to Principle 3 in the context of the pandemic is manifested through the establishment of a family-family workplace and implementation of minimum health and safety protocols. Allowing flexible work arrangements and providing guidance and training on occupational safety, health and hygiene protocols are critical ways to minimize the spread of COVID-19 in the workplace.¹⁸ Apart from lessening exposure of workers to possible infection, flexible work arrangements also give working parents the space to support their children's learning and development. Indirectly, these also ensure that their employees' children are also protected from possible infection of the virus. Workplaces can also provide special support to workers who feel stressed and anxious and caregivers who help children cope with anxiety and fear during the COVID-19 pandemic.¹⁹

Workplace practices that put first the safety of employees, such as observing minimum health and safety protocols and ensuring the availability of personal protective equipment, water and sanitation facilities are among the measures that business may take consistent with Principle 3. Companies can also provide support for medical needs and childcare of their employees, expand policies on paid sick leaves to cover all kinds of employees, support the mental health needs of their workers and ensure the payment of adequate income, which are essential in this time of crisis. In preparation for the transition to post-new normal, businesses should be able to prepare avenues for safe child-friendly working spaces and opportunities for children and youth looking for part-time jobs once they are allowed to do so.

Children in the Digital Space

Principles 5 and 6 of the CRBP apply in particular within the sphere of the marketplace. Pursuant to CRBP 5, all business should ensure that products and services are safe, and seek to support children's rights through them. Products and services of businesses should not cause children psychological, moral or physical harm, and businesses should address any risks that these products or services might be used to abuse, exploit or otherwise perpetuate violence against children. Compliance with Principle 5 also includes restricting access to products or services that are not suitable for children or that may cause them harm, and taking steps to maximize the accessibility and availability of products and services that are essential to children's survival and development.

Adherence to Principle 5 is more crucial in the context of the pandemic in view of the shift of children's activities to the digital platform – learning is supported by online tools and socialization with peers and family is done through video conferencing and messaging applications. Notably, the Philippines, 90% of children can access the internet readily and 59% of them

18 UNICEF USA, Using the Intrapreneurship Guide During COVID-19, available at https://www.unicefusa.org/sites/default/files/Intrapreneurship_Guide_Cover_Sheet_2.pdf (last accessed Nov. 11, 2020).

19 Ibid.

access the internet without the supervision of a parent or caregiver.²⁰ Access to digital technology is imperative for children, especially those living in marginalized community, to ensure continuity of their education. In line with principle 5, companies in the ICT industry may consider how they can support continuity in learning of children using the digital environment. PLDT-Smart, for instance, partnered with the DepEd for the provision of portable digital classrooms designed to support distance learning of students in remote areas.²¹ The PLDT Group likewise launched free airing of DepEd TV in two channels of their affiliate company Cignal TV Inc. and released a one-stop-app for digital educational resources called Gabay Guro.

While the digital space is especially valuable to support children's rights to education, development and access to information during this pandemic, it also increases that exposure of children to online risks and dangers such as cyberbullying and online sexual exploitation of children. During the first quarter of the pandemic, the Department of Justice Office of Cybercrime has reported a 264.63% increase in the number of NCMEC Cybertip Reports referred to them from March to May 2020, compared to the reports they received the same time in the previous year.²²

Ensuring the protection and safety of children in the digital space entails that business take measures to address potential and actual risks to the safety of children of their business activities in the digital space pursuant to Principle 5. Thus, companies belonging to the ICT industry should take steps to ensure the safety of children who have access to their products or services. One way of doing this is through developing tools that enable them to detect whether content that goes through their platform are sexually exploitative of children, prevent these from being made accessible through their platforms, and take report to law enforcement authorities, thereby contributing to lowering the risks of Online Sexual Exploitation of Children (OSEC). With children spending more time online during the pandemic, measures should be taken to mitigate concomitant risks. Clear protocols on how children's information and privacy are secured by companies who do their business online, as well as mechanisms on redress for violations should be available. Children's rights to freedom of expression, access to information, and protection should be safeguarded when they interact online. Companies can improve safety features of their platforms and make sure that these are made widely available to children and their parents or guardians.

In the online survey with children, while the respondents did not explicitly share any instances of where they experienced online abuse, they shared that they are aware of the dangers of online mobile gaming and how it may directly affect their behavior towards studying. The children also expressed that the establishment of faster and more stable internet connectivity in their localities is imperative, especially now that the learning platform is online.

Additionally, the children shared that online advertisements can easily influence them nowadays, considering that they always see these materials online. In this relation, it is worth noting how marketing industry has evolved, as more and more, products are being advertised online. The nature of advertising has changed and now includes sponsored searches, influencer posts, viral campaigns and promotions that offer goods and services in exchange for data.²³ Digital advertising are within easy reach children easily online, whether the content is appropriate for them or otherwise. The use of influencers or viral marketing for products that are inappropriate for children may persuade children to try such product or service. Children can also influence their parents' purchasing choices.

This directly relates to CRBP 6, which states that all businesses should use marketing and advertising that respect and support children's rights. When businesses reach out to children through marketing, advertising and other forms of communication, Principle 6 requires that they exercise vigilance to ensure these efforts fall in line with children's rights principles. Companies should in particular consider children's greater susceptibility to manipulation and deception, and always seek to provide clear, complete and accurate information to help children and their parents or guardians make fully informed decisions. Business are called on to proactively use marketing that raises awareness and promotes children's rights, healthy lifestyles and non-violent values. Additionally, it is incumbent upon businesses who promote and sell their products online to ensure the quality of their products and that these are safe for children.

Digital marketing practices should be designed in a manner consistent with the CRBP by making sure that advertisements directed at children are suitable for them and are not placed within websites or games that contain inappropriate content for children. Clear advertising guidelines covering the use of influencers and paid ads should also be made available.

20 Katrina Hallare, UNICEF: Pandemic 'worsening' child sexual abuse, exploitation in PH, INQUIRER.NET, Sept. 17, 2020, available at <https://globalnation.inquirer.net/190923/unicef-pandemic-worsening-child-online-sexual-abuse-exploitation-in-ph> (last accessed Nov 11, 2020).

21 <https://smart.com.ph/About/newsroom/press-releases/csr-news/2020/10/20/more-teachers-learners-to-receive-devices-for-distance-learning-through-pldt-group-s-school-in-a-bag-donation-to-deped>

22 Anna Malindog-Uy, Philippines: Online Child Sexploitation Hotspot, Oct. 18, 2020, available at <https://theseanpost.com/article/philippines-online-child-sexploitation-hotspot> (last accessed Nov. 11, 2020)

23 UNICEF, Children and Digital Marketing: Brief for Policy Makers, available at <https://www.unicef.org/csr/files/Brief-Children-and-Digital-Marketing.pdf> (last accessed Nov. 11, 2020).

Products that are harmful to children should not be marketed online in sites that are easily accessible to children.

Responding to Emergencies

Emergency situations, such as armed conflict, natural disasters or public health emergencies bring greater risks of children's rights violations, and companies doing business in these circumstances must be extremely vigilant to avoid causing or contributing to these violations. Emergency situations such as the current pandemic causes significant disruption in a child's growth and development as it oftentimes cause prolonged disruption in educational systems, takes children outside the environment within which they develop through learning and interacting with peers. It further affect children's rights by making children more vulnerable to risks such as disease, poor health and nutrition, violence, exploitation and neglect.

CRBP 9 requires that businesses continue to respect children's rights in times of emergency. In line with this, businesses can engage in partnerships for the provision of humanitarian assistance and support government programs that aim to extend social safety nets for families. In the context of the pandemic, businesses should ensure that the rights of children are considered in providing assistance to communities. Relatedly, CRBP 10 calls on businesses to reinforce community and government efforts to protect and fulfill children's rights. This includes supporting initiatives that further children's rights, contributing to social and community investment programs and partnering with governments to deliver services.

Children who participated in the online survey pointed out that among the things business should ensure during the pandemic is compliance with government regulations pertaining to fair wages and health protocols, and pursuing partnerships with government agencies in support of government's responses to the pandemic. Many Philippine companies have actually extended support to government efforts since the beginning of the pandemic.

Apart from initiating humanitarian relief efforts by donating food packs, hygiene kits and personal protective equipment, companies have contributed significantly by, among others, allowing the use of their facilities as temporary housing facilities or quarantine facilities, waived fees such as rentals and toll fees. For instance, San Miguel Corporation repurposed their liquor manufacturing facilities to produce 70% ethyl alcohol amidst the shortage of disinfectants in March-April. Globe Inc. waived charges for calls to government numbers and health hotlines such as the DOH COVID19 hotline, national emergency hotline and KonsultaMD. These initiatives demonstrates how businesses can make use of their existing business models and tweak them in a way that supports crisis mitigating efforts, consistent with principles 9 and 10.

Within the framework of CRBP, the role of the business sector in crisis situations goes beyond giving humanitarian aid. Businesses should also consider providing additional social protection and safety nets for workers and their families to complement government programs. As shown above, existing business models of a company and their products and services may be used in ways that support children's rights during the pandemic. Information dissemination drives and education campaign regarding pandemic, safety measures that must be taken and safeguarding rights of children during this crisis may also be undertaken jointly with the government and the civil society sector.

In crisis situations like this, strengthening the fabric between government and business is all the more important — government should be present to support businesses to mitigate the impacts they have in relation to children, and businesses should exert efforts to support government initiatives in response to the pandemic in a way that fulfills children's rights. Supporting government efforts to deal with the impacts of the pandemic using the CRBP as a framework is one significant contribution that the business can give. Executive business decisions, whether pertaining to their internal operations and processes or corporate social responsibility programs that aim to soften impacts of the pandemic, affect children either directly or indirectly. The CRBP is a useful framework for businesses to follow if they are to positively contribute to the fulfillment and promotion of children's rights. ■

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