

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH (18TH) CONGRESS
First Regular Session

House Res. No. 176



Introduced by Rep. BERNADETTE R. HERRERA-DY

RESOLUTION

URGING THE MEMBERS OF THE HOUSE TO CALL UPON PRESIDENT RODRIGO ROA DUTERTE TO RETAIN THE EXISTING LEGISLATED MINIMUM AGE OF CRIMINAL RESPONSIBILITY(MACR) OF CHILDREN IN CONFLICT WITH THE LAW (CICL) AND INSTEAD PROVIDE FUNDING AND RESOURCES TO BETTER THE IMPLEMENTATION OF THE EXISTING LAWS.

WHEREAS, Republic Act No. 9344, as amended, otherwise known as the Juvenile Justice and Welfare Act of 2006 established a comprehensive and child-sensitive reformatory justice system for children in conflict with the law;

WHEREAS, Republic Act No. 9344, as amended, adopts the United Nations standards on juvenile justice¹, prohibiting the incarceration of children, and raised the age of criminal responsibility from nine (9) years age to fifteen (15) years of age²;

WHEREAS, Republic Act No. 9344, as amended established an Intensive Intervention and Support Centre within the Bahay Pag-Asa³;

WHEREAS, President Rodrigo Roa Duterte has expressed interest in lowering the Mandatory Age of Criminal Responsibility from fifteen (15) years of age to twelve (12) years of age⁴;

WHEREAS, a comprehensive Study showed that while most children in conflict with the law stay either at DSWD facilities, or are in the custody of family members or guardians, a number of children are detained in jails⁵;

WHEREAS, it has been noted that while in jails, children have been subjected to torture, physical, emotional, and sexual abuse⁶, experience the same disciplinary measures imposed on adults⁷, and that due to a lack of resources, many jails and detention centers lack separate facilities for children in conflict with the law⁸;

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the members of the House of Representatives of the Philippines, urging President Rodrigo Roa Duterte to retain the mandatory age of criminal responsibility as set by Republic Act No. 9344, as amended, and instead provide resources for: 1. the establishment of proper facilities for children in police

¹ Section 2(d), citing Article 40 of the United Nations Convention on the Rights of the Child.

² *ibid* Section 6

³ Republic Act No. 10630, Section 2.

⁴ Aries Joseph Hegina, *Duterte, Cayetano want minimum age of criminal liability lowered to 12*, inquirer.net 2 February 2016

⁵ Save the Children UK, "Research on the Situation of Children in Conflict with the Law in Selected Metro Manila Cities", [2004] p. 174

⁶ Leilani S. Junio, *Child rights groups oppose lowering age of criminal responsibility*, *InterAksyon*, 19 July 2016.

⁷ *ibid* (Note 5) p.154

⁸ *ibid* p. 156

stations, jails, and detention centers; 2. construction and/or expansion of DSWD juvenile centers and Bahay Pag-Asa centers; and the conduct of proper training of police officers and baranggay officials in dealing with cases involving children in conflict with the law.

Adopted,


BERNADETTE HERRERA-DY