



SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'14 FEB -6 P2:15

SENATE
P.S.R. No. 487

RECEIVED BY

ji

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID
OF LEGISLATION, ON NEWS REPORTS THAT THE BANGSAMORO ISLAMIC
FREEDOM FIGHTERS RECRUIT AND USE CHILD SOLDIERS

WHEREAS, Republic Act No. 7610, otherwise known as the Special Protection of Children against Child Abuse, Exploitation And Discrimination Act, Article 10, Section 22 (b), provides that: "Children shall not be recruited to become members of the Armed Forces of the Philippines, of its civilian units or other armed groups, nor be allowed to take part in the fighting, or used as guides, couriers, or spies";

WHEREAS, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Article 4, provides that: "Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years";

WHEREAS, Article 8(2)(b)(xxvi) of the Rome Statute of the International Criminal Court (ICC), provides that: "Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities is a war crime";

WHEREAS, the Child Soldiers International, in its 2012 report entitled "*Louder than Words – an agenda for action to end state use of child soldiers,*" defines a child soldier as:

"any person below 18 years of age who is or who has been recruited or used by an armed force or armed group in any capacity, including but not limited to children, boys and girls, used as fighters, cooks, porters, messengers, spies or for sexual purposes. It does not only refer to a child who is taking or has taken a direct part in hostilities. This definition is consistent with the definition of a "child associated with an armed force or armed group" in the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups";

WHEREAS, in various news articles published last 2 February 2014, it was reported that three child soldiers recruited by the rebels were among 53 people killed in a military offensive against the Bangsamoro Islamic Freedom Fighters (BIFF);

WHEREAS, the slain child fighters, reportedly between 15 to 16 years old, were in fatigue uniforms with BIFF markings and possessed firearms;

WHEREAS, the BIFF is a small group of militants reportedly opposed to the peace effort with the MILF, and has carried out many deadly attacks in recent years in a bid to derail the peace process;

WHEREAS, soldiers and local residents reportedly confirmed the three child soldiers as among the guerrillas buried soon after their deaths, according to Islamic custom;

WHEREAS, regional spokesman for the Armed Forces of the Philippines (AFP) Colonel Dickson Hermoso reportedly said the BIFF are employing child soldiers and arming them with guns and camouflage uniforms, and that government forces have difficulty discriminating the child soldiers from the adult ones during encounters;

WHEREAS, soldiers reportedly said they have seen kids, some of which have no guns, and that they pick up a BIFF comrade's gun when the comrade gets shot;

WHEREAS, it was reported that the military offensive came after the main Muslim rebel group, the Moro Islamic Liberation Front (MILF), successfully concluded peace talks with government negotiators last week aimed at ending a decades-long insurgency that has killed tens of thousands;

WHEREAS, the *Agence France Press*, on 2 February 2013, reported that photographs of children holding rifles were among the materials recovered by the military in an abandoned BIFF camp;

WHEREAS, the AFP's Colonel Edgardo Gonzales reportedly said that he found the photos when he inspected the BIFF camp in the remote town of Shariff Saydona Mustapha;

WHEREAS, barangay officials reportedly confirmed that the BIFF had trained child warriors and women on guerrilla warfare and the fabrication of improvised explosives;


WHEREAS, according to a report of the United Nations Secretary-General to the Security Council (A/67/845-S/2013/245) issued on 15 May 2013, their task force in the country continued to receive credible reports that the armed group was actively training and providing weapons to children;

WHEREAS, children in rebel strongholds reportedly learn to use weapons and are exposed to fighting because they live in communities where combatants live with their families;

WHEREAS, the government has the responsibility to protect children from recruitment and use as soldiers by armed groups and to ensure their rehabilitation and reintegration to civilian life;

WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on news reports that the Bangsamoro Islamic Freedom Fighters recruit and use child soldiers.

Approved,


MIRIAM DEFENSOR SANTIAGO
JR

/lml