



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

14 JUL -7 P 6 :03

SENATE
P. S. Res. No. 761

RECEIVED BY: *J*

Introduced by Senator Maria Lourdes Nancy S. Binay

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE ESCALATING USE BY CRIMINAL
SYNDICATES OF CHILDREN AS DRUG COURIERS

WHEREAS, Section 13, Article 2 of the 1987 Philippine Constitution provides that the State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being;

WHEREAS, Section 3 (2), Article 15 of the 1987 Philippine Constitution provides that the State shall defend the right of children to special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development;

WHEREAS, Article 33 of the UN Convention on the Rights of the Child provides that States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances;

WHEREAS, in 2011, the Philippine Drug Enforcement Agency (PDEA) reported that there is a continuing and increasing incidence of minors being used by drug syndicates in illegal drug activities taking advantage of Section 6 of the Republic Act 9344 or the Juvenile Justice and Welfare Act of 2006. From 2003 to 2011, a total of 854 minors, aged 7 to 17, have been arrested for violating Republic Act 9165 or the Comprehensive Dangerous Drugs Act of 2002¹;

WHEREAS, under Section 6 of the Republic Act 9344 or the Juvenile Justice and Welfare Act of 2006, a child 15 years of age or under at the time of the commission of the offense shall be exempt from criminal liability;

WHEREAS, drug raids conducted by authorities this year, showed that drug syndicates are using children as young as 3 months old to 11 years old as mules in the distribution of prohibited drugs;

¹ Inquirer News Website, More kids used in drug trade, <http://newsinfo.inquirer.net/13846/more-kids-used-in-drug-trade>

WHEREAS, on June 17, 2014, the Philippine Star reported the arrest of 3 minors with a 20-year old male during a buy-bust operation jointly conducted by the local police and the Criminal Investigation and Detection Group (CIDG) in Kabacan, North Cotabato²;

WHEREAS, 3 minors used by drug syndicates as mules, aged 9 to 11 years old, were rescued by the Davao CIDG in successive drug raids in Davao City³;

WHEREAS, in San Juan City, a 3-month old baby girl was used as drug courier by her own parents⁴;

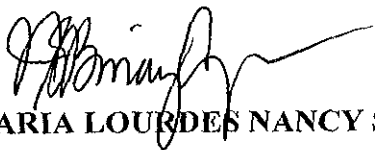
WHEREAS, the policeman who acted as an asset in the drug buy-bust operation said that sachets containing drugs handed over by the mother of the 3-month old infant came from the diaper of the baby⁵;

WHEREAS, in Iloilo City, anti-drug authorities are investigating reports that drug rings in the city are using more minors as young as 7 years old to act as couriers⁶;

WHEREAS, it is the duty of the Senate, by policy or by law, to protect Filipino children from being used by criminal syndicates in illegal drug activities;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, as it is hereby resolved to direct the proper Senate Committees to conduct an inquiry, in aid of legislation, on the escalating use by criminal syndicates of children as drug couriers.

Adopted,



MARIA LOURDES NANCY S. BINAY
Senator

² The Philippine Star website, 6-year-old, two other minors caught peddling drugs, June 17, 2014, <http://www.philstar.com/nation/2014/06/17/1335818/6-year-old-two-other-minors-caught-peddling-drugs>

³ Sun Star Davao News Website, 3 minors rescued in drug buy-bust, <http://www.sunstar.com.ph/davao/local-news/2014/06/26/3-minors-rescued-drug-buy-bust-350476>

⁴ GMA News Website, Couple arrested for using a 3-month-old baby as drug mule, <http://newsinfo.inquirer.net/593144/couple-arrested-for-using-3-month-old-baby-as-drug-mule>

⁵ Ibid.

⁶ GMA News Network, Iloilo cops checking drug pushers' increasing use of minors as couriers, <http://www.gmanetwork.com/news/story/365497/news/regions/iloilo-cops-checking-drug-pushers-increasing-use-of-minors-as-couriers>