

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

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SENATE
Resolution No. 230

RECEIVED BY: _____

Introduced by Sen. M.A. Madrigal

RESOLUTION
DIRECTING THE COMMITTEE OF YOUTH, WOMEN AND FAMILY
RELATIONS, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION,
ON THE NEED FOR A COMPREHENSIVE POLICY AND SYSTEM OF
RESTORATIVE JUVENILE JUSTICE

WHEREAS, the 1987 Constitution, in Article II Section 13 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. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

WHEREAS, Article XV on the Family, in Section 3(2) recognizes the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development."

WHEREAS, the Philippines is a signatory to various international instruments, including the Convention on the Rights of the Child, that promotes the development of the youth without discrimination as to the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status as stated in Article 2.

WHEREAS, as a party to the Convention, the Philippines is obliged to take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

WHEREAS, there is a growing trend of restorative juvenile justice in dealing with juveniles who may commit offenses against the society or a particular party.

WHEREAS, under Presidential Decree No. 603 or the Child Welfare Code, children who may have committed offenses or find themselves in conflict with the law should be given special attention and if a minor is found guilty of an offense, the sentence will be suspended to give him opportunity for his rehabilitation. Said provision had only been strengthened with modifications of its application.

WHEREAS, despite the existence of various measures like the special rules for the handling of children in conflict with the law in Presidential Decree 603 or the Child and Youth Welfare Code and RA 7610 or the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act, there are still rampant violation of children's rights in the current justice system.

WHEREAS, it is imperative that the State act now through the examination of the merits of pending juvenile justice bills and to come up with a comprehensive bill to lessen, if not eliminate the existence of violation of children rights.

WHEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, Directing the Committee Of Youth, Women And Family Relations, To Conduct An Inquiry, In Aid Of Legislation, on the need for a comprehensive policy and system of restorative Juvenile Justice .

Adopted,


M.A. MADRIGAL