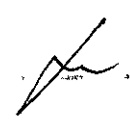


FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

OFFICE OF THE SECRETARY

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SENATE
P. S. R. No. 1514

RECEIVED BY 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, THE ALLEGED HUMAN RIGHTS VIOLATIONS
MADE BY AUTHORITIES DURING AND AFTER STREET CHILDREN RESCUE
OPERATIONS

WHEREAS, the Constitution, Article 2, Section 11 provides: "The State values the dignity of every human person and guarantees full respect for human rights";

WHEREAS, the Constitution, Article 2, Section 13 provides: "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, the *Philippine Daily Inquirer* in its 18 November 2009 article reported that rescue operations to remove children from the streets were actually arrests;

WHEREAS, a study conducted by Bahay Tuluyan, a nongovernment organization, claimed that there are about 250,000 children who could be found in Manila's dangerous streets;

WHEREAS, the study, which interviewed 599 street children and 144 "rescuers" focused on rescue operations done in the streets of Caloocan, Manila, Pasay, and Quezon City;

WHEREAS, the organization learned that authorities would conduct periodic operations, removing children from the streets in order to meet their "rescue teams" quota;

WHEREAS, the group claims that these "rescues" are actually arrests since children who are rescued from the perils of the streets are subjected to abuses before they are again released;

WHEREAS, the report further claimed that force is usually used on the children to compel them to go with the authorities; these children are not even asked where their parents are or if they have a home to return to; most of the rescuers likewise do not introduce themselves before they remove the children from the streets;

WHEREAS, given their small stature, all these children could do is cry; they could not resist the authorities who "rescue" them;

WHEREAS, the report also claimed that the rescue centers or shelters where the street children are brought to had inadequate beddings; the children had to sleep on the

cement floor, were not given proper food and clothing, and had to suffer from overcrowding, worse, they also had to deal with mistreatment and abuse;

WHEREAS, the study strongly suggests the creation of an independent complaints mechanism;

WHEREAS, the study reported that these rescue operations are carried out “independently, indiscriminately and for reasons other than child protection”; hence, the interests of the children often come secondary;

WHEREAS, the rescuers allegedly come from various agencies—the Metro Manila Development Authority, Department of Social Welfare and Development and its local counterparts, barangays, and police;

WHEREAS, the study also claimed that rescuers are “frequently unclear about their objectives” and therefore “use inappropriate intervention techniques”; some of these rescuers even carried weapons, which is against the UN Convention on the Rights of the Child;

WHEREAS, Bahay Tuluyan official Catherine Scerri reportedly said that despite the rescues, the children interviewed for the study claimed that they did not experience any significant change in their situation;

WHEREAS, Scerri also claimed that the children said they were beaten, and that their money or belongings were either taken or destroyed; some children even claimed that they were tricked into going with the rescuers, while other claimed to be sexually assaulted or inappropriately touched;

WHEREAS, in order to be released, some children had to pay money or exchange their freedom with sexual favors;

WHEREAS, Commission on Human Rights Chairperson Leila de Lima also reportedly said that that some children in major cities have even fallen victims to death squads;

WHEREAS, De Lima added that there is a lack of systematic and comprehensive strategy with the rescue operations;

WHEREAS, it is alarming that children who may not even be considered street kids are removed from the streets by authorities; hence, there should be have a proper identification criteria to determine who are street children and not;

WHEREAS, what is more alarming, however, is the fact so many violations occur during such “rescue” operations; it is therefore imperative for the State to ensure that measures are taken against these “rescuers” who violate the rights of the children they have “rescued”;

WHEREAS, an independent grievance desk should be set up in each rescue center or shelter, and regular visits should be conducted by an official of a nongovernment organization to these centers;

WHEREFORE, it hereby resolved by the Philippine Senate, to direct the proper Senate committee, to investigate in aid of legislation the alleged human rights violations made by authorities during and after street children rescue operations.

Adopted,

acw 
MIRIAM DEFENSOR SANTIAGO

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