

FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
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SENATE
P.S.R. No. 113

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Introduced by Senator Miriam Defensor Santiago

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID
OF LEGISLATION, ON THE RECRUITMENT OF CHILD SOLDIERS BY THE MORO
ISLAMIC LIBERATION FRONT, THE NEW PEOPLE'S ARMY,
AND THE ABU SAYYAF GROUP

WHEREAS, Republic Act No. 7610, otherwise known as the Special Protection of Children against Child Abuse, Exploitation And Discrimination Act, Article 10, Section 22, provides that: "Children are hereby declared as Zones of Peace. It shall be the responsibility of the State and all other sectors concerned to resolve armed conflicts in order to promote the goal of children as zones of peace";

WHEREAS, Republic Act No. 7610, Article 10, Section 22 (B), provides further 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 United Nations Convention on the Rights of the Child, Article 38 provides further that: "States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces";

WHEREAS, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Article 4, states 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 and States Parties shall take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices";

WHEREAS, according to a study conducted by the International Programme on the Elimination of Child Labour of the International Labour Organization, child soldiers are defined as children used in any activities related to armed conflict;

WHEREAS, recent media reports show that minors have been recruited by insurgents in Mindanao to fight in armed hostilities with the Philippine military;

WHEREAS, according to a paper entitled "Child Soldiers in the Philippines," by Merliza Makinao of the International Labor Affairs Service of the Department of Labor and Employment, an estimated 2,000 to 6,000 minors fight in the Moro Islamic Liberation Front (MILF) and the New People's Army (NPA);

WHEREAS, MILF policy allegedly allows the training of children as young as 12 years old in "madrashas" (religious schools); one MILF leader allegedly claims that 300 to 500 women, between the ages of 10 to 16 years, undergo training at Camp Bushra every year;

WHEREAS, the MILF reportedly also use young people to man the checkpoints of MILF camps, and purchase and transport medicines for rebels wounded in armed hostilities with government forces;

WHEREAS, statistics show that as of October 2000, at least 86 NPA child combatants, between 14 and 17 years, have been captured or have surrendered to the government since 1999; by June 2000, the military has documented the recruitment of some 123 minors by the NPA; about three percent of the 9,000 to 10,000 regular combatants of the NPA are children; around 20 to 25 percent of new NPA recruits are children;

WHEREAS, children in the NPA reportedly serve various capacities as officer (liaison officer, commanding officer, squadron leader, platoon leader), combatant, or in support capacity (cook, courier, messenger, spy); in the battlefield, the NPA reportedly also use children as shields to deter military attacks; children allegedly also act as "scavengers," recovering weapons from dead soldiers in the battlefield;

WHEREAS, minors, reportedly between the ages of 13 to 16 years old, have also been recruited by the Abu Sayyaf Group (ASG);

WHEREAS, the ASG reportedly recruits mostly high school students through promises of a salary after training, firearms, and even a scholarship abroad; the minors are allegedly not only recruited for combat, but are used as human shields and hostages;

WHEREAS, Human Rights Watch observes that children most likely to be recruited are: (1) poor; (2) separated from their families; (3) displaced from their homes; (4) living in a combat zone; and (5) with limited access to education; they also come from communities, which have inadequate social services;

WHEREAS, recruitment of children usually takes place in areas where there is less or no government presence at all; the adolescents are usual targets for recruitment as soldiers, because they are trusting and innocent like children, yet have the strength and stamina of adults; when they are in the movement, they are also impulsive and aggressive especially when their families have become victims of NPA liquidations or military aggressions;

WHEREAS, due to their participation in the conflict, children generally end up dead or with physical disabilities, as well as experience psychological trauma (i.e. sleeplessness and paranoia), fear, illiteracy, and the destruction of their livelihood and property;

WHEREAS, children aged from 7 to 15 exposed to armed conflict suffer multiple symptoms of mental disturbance and mental morbidity;

WHEREAS, the minimum conditions of: (1) safe environment; (2) secure economic base; (3) community resilience enhanced by traditional support networks; and (4) mechanisms for protection, including the monitoring of human rights violations and the enforcement of laws, are necessary for the rehabilitation and social reintegration of child combatants;

WHEREAS, the government has the duty to prevent the recruitment and use of children as soldiers by insurgency/rebel groups, secure the demobilization of child soldiers, and ensure their rehabilitation and reintegration into society;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the recruitment of child soldiers by the Moro Islamic Liberation Front, the New People's Army, and the Abu Sayyaf Group.

Approved,

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/dpm


MIRIAM DEFENSOR SANTIAGO
