

1 De La Salle University
2 University Student Government
3 Legislative Assembly

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Status: APPROVED

4 Resolution No. 2016-39

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20 **RESOLUTION CALLING FOR THE RELEASE OF THE MANIFESTO ON THE LOWERING**
21 **OF THE MINIMUM AGE OF CRIMINAL RESPONSIBILITY**

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23 *A resolution calling for the approval and release of the stand of the student body of De La Salle*
24 *University regarding the bills filed in Congress that seek to lower the age of criminal*
25 *responsibility.*

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27 Whereas, the Legislative Assembly is the highest policy-making body of the University
28 Student Government (University Student Government Constitution, Article XIV,
29 Section 1);

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31 Whereas, the USG shall have the power of which emanates from the student body. It
32 shall be the sole, unified, autonomous and democratic representative body
33 of the students (University Student Government Constitution, Article III,
34 Section 1);

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36 Whereas, the National Affairs Committee shall discuss national and sectorial issues and
37 present recommendations on such to the Legislative Assembly. (University
38 Student Government Constitution, Article V, Section 11);

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40 Whereas, currently, criminal responsibility is limited to those 15 years old and above.

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42 Whereas, in the current Senate, a bill has been passed on the lowering the minimum
43 age of criminal responsibility (Tupaz, 2017).

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47 Wherefore, be it resolved this manifesto (see Appendix A) be presented and approve by
48 the Legislative Assembly.

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50 Wherefore, be it finally resolved that this manifesto be approved and be posted
51 on the LA-PIO and the University Student Government's social media accounts
52 as the University Student Government's stand on the Lowering of the minimum
53 age of criminal responsibility.

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58 Adopted,
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APPENDIX A

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92 **TO THE ELECTED REPRESENTATIVES AND SENATORS**
93 **OF THE 17TH CONGRESS:**
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95 **MANIFESTO ON THE LOWERING OF THE**
96 **MINIMUM AGE OF CRIMINAL RESPONSIBILITY**
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99 We, the students of De La Salle University firmly oppose the approval of House Bill No.
100 2, a legislative proposal reverting the minimum age of criminal responsibility from fifteen
101 (15) years old to nine (9) years old. We believe that H.B. No. 2 seeks to incarcerate the
102 Filipino children and youth who are simply victims of society's injustices. In order to
103 solve our country's juvenile justice issues, the Philippine legislators must seriously
104 address the root of country's poverty problem.
105

106 Recently, in the 17th Congress of the Philippines, the Speaker and the Deputy Speaker
107 of the House of Representatives have filed House Bill No. 2. According to its principal
108 authors, syndicates are using children in criminal activities, and allowing them to be
109 liable for their actions will prevent this. This bill will drastically affect our juvenile justice
110 system and eventually our country.
111

112 Currently, the Juvenile Justice Welfare Act of 2006 or R.A.9344, states that crimes
113 committed by any child, fifteen (15) years old or below, exempts them from criminal
114 liability. However, civil responsibility is still a present method of rehabilitation. If House
115 Bill No. 2 will be passed into law, it would permit that any child who is nine (9) years and
116 older to have a criminal record.
117

118 Passing this bill would not stop organized criminal syndicates from using children below
119 the age of nine (9). Imprisonment will not only expose children to the influence of
120 hardened criminals and to the gruesome living conditions in prison. Considering the
121 small number of crimes that involved children, the juvenile justice system must not
122 impede their development. Instead, we need to help rebuild the lives of juvenile youth
123 and children. We must enforce existing laws that would punish adults who use the
124 minors for criminal acts. We must consider that these children are also victims of
125 exploitation by criminal organizations. Furthermore, incarcerating children has negative
126 impact on their mental health, their education, and to their life.
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128 Hence, to fully address the country's problems, we reiterate our call for the government
129 to address and solve the root causes of poverty. Just laws and child-friendly policies
130 must be enacted to protect and develop our youth and children, and should not be
131 intended to endanger them. In fact, the Juvenile Justice Welfare Act (JJWA) has been
132 enacted to ensure that children who are involved in crimes are educated and
133 rehabilitated to help them build better lives. In enforcing R.A. 9344 and mandating
134 government officials to implement its provisions would ensure that appropriate penalty
135 and interventions will be in accordance to their age and level of discernment.

136 To solve the problem of criminality in our country, we cannot simply point the guns at
137 those who commit these crimes. They are, after all, only victims of a flawed system in
138 place. If from the beginning, a child is only taught to steal, what else can he do but
139 steal? Children, though wondrous, are natural imitators of the world around them. In
140 the end, the best way to solve crime is to reform the system that creates this
141 environment. Regardless of social and economic status, Filipino children should be
142 given access to a fair justice system. Therefore, the government must properly utilize
143 existing institutions for education, welfare, housing, and social security. Government
144 has the primary duty to implement these social welfare policies and programs to their
145 constituents.

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147 Thus, we call for efficiency, transparency, and fairness in public consultations and
148 plenary discussions on lowering the minimum age of criminal responsibility.

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150 Again, we call on the legislators of the 17th Congress not to approve House Bill No. 2,
151 which proposes lowering the minimum age of criminal responsibility from fifteen (15)
152 years old to nine (9) years old. We urge the legislators to be consistent with their
153 pronouncement to serve the country, and not to be persecutors of its own people.

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155 This issue is not a fight between Congress and its local and national constituencies.
156 This is a fight of all democratically-elected representatives, together with their people
157 who have voted for them, to protect the Filipino youth and children against poverty,
158 corruption, exploitation, and lack of access to education.

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161 ***DISCLAIMER: This Manifesto reflects the opinion of De La Salle University Student***
162 ***Government – Legislative Assembly (DLSU-USG) and may not necessarily reflect the views***
163 ***of the whole De La Salle University.***

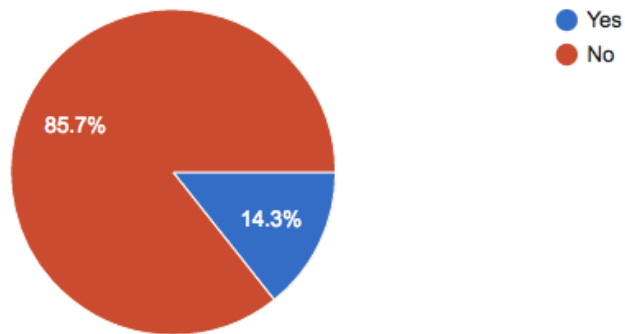
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APPENDIX B

Do you think that the congress should lower the minimum age for criminal liability to 9 years old?

(496 responses)



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APPENDIX C

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