

Resolution submitted by: The Philippines

Concerning: The imprisonment of minors

The Human Rights Committee,

- Recalling* It is estimated that more than 1 million children are incarcerated around the world,
- Noting* that many of these minors are held in decrepit, abusive, and demeaning conditions where they are deprived of education and regular contact with the outside world,
- Regretfully* over 50,000 children in the Philippines have been arrested and detained since 1995,
- Applaudingly* Filipino children, after conviction and serving time in prison, are transferred to Youth Rehabilitation Centres where they have counselling after their incarceration,
- Stating* Article 68 of the Revised Penal code specifies that children should be punished less severely than adults committing the same crimes,
- Encouragingly* in recognition of the vulnerability and incomplete development of child offenders, Philippine law provides for the suspension of sentencing in most cases where the court finds it in the “best interest of the public as well as the offender”,
- Further noting* a right for an arrested citizen to have access to “the proper judicial authorities” within 36 hours of arrest is enshrined in the Convention of the Rights of the Child (CRCR) but also in the International Covenant on Civil and Political Rights (ICCPR),
- Plaintively* this principle in law is inconsistently observed in practise in the Philippines as the 36 hours tends to be applied only to those arrested without warrant and often involves the legal file being brought to the judicial authority rather than the child themselves

1. *Calls for* concerning the CRC which requires that locking up children on juvenile or criminal charges must be a matter of last resort not the first or only resort
2. *Strengthens* the mandate to continue to report human rights violations
3. *Expresses* that the Article 68 should be enforced at all times and to all situations
4. *Decides* that this should be obligatory from the 28th of January 2022