



Republic of the Philippines
Department of Social Welfare and Development

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HONORABLE MARLYN L. PRIMICIAS-AGABAS

Chairperson
Committee on Revision of Laws
House of Representatives
Quezon City

Dear Congresswoman Primicias-Agabas:

The Department of Social Welfare and Development strongly object the intention of House Bill No. 5183, entitled: "*An Act Amending Certain Provisions of Republic Act No. 9344, Otherwise Known as the 'Juvenile Justice and Welfare Act of 2006,' and for Other Purposes,*" introduced by Representative Mercedes C. Cagas, to lower the minimum age of criminal responsibility (MACR) due to the following:

1. The proposal of changing the MACR from 15 years old to 9 years old is contrary to international laws protecting children's right;
2. The draft legislation criminalizing younger children is anti-poor. Criminalizing because of the circumstances that they did not choose or not within their control is clearly and absolutely an injustice to them and is against the principle of the CRC's best interest; and
3. Lowering the MACR is regressive. The current MACR which is 15 years old was based on the result of studies on the age of discernment of children conducted by the Philippines Action for Youth Offenders and the Pamantasan ng Lungsod ng Maynila (PLM). Until another study proves otherwise, it is reasonable to retain the current MACR.

The concerned agencies should invoke continuous support for training and monitoring of prosecutors handling cases of children in conflict with the law (CICL), to promote more child-sensitive and gender-sensitive standards and processes in the conduct of inquest, preliminary investigation and prosecution of all CICL cases.

For consideration of the Committee.

Thank you.

Very truly yours,

CORAZON JULIANO-SOLIMAN
Secretary