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Relatives cry as coroners carry the body of an alleged child drug dealer killed during a drug bust in Manila last month. Duterte's war against drugs has claimed about 6,000 thousand lives so far. — Picture by AFP

Duterte targets children in bid to widen drug war

By Clare Baldwin and Andrew R.C. Marshall

BEFORE Rodrigo Duterte's bloody war on drugs had even begun, allies of the Philippines president were quietly preparing for a wider offensive.

On June 30, as Duterte was sworn in, they introduced a bill into the Philippine Congress that could allow children as young as nine to be targeted in a crackdown that has since claimed more than 7,600 lives.

The Bill proposes to lower the minimum age of criminal responsibility from 15 to nine years old to prevent what it calls "the pampering of youthful offenders who commit crimes knowing they can get away with it".

"You can ask any policeman or anyone connected with the law enforcement: We produce a generation of criminals," Duterte said in a speech in Manila on Dec 12. Young children, he said, were becoming drug runners, thieves and rapists, and must be "taught to understand responsibility."

Support in Congress

The move to target children signals Duterte's determination to intensify his drug war, which faces outrage abroad and growing unease at home. The president's allies say his support in Congress will ensure the bill passes the House of Representatives by June.

"The House would approve the Bill within six months," said Fredenil Castro, who co-authored the legislation with the speaker of the House, Pantaleon Alvarez. It might face opposition in the Senate, but would prevail because of Duterte's allies there, added Castro.

National police chief Ronald Dela Rosa recently announced that he was suspending

anti-narcotics operations, which have killed more than 2,500 people, while the force rids itself of corrupt cops. The announcement came after it emerged last month that drug squad officers had killed a South Korean businessman at national police headquarters.

The killing of drug suspects has continued, albeit at a slower pace, with most following the pattern of killings that police have blamed on vigilantes. Human rights monitors believe vigilantes have killed several thousand people and operate in league with the police — a charge the police deny.

Duterte has signaled he intends to continue his drug war. Last month, he said the campaign would run until his presidency ends in 2022.

Lowering the age of criminality was justified, Castro said, because many children were "in cahoots with drug users, with drug pushers, and others who are related to the drug trade".

He said he based his support for the Bill on what he saw from his car and at churches, children begging and pickpocketing. "For me, there isn't any evidence more convincing than what I see in every day of my life," he said.

A controversial Bill to restore the death penalty, another presidential priority, is also expected to pass the House of Representatives by mid-year, according to Duterte allies in Congress.

Supporters of the Bill to lower the age of criminality say holding young children liable will discourage drug traffickers from exploiting them. Opponents, including opposition lawmakers and human rights groups, are appalled at a move they say will harm children without evidence it will reduce crime.

There is also resistance inside Duterte's administration. A member of Duterte's Cabinet who heads the Department of Social Welfare and Development opposes the

move. And a branch of the police responsible for protecting women and children disputes the claim that children are heavily involved in the drug trade, a claim not supported by official data.

Opponents warn that lowering the age of criminality would further strain a juvenile justice system that is struggling to cope. At worst, they say, with a drug war raging nationwide, the Bill could legitimise the killing of minors.

"What will stop them from targeting children?" said Karina Teh, a local politician and child rights advocate in Manila. "They are using the war on drugs to criminalize children."

In the firing line

The drug-war death toll includes at least 29 minors who were either shot by unidentified gunmen or accidentally killed during police operations from July to November last year, according to the Children's Legal Rights and Development Centre and the Network Against Killings in the Philippines, both Manila-based advocacy groups.

Dela Rosa said the Philippine National Police "fully supports" the new Bill. It is "true and supported by data" that minors are used by drug traffickers because they can't be held criminally liable, the police chief said in a submission to the House of Representatives.

Some police officers working on the streets agree with Dela Rosa. In Manila's slums, children as young as six act as lookouts for dealers, shouting "The enemy is coming!" when police approach, said Cecilio Tomas, an anti-narcotics officer in the city. By their early teens, some become delivery boys and then dealers and users, said Tomas.

Salvador Panelo, Duterte's chief legal counsel, said the Bill would protect children by stopping criminals from recruiting them. "They will not become targets simply

because they will no longer be involved," he said.

Child rights experts say the legislation could put children in the firing line. They point to the deadly precedent set in the southern city of Davao, where Duterte pioneered his hard-line tactics as mayor. The Coalition Against Summary Execution, a Davao-based rights watchdog, documented 1,424 vigilante-style killings in the city between 1998 and 2015. Of those victims, 132 were 17 or younger.

For all but three years during that period, Duterte was either Davao's mayor or vice-mayor. He denied any involvement in the killings.

Asked for evidence that younger children are involved in the drug trade, Duterte's legal counsel Panelo said the president had data from "all intelligence agencies". Panelo declined to disclose those numbers.

Among the opponents of the Bill is a member of Duterte's Cabinet, Judy Taguiwalo, secretary of the DSWD. The legislation runs counter to scientific knowledge about child development and would result not in lower crime rates but in more children being detained, Taguiwalo wrote in a letter to the House of Representatives in October.

Hidden by a high wall topped with metal spikes, the Valenzuela youth detention centre in northern Manila is already operating at twice its capacity. Its 89 boys eat meals in shifts, the canteen can't hold them all at once, and sleep on mats that spill out of the spartan dorms and into the hallways.

The government-run centre, which currently houses boys aged 13 to 17 for up to a year, is considered a model facility in the Philippines.

Even so, said Lourdes Gardoce, a social worker at the Valenzuela home, "It's a big adjustment on our part if we have to cater to kids as young as nine." — Reuters