



STATEMENT

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Permanent Representative

Item 86: Rule of Law at the National and International Levels
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Thank you, Mr. Chair.

The Philippines aligns itself with the statements delivered by Iran on behalf of the Non-Aligned Movement (NAM) and Cambodia on behalf of the Association of Southeast Asian Nations (ASEAN).

We reaffirm that human rights, the rule of law and democracy are abiding and independent concerns; each to be imperatively observed in its own right but also mutually reinforcing. The fullest practical realization of each is accomplished with the indispensable help of the others.

Human rights need clearer legal definition; independent from a passing sense of grievance and outrage by well-meaning groups. The rule of law would be a self-mockery if it was not dependable, predictable and protective of human rights. And democracy would be mob rule—the worst kind—if its purpose was not the enforcement of human rights.

These three depend on essential attributes: the sovereignty and the equality of states; the integrity of national territory; and non-interference by foreign powers in domestic affairs. These requisites are as old as Mill; and go hand in hand with the democratic self-determination of peoples with regard to their respective national interest about which no one else has the competence to tell them. That determination cannot be made—unilaterally or multilaterally—by any one but the people of that nation themselves.

There is also the practical consideration that only states have the wherewithal to guarantee human rights, preserve the rule of law, and protect democracy. The United Nations is primarily about what states oblige themselves to do as members of the UN; and not whatever strikes the fancy of individuals and groups regarding grievances they find important.

Integral to the rule of law is the pacific settlement of disputes between states—and not between states and organized crime like the drug cartels. The 1982 Manila Declaration

on the Peaceful Settlement of International Disputes is the authoritative articulation of our collective duty under the UN Charter to peacefully resolve disputes in the international arena.

The Declaration highlights stronger international cooperation—not international interference—in dismantling illicit networks and countering the world drug problem, as well as suppressing transnational organized crime; which include money laundering, trafficking in persons, trafficking in arms and other forms of organized crimes which threaten human rights, the rule of law, democracy, the security of societies and nations—and undermine sustainable development by undermining these imperative concerns.

The Secretary General's report notes the withdrawal of the Philippines from the ICC. The decision to withdraw is the Philippines' principled stand against those who politicize human rights, even as our country's independent and well-functioning organs and agencies continue to exercise jurisdiction over complaints, issues, problems, and concerns arising from its efforts to protect its people. True, as in all democracies, the wheels of justice grind slowly and not always exceeding fine; but they turn. We wish we could but we cannot give assurances to well-intentioned critics that we will shortcut justice to give them immediate retribution. But that would undermine the rule of law.

We affirm our commitment to fight against impunity for atrocity crimes, notwithstanding our withdrawal from the Rome Statute, especially since the Philippines has national legislation punishing atrocity crimes.

The Philippines remains strongly committed to an internationally legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction; to the UNCITRAL Convention on the Enforcement of Mediation Settlement, soon to be the Singapore Convention on Mediation and the work of the International Tribunal for the Law of the Sea and of the arbitral and conciliation commissions concerning maritime issues.

We appreciate the work of the Rule of Law Coordination and Resource Group, but note that we continue to be besieged by, not cross-cutting but projects at cross purposes from different agencies completely unaware of each other's initiatives, and with marginal consideration of our national priorities. UN agencies must take their lead from Member States and at the Member States' request. The UN is a collection sovereignties and not a sovereign collective.

Consistent with our commitment to both the rule of law and the 2030 Agenda, the Philippines is presenting – for the second time – its Voluntary National Report (VNR) on its implementation of the 2030 Agenda at next year's High Level Political Forum on Sustainable Development

Finally, we welcome the inclusion of a new agenda item entitled “Strengthening and promoting the international treaty framework.” The rule of international law would welcome finally meaning something concrete.

Thank you.