



PHILIPPINES

STATEMENT

Permanent Mission of the Republic of the Philippines to the United Nations
Item 85: Rule of Law at the National and International Levels:
Sixth Committee
76th Session of the United Nations General Assembly
08 October 2021, Conference Rooms 1-3
UN Headquarters New York

Thank you, Madam Chair.

We align with the statements delivered by Cambodia on behalf of the Association of Southeast Asian Nations and by the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

We thank the Secretary General for the Report on strengthening and coordinating United Nations rule of law activities (A/76/235) and the note the references to the Philippines' efforts to promote the rule of law.

The Report frames rule of law as the basis of a revitalized social contract among the individual, community, and state. And the call to reimagine this social contract to regain the trust of people resonates now, when the fallout from the pandemic has exposed the fragility of our communities and institutions.

The Philippines recognizes the importance of adherence to rule of law at the national and international levels and appreciates that the Report is structured to show linkages of the rule of law with the three pillars of UN: peace and security, human rights, and development.

On rule of law and human rights, in June this year, the Philippines and the UN signed the first-ever national-level UN joint programme on human rights. The programme 'embodies the partnership, trust-building, and constructive engagement between the Philippines and the UN on human rights promotion and protection'.

The programme will cover strengthening domestic investigation and accountability mechanisms; data gathering on alleged police violations; civic space and engagement with civil society and the Commission on Human Rights; national mechanism for reporting and follow-up; counter-terrorism legislation; and human rights-based approaches to drug control.

On rule of law and peace and security, the Philippines partnered with relevant UN agencies for gender-sensitive policy and legislative advice on a range of issues, including

on the comprehensive and sustainable prevention in response strategies for women and children associated with terrorism, as cited in the Report.

The Philippines continued to work on advancing security and justice for the population during the pandemic, delivering justice through digital technology. Steps were taken to ensure access to justice, with 'new normal' trials, video-conferencing, online hearings, and e-inquests. In this manner, populations at risk of the virus, such as persons deprived of liberty, were accorded due process and promptly released.

Madam Chair,

We note the effort in the Report to address the national and international dimensions of the rule of law, in a balanced manner.

The Report cites the impact of the pandemic on UN processes related to the codification and development of international law, notably the postponement of the International Law Commission (ILC) session and the fourth Intergovernmental Conference on the BBNJ. Meanwhile, despite the pandemic, judicial activity and the work of international tribunals have not abated.

International rule of law is a shorthand for compliance with international law, including decisions of tribunals. Dispute resolution proceedings precisely clarify respective rights and obligations and facilitate relations in accordance with general obligations of good faith. We reaffirm that States shall abide by their obligations under international law and urge that future reports on this topic examine compliance.

We recall that Joint Communiqué of the 54th ASEAN Foreign Ministers Meeting likewise "further reaffirmed the need to pursue peaceful resolution of disputes in accordance with the universally recognized principles of international law, including the 1982 UNCLOS."

We remain mindful of our obligations and commitments to the UN Charter, as amplified by the 1982 Manila Declaration on the Peaceful Settlement of International Disputes.

We recognize the role of UNGA, and the ILC as its independent expert subsidiary organ, in the progressive development of international law and its codification. The ILC's programme of work – on sea level rise and international law, on peremptory norms, on general principles of law – is increasingly consequential. This is why, after twenty long years of absence, the Philippines is fielding a candidate to the International Law Commission.

Finally, Madam Chair,

We support the recommendation indicated in the Report for the Sixth Committee to consider as subtopic for the seventy - sixth session: "Promoting a people-centered rule of law at the national and international levels as the foundation of our common agenda."

Thank you.