



PHILIPPINES

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STATEMENT

Permanent Mission of the Republic of the Philippines to the United Nations
Agenda Item 80: Crimes Against Humanity
Sixth Committee
79th Session of the United Nations General Assembly
9/10 October 2024, Trusteeship Council
UN Headquarters New York

Thank you, Mr. Chair.

Our collective commitment against atrocity crimes is a bulwark against practices and injustices that have, time and again, disfigured history.

The Philippines, as matter of state policy, adheres to the view that “the most serious crimes of concern to the international community as a whole must not go unpunished and their effective prosecution must be ensured by taking measures at the national level, in order to put an end to impunity for the perpetrators of these crimes and thus contribute to the prevention of such crimes, it being the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes.”

When the draft articles on the prevention and punishment of crimes against humanity was first introduced into the agenda of the Sixth Committee, we joined delegations in commending the International Law Commission (ILC), recognizing the Draft Articles as ‘an important contribution to the international community’s collective efforts to deter and curtail atrocity crimes.’

At the resumed sessions, we intervened on the basis of the provisions of ‘Philippine Act on Crimes against International Humanitarian Law, Genocide and Other Crimes Against Humanity’. We stressed that if the draft articles were to become the basis of a legally binding Convention, then we would have complied with the fundamental obligation that each state shall ensure that crimes against humanity constitute offences under its criminal law. The law has considerable convergence with the Draft Articles.

In addition, the law has elements that could inform this aspiration for progressive development of international law and its codification. We have highlighted the protection of victims and witnesses, and in particular, principles relating to reparations of victims, including restitution, compensation, and rehabilitation.

Mr. Chair,

In the past, within this Committee, and like other Member States, we have expressed concerns on state sovereignty, overbroad assertions of jurisdiction, politicization of human rights, as captured in relevant summary records. We have expressed the view that the question of the elaboration of a convention by the General Assembly or by an international conference of plenipotentiaries needs further examination both by Member States and by this Committee.

We have had this opportunity at the two resumed sessions – where we have provided specific comments on the Draft Articles. We also note the careful scrutiny of the Draft Articles by many Member States and the overall broad, substantive, and constructive engagement.

Inter-sessionally, we have taken part in various fora that looked into the Draft Articles and this process from various perspectives, including, more recently, an exploration of linkages between the pending climate justice proceedings and ongoing legal discussions around environmental violations and core international crimes, and the proposals to incorporate environmental crimes in the Draft Articles. After all, instances of severe destruction of the natural environment as the means of destruction, damage, or injury to any civilian population are not unknown, including in our region. We can continue to build on the Draft Articles.

Mr. Chair,

Bearing in mind the momentum that we have achieved so far, especially at the resumed sessions, we must continue to work together towards filling the normative gap that has constrained access to justice of victims of crimes that deeply shock the conscience of humanity – and there are many based on contemporary experience – and collectively move forward on the basis of the Draft Articles and the insights from the exchanges in this Committee.

Thank you. **END**