

STATEMENT

Permanent Mission of the Republic of the Philippines to the United Nations
Agenda Item 80: Crimes Against Humanity
Sixth Committee
78th Session of the United Nations General Assembly
11 October 2023, Trusteeship Council
UN Headquarters New York

Thank you, Mr. Chair.

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 recognizing the work of the International Law Commission (ILC), particularly Professor Sean Murphy, stating that the Draft Articles are ‘an important contribution to the international community’s collective efforts to deter and curtail atrocity crimes.’

In 2019, the ILC decided to recommend the draft articles on prevention and punishment of crimes against humanity to the General Assembly and recommended the elaboration of a convention by the General Assembly or by an international conference of plenipotentiaries on the basis of the draft articles

If the present draft articles were to become the basis of a Convention, then the Philippines would have complied with the fundamental obligation contained in draft Article 6 on criminalization under national law, that is, that each state shall take necessary measures to ensure that crimes against humanity constitute offences under its criminal law.

At the resumed session, we intervened on the basis of the provisions of ‘Philippine Act on Crimes against International Humanitarian Law, Genocide and Other Crimes Against Humanity’. The said law defines “crimes against humanity” in our jurisdiction and has considerable convergence with the Draft Articles.

We note the broad and substantive engagement among delegations at the resumed session this year. We shall endeavor to continue contributing to these discussions, at the resumed session next year, under the said innovative format. The close examination of the

articles is consistent with the Philippines' position that the draft articles need careful scrutiny both by Member States on a national level, and by this Committee.

We intend to make written submissions by the end of the year, as we continue in this important work.

Thank you. **END**