



PHILIPPINES

CHECK AGAINST DELIVERY

STATEMENT

Permanent Mission of the Republic of the Philippines to the United Nations
Agenda Item 80: Crimes Against Humanity (*Cluster II - Articles 2-4*)
Sixth Committee
Resumed 78th Session of the United Nations General Assembly
1/2 April 2024, 10:00 AM

The acts listed include, inter alia, willful killing, extermination, torture, prosecution, and other inhumane acts of a similar character. The definitions under the definition under Draft Article 2(2) are also generally consistent with those under Philippine law.

For this reason, the Philippines could support Draft Article 2, with the following suggested revisions: Article 2(1)(a) could read “willful killing” instead of murder; Article 2(1)(d) add the word “arbitrary” to read “arbitrary deportation or forcible transfer of population; Article 2(1)(h) add “sexual orientation” after gender such that the list includes persecution based on that ground.

On this note, PH law specifically mentions persecution on the basis of sexual orientation as well as enslavement. The Philippines is open to further discussions related to existing definitions, in this regard, in the Draft Articles, including under 2(2)(c) to consider slave trade as a distinct criminal act. As well, bearing in mind shifts in our understanding of sexual and gender-based crimes over the past two decades which should inform our discussions, to consider the gender dimension in 2(2)(h). For instance, inhumane acts committed in the context of an institutionalized regime of systematic oppression over a gender and committed with the intention of maintaining that regime merits further consideration.

We could also support Draft Article 2(3) on the understanding that should a State wish to adopt or retain a broader definition in its national law, the draft articles would not preclude it from doing so.

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Thank you. **END**

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