



INSTITUTE OF HUMAN RIGHTS

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PROF. RAPHAEL PANGALANGAN
Human Rights Officer
Environment and Climate Change Unit
Development, Economic and Social Rights Branch
Office of the United Nations High Commissioner for Human Rights

Dear Prof. Pangalangan,

Good day!

This letter, submitted by the University of the Philippines Institute of Human Rights (UP IHR), is provided pursuant to Human Rights Council resolution 51/35 entitled “Technical assistance and capacity-building to address the human rights implications of the nuclear legacy in the Marshall Islands.”

While the Philippines has no nuclear legacy, the UP IHR nevertheless shares the following inputs in solidarity with the people of the Marshall Islands and countries affected by nuclear testing.

First, the Philippines has committed itself to a nuclear weapons-free zone. Its domestic and international legal commitments highlight this. Domestically, the Philippines currently adopts a stringent constitutional bar against nuclear weapons. The 1987 Philippine Constitution explicitly provides consistent with Section 8, Article II that “[T]he Philippines, consistent with the national interest, adopts and pursued a policy of freedom from nuclear weapons.” Consistent with the constitutional bar, the Philippines has also ratified the Treaty on the Prohibition of Nuclear Weapons (TPNW) on 19 May 2021 and the Comprehensive Nuclear-Test-Ban Treaty (CTBT). As a result, the Philippines has since declared, consistent with Article 2 of the TPNW, that a) it does not own, possess, or control nuclear weapons or related facilities; b) that it has never done so; and c) it does not host any other state’s nuclear weapons or related facilities on its territory. More importantly, the country also prohibits the testing of nuclear weapons. In the Southeast Asian region, the Philippines is a signatory to the Treaty of Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ Treaty). Philippine President Ferdinand Marcos, Jr. has also expressed that the country is committed to a world free of nuclear weapons. He has reiterated before the Australian Parliament that the Philippines is a champion of nuclear disarmament and nuclear risk reduction.

Second, the grave consequences of nuclear testing to the Republic of Marshall Islands and other countries with nuclear legacies are recognized by the Philippines. As a result, the Philippine Permanent Representative to the United

Nations in New York, Amb. Antonio M. Lagdameo expressed the recognition that nuclear testing led to harmful consequences, such as radiation exposure and health risks, causing genetic mutations and health issues; Radioactive fallout contaminating ecosystems and the food chain; Global political tensions escalating arms races and endangering global stability; and environmental damage, disrupting ecosystems, fracturing land and other humanitarian consequences affecting communities near testing sites, among others.

Third, the nuclear legacy in the Republic of Marshall Islands and other countries highlights the disproportionate effects of the environmental disruptions resulting from nuclear testing. While the *peoples* from these countries are at the forefront of the destruction, their vulnerability has been perpetuated by the absence of protection and assistance. Those who cannot adapt due to existing systemic problems have also been left behind. These concerns give rise to the need to continue discussing the situation in the Republic of Marshall Islands as it is emblematic of the calls for climate justice and the protection of the marginalized who are greatly affected by the disruptions committed by those wielding power over them.

Anent the inputs provided, the UP IHR maintains the position that nuclear testing should be prohibited and that States should be made accountable to the *peoples* affected by their nuclear testing. More importantly, efforts to remediate the effects of nuclear testing should also focus on the marginalized groups because their social and economic standing prevents them from adapting to the disruptions.

Thank you very much!

Truly yours,


RAYMOND MARVIC C. BAGUILAT