



# PORTUGAL

## 71<sup>st</sup> Session of the General Assembly

Item 79

### Diplomatic Protection

#### Statement by

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Mr. Chairman,

The International Law Commission completed a set of 19 draft articles on Diplomatic Protection in 2006, already 10 years ago, and recommended the elaboration of a convention on the basis of the draft articles.

Portugal has welcomed the work of the ILC in this important topic and continues to consider that Diplomatic Protection is a useful institute in contemporary international relations and that its main rules are ripe and adequate for codification.

Mr. Chairman,

Diplomatic Protection has an important function as a last resort device in the protection of human rights. Although there is a recognizable trend of giving greater autonomy and capacity to individuals and groups to assure the protection of their own rights, Diplomatic Protection conducted by States remains an important remedy for individuals.

As it was said by Professor John Dugard, one of the Special Rapporteurs for this topic, “diplomatic protection remains an important weapon in the arsenal of human rights”.<sup>1</sup>

Mr. Chairman,

Portugal is in agreement with the draft articles in general and with their suitability for an international convention, regardless of certain aspects that could still be improved if we embark on a process leading to the elaboration of a convention.

However, it should be pointed out that there is a clear link between this topic and that of State Responsibility for Internationally Wrongful Acts. In our view, the two processes regarding State Responsibility and Diplomatic Protection should go hand in hand and lead to the elaboration of two parallel conventions. This would represent a major step for the consolidation of the law on international responsibility.

Thank you Mr. Chairman.

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<sup>1</sup> A/CN.4/506, para. 302.