

Statement of Portugal

at the 77th Session of Sixth Committee of the General Assembly

Agenda Item 78

Crimes Against Humanity

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Mr. Chairman,

Let me begin by stating that my delegation aligns itself with the statement delivered by the European Union on the agenda item on Crimes Against Humanity. We would like to convey a few additional remarks in our national capacity.

Portugal has already made its position on this topic quite clear in the past. It remains unchanged.

We maintain our belief that it is possible and imperative for States to follow the recommendation of the International Law Commission and convene a diplomatic conference to negotiate and adopt a convention on the basis of the Draft Articles on Prevention and Punishment of Crimes Against Humanity. Such an international legally binding instrument would be one more step in the common goal of the international law community to make sure that crimes against humanity do not go unpunished.

Mr Chairman,

Regretfully, the Sixth Committee continues failing to effectively progress on this matter. It is our hope that, at this session, this changes and the Sixth Committee is able to make substantive progress.

As we have underlined in previous years, we are conscious of the diverging opinions when it comes to the timing and format of the discussion that could lead to a convention concluded on the basis of the Draft Articles adopted by the Commission. We also respect the many existing views when it comes to the maturity of the discussion in the Sixth Committee and the need to settle these differences.

However, we cannot remain hostage to these divergences and find ourselves lost in a cycle of repetition of arguments from which we cannot draw any concrete action and way forward on this very important topic. As this Committee has proved many times in the past, it is through an open, transparent and dedicated substantive discussion that concerns can be addressed, differences can be bridged, and compromises can be reached.

Accordingly, my delegation feels that, as in the past, we must work through the different views expressed and, to that end, delegations must accept establishing a structured process, with a clear timeframe and within a specific framework, which will steer this Committee towards a meaningful and forward-looking discussion on this topic. We welcome in that regard the proposal put forward by Mexico and other countries to establish an Ad Hoc Committee, and we are ready to engage on the basis of such proposal with a view to making progress.

Mr. Chairman,

In line with statements made by my delegation in previous sessions, we would like to bring again to attention the Mutual Legal Assistance Initiative, which is considering the possibility of concluding an international convention to enhance cooperation between States when most serious crimes, including Crimes against Humanity, are concerned.

The existence of both projects should not be used as an excuse not to move forward on any of them. Portugal remains convinced that both can be developed and implemented together towards a common goal of setting an effective and comprehensive international legal framework for fighting impunity and ensuring accountability for Crimes against Humanity.

Mr Chairman,

It is crucial that the Sixth Committee fulfils its mission and presents the General Assembly with a recommendation that offers a significant way forward on this topic.

Let me conclude by reiterating the flexible and pragmatic position of my delegation to continue to actively contribute for this Committee to reach an understanding and adopt an approach that allows us to reach concrete progress in a balanced manner and within an appropriate and concrete timeframe, on the agenda item on Crimes Against Humanity.

Thank you, Mr. Chairman.