



*The Permanent Mission of Portugal  
to the United Nations*

ONU/2022/83

25 May 2022

The Permanent Mission of Portugal to the United Nations presents its compliments to the United Nations Office of Legal Affairs and with reference to the invitation to submit information on the topic " Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the Protection of Victims of Armed Conflicts" for the purpose of inclusion in the report by the Secretary-General to the General Assembly at its seventy-seventh session, has the honor to transmit herewith information on the said topic provided by the Portuguese Government (document attached to this Note Verbale).

The Permanent Mission of Portugal to the United Nations avails itself of this opportunity to renew to the United Nations Office of Legal Affairs the assurances of its highest consideration.



***Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the Protection of Victims of Armed Conflicts***

Information transmitted by Portugal in relation to Paragraph 12 of Resolution 75/138, adopted by the General Assembly on 15 December 2020

By operative paragraph 11 of Resolution 75/138, adopted by the General Assembly on 15 December 2020, the General Assembly requested the Secretary-General to submit to the General Assembly at its Seventy-Seventh Session a comprehensive report on the status of the Additional Protocols relating to the protection of victims of armed conflicts, as well as on measures taken to strengthen the existing body of International Humanitarian Law (IHL), *inter alia*, with respect to its dissemination and full implementation at the national level, based on information received from Member States and the International Committee of the Red Cross.

By operative paragraph 12 of the same Resolution, the General Assembly encouraged Member States and the International Committee of the Red Cross, in transmitting information to the Secretary-General, to focus on new developments and activities on the status of the Additional Protocols during the reporting period.

National Committees on IHL are useful mechanisms to enhance the national dissemination and national implementation of IHL. Particularly during the current reporting period, these committees are also important tools for implementing Resolution 1 of the 33<sup>rd</sup> International Conference of the Red Cross and Red Crescent (December 2019) – *"Bringing IHL home: A road map for better national implementation of international humanitarian law"*.

At the 33<sup>rd</sup> International Conference of the Red Cross and Red Crescent, Portugal and the Portuguese Red Cross have pledged to create a Portuguese committee on IHL, before the next International Conference took place (2023).

Thus, in late 2021, Portugal created a National Committee on IHL (NCIHL). Its legal basis is Dispatch No. 12625/2021, of December 27, which was issued by

Minister of State and Foreign Affairs, and by the Ministers of National Defence, Internal Administration, and Justice.

The NCIHL has a broad mandate, with the following competences (which may be exercised proprio motu or by request):

- To disseminate IHL at the national level, individually or in collaboration with public or private entities, experts in the area, or members of civil society;
- To advise the Government on IHL matters, namely when consulted by it and by issuing concrete recommendations;
- To ensure implementation of IHL at the national level, alerting the Government to the conclude internal proceedings for the entry into force of international legally binding instruments on this matter, and recommending to the Government that it adopts the necessary regulations to fully implement the Geneva Conventions, its Additional Protocols, or other relevant international instruments;
- To organise studies on the implementation of IHL at the national level;
- To promote special training programmes for addressees especially linked to the IHL context, namely armed forces, security forces and healthcare professionals

The main representatives of the NCIHL are from the Ministries of Foreign Affairs, National Defence, Internal Administration, Justice, as well as from the Portuguese Red Cross. Other persons, internal or external to Public Administration, may be invited to take part in the work of the NCIHL. The Ministry of Foreign Affairs will chair the NCIHL, with the Executive Secretariat being ensured by Portuguese Red Cross.

The NCIHL will start its activities in 2022 and will be an important tool for supporting Portuguese internal and external actions, namely in what concerns Portuguese obligations under IHL and related political commitments.

Portugal looks forward to engaging with the other Members States, the International Committee of the Red Cross, and other relevant humanitarian stakeholders, in enhancing international and regional cooperation on these matters.