



**Crimes Against Humanity
(Agenda item 80)**

Mr. Chair,

At the outset, I wish to align myself with the statements that were delivered by the European Union on behalf of the EU and its Member States, by The Gambia, on behalf of a cross-regional group of states, and by Cabo Verde, on behalf of the Community of Portuguese Speaking Countries, and I would like to add some additional comments in our national capacity.

The position of Portugal regarding this topic has been made clear during our discussions in the past years and 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 step further in the collective goal of the international law community to ensure that crimes against humanity do not go unpunished.



During the second resumed session earlier this year we further exchanged substantive views on this matter, building on the rich discussions we have had previously. If those exchanges taught us anything is that, regardless of our different perspectives, this topic is massively important for the vast majority of Member States, a vast majority and that are united in their resolve to do more to prevent and punish Crimes against Humanity. While differences of views on certain aspects of the draft articles do exist, it is clear that those can only be resolved in the context of a negotiation – that is the goal of a negotiation, it is meant to resolve divergences, it is meant to offer the opportunity to seek a better balance, an improved outcome, it is meant to facilitate a compromise that reflects and accommodates different views.

Mr. Chair,

We came a long way. This ILC carried out intense work on this topic over many sessions, and left in our hands the outcome of such work. Heeding the call from those delegation that asked for more time to discuss the content of the draft articles, this Committee has created the space for those exchanges. Now, Mr. Chair, it is time for us to take the next step and bring Member States to the negotiating table, the only place where States can move from being mere commentators on the substance of the draft articles to actually claiming ownership over their content and being able to shape the outcome of this process.



Accordingly, my country is ready to support a decision to launch a process towards the negotiation and adoption of a Convention on Crimes against Humanity, convinced that in this way we can deliver on what we believe is the responsibility we have as international community of setting up an effective and comprehensive international legal framework for preventing, fighting impunity and ensuring accountability for Crimes against Humanity.

I thank you, Mr. Chair.