

Thank you, Mr. Chair.

At the outset, I wish to align my statement with the one delivered by the European Union, and would like to add a few remarks in our national capacity.

Mr. Chair,

Let me start by saying that we're very happy to be back in this room to follow up on last year's open and fruitful exchanges on the draft articles; and my delegation is hopeful that we can build on the work we've done so far, and continue to further the understanding of each other's perspectives on this matter, with a view to leaving us better prepared for the important decision that we will have to reach in the Fall this year – and Portugal, since the beginning, is looking at this exercise as one that, together with the written comments, is useful to inform and support a future decision to act upon the ILC recommendation and initiate a process towards the negotiation of Convention, on the basis of the draft articles.

Mr. Chair, like last year, my delegation wishes to make the most of this opportunity to have a debate that helps to clarify, that addresses concerns that might exist, and that supports the building of trust between delegations on a product that is important not only in and of itself, but also in the context of the broader relationship between the 6C and the ILC. In other words, we're here to share our views, to share how we read the draft articles, but most importantly we're here to listen and discuss how we can work together on the basis of this draft and with a view to making progress at the 79 session of the 6C.

And I would be remiss if I didn't thank the members of the Bureau (former and current + and in particular our co-facilitators) and also the colleagues from the Secretariat for preparing this session and creating the space for this discussion and for structuring the debate so that we're more efficient in our exchanges.

On the importance of this topic and of a Convention, we don't have much to add to what the EU said and to what my country has mentioned many times over the past few years. We believe a Convention on CaH is necessary and urgent to fill an important gap in international law and in the fight against the most serious crimes of international concern, empowering states to further advance accountability and justice for these crimes.

Like the EU said, there's a purpose to what we're doing here, and such purpose should be both deserving of our full commitment and humbling (in the sense that it's much more important than ourselves and what we might say over the course of these days): what we're collectively seeking is the development international law that helps us achieve a goal that should unite us all, a goal we believe has been uniting us all at least since Nuremberg: defending humanity from crimes that are so horrendous, so terrible, that they not only impact our conscience, but they also threaten the peace, security and well-being of the world. This should be our guiding light.

Mr. Chair, when it comes to the preamble, we would just like to point out that we also read it as laying out a conceptual framework for the draft articles, defining the general context in which they were developed and their main objectives. Like others, we also note that the preamble is in part inspired by the language used in the preambles of international treaties relating to the most serious crimes, including the Genocide Convention and the Rome Statute. And, obviously, we also note and very much support the reference to the jus cogens nature of Crimes Against Humanity – and let me recall that the prohibition of crimes against humanity is part of the non-exhaustive list of jus cogens included in the ILC conclusions on the identification and legal consequences of jus cogens, whose adoption was recognized and reflected in GA resolution 78/109.

On draft Article 1, we just note the dual scope of the draft articles, which apply both to the prevention and to the punishment of crimes against humanity, and like other colleagues we also believe they work hand in hand and are mutually supportive.

I thank you, Mr. Chair.