Responsibility of International Organizations -
Portugal

Mr. Chairman,

Portugal would like, first of all, to congratulate once more the Commission on the completion in 2011 of the draft articles on the Responsibility of International Organizations, which was indeed a significant moment, and to praise again Mr. Gaja for his commitment to the topic.

Mr. Chairman,

During its first session, in 1949, the Commission selected for codification the topic "State Responsibility", embarking on what is certainly one of its most important assignments: the codification of international responsibility. Sixty two years later, and after the adoption of the draft articles on State Responsibility in 2001, the Commission fulfilled its mission by adopting the draft articles on the Responsibility of International Organizations.

Mr. Chairman,

Having already conveyed our detailed comments to the Commission for its consideration, Portugal would like to underline some of its views, which diverge from the Commission's approach to the subject and are also shared by other states.

The Codification of the Responsibility of International Organizations is the logical counterpart of that of State Responsibility. However, this does not necessarily mean that the first is required to derive from the latter. In fact, in our view, the draft articles still follow those on State Responsibility too closely.

As stated in previous opportunities, Portugal considers that the principles of State Responsibility generally apply to the responsibility of International Organizations, as was demonstrated by the work of

Additionally, we consider that the analysis undertaken