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UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH COMMITTEE,
SEVENTY-NINTH SESSION, AGENDA ITEM 79,
REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS 75TH SESSION: PART I (A/79/10)
CHAPTERS I ±III (INTRODUCTORY PARTS) and XI (OTHER DECISIONS AND CONCLUSIONS OF THE COMMISSION)
CHAPTER VII (IMMUNITY OF STATE OFFICIALS FROM FOREIGN CRIMINAL JURISDICTION)
CHAPTER X (SEA-LEVEL RISE IN RELATION TO INTERNATIONAL LAW)

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its long-term programme of work. We thank Mr. 0—UWL¼ã 3DSDULQ and Ms. Penelope Ridings for their preparation of the VOODEXVHV DQQH[HG WR WKH &RPPLVV United Kingdom is considering these carefully.

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Chair,

6. I now turn to WKH WRSLF RI VW immunity of State officials from foreign criminal jurisdiction ¶

7. The United Kingdom congratulates Professor Grossman on his appointment as Special Rapporteur during the Seventy-Fourth session. We welcome the measured approach he has taken to this topic so far and the careful FRQVLGHUDWLRQ RI 6WDWH ¶1 to 6 PPHQWV set out in his first report.

8. The United Kingdom emphasises the importance of the

United Kingdom also questions whether exactly the same procedural provisions and safeguards would be appropriate for examining and determining both questions of personal immunity and those of functional immunity. For example, it is important in practice for the proper and effective application of immunity ratione materiae that the foreign State expressly acknowledges the act of its official as its own, whereas invocation by the foreign State is in practice not always necessary for the application of immunity ratione personae which depends not on the nature of the relevant act but on the senior status of the official which is likely to be readily apparent.

12. Therefore, it is vital that the Commission takes sufficient time to reflect and amend those proposals before

13. On the topic -level rise in relation to international law ¶ the United Kingdom Z H O F R P H V W K H & R P P L V V ongoing work on this important topic. The United Kingdom recognises that this topic continues to be of immediate relevance and concern for many Member States and, in this regard, the United Kingdom was pleased to participate recently in the Higf2r

approaches to addressing these important issues that are grounded in international law, with a view to potential broader consequences.

16. The Commission is due to produce a final report next year, which is expected to address the various strands of the