

**UNGA 79 Sixth Committee / Agenda item: 79 - Report of the International Law Commission on the work of its seventy-first session: Cluster I
Statement by the Delegation of Armenia**

Mr Chairman,

On the project I we support the intention of the Special Rapporteur to address the distinction between the exercise of criminal jurisdiction and inviolability in the commentaries to draft Article 1.¹ We likewise endorse his proposal to amend paragraph 3 of draft Article 1 and the commentary.²

On draft Article 2, we agree with the clarification provided on the question of nationality of the official and suggest that it be included in the commentary.³ We likewise support his proposal to provide further clarification in the commentary of the types of State officials in relation to military personnel.⁴

explanation in the commentary to Article 9.⁵

Article 3.⁶ We welcome the proposed replacement in Article 5 with a cross-reference to Article 6.⁷ We are open to the potential merger of Articles 5 and 6 but suggest *ratione materiae* ⁸ We also agree with the proposed amendment to paragraph 3 of Article 6 and additions to the commentary.⁹

O -level rise we welcome the additional paper to the second issues paper. We consider the consequences of sea-level rise for the continuation of Statehood to engage with fundamental questions of international law. An intricate issue is within the meaning of Article 121 of the 1982 UN Convention on the Law of the Sea that becomes submerged continues to satisfy the customary criterion of

² Ibid, para 178; First Grossman Report (note 1) para. 56.

³ Ibid, para 183; First Grossman Report (note 1) paras 60, 73.

⁴ Ibid; First Grossman Report (note 1) paras 63, 75.

⁵ Ibid, para 182; First Grossman Report (note 1) para. 76.

⁶ Ibid, para 184; First Grossman Report (note 1) para. 98.

⁷ Ibid, para 191; First Grossman Report (note 1) paras 129, 132-136, 143.

⁸ Ibid, para 190; First Grossman Report (note 1) para. 137.

⁹ Ibid, para 195; First Grossman Report (note 1) paras 158-163.

¹⁰ Ibid, para 355.

¹¹ Ibid, paras 362-363; Crawford (note **Error! Bookmark not defined.**) 700-717.

problem of permanent submergence.¹² In particular
era.¹³ As the
,¹⁴ recognition by other States can be of
considerable importance.¹⁵ A
a submerged State to retain its Statehood even if most or all of its population were relocated to
the territory of another State.¹⁶

Concerning the question of outcome, we support the format of a joint final report.¹⁷ Although
invite the Commission to reconsider
its decision in 2018 not to propose amendments to the UN Convention on the Law of the Sea.¹⁸

Regarding the other decisions and conclusions, we welcome
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practice than when the Commission adopted [Article 36 of] the draft articles on the
responsibility of States for
¹⁹ The proposal to examine
the topic of compensation in greater depth and with a practical focus fits the mandate of the
Commission.²⁰ While reserving our position on form pending full debate, we consider the
relationship of any product with the 2001 Articles to be key.

The
is also a practical and fundamental one.²¹ The
is lucid.²² Framed as being
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the output could be framed as a freestanding one distinct from the 2001 Articles.

¹² Ibid, para. 366.

¹³ Ibid, 716.

¹⁴ Crawford (note **Error! Bookmark not defined.**) 52, 221-222.

¹⁵ Ibid, 223, 668-672.

¹⁶ A/79/10, paras 379, 368; Additional Paper (note **Error! Bookmark not defined.**) para. 83.

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