





coastal barriers or defences and dykes, reinforces the importance



the draft articles and the special regime applicable to international criminal courts and tribunals from the regime of immunity applicable at the national level. This is done by essentially providing

W K D W W K H G U D d W t d f e c t t h e R i g h t s a n d o b l i g a t i o n s o f

19. On Draft Article 14 Determination of Immunity μ P \ G H O H J D W L R tends to agree with the early determination considering the diverse State practice and deems as appropriate the use of the terminological phrase 'competent authorities of the forum State μ since a determination can be made by a police officer, a prosecutor, or a foreign ministry official, before courts become involved. This also does not preclude the courts of the forum State having a say subsequently in our view.
20. My delegation will continue to examine the utility of retaining Draft Article 8 Examination of immunity by the forum State μ D Q G Draft Article 14 , and whether it may be necessary to retain both. The decision by the Commission to differentiate between determination (Draft Article 14) and examination (Draft Article 8) and retaining both articles is well noted.
21. My delegation agrees at this stage with the inclusion into the text in Paragraph 1 and in conformity with the applicable rules of international law μ D V L W H P S K D V L ] H V W K D W U H J D U G O envisaged with respect to the organs, laws and procedures of the forum State, the determination must nevertheless produce a result that is consistent with international law.
22. On paragraph 2 of Draft Article 14, we tend to agree with the methodology of the use of a non-exhaustive list, the factors that need to be taken into account by the competent authorities when determining the potential applicability of immunity.
23. On Paragraph 3, Sierra Leone takes note of th13(t)6met2 259.rfn

24. The use of the standard of proof already inspired by the Rome Statute of the International Criminal Court, which provides that there are substantial grounds to believe that the official committed any of the crimes under international law listed in draft article 7, with a robust debate, further consolidates what will be the practice of at least 123 States. As this assures of a higher threshold of proof,

