

Before the Sixth Committee of the 77th Session

of the United Nations General Assembly

Delivered by

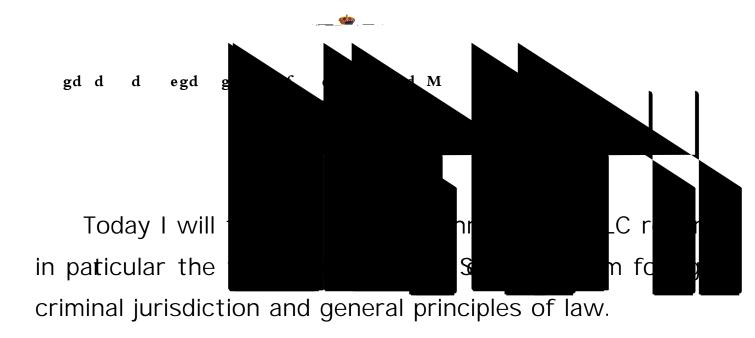
H.E. Permanent Representative Ambassador Mahmoud D

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"Report of the ILC

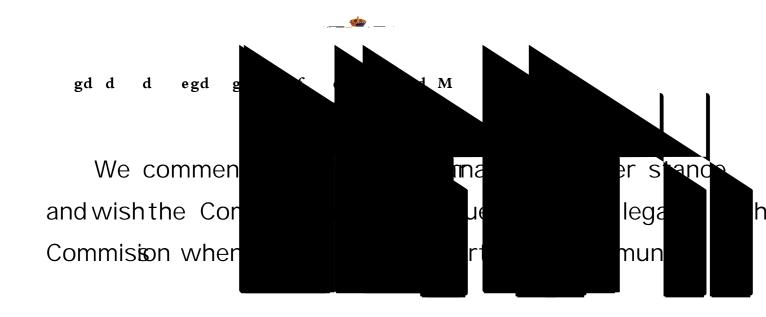
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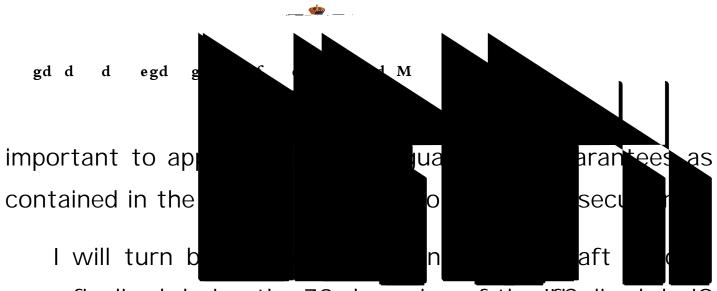


<u>Immunity of tate officials from foreign criminal</u> <u>jurisdiction</u>:

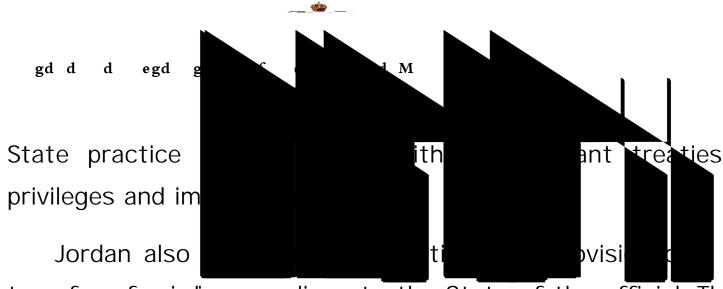
At the outset, my delegation wishes to thank the Special Rapporteur Madame Escobar Hernandez for her efforts dedication to the topier the yearshich led to the adoption by the ILC of a set of draft articles on first reading.

Despite the immense political pressure on the Special Rapporteur to change her position on the issue of exception immunity ratione materiae, she refused to politicize the matter or compromise her principled position, which led to her no being relected last year.





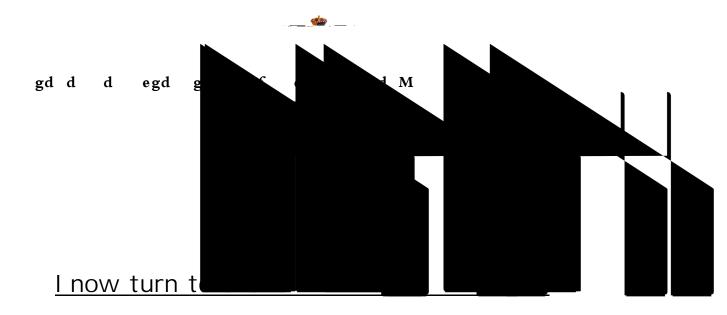
were finalized during the 73rd session of where IE Chalized duri 02



transfer of crimal proceedings to the State of the official. The text of draft art(105) sets the right balance between the legal interests of the forum Stattleosedthe State of the official.

We would have wished that the draft articles contained provision on the suspension of criminal proceedings as part of the settlement of disputes mechanism (under article of However, my delegation can accept the header to the hope that the second reading minayarpamotais ion on the suspensive ffect of the invocation of dispute settlement.

Jordan also welcomes the text of paragraph 3 of art (14), on the determination of immunity which it considers as important safeguard against sham prosecutions under article

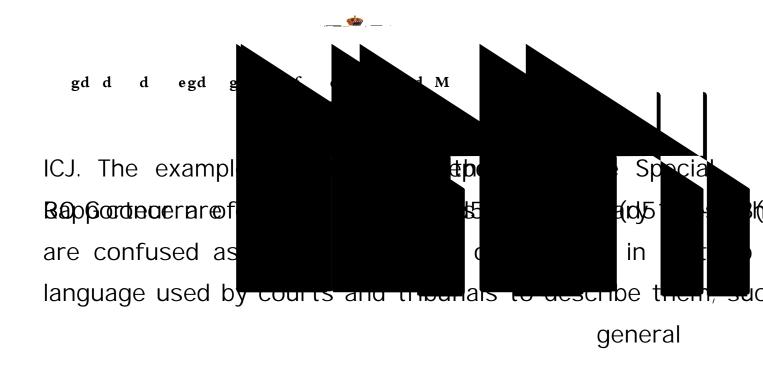


My delegation wishes to express its deep gratitude for Special Rapporteur, Ambassador Marcelo Vasquezdez,

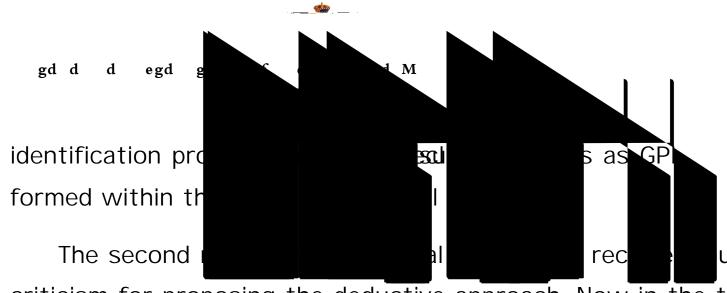
. We look forward to receiving the full set of draft conclusions on first reading year.

I will only tackle the issue of thoulessob general principles of law that may be formed within the international legal system.

Again, my delegation has sedoubts on the existence of such category that we expressed last year. Such a category only advocated for in literature and some academic writings is neither supported by States practice nor by the opinions of



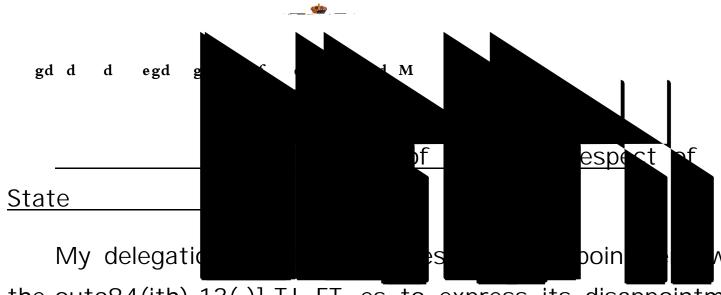
The concern



criticism for proposing the deductive approach. Now in the tl report, the Special Rapporteur decided to add to induct - Again,

this is both novel amplementable

My delegation wishters the Commission would have opted for a -poejudice clauses the majority of the Commission either refused or had doubts absectoral category. We regret that the ILC report does not reflect the commentaries to conclusions (3) and (7) which give opposite impression is our hope that the Commission reconsiders its position and after conclusion (7) to-a no prejudice clause without giving such an imaginary categor more value than it deserves.



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