

Agenda Item 81. Report of the International Law Commission (Cluster II)

Statement by Ms. Ju Yeong Jang, Second Secretary

Permanent Mission of the Republic of Korea to the United Nations

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(Checklist Delivered)

Mr. Chairman,

My delegation welcomes the fourth report prepared by the Special Rapporteur, Mr. Shinya Murase, and would like to thank him for his efforts. We would also

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Turning to the topic of Immunity of State officials from foreign criminal jurisdiction, My delegation welcomes the fifth report prepared by the Special Rapporteur, Ms. Concepción Escobar Hernández and would like to thank her for her efforts. We would also like to extend our sincere appreciation to the ILC

members, and in particular the Drafting Committee, for their work in adopting draft article 7.

The Scope of possible limitations and exceptions to State officials' immunity from foreign criminal jurisdiction is one of the most important issues on this topic. However, last year the Commission did not have enough opportunities to deal with this issue due to a delay in the translation of the Special Rapporteur's report

into other UN official languages. Thus our government considers it appropriate

that the Commission continues to discuss exceptions to immunity this year.

My delegation takes note of the fact that the Commission adopted draft article 7

My delegation fully supports global efforts to combat impunity, but it is necessary to pay attention to the jurisprudence of the ICJ on this issue. In the case of the *Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo*

belonging to substantive matters do not constitute a bar to immunity, which is a procedural matter.

In this regard, my delegation regrets that the Commission and the Council