



76th Session of the General Assembly

Report of the International Law Commission on the work of its 72nd session:
Immunity of State officials from foreign criminal jurisdiction
Sea-level rise in relation to international law

New York, 29th October, 2021

Madam / Mr. Chair,

Concerning the topic “

”, the Czech Republic would like to express its appreciation to the Special Rapporteur, Ms. Concepción Escobar Hernández, for her eighth report on the jurisdiction of international tribunals, settlement of disputes and good practices. We would like to briefly comment on these issues, as well as on the draft procedural articles 8 to 12 [13] provisionally adopted by the Commission at this session.

As regards draft article 18, it seems to be clear that the draft articles do not apply to the autonomous regi

jurisdiction of foreign States without any immunity being applicable. However, the draft articles included in Part Four seem to focus mainly on the exercise of foreign jurisdiction against officials covered by immunity . Therefore, we suggest that the draft appropriately take into account possible differences between the procedural steps,

adherence to the existing legal regime of the law of the sea, in particular the 1982 Convention of the Law of the Sea.

It is equally important that such work take duly into account practice of the broadest possible number of coastal States. We therefore note with appreciation that several coastal States responded to the Commission's invitation to provide information on their practice regarding "Sea level rise in relation to international law" and submitted their written comments. It is also our hope that other coastal States will follow this example.

Thank you, Madam / Mr. Chair.