



**PERMANENT MISSION OF SINGAPORE  
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**STATEMENT BY MR NATHANIEL KHNG,  
DELEGATE TO THE 73<sup>RD</sup> SESSION  
OF THE UNITED NATIONS GENERAL ASSEMBLY,  
ON AGENDA ITEM 82, ON THE REPORT OF THE  
INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS  
SEVENTIETH SESSION (CLUSTER 3: CHAPTERS IX,  
X AND XI), SIXTH COMMITTEE,  
31 OCTOBER 2018**

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[Please check against delivery]

1 Thank you Mr Chair. My delegation thanks the International Law Commission for its report on the topic “Immunity of State officials from foreign criminal jurisdiction” and would like to offer some comments on it.

2 The work of the Commission on this topic touches on practical aspects of Member States’ international relations. Thus, it remains of significant interest to my delegation. We reiterate our appreciation to the Special Rapporteur, Ms Concepción Escobar Hernández, for her continued endeavours.

3 The Special Rapporteur plans to propose draft articles for the procedural aspects in her seventh report, based on the analysis in her sixth and seventh reports. We look forward to studying both reports together next year for a more holistic understanding of the issues within.

4 At this time, my delegation reiterates that the issue of exceptions to immunity *ratione materiae* was a divisive one at the last session of the Commission, and is one which accordingly requires further consideration. It is, however, clear that, at the very minimum, the State of the forum and the State of the official may agree to the non-applicability of immunity for their officials in given circumstances. The issue of safeguards remains therefore relevant.

5            In this regard, my delegation wishes to underscore the need to focus on safeguards to ensure that exceptions to immunity *ratione materiae* are not applied in a wholly subjective manner. We agree with members of the Commission who considered that full discussion of procedural issues was important to ensure that immunities, where applicable, were respected in order to safeguard the stability of international relations and ensure respect for the sovereign equality of States.

6            Thank you very much, Mr Chair.

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