



**PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS**

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**STATEMENT BY MS CHUNG YOON JOO,
DELEGATE TO THE 74TH SESSION
OF THE UNITED NATIONS GENERAL ASSEMBLY,
ON AGENDA ITEM 79,
ON THE REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE
WORK OF ITS SEVENTY-FIRST SESSION
(CLUSTER 2: CHAPTERS VI, VIII & X OF A/74/10),
SIXTH COMMITTEE,
31 OCTOBER 2019**

[Please check against delivery]

Mr Chair,

1. I shall now address Chapters VI, VIII and X of the Commission's Report.
2. Singapore congratulates the Commission on the adoption, on first reading, of draft principles on "Protection of the environment in relation to armed conflicts". My delegation is especially gratified to note, in the commentaries to these draft principles, the citation to the 1956 *Singapore Oil Stocks* case. Singapore hopes that the Commission will continue its efforts to ensure that its output represents the different legal cultures and geographical regions of these United Nations.
3. I now turn to Chapter VIII of the Report on the topic "Immunity of State officials from foreign criminal jurisdiction". The work of the Commission on this topic remains of significant interest to my delegation because it touches on practical aspects of Members' international relations.
4. My delegation notes that the Special Rapporteur had provided a highly comprehensive review of the procedural issues in both her sixth and seventh reports, and proposed draft articles for the Commission's consideration. We reiterate our appreciation to the Special Rapporteur Ms Concepción Escobar Hernández for her efforts.
5. My delegation wishes to underscore the necessity of safeguards to ensure that exceptions to immunity *ratione materiae* are not applied in a wholly subjective manner. In this regard, 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. At the same time, we are of the view that, while clarity on this area of law would be helpful, a margin of appreciation and flexibility must be accorded to States to address matters pertaining to immunity of State officials. In this regard, mechanisms allowing for consultations between the State of the official and the forum State would undoubtedly be useful especially when faced with unforeseen developments or circumstances.

7. We appreciate the Commission’s robust discussion on this topic, and look forward to the Drafting Committee’s further work on the draft articles.

Mr Chair

8. I now turn to Chapter X of the Report on the topic “Sea-level rise in relation to international law”.

9. As a small, low-lying island State, Singapore is particularly vulnerable to the threat of rising sea levels. For us, sea-level rise is an existential issue. Singapore will do our full part to combat and mitigate the effects of climate change, including rising sea levels. At the same time, we recognise that this is ultimately a challenge of the global commons that requires a multilateral approach.

10. In view of this, we consider the Commission’s decision to study this topic to be both timely and crucial. We note that the Commission has chosen to establish a membership-based Study Group, which will be open to all members of the Commission. We hope that its composition will be representative of the different geographical regions. We also hope that the Commission will engage with Member States across all regions, taking into account the diverse interests of States, including those which are particularly vulnerable to the threat of rising sea levels.

11. We look forward to welcoming members of the Commission, whom we understand will be in Singapore next month to attend an Informal Roundtable on “Sea-level Rise and the Law of the Sea” organised by the National University of Singapore Centre for International Law, and to continual active engagement with the Commission and other delegations on this important topic.

12. I thank you, Mr Chair.

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