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Statement of Japan

United Nations General Assembly, Sixth Committee, 77th SESSION,  
Report of the International Law Commission on the work of its seventy-third session  
Agenda item 77, Cluster II

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Thank you, Mr. / Madam Chairperson,

I have the honour to speak on behalf of the Delegation of Japan. I would like to comment on the substantial topics covered in Cluster 2.

Immunity of State officials from foreign criminal jurisdiction

Mr. / Madam Chairperson,

On first reading, Japan welcomes the adoption of the draft articles and commentaries thereto on "Immunity of State officials from foreign criminal jurisdiction". Our appreciation goes to the members of the Commission, particularly the Special Rapporteur, Ms. Concepción Escobar Hernández for her untiring contribution.

Now that the first reading is completed, I take this opportunity to reiterate Japan's position that the divergent views on draft article 7 among members of the Commission need to be overcome, and Japan hopes that the Commission will provide Member States with a persuasive explanation in this regard.

Let me also emphasize that Japan looks forward to submitting comments and observations on the draft articles, and constructively engaging in the discussions.

Sea-level rise in relation to international law

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Mr. / Madam Chairperson,

Now, I would like to address the topic of “sea-level rise in relation to international law.” Japan highly appreciates the Commission’s dedicated work on this issue for the last few years, fully recognizing how pressing the issue of sea-level rise is, especially for small island States.

Unlike the temporal loss of a territory, observed as examples in the discussion, the disappearance of a territory and relocation of a population as a result of sea-level rise have never happened in recorded history. The affected States may result in lack of the criteria for statehood as set out in the 1933 *Convention on the Rights and Duties of States*. Thus, there needs to be further consideration on the applicable international law to this unprecedented situation.

In addition, Japan expects the Commission to further consider applicable international law on the protection of persons affected by sea-level rise.

I thank you.

-end