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PERMANENT MISSION OF THAILAND
TO THE UNITED NATIONS

351 EAST 52ND STREET · NEW YORK, NY 10022

TEL (212) 754- 4)\$; -3029

Statement

Mr. Chair,

Today, my delegation wishes to share

Apart from these agreements, Thai courts already have experience in dealing with granting immunity to foreign State officials from the Thai criminal jurisdiction. Therefore, we believe that this must be carried out carefully and should achieve the right balance between according necessary immunity to State officials from foreign criminal jurisdiction, on the one hand, and combating impunity, on the other.

With respect to persons enjoying immunity *ratione materiae*, the focus should not be on the identification of such persons. This is because such term has yet to be firmly defined by international law while it is defined differently under various regimes of domestic law. It is therefore important that the Commission take due consideration of State practice in this area. Furthermore, my delegation wishes to point out that it would be very difficult, if not impossible, to identify persons who are acceptable to all States. The persons covered by immunity *ratione materiae* can only be those who are