



As a member of the Pacific Community, Australia commends the attention that the Commission and States Parties continue to give to the issue of sealevel rise.

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Madam Chair

Australia would also like to make some remarks today in relation to the

jurisdiction.

procedural aspects of such immunity.

Regarding draft Article 18 proposed by the Special Rapporteur, Australia invites the Commission to further elaborate and clarify the rationale for the new draft article.

In this regard, Australia notes the existing without prejudice clause in draft article 1. The commentary to that draft article makes clear that immunities enjoyed before international criminal tribunals remain outside the scope of the draft articles.

Further, the commentary also provides that none of the rules that govern immunity before such tribunals are to be affected by the content of the draft articles.

In relation to draft article 17, Australia invites the Commission to clarify how the article would operate in practice, particularly in light of language in draft article 17 indicating that States may suggest referral of a dispute to arbitration or to the International Court of Justice.

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drafts articles 8 ante, 8, 9, 10, 11 and 12