

Before the Sixth Committee of the 77th Session

of the United Nations General Assembly

Delivered by

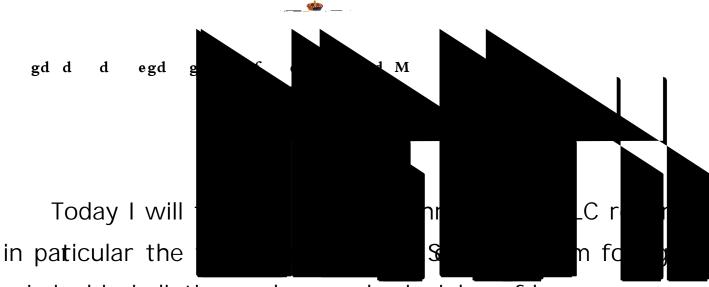
H.E. Permanent Representative Ambassador Mahmoud D

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"Report of the ILC

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criminal jurisdiction and general principles of law.

Immunity of taite officials from foreign criminal jurisdiction:

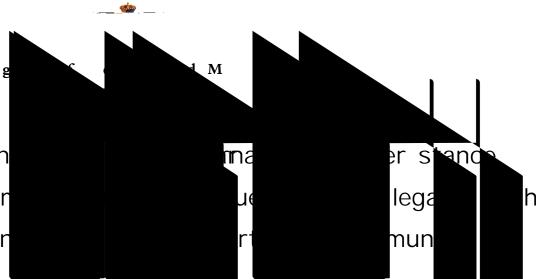
At the outset, my delegation wishes to thank the Spece RapporteurMadame EscobarHernandez for her efformed dedication to the toppier the yearshich led to the adoption by the ILC of a set of draft articles on first reading.

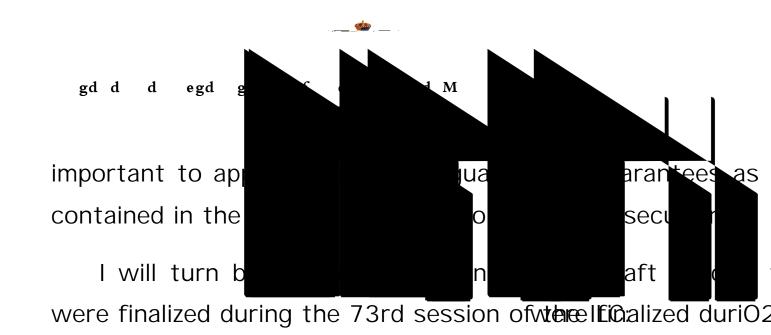
Despite the immense political pressure on the Special Rapporteur to change her position on the issue of exception immunityratione materiae, she refused to politicize the matter or compromise her principled position, which led to her n being relected last year.

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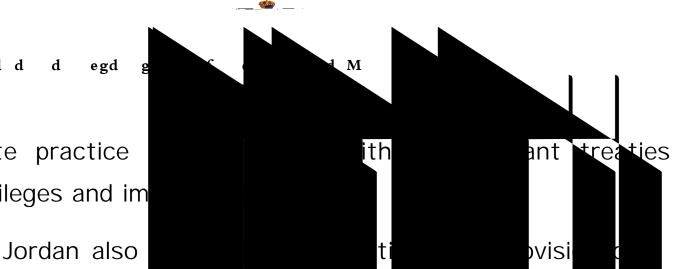
We commen and wish the Cor Commision wher





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State practice privileges and im

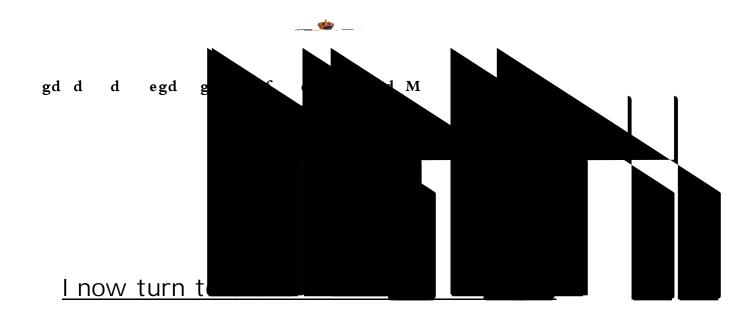


transfer of crimali proceedings to the State of the official. The text of draft art(cb) sets the right balance between the lega interests of the forum Statleosed of the official.

We would have wished that the draft articles containe provision on the suspension of criminal proceedings as part of the settlement of disputes mechanism (under article However, my delegation can accept the heek raftfarticle in the hope that the second reading minaya comotaision on the suspensiveffect of the invocation of dispute settlement.

Jordan also welcomes the text of paragraph 3 of art (14), on the determination of immunity which it considers as important safeguard against sham prosecutions under article

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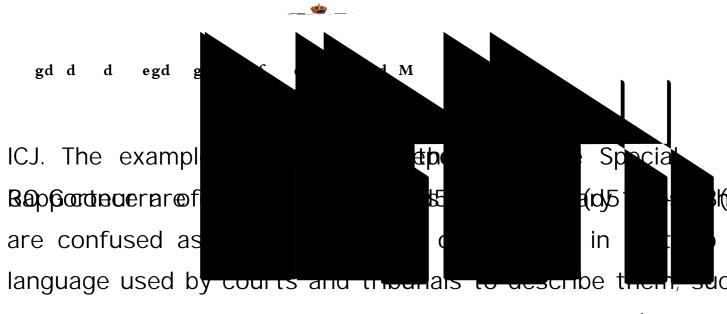
My delegation wishes to express its deep gratitude for Special Rapporteur, Ambassador Marcelo Vascoppezdez,

. We look forward to

receiving the full set of draft conclusions on first reading r year.

I will only tackle the issue of the defined general principles of law that may be formed within the internation legal system.

Again, my delegation has sedoubts on the existence of such category that we expressed last year. Such a catego only advocated for in literature and some academic writings is neither supported by States practice nor by the opinions of



general

The concern

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identification pro formed within th

Μ s as <u>G</u>P 50 The second rec

criticism for proposing the deductive approach. Now in the t report, the Special Rapporteur decided to add to induct Again,

this is both novel amorphic mentable

My delegation wishten the Commission would have opted for a -poejudice clauseas the majority of the Commission either refused or had doubts about on the doubts about the doubt of the category. We regret that the ILC report does not reflect the the commentaries to conclusions (3) and (7) which give opposite impressiont is our hope that the Commission reconsiders its position another after conclusion (7) to-a no prejudice clause without giving such an imaginary categor more value than it deserves.

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