



Mr. Chairman,

With respect to "**Protection of the environment in relation to armed conflicts**", the Chinese delegation congratulates the Commission on its adoption of 28 draft principles and commentaries thereto on first reading. We commend the two Special Rapporteurs for their efforts devoted to this topic, which we believe will positively contribute to enhancing the protection of the environment in relation to armed conflicts. The Chinese delegations understands that it is the intention of the Commission to develop relevant rules in order to better regulate non-international armed conflicts. We wish to reiterate, however, that it is not appropriate to make the draft principles applicable, without any differentiation, in both international and non-international armed conflicts. In particular, it is inadvisable to simply copy certain rules governing international armed conflicts, and apply them directly in situations of non-international armed conflicts. For instance, draft principle 19, which prohibits the use of environmental modification techniques, has been modelled on the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. In the commentary to draft principle 19, it was conceded that the relevant provisions of the said Convention, and the obligations

With respect to "**Immunity of State officials from foreign criminal jurisdiction**", the Chinese delegation has noted that two years after the Commission provisionally adopted draft article 7 by a recorded vote, the exceptions to immunity 231784: B31:273: addressed by this article remain the most contentious, high-profile issue of this topic. During the deliberation of the Sixth Committee at the two previous sessions, many countries voiced their objection to the exceptions set out in draft article 7. Several ILC members also maintained their reservations on this draft article and requested a fresh review of draft article 7 and its commentary. We advise the Commission to pay attention to those views.

This year the Special Rapporteur submitted the seventh report, which examined, inter alia, procedural safeguards related to immunity of State officials from foreign criminal jurisdiction and proposed nine draft articles. At present, the Commission is yet to reach agreement on the institutional framework and specific content of

procedural safeguards are different in nature from rules of immunity of State officials. No procedural safeguards, however well designed they are, can compensate for the flaw in the substantive rule presented by draft article 7 regarding exceptions to immunity 231784: B31:273: of State officials. It is therefore necessary to reexamine draft article 7 in order to come up with a correct solution solidly grounded in general State practice and 8;7478 KL275.

With respect to "**Sea-level rise in relation to international law**", the Chinese delegation has noted that the Commission has decided at its current session to include this topic in its programme of work, and established a Study Group to work on three subtopics, namely issues related to the law of the sea, statehood and the protection of persons affected by sea-level rise.

Sea-level rise affects the vital interests of costal States in general. It is a new phenomenon that goes beyond the current scope of the law of the sea and requires examination in conjunction with many other departments of international law in light of the development of emerging State practice. We hope that the Commission, with a full recognition of the complexity of this topic, will thoroughly analyze various State practice across the spectrum as well as related legal questions in order to produce objective, balanced and valuable outcomes.

The root cause of Sea-level rise is climate change. China stands ready to work with other countries to promote the comprehensive and effective implementation of the Paris Agreement, and strengthen regional cooperation with neighbouring costal states to explore effective ways of response.

Mr. Chairman,

Since I will not be able to participate in the Committee's deliberations next week due to prior commitments, please allow me to present my delegation's views on two topics in Cluster III as well.

With respect to "**Succession of States in respect of State responsibility**", the Chinese delegation would like to reiterate the following points: there is very scarce State practice in this area, and what little evidence that is available reflects complex political and historical considerations that vary from one case to another. Many examples of State practice cited by the Special Rapporteur in his report are context-specific, often featuring the signing of special agreements as a means to address relevant

