

Chapter III

Specific issues on which comments would be of particular interest to the Commission

24. The Commission considers as still relevant the request for information contained in chapter III of the report of its seventy-first session (2019) on the topics “Immunity of State officials from foreign criminal jurisdiction” and “General principles of law”⁴ and would welcome any additional information.

A. Succession of States in respect of State responsibility

25. The Commission would appreciate being provided by States with information on their practice relevant to the succession of States in respect of State responsibility by 31 December 2021. The Commission would particularly appreciate receiving examples relevant to this topic of:

- (a) treaties, including lump sum agreements and other relevant multilateral and bilateral agreements;
- (b) domestic law, including legislation implementing multilateral or bilateral agreements;
- (c) decisions of domestic, regional and subregional courts and tribunals.

B. Sea-level rise in relation to international law

26. At the seventy-third session (2022), the Study Group will focus on the subtopics of sea-level rise in relation to statehood and the protection of persons affected by sea-level rise. In this connection, the Commission would welcome receiving, by 31 December 2021, any information that States, relevant international organizations and the International Red Cross and Red Crescent Movement could provide on their practice and other relevant information regarding sea-level rise in relation to international law, including on:

- (a) practice with regard to the construction of artificial islands or measures to reinforce coastlines, in each case in order to take into account sea-level rise;
- (b) instances of cession or allocation of territory, with or without transferral of sovereignty, for the settlement of persons originating from other States, in particular small island developing States, affected by sea-level rise;
- (c) regional and national legislation, policies and strategies, as applicable, regarding the protection of persons affected by sea-level rise;
- (d) practice, information and experience of relevant international organizations and the International Red Cross and Red Crescent Movement regarding the protection of persons affected by sea-level rise;
- (e) measures taken by third States with regard to small island developing States, in particular those affected by sea-level rise, including: (i) modalities for cooperation or association with such States, including the possibility of persons travelling to, as well as establishing residency and developing professional activities in, such third States; (ii) maintenance of the original nationality and/or access to the nationality or citizenship of the third State; and (iii) conservation of the cultural identity of such persons or groups.

27. As regards the subtopic of sea-level rise in relation to the law of the sea, the Commission would further welcome receiving from States, by 30 June 2022, in addition to

⁴ *Official Records of the General Assembly, Seventy-fourth Session, Supplement No. 10 (A/74/10)*, paras. 29 and 30, respectively.

the specific issues on which comments were requested in chapter III of the report of its seventy-first session (2019):⁵

(a) examples of practice relating to the updating, and frequency of updating, national laws regarding baselines used for measuring the breadth of maritime zones; practice relating to the frequency of updating national maritime zone notifications deposited with the Secretary-General of the United Nations;

(b) examples of practice relating to the updating, and frequency of updating, charts on which baselines and outer limits of the exclusive economic zone and of the continental shelf are drawn, as well as lists of geographical coordinates prepared in accordance with the relevant provisions of the United Nations Convention on the Law of the Sea and/or national legislation, including those which are deposited with the Secretary-General of the United Nations and given due publicity; examples of practice relating to updating, and frequency of updating, navigational charts, including for purposes of evidencing changes of the physical contours of the coastal areas;

(c) any examples of the taking into account or modification of maritime boundary treaties due to sea-level rise;

(d) information on the amount of actual and/or projected coastal regression due to sea-level rise, including possible impact on basepoints and baselines used to measure the territorial sea; and

(e) information on existing or projected activities related to coastal adaptation measures in relation to sea-level rise, including preservation of basepoints and baselines.

28. The Commission would welcome receiving such examples of State practice and information, as well as any other examples of State practice and information relevant to the topic, from all regions and subregions of the world, including, in particular, from States within regions and subregions from whom it has received few or no submissions thus far.

⁵ *Ibid.*, para. 32.