



General Assembly

Distr.: Limited
6 July 2021

Original: English, French and
Spanish

International Law Commission

Seventy-second session

Geneva, 26 April–4 June and 5 July–6 August 2021

Immunity of State officials from foreign criminal jurisdiction

Addendum

Text and title of draft article 12 provisionally adopted by the Drafting Committee

Draft article 12

Requests for information

1. The forum State may request from the State of the official any information that it considers relevant in order to decide whether immunity applies or not.
 2. The State of the official may request from the forum State any information that it considers relevant in order to decide on the invocation or the waiver of immunity.
 3. Information may be requested through diplomatic channels or through any other means of communication accepted for that purpose by the States concerned, which may include those provided for in applicable international cooperation and mutual legal assistance treaties.
 4. The requested State shall consider any request for information in good faith.
-

