



# General Assembly

Distr.  
LIMITED

A/EN.4/L.462/44.1/CORR.2  
8 July 1991

Original: ENGLISH

INTERNATIONAL LAW COMMISSION  
Forty-third session  
29 April-19 July 1991

CHAPTER II

## DRAFT REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS FORTY-THIRD SESSION

### JURISDICTIONAL IMMUNITIES OF STATES AND THEIR PROPERTY

#### CHAPTER II

#### CONTENTS

1. Page 1, text of article 1, line 1, "one State" should read "a State".
2. Page 14, line 4, "Paragraph 1(b)(iv bis)" should read "Paragraph 1(b)(iv)".
3. Page 15, paragraph 16, line 4, add at the end of the paragraph:  
"The concept of 'agencies or instrumentalities of the State or other entities' could theoretically include State enterprises or other entities established by the State performing commercial transactions. For the purpose of the present articles, however, such State enterprises or other entities are presumed not to be entitled to perform governmental functions, and accordingly, as a rule, are not entitled to invoke immunity from jurisdiction of the courts of another State (see article 10, paragraph 3)".
4. Page 16, paragraph 18, line 3, the word "three" should read "four".
5. Page 37, text of article 7, paragraph 1(e), should read:  
"by a declaration before the court or by a written communication in a specific proceeding."

GE.91-70720

1F.

BEST COPY AVAILABLE