

## Recommended reading materials for the Special Course on Immunity of States and their Officials from Foreign Jurisdiction

### Overview of the law on immunity: sources, rationales, evolution

Hazel Fox and Philippa Webb, *The Law of State Immunity* (OUP 3<sup>rd</sup> rev edn, 2015), Chapters 1 and 2

Lori Fisler Damrosch, 'The Sources of Immunity Law – Between International and Domestic Law', in Tom Ruys and Nicolas Angelet (eds), *The Cambridge Handbook of Immunities and International Law* ([2019], Chapter 3.

### State immunity from jurisdiction

United Nations Convention on Jurisdictional Immunities of States and their property, 2004, available at

[https://legal.un.org/ilc/texts/instruments/english/conventions/4\\_1\\_2004.pdf](https://legal.un.org/ilc/texts/instruments/english/conventions/4_1_2004.pdf)

*Jurisdictional Immunities of the State (Germany v. Italy, Greece intervening)*, ICJ Reports 2012, <https://www.icj-cij.org/files/case-related/143/143-20120203-JUD-01-00-EN.pdf>

### State immunity from enforcement and execution

United Nations Convention on Jurisdictional Immunities of States and their property, 2004, available at

[https://legal.un.org/ilc/texts/instruments/english/conventions/4\\_1\\_2004.pdf](https://legal.un.org/ilc/texts/instruments/english/conventions/4_1_2004.pdf)

Hazel Fox and Philippa Webb, *The Law of State Immunity* (OUP 3<sup>rd</sup> rev edn, 2015), Chapters 16 and 17

Jean-Marc Thouvenin and Victor Grandaubert, 'The Material Scope of State Immunity from Execution', in Tom Ruys and Nicolas Angelet (eds), *The Cambridge Handbook of Immunities and International Law* ([2019], Chapter 13

### Diplomatic and consular immunities

Vienna Convention on Diplomatic Relations 1961, available

[https://www.unido.org/sites/default/files/2010-10/Vienna\\_Diplomates-E\\_0.pdf](https://www.unido.org/sites/default/files/2010-10/Vienna_Diplomates-E_0.pdf)

Vienna Convention on Consular Relations 1963, available <https://treaties.un.org/doc/Publication/UNTS/Volume%20596/volume-596-I-8638-English.pdf>

Proceedings in the case between Equatorial Guinea and France at the ICJ: <https://www.icj-cij.org/en/case/163>

Eileen Denza, 'Diplomatic and Consular Immunities: Trends and Challenges', in in Tom Ruys and Nicolas Angelet (eds), *The Cambridge Handbook of Immunities and International Law* ([2019]), Chapter 22.

#### Immunity of state officials from foreign criminal jurisdiction

*Arrest Warrant of 11 April 2000 (Democratic Republic of the Congo v. Belgium)*, ICJ Reports 2002, available <https://www.icj-cij.org/files/case-related/121/121-20020214-JUD-01-00-EN.pdf>

Ongoing work of the International Law Commission on this topic, [https://legal.un.org/ilc/guide/4\\_2.shtml](https://legal.un.org/ilc/guide/4_2.shtml). See especially the current Draft Articles and Second Report of the then Special Rapporteur, Mr. Roman Anatolevich Kolodkin (63rd session of the ILC (2011))

Symposium on the present and future of foreign official immunity, AJIL Unbound, <https://www.cambridge.org/core/journals/american-journal-of-international-law/ajil-unbound-by-symposium/the-present-and-future-of-foreign-official-immunity>

#### The intersection of human rights and commercial activity – a new path to accountability?

Philippa Webb, 'The Immunity of States, Diplomats and International Organizations in Employment Disputes: The New Human Rights Dilemma?' (2016) EJIL 745, available <https://academic.oup.com/ejil/article/27/3/745/2197252>

Two UK Supreme Court Judgments on State and Diplomatic Immunity in the context of modern slavery/human trafficking: *Benkharbouche v Secretary of State* (2017), <https://www.supremecourt.uk/cases/docs/uksc-2015-0063-judgment.pdf> and *Reyes v Al-Malki* (2017) <https://www.supremecourt.uk/cases/docs/uksc-2016-0023-judgment.pdf> and a 2019 Judgment of the Employment Appeal Tribunal [https://assets.publishing.service.gov.uk/media/5e34188a40f0b609103eeb3a/Mr\\_Khalid\\_Basfar\\_v\\_Ms\\_Josephine\\_Wong\\_UKEAT\\_0223\\_19\\_BA.pdf](https://assets.publishing.service.gov.uk/media/5e34188a40f0b609103eeb3a/Mr_Khalid_Basfar_v_Ms_Josephine_Wong_UKEAT_0223_19_BA.pdf)



Video material as a supplement to the above readings

Lady Hazel Fox QC: [https://legal.un.org/avl/ls/Fox\\_H\\_S.html](https://legal.un.org/avl/ls/Fox_H_S.html)

Judge Sir Greenwood QC: [https://legal.un.org/avl/ls/Greenwood\\_S.html](https://legal.un.org/avl/ls/Greenwood_S.html)

Professor Dapo Akande: [https://legal.un.org/avl/ls/Akande\\_S.html](https://legal.un.org/avl/ls/Akande_S.html)