

# The immunities of States and international organisations

## Background

State immunities are highly relevant in public international law practice. They have shaped international relations and contributed to the configuration of international law as we know it today.

However, until the adoption of the [United Nations Convention on Jurisdictional Immunities of States and their Property](#) in 2004, no uniform international legal regime had been devised to regulate this matter in spite of attempts by various institutions, including the Council of Europe with its pioneer [1972 European Convention on State Immunity](#). As a result, national courts have often been obliged to take decisions on a case-by-case basis.

In order to shed new light on how States approach this issue, the CAHDI implemented a "Pilot Project of the Council of Europe on state practice regarding state immunities" in 2001 with a view to examining judicial practice in the member and observer States of the Council of Europe. The CAHDI compiled the information supplied by the States regarding state immunities and then produced an analytical report based on it.

At its 30th meeting (Strasbourg, 19-20 September 2005), the CAHDI expressed the wish to be able to update the information gathered on an on-going basis within the pilot project framework and create a monitoring mechanism making it possible to identify and examine new developments in this area. This resulted in the setting up of the database, which was presented at the 31st meeting (Strasbourg, 23-24 March 2006).

The database contains documentation provided by States and international organisations on their practice (e.g. with regard to pertinent legislation and jurisprudence) regarding:

- Immunity of State;
- Immunity of State agents and representatives;
- Immunity of Heads of State, Heads of Government and Ministers of Foreign Affairs;
- Immunity of diplomatic and consular missions;
- Immunity of international organisations;
- Immunity of agents and representatives of international organisations.

The Secretariat or the Organisation bears no responsibility for the information contained in the national contributions which should be attributed solely to the national delegations.