
STATUTORY INSTRUMENTS

1974 No. 1261

The United Nations and International Court of Justice (Immunities and Privileges) Order 1974

PART III

THE INTERNATIONAL COURT OF JUSTICE

Agents, counsel and advocates

21.—(1) Except in so far as in any particular case any privilege or immunity is waived, in the case of persons representing States by the government of the State which they represent and in the case of persons representing international organisations by the organisation which they represent, the agents, counsel and advocates appearing before the Court shall enjoy:—

- (a) immunity from suit and legal process in respect of things done or omitted to be done by them in their capacity as agents, counsel or advocates;
- (b) during the period of their missions, including the time spent on journeys in connection with their missions, the like inviolability of residence, the like immunity from personal arrest or detention, the like inviolability for all papers and documents and the like exemption or relief from taxes (other than customs and excise duties, car tax and value added tax) and rates as are accorded to the head of a diplomatic mission; and
- (c) during the period of their missions, including the time spent on journeys in connection with their missions, the like exemptions and privileges in respect of their personal baggage as in accordance with Article 36 of the 1961 Convention Articles are accorded to a diplomatic agent.

(2) Where the incidence of any form of taxation depends upon residence, an agent, counsel or advocate shall not be deemed to be resident in the United Kingdom during any period when he is present in the United Kingdom for the discharge of his duties.

(3) This Article shall not apply to any agent, counsel or advocate representing the United Kingdom or to any person who is a citizen of the United Kingdom and Colonies.