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STATUTORY INSTRUMENTS

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**1974 No. 1261**

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

PART III

THE INTERNATIONAL COURT OF JUSTICE

*Judges and Registrar*

**18.** Except in so far as in any particular case any privilege or immunity is waived by the Court, the judges and Registrar of the Court and any officer of the Court acting as Registrar shall enjoy, when engaged on the business of the Court and on journeys in connection with the exercise of their functions and, in the case of judges who are not citizens of the United Kingdom and Colonies, when residing in the United Kingdom for the purpose of holding themselves permanently at the disposal of the Court, the like privileges and immunities as in accordance with the 1961 Convention Articles are accorded to the head of a diplomatic mission.

**19.** The judges and Registrar shall have exemption from income tax in respect of emoluments received by them as judges or Registrar.

*All Officers*

**20.** Except in so far as in any particular case any privilege or immunity is waived by the Registrar of the Court with the approval of the President of the Court, officers of the Court shall enjoy:—

- (a) immunity from suit and legal process in respect of things done or omitted to be done by them in the exercise of their functions; and
- (b) exemption from income tax in respect of emoluments received by them as officers of the Court.

*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

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- (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.

*Assessors, witnesses, experts and persons performing missions*

**22.** Except in so far as in any particular case any privilege or immunity is waived by the Court or, when the Court is not sitting, by the President of the Court, assessors, witnesses, experts and persons performing missions by order of the Court shall enjoy:—

- (a) immunity from suit and legal process in respect of things done or omitted to be done by them in the course of the performance of their missions;
- (b) during the period of their missions, including the time spent on journeys in connection with their missions, the like immunity from personal arrest or detention and from seizure of their personal baggage and the like inviolability for all papers and documents as are accorded to a diplomatic agent; 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.