



The Immunity of International Organisations: Stuck Between Different International Obligations?

Seminar on the Report of the
Advisory Committee on Issues of Public International Law (CAVV):
[The Responsibility of International Organisations](#)

Ministry for Foreign Affairs, The Hague, 16 February 2017

In its recent Advisory Report the CAVV notes that international organisations have an ever greater influence on the lives of individuals through the direct impact of their decisions. It is therefore necessary to be able to hold these organisations responsible for their acts (or omissions). Claimants seeking to use existing procedures for the settlement of disputes involving an international organisation are likely to resort to domestic courts. Immunity plays a major role in these procedures, as the granting of immunity to international organisations makes it impossible for individuals to seek legal redress at the national level.

Assessment of the doctrine of the immunity of international organisations has undergone a change as a result of both case law and academic insights. Although immunity based on headquarters agreements and constituting treaties is still inviolable, both European and national case law increasingly indicates that this inviolability may be at odds with other international obligations, notably the obligations to ensure right of access to a court and the right to a fair trial. Where international organisations do not themselves make provision for procedures enabling claimants to challenge their decisions or policies, states (and the courts of those states) find themselves increasingly confronted by a dilemma in cases where claimants invoke obligations entered into by the state in human rights conventions (particularly the European Convention on Human Rights).

At the end of 2016, the Netherlands Government endorsed most of the recommendations. This seminar will further assess the possible ways of dealing with the tension between immunity and legal protection.

- 14:45 Coffee/tea
- 15:00 Opening and introduction to the theme (Prof. Ramses A. Wessel, Chairman CAVV)
- 15:10 Introductions by CAVV members:
 - The importance of legal protection for individuals (Dr. Catherine Brölmann)
 - The importance of ex officio judicial assessment (Prof. Johan Lammers)
 - The importance of immunity of international organisations (Dr. Guido den Dekker)
- 15:40 Reactions
 - Prof. Cedric Ryngaert (Utrecht University)
 - Prof. Niels Blokker (Leiden University)
 - Dr. Pierre Schmitt (*Référendaire* at the Court of Justice of the EU and Associate Fellow, Leuven Centre for Global Governance Studies)
- 16:15 Discussion
- 17:00 Reception

Please register by mailing your name and affiliation to djz-ir@minbuza.nl