

The History Of Diplomatic Immunity

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in recent years there have been an increasing number of incidents involving diplomats such as the storming of the us embassy in tehran and taking of hostages and the murder of a british policewoman by a member of the lybian mission in london other less serious ones like the flouting of traffic regulations and the non prosecution of those stealing have brought the question of immunity into the public domain why it is asked should law abiding citizens put up with lawless behaviour from those who can retreat into the sanctuary of an embassy

draws together many of the arguments for and against a reduction in diplomatic privileges and immunities to determine whether such privileges and immunities are a necessary evil it focuses on the problem of abuse and gives an explanation of the rationale of diplomatic privileges and immunities

public international law and the regulation of diplomatic immunity in the fight against corruption by kenneth k mwenda 2011 isbn 978 0 9869857 9 9 pages 212 print version available electronic version free pdf available

master s thesis from the year 2013 in the subject law miscellaneous grade 1 7 course master of international and european public law language english abstract historically diplomatic immunity arose out from the respect of the messengers who carry the message of their ruler or sovereign to declare war conclude peace or about other important national issues what is the appropriate scope of diplomatic immunity or whether the diplomatic privileges and immunities are too broad and in what parts they should be limited the answer to this question requires the study of the history theory and practice of the diplomatic privileges and immunities the vienna convention is the vital subject of this work because it codified in details the customary law and the diplomatic practices regarding the diplomatic privileges and immunities this work also analyses some cases explaining how the rules regarding the diplomatic privileges and immunities are implementing in practice

traces the evolution of diplomatic immunity and analyzes the practice from ancient times to the present in western and non western cultures privileges and immunities are placed in historical and cultural context and the significance of domestic legislation and international conventions is discussed the authors also study the influence of certain judicial decisions and their underlying rationales annotation copyrighted by book news inc

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the book examines diplomatic immunity and provides a historical analysis of the granting of diplomatic immunity to non diplomats based on the perspectives of several states featuring contributions in which experts from four continents and from academia and practice present their views and perspectives it is an insightful resource for diplomats academics and legal professionals while at the same time it is useful and understandable for students junior staff and anyone just starting their venture into the diplomatic immunity issues and general international law

legislative history prepared by crs of p l 95 393 text p 3 5 the diplomatic relations act of 1978 complementing the vienna convention on diplomatic relations of 1961 text us delegation rpt p 713 793 by modifying immunity of diplomats diplomats families and embassy staff personnel removing immunity of staff families and diplomats servants requiring members of the diplomatic community to possess liability insurance for operation in u s of a motor vehicle or aircraft and providing for direct action against insurers on claims against individuals holding diplomatic immunity contents

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this work is based on long term research into state practice combined with the development of a theoretical foundation of such practice which explains the behaviour of states as subject to clear legal restraints it argues that state practice is not compatible with traditional concepts of international law and that a fresh approach is required

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