

*Extract from:*

# UNITED NATIONS JURIDICAL YEARBOOK

2004

Part Four. Bibliography



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B. AUSTRIA

*Firma Baumeister Ing. Richard L v. O*

Question of Immunity of an international organization having its headquarters in Austria—Agreement between the Republic of Austria and the OPEC Fund for International Development regarding Headquarters of the Fund—Immunity from any legal proceedings granted to international organizations—The purpose of immunity is to protect international organizations from interference from and the exertion of influence through the organs of individual States—Immunity more extensive for international organizations based on the functional character of their legal personality as compared to foreign States—Immunity of international organizations is considered as absolute when acting within the limits of their functions—Immunity considered as valid until expressly waived—Passive conduct not deemed to constitute a tacit waiver of immunity—Immunity constitutes a procedural barrier to enforcement of the law but does not alter the validity of the substantive law—Service of official documents, as summons of courts, to international organizations, shall be effected exclusively through the good offices of the Austrian Ministry for Foreign Affairs—Waiver of immunity shall not extend to any measure of execution . . . . . 394

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