

STOP PRESS - FOREIGN STATE IMMUNITY - IMMUNITY FROM EXECUTION -
EMBASSY ACCOUNT - ACCOUNTS OF FOREIGN STATE ENTERPRISE.

In our casenotes in this issue, we note briefly the decision of the Court of Appeal in Alcom Limited v Colombia [1983] 3 WLR 906. A report also appears in (1983) 22 ILM 1307. As we went to press, the House of Lords had just reversed this decision. A full report will appear in our next issue.

The decision of the Federal Constitutional Court of the Federal Republic of Germany in the case concerning National Iranian Oil Company (NIOC) is reported in (1983) 22 ILM 1279. In response to petitions by several British and US companies, amounts totalling US\$199, 729,309.88 had been seized from accounts maintained in banks in the Federal Republic and held in the name of NIOC. The latter argued that the amounts seized represented the proceeds of oil sales which under Iranian law had to be transferred to the main state treasury with the central bank. NIOC was therefore only a trustee and it was under Iranian law only an instrument of the Iranian state. The seizure, NIOC claimed, thus violated the immunity to which Iran was entitled under international law. The Federal Constitutional Court found that the seizure did not in fact breach international law. NIOC was a separate entity, and its accounts were not protected by state immunity. The decision is notable for its extensive investigation of developments in other jurisdictions, including common law countries and reference to the work of the International Law Association including The Montreal Draft Articles for a Convention on State Immunity 1982. In addition the decision refers to expert opinions, including the work of Sir Ian Sinclair, Professor James Crawford, Bouchez, Schreuer etc. The decision is therefore of considerable importance in the refinement of international law in this area.

D.F.

STOP PRESS - JESSUP MOOT

In the Jessup Moot International Rounds held in Washington on 9 - 14 April the University of Adelaide team, representing Australia, was placed 4th in the International Division. The team secured 3rd place in the assessment of memorials, and its two leading counsel were ranked 5th and 6th best oralists.

In the International Division Canada defeated Singapore in the final to win the right to meet the winner of the domestic U.S. Division, the University of South Texas. Canada was again triumphant and thus the winner of the Jessup Cup for 1984.