Table of cases

INTERNATIONAL JURISDICTIONS

International Court of Justice


xvi
Table of cases


Permanent Court of Arbitration

Award, Polis Fondi Immobiliari Di Banche Popolare Sgr.PA (Italy) v. International Fund for Agricultural Development, Case No. 2010-8 ............... 41, 149

Permanent Court of Justice

Case Concerning the Factory at Chorzów, 13 September 1928, Publications of the PCJI Series A No. 17 ................................................................. 9

Mavrommatis Palestine Concessions Case (Greece v. the United Kingdom), 30 August 1924, Publications of the PCJI Series A No. 17 .................... 131, 261

Court of Justice of the European Union

C-44/79 Hauer v. Land Rheinland-Pfalz EU:C:1979:290 .............................. 57
C-23/76 Pellegrini and CS v. Commission and Flexon Italia S.p.A.
EU:C:1976:174 ...................................................................................... 183
C-370/12 Pringle v. Government of Ireland, Ireland and the Attorney General
EU:C:2012:756 .................................................................................... 67, 222
C-4/73 Nold v. Commission EU:C:1974:51 .................................................. 57
C-399/11 Stefano Melloni v. Ministerio Fiscal EU:C:2013:107 ...................... 69
Joined Cases C-8/15 P to C-10/15 P Ledra Advertising v. Commission and ECB
ECLI:EU:C:2016:701 ............................................................................. 62, 221–222
EU:C:2014:2454 ................................................................. 68–69, 140–141, 154, 197
Access to justice and international organizations

General Court of the European Union (former Court of First Instance)


European Commission on Human Rights

Beer and Regan v. Germany, App. No. 28934/95 ................................................. 258
Confédération Francaise Démocratique du Travail v. The European Communities, alternatively: their Member States a) jointly and b) severally, App. No. 8030/77 .............................................................. 154
Spaans v. the Netherlands, App. No. 12516/86, Decision on Admissibility ........ 230, 258
van der Peet v. Germany, App. No. 26991/95, Decision on Admissibility .......... 258
Waite and Kennedy v. Germany, App. No. 26083/94 ........................................... 258, 260
X v. Federal Republic of Germany, App. No. 4523/70 ........................................ 100
Zand v. Austria, App. No. 7360/76, Report of 12 October 1978 ....................... 113

European Court of Human Rights

Airey v. Ireland, App. No. 6289/73 .................................................................... 96, 108
Al v. Italy, App. No. 41387/98 ................................................................. 263
Al-Adsani v. the United Kingdom, App. No. 35763/97 .................................... 301
Al-Dulimi and Montana Management Inc. v. Switzerland, App. No. 5809/08 ... 307
Al-Jedda v. the United Kingdom, App. No. 27021/08 .............................. 22, 298, 311
Al-Skeini and others v. the United Kingdom, App. No. 55721/07 .......... 310–311
Bankovic et al. v. Belgium et al., App. No. 52207/99 ..................................... 311
Beer and Regan v. Germany, App. No. 28934/95 ................................. 107, 127, 129, 258–259, 265, 292, 300, 332


Bellet v. France, App. No. 23805/94 ......................................................... 108
Bosphorus Hava Yollari Turizm ve Ticaret Anonim Sirketi v. Ireland, App. No. 45036/98 ............................................................. 29–30
Bryan v. the United Kingdom, App. No. 19178/91 ..................................... 110
Campbell and Fell v. the United Kingdom, App. Nos. 7819/77 and 7878/77 ...... 109, 169

Coëme and others v. Belgium, App. Nos. 32492/96, 32547/96, 32548/96, 33209/96, and 33210/96 ................................................................. 112

De Haes and Gijssels v. Belgium, App. No. 19983/92 .................................. 114
Delcourt v. Belgium, App. No. 2689/65 ...................................................... 100
Deweer v. Belgium, App. No. 6903/75 ..................................................... 112
Fey v. Austria, App. No. 14396/88 .......................................................... 110
### Table of cases

<table>
<thead>
<tr>
<th>Case Description</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Findlay v. the United Kingdom</td>
<td>110–113, 133</td>
</tr>
<tr>
<td>Gasparini v. Italy and Belgium</td>
<td>29, 125, 177, 262</td>
</tr>
<tr>
<td>Golder v. the United Kingdom</td>
<td>91, 95–96</td>
</tr>
<tr>
<td>Hauschildt v. Denmark</td>
<td>169</td>
</tr>
<tr>
<td>Helmers v. Sweden</td>
<td>114</td>
</tr>
<tr>
<td>Hornsby v. Greece</td>
<td>96–97, 100, 115</td>
</tr>
<tr>
<td>Iatridis v. Greece</td>
<td>95</td>
</tr>
<tr>
<td>Jelicic v. Bosnia and Herzegovina</td>
<td>97</td>
</tr>
<tr>
<td>Incal v. Turkey</td>
<td>111</td>
</tr>
<tr>
<td>Isayeva, Yusupova and Bazayeva v. Russia</td>
<td>95</td>
</tr>
<tr>
<td>Khashiyev and Akayeva v. Russia</td>
<td>95</td>
</tr>
<tr>
<td>Klausecker v. Germany</td>
<td>264, 322</td>
</tr>
<tr>
<td>König v. Germany</td>
<td>100</td>
</tr>
<tr>
<td>Kudla v. Poland</td>
<td>95</td>
</tr>
<tr>
<td>Kyriakoulia Stephens v. Cyprus, Turkey and the United Nations</td>
<td>154</td>
</tr>
<tr>
<td>Le Compte, Van Leuven en De Meyere v. Belgium</td>
<td>100</td>
</tr>
<tr>
<td>Lopez Cifuentes v. Spain</td>
<td>264</td>
</tr>
<tr>
<td>Markovic and others v. Italy</td>
<td>311–313</td>
</tr>
<tr>
<td>Matthews v. the United Kingdom</td>
<td>28</td>
</tr>
<tr>
<td>Nada v. Switzerland</td>
<td>155, 307</td>
</tr>
<tr>
<td>Norvier v. the Netherlands</td>
<td>169</td>
</tr>
<tr>
<td>Oleykinov v. Russia</td>
<td>250</td>
</tr>
<tr>
<td>Osman v. the United Kingdom</td>
<td>126</td>
</tr>
<tr>
<td>Perez v. Germany</td>
<td>264</td>
</tr>
<tr>
<td>Pullar v. the United Kingdom</td>
<td>110</td>
</tr>
<tr>
<td>Richard Chapman v. Belgium</td>
<td>177, 263–264, 279</td>
</tr>
<tr>
<td>Sener v. Turkey</td>
<td>111</td>
</tr>
<tr>
<td>Sramek v. Austria</td>
<td>112</td>
</tr>
<tr>
<td>Stichting Mothers of Srebrenica and Others against the Netherlands</td>
<td>65542/12</td>
</tr>
<tr>
<td>Tanrikulu v. Turkey</td>
<td>95</td>
</tr>
<tr>
<td>Trigo Saraiva v. Portugal</td>
<td>169</td>
</tr>
</tbody>
</table>

### Inter-American Court of Human Rights

- **Case of Baena-Ricardo et al. v. Panama**, 2 February 2001, Series C No. 72 ............ 94
- **Case of Las Palmas v. Colombia**, 6 December 2001, Series C No. 90 ............. 94
- **Case of the Constitutional Court (Aguirre Roca v. Peru)**, 31 January 2001, Series C No. 71 ............. 93
- **García Lucero et al. v. Chile**, 28 August 2013, Series C No. 267 ................. 93
Access to justice and international organizations

Ivcher Bronstein v. Peru, 6 February 2001, Series C No. 74 .............................. 96
La Cantuta v. Peru, 29 November 2006, Series C No. 162 ............................... 105
Massacre of Mapiripán v. Columbia, 15 September 2005, Series C No. 134 ....... 93
Massacre of Pueblo Bello v. Colombia, 31 January 2006, Series C No. 140 ... 93, 96, 105
Velásquez Rodríguez v. Honduras, 26 June 1987, Series C No. 4 ....................... 93
Zambrano Vélez et al. v. Ecuador, 4 July 2007, Series C No. 166 ....................... 105

International Criminal Tribunal for the Former Yugoslavia

Prosecutor v. Furundžija, Case IT-95-17/1-T, Judgment of 10 December 1998 ... 90
Prosecutor v. Tadic, IT-94-1-A-AR77, 27 February 2001 ................................. 105

International Criminal Tribunal for Rwanda

Prosecutor v. Rwamakuba, Decision on Appropriate Remedy, 2007,
ICTR-98-44C-T ........................................................................................... 74

Special Tribunal for Lebanon

In the Matter of El Sayed, Case No. CH/PRES/2010/01, Order of the President
Assigning Matter to Pre-Trial Judge, 15 April 2010 ..................................... 105

Special Court of Sierra Leone

Prosecutor v. Norman, Kallon, and Gbao, Case No. SCSL-2003-09-PT, Decision
on the Application for a Stay of Proceedings and Denial of Right to Appeal, 4
November 2003 ........................................................................................... 105

Human Rights Advisory Panel

Decisions
Balaj and Others, Case No. 04/07, 31 March 2010 ........................................... 209
N.M. and Others v. UNMIK, Case No. 26-08, 31 March 2010 ......................... 190, 209
NTP Bujari (as Petrol) v. UNMIK, Case No. 311/09, 6 December 2012 .......... 209

Opinions
N.M. and Others v. UNMIK, Case No. 26/08, 26 February 2016 ................. 210
S.C. v. UNMIK, Case No. 02/09, 6 December 2012 ......................................... 209

International Tribunal for the Law of the Sea

Conservation and Sustainable Exploitation of Swordfish Stocks in the
South-Eastern Pacific Ocean (Chile/European Union), Case No. 7 .......... 136
# Table of cases

## International Administrative Tribunals

### International Labor Organization Administrative Tribunal

- *Chadsey v. Universal Postal Union*, Judgment No. 122 (1968) ............................. 118

### United Nations Administrative Tribunal

- *Kaplan v. UN Secretary-General*, Judgment No. 19 (1953) ......................... 36

### United Nations Appeals Tribunal


### United Nations Dispute Tribunal

**Judgments**

- *Wamalala v. Secretary-General of the United Nations*, Judgment No. UNDT/2012/052, 17 April 2012 ................................................................. 169
Orders
Order 40 (NY/2010), 3 March 2010 ............................................................... 168
Order 42 (NY/2010), 8 March 2010 ............................................................... 168
Order 43 (NY/2010), 8 March 2010 ............................................................... 168
Order 44 (NY/2010), 9 March 2010 ............................................................... 168

World Bank Administrative Tribunal

NATIONAL JURISDICTIONS

**Austria**


**Argentina**


**Belgium**

## Brussels Court of First Instance
- **Mukeshimana-Ngulinzira and others v. Belgium and others**, RG No 04/4807/A and 07/15547/A, 8 December 2010, ILDC 1604 (BE 2010) ............................................................... 25

## Brussels Labour Court of Appeal

## Court of Cassation

## Brazil
- **Cilene Maria Holanda Salaso v. UNESCO**, RR-574-2004-013-10-001, 26 September 2007 ................................................... 254
- **Estevao de Castro Melo v. UN-UNDP**, RR-295/2004-019-10-00, 1 April 2009 ................................................................. 254

## Canada

## Colombia
- **Judgment No. C-788/2011, Case N. LAT-365, Revisión de constitucionalidad del ‘Acuerdo de Cooperación y Régimen de Privilegios e Inmunidades entre la Organización Internacional para las Migraciones y el Gobierno de la República de Colombia’, y de la Ley 1441 del 23 de febrero de 2011, por medio de la cual fue aprobado, 20 October 2011 ........................................ 254
Access to justice and international organizations

Constitutional Court, Judgment N. C-137/1996, Case N. LAT-052, Revisión de la Ley 208 de 1995 “Por medio de la cual se aprueba el “Estatuto del Centro Internacional de Ingeniería Genética y Biotecnología” hecho en Madrid el 13 de septiembre de 1983”, 9 April 1996 ......................................................... 255

Council of State, Interside v. Ministerio de Agricultura y Secretaría Ejecutiva del Convenio Andrés Bello, Sala de lo Contencioso Administrativo del Consejo de Estado, 26 March 2009 ................................................................. 235–236


Cyprus

Supreme Court, Stavrinou v. United Nations and Commander of the United Nations Force in Cyprus, ILDC 929 (CY 1992) ......................................................... 255, 324

Denmark

Court of Second Instance for the Eastern Circuit (Østre Landsret), sitting as a Court of First Instance, The Investment & Finance Company of 11 January 1984 Ltd v. UNICEF, U 2000-478 Ø; ILDC 64 (DK 1999) ......................................................... 254

France

Council of State, Minister of Foreign Affairs v. Dame Burgat and others, 29 October 1976, Recueil (1977) p. 453 ................................................................. 324


Court of Appeal of Paris, Mazéas v. Latin Union, 7 December 2000, unpublished ................................................................. 254


Court of Cassation, Illemassene v. OECD, 29 September 2010, No. 09-41030, ILDC 1749 (FR 2010) ................................................................. 291, 293


### Table of cases

#### Germany

<table>
<thead>
<tr>
<th>Case Description</th>
<th>Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amtsgericht Bonn, X v. Western European Union</td>
<td>Monatsschrift für Deutsches Recht (1962) p. 315</td>
</tr>
<tr>
<td>Federal Constitutional Court, Klausecker v. Germany, 22 June 2006, 2 BvR 2093/05</td>
<td>289</td>
</tr>
</tbody>
</table>

#### Italy

<table>
<thead>
<tr>
<th>Case Description</th>
<th>Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court of Cassation, Cristiani v. Italian Latin-American Institute, 23 November 1985, 87 ILR 21</td>
<td>231</td>
</tr>
<tr>
<td>Court of Cassation, Instituti Nazional di Previdenzai per i Dirigenti di Aziende Industriali (INPDAI) v. FAO, 18 October 1982, United Nations Juridical Yearbook (1982)</td>
<td>254</td>
</tr>
<tr>
<td>Court of Cassation, International Institute for Agriculture v. Profili, 26 February 1931, 5 ILR 413</td>
<td>231</td>
</tr>
<tr>
<td>Court of Cassation, Maida v. Administration for International Assistance, 27 May 1955, Rivista di diritto internazionale (1956) 546, 23 ILR 510</td>
<td>278</td>
</tr>
</tbody>
</table>
xxvi  Access to justice and international organizations

Court of Cassation, Simoncioni and Others v. Germany and President of the Council of Ministers, 29 October 2014, No. 238/2014, ILDC 2237 ................................. 5

The Netherlands

Court of Appeal in The Hague, Mustafić et al. v. the State of the Netherlands, 200.020.173/01, 5 July 2011 ......................................................... 22–23, 74

Court of Appeal in The Hague, The Association of Citizens Mothers of Srebrenica v. the State of the Netherlands and the UN (Appeal), 200.022.151/01, 30 March 2010 ................................................................. 102, 298


District Court in The Hague, Pichon-Duverger v. PCA, Judgment in interim incidental proceedings, 262987/02-3417, 27 June 2002 ........................................ 283

District Court in The Hague, Restaurant De La Tour v. the European Patent Organization, 356198/KG ZA 10-11, 15 February 2010 ................................. 235

District Court in The Hague, The Association of Citizens Mothers of Srebrenica v. the State of the Netherlands and the UN (Incidental Proceedings), 295247/HA ZA 07-2973, 10 July 2008 ................................................................. 24, 297

District Court in The Hague, Vakbondsmunie van het Europees Octrooibureau (VEOB, The Hague Department) & SUEPO (Staff Union of the European Patent Office) v. the European Patent Organization (also European Patent Office), Judgment in interim injunction proceedings, C/09/453749/KG ZA 13-1239, 14 January 2014 ................................................................. 280

Supreme Court, Greenpeace Nederland and Procurator General at the Supreme Court of the Netherlands (intervening) v. Euratom, 13 November 2007, BA9173, ILDC 838 (NL 2007) ................................................................. 230, 234


Supreme Court, State of the Netherlands v. Mustafić et al., 6 September 2013, BZ9228 ......................................................................................... 23, 74, 297

Supreme Court, State of the Netherlands v. Nuhanović, BZ9225, 6 September 2013 ................................................................. 23, 74, 297

Supreme Court, The Association of Citizens Mothers of Srebrenica v. the State of the Netherlands and the UN (Appeal), 10/04437, 12 April 2012, ILDC 1760 (NL 2012) ................................................................. 102, 237, 239, 297–303, 316–317
Table of cases

Supreme Court, X v. European Patent Organization, Case No. 08/00118, LJ B19632, 23 October 2009, ILDC 1464 (NL 2009) ................. 119, 173, 280

Switzerland

Federal Supreme Court, Consortium X v. Switzerland, BGE 130 I 312 (partial), 2 July 2004, ILDC 344 (CH 2004) ........................................... 254, 272
Federal Supreme Court, X v. International Committee of the Red Cross and Geneva Debt Collection Office, 5A_106/2012, Judgment of 20 September 2012 ... 284

United Kingdom

High Court of Justice, Queen’s Bench Division, Commercial Court, Entico Corporation Ltd v. UNESCO, 18 March 2008, [2008] EWHC 531 (Comm) .................................................. 271, 333
House of Lords, Arab Monetary Fund v. Hashim and others, 21 February 1991, 85 ILR 1 .............................................................. 225
House of Lords, Maclaine Watson & Co. Ltd v. International Tin Council, 26 October 1989, 81 ILR 670 ..................................................... 225
Supreme Court, Ahmed & Others v. HM Treasury, [2010] 4 All ER 745 ........... 308
Supreme Court, Ahmed & Others v. HM Treasury (No. 2), Note, [2010] 4 All ER 829 .............................................................. 308

United States


Court of Appeals for the Second Circuit, Filartiga v. Perea-Irala, 630 F.2d 876 (2d Cir. 1980) .............................................................................. 47

Court of Appeals for the Third Circuit, OSS Nokalva, Inc. v. European Space Agency, 617 F.3d 756 (3d Cir. 2010) ...................................................... 251–255


District Court for the Southern District of New York, Bisson v. United Nations and others, Decision on a report and recommendation of a US Magistrate Judge, Case no 06-6352 (SDNY 2008); ILDC 889 (US 2008) ........................................ 244


District Court for the Southern District of New York, Mark Klyumel v. United Nations, 4 December 1992, 92 Civ 4231 (PKL); 1993 US Dist Lexis 20876 (SDNY 1992) ................................................................. 236, 244

District Court for the Southern District of New York, United States v. Chalmers, 05 Cr. 59 (DC), 2007 WL 624063 ...................................................... 244

District Court for the Southern District of New York, Van Aggelen v. United Nations, No. 06 Civ. 8240 (LBS), 2007 WL 1121744 ............................ 244
Table of cases

New York Supreme Court, *Wencak v. United States*, Special Term, 18 January 1956, (1956) 22 ILR 509 ................................................................. 42, 243


Supreme Court of the State of Alaska, *Price v. Unisea, Inc.*, 7 December 2012, 289 P.3d 914, 920 ................................................................. 252

Venezuela

Political-Administrative Chamber of the Supreme Court of Justice (*Sala Político Administrativa Del Tribunal Supremo De Justicia*), *Sentencia No. 01967*, 19 September 2001 ................................................................. 290

Seventh Labor Court of First Instance of Caracas (*Juzgado Séptimo de Primera Instancia de Juicio de Trabajo, Caracas*), *Francisco Franco Dorta v. FAO*, 27 June 2007 ................................................................. 290