PART 2

Contemporary Customary International Law Relating to Immunity of Heads of State and Other State Officials in the Context of Crimes Pursuant to International Law
Part 2 adopts an inductive approach in order to assess the contemporary rules of customary international law regarding immunity of Heads of State and other State officials from foreign criminal jurisdiction. The focus lies on the issue of immunity *ratione personae* of incumbent Heads of State and immunity *ratione materiae* of (former high-ranking) State officials when these are suspected of having committed crimes pursuant to international law. For this purpose, the study resorts to an extensive and thorough consideration of legally relevant material from which State practice and *opinio juris* can be derived.

The inductive reasoning in this part will be structured as follows: first, immunity of Heads of State and other State officials from the criminal jurisdiction of another State will be analysed followed by the same evaluation on the level of international or internationalised criminal jurisdiction. Through an assessment of the interdependencies of the two levels, general considerations for immunity in the context of crimes pursuant to international law will be drawn at the end.