

DOCUMENTATION OF IMMUNITY CODING: CRIMINAL IMMUNITY PROVISIONS IN 73 DEMOCRATIC COUNTRIES

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ARGENTINA (ARG)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ARGENTINA CONST. art. 53.
ARGENTINA CONST. art. 59.
ARGENTINA CONST. art. 60.

Legislative

ARGENTINA CONST. art. 69.
ARGENTINA CONST. art. 70.

Ministerial

ARGENTINA CONST. art. 53.
ARGENTINA CONST. art. 59.
ARGENTINA CONST. art. 60.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ARGENTINA CONST. (1853) art. 45.
ARGENTINA CONST. (1853) art. 51.

Legislative

ARGENTINA CONST. (1853) art. 61.
ARGENTINA CONST. (1853) art. 62.

Ministerial

ARGENTINA CONST. (1853) art. 45.
ARGENTINA CONST. (1853) art. 51.

AUSTRALIA (AUS)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, Rachel Macreadie & Greg Gardiner, *An Introduction to Parliamentary Privilege*, Parliament of Victoria Research Service (2010).

Legislative

See generally, Rachel Macreadie & Greg Gardiner, *An Introduction to Parliamentary Privilege*, Parliament of Victoria Research Service (2010).

Ministerial

See generally, Rachel Macreadie & Greg Gardiner, *An Introduction to Parliamentary Privilege*, Parliament of Victoria Research Service (2010).

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, Rachel Macreadie & Greg Gardiner, *An Introduction to Parliamentary Privilege*, Parliament of Victoria Research Service (2010).

Legislative

See generally, Rachel Macreadie & Greg Gardiner, *An Introduction to Parliamentary Privilege*, Parliament of Victoria Research Service (2010).

Ministerial

See generally, Rachel Macreadie & Greg Gardiner, *An Introduction to Parliamentary Privilege*, Parliament of Victoria Research Service (2010).

AUSTRIA (AUT)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

AUSTRIA CONST. art. 76.
AUSTRIA CONST. art. 142.
AUSTRIA CONST. art. 143.

Legislative

AUSTRIA CONST. art. 57.

Ministerial

AUSTRIA CONST. art. 76.

AUSTRIA CONST. art. 142.

AUSTRIA CONST. art. 143.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

AUSTRIA CONST. (1920) art. 76.

AUSTRIA CONST. (1920) art. 142.

AUSTRIA CONST. (1920) art. 143.

Legislative

AUSTRIA CONST. (1920). Art. 57.

Ministerial

AUSTRIA CONST. (1920) art. 76.

AUSTRIA CONST. (1920) art. 142.

AUSTRIA CONST. (1920) art. 143.

BELGIUM (BEL)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BELGIUM CONST. art. 103 § 1.

Legislative

BELGIUM CONST. art. 59 § 1.

Ministerial

BELGIUM CONST. art. 103 § 1.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BELGIUM CONST. (1831) art. 134.

Legislative

BELGIUM CONST. (1831) art. 45.

Ministerial

BELGIUM CONST. (1831) art. 134.

BENIN (BEN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BENIN CONST. art. 136.

BENIN CONST. art. 137.

Legislative

BENIN CONST. art. 90.

R. Proc. Nat. Assemb. of the Benin Rep., art. 69 § 3.

R. Proc. Nat. Assemb. of the Benin Rep., art. 71.

Ministerial

BENIN CONST. art. 136.

BENIN CONST. art. 137.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BENIN CONST. (1990) art. 136.

BENIN CONST. (1990) art. 137.

Legislative

BENIN CONST. (1990) art. 90.

R. Proc. Nat. Assemb. of the Benin Rep., art. 69 § 3.

R. Proc. Nat. Assemb. of the Benin Rep., art. 71.

Ministerial

BENIN CONST. (1990) art. 136.

BENIN CONST. (1990) art. 137.

BOTSWANA (BWA)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BOTSWANA CONST. art. 41 § 2.

BOTSWANA CONST. art. 34 § 3.

BOTSWANA CONST. art. 92.

Legislative

Compare BOTSWANA CONST. art. 90, with Aubrey Lute. *Moathodi Recall: Elders to Intercede?* Botswana Gazette, Nov. 18, 2008.

Ministerial

See generally, BOTSWANA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BOTSWANA CONST. (1970) art. 41 § 2.

BOTSWANA CONST. (1970) art. 34 § 3.

BOTSWANA CONST. (1970) art. 92.

Legislative

Compare BOTSWANA CONST. (1970) art. 90 with Aubrey Lute. *Moathodi Recall: Elders to Intercede?* Botswana Gazette, Nov. 18, 2008.

Ministerial

See generally, BOTSWANA CONST. (1970).

BRAZIL (BRA)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BRAZIL CONST. art. 86.

BRAZIL CONST. art. 52 § 14.

Legislative

BRAZIL CONST. art. 53 § 1.

Rex A. Hudson, *Brazil: A Country Study*, available at <http://countrystudies.us/brazil/87.htm> (last visited August 15, 2012).

Ministerial

BRAZIL CONST. art. 51 § 1.

BRAZIL CONST. art. 52 § 14.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BRAZIL CONST. (1891) art. 53.

BRAZIL CONST. (1891) art. 54.

Legislative

BRAZIL CONST. (1891) art. 20.

Ministerial

BRAZIL CONST. (1891) art. 52.

BULGARIA (BGR)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, BULGARIA CONST.

Legislative

BULGARIA CONST. art. 70.

Ministerial

See generally, BULGARIA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BULGARIA CONST. (1879) art. 155.

BULGARIA CONST. (1879) art. 156.

BULGARIA CONST. (1879) art. 157.

Legislative

BULGARIA CONST. (1879) art. 95.

BULGARIA CONST. (1879) art. 96.

Ministerial

BULGARIA CONST. (1879) art. 155.

BULGARIA CONST. (1879) art. 156.

BULGARIA CONST. (1879) art. 157.

CANADA (CAN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

Robert Marleau & Camille Montpetit, *House of Commons Procedure and Practice: Privileges and Immunities* (2000), available at <http://www.parl.gc.ca/MarleauMontpetit/DocumentViewer.aspx?Sec=Ch03&Seq=9> (last visited January 1, 2013).

Legislative

Robert Marleau & Camille Montpetit, *House of Commons Procedure and Practice: Privileges and Immunities* (2000), available at <http://www.parl.gc.ca/MarleauMontpetit/DocumentViewer.aspx?Sec=Ch03&Seq=9> (last visited January 1, 2013).

Ministerial

Robert Marleau & Camille Montpetit, *House of Commons Procedure and Practice: Privileges and Immunities* (2000), available at <http://www.parl.gc.ca/MarleauMontpetit/DocumentViewer.aspx?Sec=Ch03&Seq=9> (last visited Jan. 1, 2013).

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

Robert Marleau & Camille Montpetit, *House of Commons Procedure and Practice: Privileges and Immunities* (2000), available at <http://www.parl.gc.ca/MarleauMontpetit/DocumentViewer.aspx?Sec=Ch03&Seq=9> (last visited January 1, 2013).

Legislative

Robert Marleau & Camille Montpetit, *House of Commons Procedure and Practice: Privileges and Immunities* (2000), available at <http://www.parl.gc.ca/MarleauMontpetit/DocumentViewer.aspx?Sec=Ch03&Seq=9> (last visited January 1, 2013).

Ministerial

Robert Marleau & Camille Montpetit, *House of Commons Procedure and Practice: Privileges and Immunities* (2000), available at <http://www.parl.gc.ca/MarleauMontpetit/DocumentViewer.aspx?Sec=Ch03&Seq=9> (last visited January 1, 2013).

CAPE VERDE (CPV)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CAPE VERDE CONST. art. 211 § 1.

Legislative

CAPE VERDE CONST. art. 181 § 2.

Ministerial

CAPE VERDE CONST. art. 211 § 1.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CAPE VERDE CONST. (1992) art. 211 § 1.

Legislative

CAPE VERDE CONST. (1992) art. 181 § 2.

Ministerial

CAPE VERDE CONST. (1992) art. 211 § 1.

CHILE (CHL)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CHILE CONST. art. 48 § 2.

CHILE CONST. art. 49 § 1.

Legislative

CHILE CONST. art. 58.

Ministerial

CHILE CONST. art. 48 § 2.

CHILE CONST. art. 49 § 1.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CHILE CONST. (1833) art. 83.

CHILE CONST. (1833) art. 92.

CHILE CONST. (1833) art. 93.

CHILE CONST. (1833) art. 94.

CHILE CONST. (1833) art. 95.

CHILE CONST. (1833) art. 96.

CHILE CONST. (1833) art. 97.

CHILE CONST. (1833) art. 98.

CHILE CONST. (1833) art. 100.

Legislative

CHILE CONST. (1833) art. 15.

CHILE CONST. (1833) art. 16.

CHILE CONST. (1833) art. 17.

Ministerial

CHILE CONST. (1833) art. 38.

CHILE CONST. (1833) art. 39.

CHILE CONST. (1833) art. 92.

CHILE CONST. (1833) art. 93.

CHILE CONST. (1833) art. 94.

CHILE CONST. (1833) art. 95.

CHILE CONST. (1833) art. 96.

CHILE CONST. (1833) art. 97.

CHILE CONST. (1833) art. 98.

CHILE CONST. (1833) art. 100.

COLOMBIA (COL)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

COLOMBIA CONST. art. 99.

COLOMBIA CONST. art. 175.

Legislative

See generally, COLOMBIA CONST.

Ministerial

See generally, COLOMBIA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

COLOMBIA CONST. (1821) art. 89.

COLOMBIA CONST. (1821) art. 97.

Legislative

COLOMBIA CONST. (1821) art. 66.

Ministerial

COLOMBIA CONST. (1821) art. 89.

COLOMBIA CONST. (1821) art. 97.

COSTA RICA (CRI)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

COSTA RICA CONST. art. 121 § 9.

COSTA RICA CONST. art. 109.

Legislative

COSTA RICA CONST. art. 110.

Ministerial

COSTA RICA CONST. art. 121 § 9.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

COSTA RICA CONST. (1869) art. 67 § 9.

Legislative

COSTA RICA CONST. (1869) art. 87.

Ministerial

COSTA RICA CONST. (1869) art. 67 § 9.

CROATIA (HRV)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, CROATIA CONST.

Legislative

CROATIA CONST. art. 75 § 3.

Ministerial

See generally, CROATIA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.
KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

Legislative

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 88.

Ministerial

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.
KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

CYPRUS (CYP)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CYPRUS CONST. art. 45.

Legislative

CYPRUS CONST. art. 83 § 2.

Ministerial

See generally, CYPRUS CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CYPRUS CONST. (1960) art. 45.

Legislative

CYPRUS CONST. (1960) art. 83 § 2.

Ministerial

See generally, CYPRUS CONST. (1960).

CZECH REPUBLIC (CZE)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive¹

CZECH REP. CONST. art. 27 § 4.
CZECH REP. CONST. art. 32.

Legislative

CZECH REP. CONST. art. 27 § 4.

Ministerial²

CZECH REP. CONST. art. 27 § 4.
CZECH REP. CONST. art. 32.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CZECHOSLOVAKIA CONST. (1920) § 34.
CZECHOSLOVAKIA CONST. (1920) § 67.

Legislative

CZECHOSLOVAKIA CONST. (1920) § 24.
CZECHOSLOVAKIA CONST. (1920) § 25.

Ministerial

CZECHOSLOVAKIA CONST. (1920) § 34.
CZECHOSLOVAKIA CONST. (1920) § 79.

DENMARK (DNK)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive³

DENMARK CONST. § 57.

Legislative

DENMARK CONST. § 57.

Ministerial⁴

¹ Article 32 of the Czech Republic Constitution states “A Deputy or a Senator who is a member of the Government may not be the Chairman or Vice Chairman of the Chamber of Deputies or the Senate....,” thereby implying that deputies and senators may simultaneously be members of the government and exercise both powers. *See* CONST. CZECH REPUBLIC art. 32.

² *See* fn. 1.

³ Members of the Danish government are generally selected from the legislature. § 59 of the Constitution of Denmark mentions an incompatibility between membership in parliament and membership in the High Court of the Realm. *See* CONST. DENMARK § 59. Applying the canon of *expressio unius est exclusio alterius* suggests that there is no incompatibility between the position of member of parliament and member of the government.

DENMARK CONST. § 57.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

DENMARK CONST. (1849) § 71.

Legislative

DENMARK CONST. (1849) § 61.

Ministerial

DENMARK CONST. (1849) § 71.

DOMINICAN REPUBLIC (DOM)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

DOMINICAN REP. CONST. art. 80 § 1.

DOMINICAN REP. CONST. art. 83 § 1.

Legislative

DOMINICAN REP. CONST. art. 86.

Ministerial

DOMINICAN REP. CONST. art. 80 § 1.

DOMINICAN REP. CONST. art. 83 § 1.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

DOMINICAN REP CONST. (1844) art. 58 § 2.

DOMINICAN REP CONST. (1844) art. 67 § 5.

DOMINICAN REP CONST. (1844) art. 94 § 2.

Legislative

DOMINICAN REP CONST. (1844) art. 89.

Ministerial

DOMINICAN REP CONST. (1844) art. 58 § 2.

DOMINICAN REP CONST. (1844) art. 67 § 5.

DOMINICAN REP CONST. (1844) art. 134 § 5(1)

EL SALVADOR (SLV)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

EL SALVADOR CONST. art. 236.

Legislative

EL SALVADOR CONST. art. 238.

Ministerial

EL SALVADOR CONST. art. 236.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

EL SALVADOR LEG. DECREE OF JULY 24, 1840. art. 31.

EL SALVADOR LEG. DECREE OF JULY 24, 1840. art. 50.

EL SALVADOR LEG. DECREE OF JULY 24, 1840. art. 54.

Legislative

EL SALVADOR LEG. DECREE OF JULY 24, 1840. art. 18.

Ministerial

See generally, EL SALVADOR LEG. DECREE OF JULY 24, 1840.

ESTONIA (EST)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ESTONIA CONST. art. 101.

Legislative

ESTONIA CONST. art. 76.

Ministerial

ESTONIA CONST. art. 101.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ESTONIA CONST. (1920) § 67.

⁴ See fn. 3.

Legislative

ESTONIA CONST. (1920) § 49.

Ministerial

ESTONIA CONST. (1920) § 67.

FINLAND (FIN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

FINLAND CONST. art. 114 § 2.

Legislative

FINLAND CONST. art. 30 § 3.

Ministerial

FINLAND CONST. art. 114 § 2.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, MINISTERIAL RESP. ACT. (1922).

Legislative

PARLIAMENT ACT. (1928) § 14.

Ministerial

See generally, MINISTERIAL RESP. ACT. (1922).

FRANCE (FRA)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

FRANCE CONST. art. 67.

FRANCE CONST. art. 68.

Legislative

FRANCE CONST. art. 26.

Interparliamentary Union, *France: Assemblée Nationale*, available at http://www.ipu.org/parline/reports/2113_D.htm (last visited August 15, 2012).

Ministerial

FRANCE CONST. title X, art. 68-1 § 1.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

FRANCE CONST. (1848) art. 91.

FRANCE CONST. (1848) art. 100.

Legislative

FRANCE CONST. (1848) art. 37.

Ministerial

FRANCE CONST. (1848) art. 91.

GERMANY (DEU)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive⁵

GERMANY CONST. art. 46.

Robert Myttenaere, *The Immunities of Members of Parliament*, Special Report for the Moscow Session of the Interparliamentary Council (1998).

Legislative

GERMANY CONST. art. 46.

Robert Myttenaere, *The Immunities of Members of Parliament*, Special Report for the Moscow Session of the Interparliamentary Council (1998).

Ministerial⁶

GERMANY CONST. art. 46.

Robert Myttenaere, *The Immunities of Members of Parliament*, Special Report for the Moscow Session of the Interparliamentary Council (1998).

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

⁵ German Chancellors are ordinarily chosen from the lower house of the legislature (*Bundestag*). As ministers retain their parliamentary immunity, Chancellors who are also members of the *Bundestag* also retain immunity. *See* case of Economics Minister Otto Lambsdorff (1983).

⁶ German ministers are ordinarily chosen from the lower house of the legislature (*Bundestag*). Ministers who are parliamentarians retain their parliamentary immunity. *See* case of Economics Minister Otto Lambsdorff (1983).

Chief Executive

GERMANY CONST. (1919) art. 59.

Legislative

GERMANY CONST. (1919) art. 37.

Ministerial

GERMANY CONST. (1919) art. 59.

GREECE (GRC)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

GREECE CONST. art. 86.

Legislative

GREECE CONST. art. 62.

Ministerial

GREECE CONST. art. 86.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

GREECE CONST. (1822) § 52.

Legislative

GREECE CONST. (1822) § 50.

Ministerial

GREECE CONST. (1822) § 53.

GUYANA (GUY)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

GUYANA CONST. art. 180.

GUYANA CONST. art. 182 §§ 1-3.

Legislative

See generally, GUYANA CONST.

Ministerial

See generally, GUYANA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

GUYANA CONST. (1970) art. 180.

GUYANA CONST. (1970) art. 182 §§ 1-3.

Legislative

See generally, GUYANA CONST. (1970).

Ministerial

See generally, GUYANA CONST. (1970).

HUNGARY (HUN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive⁷

HUNGARY CONST. Article 20 § 3.

Interparliamentary Union, *Hungary: Orszaggyules*, available at http://www.ipu.org/parline/reports/2141_D.htm (last visited August 15, 2012).

Legislative

HUNGARY CONST. Article 20 § 3.

Interparliamentary Union, *Hungary: Orszaggyules*, available at http://www.ipu.org/parline/reports/2141_D.htm (last visited August 15, 2012).

Ministerial⁸

HUNGARY CONST. Article 20 § 3.

Interparliamentary Union, *Hungary: Orszaggyules*, available at http://www.ipu.org/parline/reports/2141_D.htm (last visited August 15, 2012).

Historical immunity for Hungary could not be verified. Accordingly, Hungary was omitted from the historical data sample.

⁷ Members of the Hungarian government are generally members of parliament. The parliamentary mandate is not suspended during the time in office. *See* HUNGARY CONST. art. 20 § 5.

⁸ Members of the Hungarian government are generally members of parliament. The parliamentary mandate is not suspended during the time in office. *See* HUNGARY CONST. art. 20 § 5.

ICELAND (ISL)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive⁹

ICELAND CONST. (1999) art. 49.

Legislative

ICELAND CONST. (1999) art. 49.

Ministerial¹⁰

ICELAND CONST. (1999) art. 49.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive¹¹

ICELAND CONST. (1944) art. 49.

Legislative

ICELAND CONST. (1944) art. 49.

Ministerial¹²

ICELAND CONST. (1944) art. 49.

INDIA (IND)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, INDIA CONST.

Legislative

See generally, INDIA CONST.

Interparliamentary Union, *India: Lok Sabha*, available at http://www.ipu.org/parline-e/reports/2145_D.htm (last visited August 15, 2012).

Ministerial

See generally, INDIA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, INDIA CONST. (1950)

Legislative

See generally, INDIA CONST. (1950)

Ministerial

See generally, INDIA CONST. (1950)

INDONESIA (IDN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

INDONESIA CONST. art. 7(A)(B)(3)-(7)

Legislative

Interparliamentary Union, *Indonesia: Dewan Perwakilan Rakyat*, available at http://www.ipu.org/parline/reports/2147_D.htm (last visited August 15, 2012).

Ministerial

See generally, INDONESIA CONST.

Historical immunity for Indonesia could not be verified. Accordingly, Indonesia was omitted from the historical data sample.

IRELAND (IRL)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, IRELAND CONST.

Legislative

See generally, IRELAND CONST.

Ministerial

See generally, IRELAND CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

⁹ Members of the Icelandic government are generally members of parliament. The parliamentary mandate is not suspended during the time that a member of parliament is exercising the powers of a minister. *See* ICELAND CONST. art. 51 (“[Ministers] have the right to vote only if they are at the same time Members of *Althingi*”).

¹⁰ *See* fn. 9.

¹¹ The parliamentary mandate was not suspended during the time that a member of parliament was exercising the powers of a minister. *See* ICELAND CONST. art. 51 (“[Ministers] have the right to vote only if they are at the same time Members of *Althingi*”).

¹² *See* fn. 11.

Chief Executive

See generally, IRELAND CONST. (1922).

Legislative

See generally, IRELAND CONST. (1922).

Ministerial

See generally, IRELAND CONST. (1922).

ISRAEL (ISR)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

BASIC L. OF ISRAEL: THE GOV'T art. 17.

Legislative

Interparliamentary Union, *Israel: Knesset*, available at http://www.ipu.org/parline-e/reports/2155_D.htm (last visited August 15, 2012).

Arik Bender & Moshe Cohen, *Israel Knesset votes to end automatic immunity for members*, BBC Monitoring International Reports (2005), available at <http://www.accessmylibrary.com/article-1G1-134584891/israeli-knesset-votes-end.html> (last visited August 15, 2012).

Ministerial

BASIC L. OF ISRAEL: THE GOV'T art. 23.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, BASIC L. OF ISRAEL: THE GOV'T (1968).

Legislative

BASIC L. OF ISRAEL: THE KNESSET (1958) art. 17.

Ministerial

See generally, BASIC L. OF ISRAEL: THE GOV'T (1968).

ITALY (ITA)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ITALY CONST. art. 96.

Legislative

ITALY CONST. art. 68.

Ministerial

ITALY CONST. art. 96.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ITALY CONST. (1948) art. 96.

Legislative

ITALY CONST. (1948) art. 68.

Ministerial

ITALY CONST. (1948) art. 96.

JAMAICA (JAM)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, JAMAICA CONST.

Legislative

See generally, JAMAICA CONST.

Interparliamentary Union, *Jamaica: House of Representatives*, available at http://www.ipu.org/parline/reports/2159_D.htm (last visited August 15, 2012).

Ministerial

See generally, JAMAICA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, JAMAICA CONST. (1962).

Legislative

See generally, JAMAICA CONST. (1962).

Ministerial

See generally, JAMAICA CONST. (1962).

JAPAN (JPN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, JAPAN CONST.

Legislative

JAPAN CONST. art. 50.

Interparliamentary Union, *Japan: Shugin*, available at http://www.ipu.org/parline-e/reports/2161_D.htm (last visited August 15, 2012).

Ministerial

JAPAN CONST. art. 75.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, JAPAN CONST. (1889).

Legislative

JAPAN CONST. (1889) art. 53.

Ministerial

See generally, JAPAN CONST. (1889).

LATVIA (LVA)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive¹³

LATVIA CONST. art. 29.

LATVIA CONST. art. 30.

Interparliamentary Union, *Latvia: Saeima*, available at http://www.ipu.org/parline/reports/2177_D.htm (last visited August 15, 2012).

Legislative

LATVIA CONST. art. 29.

LATVIA CONST. art. 30.

Interparliamentary Union, *Latvia: Saeima*, available at http://www.ipu.org/parline/reports/2177_D.htm (last visited August 15, 2012).

Ministerial¹⁴

LATVIA CONST. art. 29.

LATVIA CONST. art. 30.

Interparliamentary Union, *Latvia: Saeima*, available at http://www.ipu.org/parline/reports/2177_D.htm (last visited August 15, 2012).

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive¹⁵

LATVIA CONST. (1922) art. 29.

LATVIA CONST. (1922) art. 30.

Legislative

LATVIA CONST. (1922) art. 29.

LATVIA CONST. (1922) art. 30.

Ministerial¹⁶

LATVIA CONST. (1922) art. 29.

LATVIA CONST. (1922) art. 30.

LESOTHO (LSO)

¹³ Latvian ministers are generally members of parliament and the sole incompatibility clause in the Constitution, article 38, mentions only the incompatibility of the position of President and any other office. CONST. LATVIA art. 38 (“The office of the President shall not be held concurrently with any other office. If the person elected as President is a member of the Parliament, they shall resign their mandate as a member of the Parliament”). Applying the principle of *expressio unius est exclusio alterius* suggests that the parliamentary mandate and parliamentary immunity are not suspended when a parliamentarian becomes a member of the government.

¹⁴ *See* fn. 11.

¹⁵ Latvian ministers are generally members of parliament and the sole incompatibility clause in the Constitution, article 38, mentions only the incompatibility of the position of President and any other office. CONST. LATVIA (1922) art. 38 (“The office of the President shall not be held concurrently with any other office. If the person elected as President is a member of the Parliament, they shall resign their mandate as a member of the Parliament”). Applying the principle of *expressio unius est exclusio alterius* suggests that the parliamentary mandate and parliamentary immunity are not suspended when a parliamentarian becomes a member of the government.

¹⁶ *See* fn. 13.

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, LESOTHO CONST.

Legislative

Interparliamentary Union, *Lesotho: National Assembly*, available at http://www.ipu.org/parline/reports/2181_E.htm (last visited August 15, 2012).

Ministerial

See generally, LESOTHO CONST.

Historical immunity for Lesotho could not be verified. Accordingly, Lesotho was omitted from the historical data sample.

LITHUANIA (LTU)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

LITHUANIA CONST. art. 100.

Legislative

LITHUANIA CONST. art. 62 § 2.

Ministerial

LITHUANIA CONST. art. 100.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

LITHUANIA CONST. (1922) art. 63.

Legislative

LITHUANIA CONST. (1922) art. 38.

Ministerial

LITHUANIA CONST. (1922) art. 63.

LUXEMBOURG (LUX)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

LUXEMBOURG CONST. art. 116.

Legislative

LUXEMBOURG CONST. art. 69.

Ministerial

LUXEMBOURG CONST. art. 116.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

LITHUANIA CONST. (1922) art. 116.

Legislative

LUXEMBOURG CONST. (1922) art. 69.

Ministerial

LITHUANIA CONST. (1922) art. 116.

MACEDONIA / FORMER YUGOSLAV REPUBLIC OF MACEDONIA (MKD)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

MACEDONIA CONST. amend. XXIII.

Legislative

MACEDONIA CONST. art. 64 § 3.

Ministerial

MACEDONIA CONST. art. 89 § 3.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

Legislative

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 88.

Ministerial

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

MALAYSIA (MYS)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, MALAYSIA CONST.

Legislative

See generally, MALAYSIA CONST.

Ministerial

See generally, MALAYSIA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, MALAYSIA CONST. (1957).

Legislative

See generally, MALAYSIA CONST. (1957).

Ministerial

See generally, MALAYSIA CONST. (1957).

MALTA (MLT)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, MALTA CONST.

Legislative

See generally, MALTA CONST.

Ministerial

See generally, MALTA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, MALTA CONST. (1964).

Legislative

See generally, MALTA CONST. (1964).

Ministerial

See generally, MALTA CONST. (1964).

MAURITIUS (MRT)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, MAURITIUS CONST.

Legislative

See generally, MAURITIUS CONST.

Ministerial

See generally, MAURITIUS CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, MAURITIUS CONST. (1968).

Legislative

See generally, MAURITIUS CONST. (1968).

Ministerial

See generally, MAURITIUS CONST. (1968).

MOLDOVA (MDA)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, MOLDOVA CONST.

Moldova AZI. *Ministers may remain parliamentarians for six months* (2009), available at <http://www.azi.md/ro/print-story/6471> (last visited August 15, 2012).

Legislative

MOLDOVA CONST. art. 70 § 3.

Ministerial

See generally, MOLDOVA CONST.

Moldova AZI. *Ministers may remain parliamentarians for six months* (2009), available at <http://www.azi.md/ro/print-story/6471> (last visited August 15, 2012).

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ROMANIA CONST. (1923) art. 98.
Legislative
ROMANIA CONST. (1923) art. 55.
Ministerial
ROMANIA CONST. (1923) art. 98.

MONGOLIA (MNG)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

MONGOLIA CONST. art. 35 § 2.
MONGOLIA CONST. art. 36.

Legislative

MONGOLIA CONST. art. 29 §§ 2-3.
See cases of Dasjantsyn Battulga (1999) and Damdinsurengiin Enkhbaatar (1999).

Ministerial

MONGOLIA CONST. 42.¹⁷

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

MONGOLIA CONST. (1992) art. 35 § 2.
MONGOLIA CONST. (1992) art. 36.

Legislative

MONGOLIA CONST. (1992) art. 29 §§ 2-3.

Ministerial

MONGOLIA CONST. (1992) art. 42.

MONTENEGRO (MNE)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

MONTENEGRO CONST. art. 86.

Legislative

MONTENEGRO CONST. art. 86.

Ministerial

MONTENEGRO CONST. art. 86.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.
KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

Legislative

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 88.

Ministerial

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.
KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

NAMIBIA (NAM)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

NAMIBIA CONST. art. 31 §§ (1)(B), (2), (3)(B).

Legislative

Interparliamentary Union, *Namibia: National Assembly*, available at http://www.ipu.org/parline-e/reports/2225_D.htm (last visited August 15, 2012).

Ministerial

See generally, NAMIBIA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

NAMIBIA CONST. art. 31 §§ (1)(B), (2), (3)(B).

Legislative

See generally, NAMIBIA CONST. (1990).

Ministerial

See generally, NAMIBIA CONST. (1990).

¹⁷ Though article 42 mentions the personal immunity of members of the government, this refers to the personal liability of members of the government for government actions, not criminal immunity.

NETHERLANDS (NLD)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

NETHERLANDS CONST. art. 119.

Roel de Lange, *Political and Criminal Responsibility*, ELECTRONIC J. OF COMP. LAW 6 (2002).

Legislative

NETHERLANDS CONST. art. 119.

Ministerial

NETHERLANDS CONST. art. 119.

Roel de Lange, *Political and Criminal Responsibility*, ELECTRONIC J. OF COMP. LAW 6 (2002).

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

NETHERLANDS CONST. (1848) art. 159.

Legislative

NETHERLANDS CONST. (1848) art. 159.

Ministerial

NETHERLANDS CONST. (1848) art. 159.

NORWAY (NOR)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

NORWAY CONST. § 86.

NORWAY CONST. § 87.

Legislative

NORWAY CONST. § 66.

Ministerial

NORWAY CONST. § 86.

NORWAY CONST. § 87.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

NORWAY CONST. (1814) § 87.

NORWAY CONST. (1814) § 88.

Legislative

NORWAY CONST. (1814) § 66.

Ministerial

NORWAY CONST. (1814) § 87.

NORWAY CONST. (1814) § 88.

NEW ZEALAND (NZL)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

Albert Venn Dicey, *Introduction to the Study of the Law of the Constitution* (1889), reprinted by the Legal Classics Library (1999) at 179-180.

Legislative

Parliament of New Zealand, *Parliamentary Privilege* (2007), available at <http://www.parliament.nz/en-NZ/AboutParl/HowPWorks/Privilege/0/9/b/09b66aa4ad2e4004952ce22b60df47b2.htm> (last visited August 15, 2012).

Ministerial

Albert Venn Dicey, *Introduction to the Study of the Law of the Constitution* (1889), reprinted by the Legal Classics Library (1999) at 179-180.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

Albert Venn Dicey, *Introduction to the Study of the Law of the Constitution* (1889), reprinted by the Legal Classics Library (1999) at 179-180.

Legislative

Parliament of New Zealand, *Parliamentary Privilege* (2007), available at <http://www.parliament.nz/en-NZ/AboutParl/HowPWorks/Privilege/0/9/b/09b66aa4ad2e4004952ce22b60df47b2.htm> (last visited August 15, 2012).

Ministerial

Albert Venn Dicey, *Introduction to the Study of the Law of the Constitution* (1889), reprinted by the Legal Classics Library (1999) at 179-180.

PANAMA (PAN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PANAMA CONST. art. 160.

PANAMA CONST. art. 191.

Legislative

PANAMA CONST. art. 155.

Ministerial

J. Mark Payne, Daniel Zovatto G., & Mercedes Mateo Díaz, *La Política Importa: Democracia y desarrollo en América Latina*, Inter-American Development Bank (2006), 107.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PANAMA CONST. (1904) art. 66.

PANAMA CONST. (1904) art. 78.

Legislative

PANAMA CONST. (1904) art. 60.

Ministerial

PANAMA CONST. (1904) art. 66.

PAPUA NEW GUINEA (PNG)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, PAPUA NEW GUINEA CONST.

Legislative

See generally, PAPUA NEW GUINEA CONST.

Ministerial

See generally, PAPUA NEW GUINEA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, PAPUA NEW GUINEA CONST. (1975).

Legislative

See generally, PAPUA NEW GUINEA CONST. (1975).

Ministerial

See generally, PAPUA NEW GUINEA CONST. (1975).

PARAGUAY (PRY)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PARAGUAY CONST. art. 225 § 2

PARAGUAY CONST. title V, art. 14.

Legislative

PARAGUAY CONST. art. 191.

Ministerial

PARAGUAY CONST. art. 225 § 2.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PARAGUAY CONST. (1870) art. 50.

PARAGUAY CONST. (1870) art. 56.

Legislative

PARAGUAY CONST. (1870) art. 64.

Ministerial

PARAGUAY CONST. (1870) art. 50.

PARAGUAY CONST. (1870) art. 56.

PERU (PER)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PERU CONST. art. 99.

PERU CONST. art. 117.

J. Mark Payne, Daniel Zovatto G., & Mercedes Mateo Díaz, *La Política Importa: Democracia y desarrollo en América Latina*, Inter-American Development Bank (2006), 207.

Abraham Lama, *Fujimori Loses Majority, Risks Impeachment*, Inter Press Service, November 17, 2012, <http://www.ipsnews.net/2000/11/politics-peru-fujimori-loses-majority-risks-impeachment/> (accessed August 15, 2012).

Legislative

PERU CONST. art. 93.

Ministerial

PERU CONST. art. 99.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PERU CONST. (1823) art. 90(5).

Legislative

PERU CONST. (1823) art. 59.

Ministerial

PERU CONST. (1823) art. 90(5).

PHILIPPINES (PHL)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PHILIPPINES CONST. art. 11 § 3(3)-(7).

Legislative

PHILIPPINES CONST. art. 6 §§ 11,16.

Ministerial

PHILIPPINES CONST. art. 11 § 3(3)-(7).

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PHILIPPINES CONST. (1899) art. 44.

Legislative

PHILIPPINES CONST. (1899) art. 46.

Ministerial

PHILIPPINES CONST. (1899) art. 44.

POLAND (POL)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

POLAND CONST. art. 156 § 2.

Legislative

POLAND CONST. art. 105 §§ 2-5.

Marc Van der Hulst, *The Parliamentary Mandate: A Global Comparative Study*, Interparliamentary Union (2000), 92.

Ministerial

POLAND CONST. art. 156 § 2.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

POLAND CONST. (1921) art. 51.

Legislative

POLAND CONST. (1921) art. 21.

Ministerial

POLAND CONST. (1921) art. 59.

PORTUGAL (PRT)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PORTUGAL CONST. art. 199.

Legislative

PORTUGAL CONST. art. 160 § 3.

Ministerial

PORTUGAL CONST. art. 199.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

PORTUGAL CONST. (1911) art. 64.

Legislative

PORTUGAL CONST. (1911) art. 17.

PORTUGAL CONST. (1911) art. 18.

Ministerial

PORTUGAL CONST. (1911) art. 65.

ROMANIA (ROM)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ROMANIA CONST. art. 84 §§ 2-3.

Legislative

ROMANIA CONST. art. 69.

Marc Van der Hulst, *The Parliamentary Mandate: A Global Comparative Study*, Interparliamentary Union (2000), 92.

Ministerial

ROMANIA CONST. art. 108 § 2.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

ROMANIA CONST. (1923) art. 98.

Legislative

ROMANIA CONST. (1923) art. 55.

Ministerial

ROMANIA CONST. (1923) art. 98.

SERBIA (SRB)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

SERBIA CONST. art. 134 § 2.

Legislative

SERBIA CONST. art. 103.

Ministerial

SERBIA CONST. art. 134 § 2.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

Legislative

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 88.

Ministerial

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

SLOVAKIA / SLOVAK REPUBLIC (SVK)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive¹⁸

SLOVAK REP. CONST. art. 78 § 2.

Legislative

SLOVAK REP. CONST. art. 78 § 2.

Ministerial¹⁹

SLOVAK REP. CONST. art. 78 § 2.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CZECHOSLOVAKIA CONST. (1920) § 34.

CZECHOSLOVAKIA CONST. (1920) § 67.

Legislative

CZECHOSLOVAKIA CONST. (1920) § 24.

CZECHOSLOVAKIA CONST. (1920) § 25.

Ministerial

CZECHOSLOVAKIA CONST. (1920) § 34.

CZECHOSLOVAKIA CONST. (1920) § 79.

¹⁸ Members of the Slovak government are generally members of parliament. A member of parliament does not lose his parliamentary mandate when taking a position as a member of the government. *See* SLOVAK REP. CONST. art. 77 § 2.

¹⁹ *See* fn. 18.

SLOVENIA (SVN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

SLOVENIA CONST. art. 119.

Legislative

SLOVENIA CONST. art. 83 § 2.
SLOVENIA CONST. art. 100 § 2.

Ministerial

SLOVENIA CONST. art. 119.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.
KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

Legislative

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 88.

Ministerial

KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 91.
KINGDOM OF SERBS, CROATS, AND SLOVENES CONST. (1921) art. 92.

SOUTH AFRICA (ZAF)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

SOUTH AFRICA CONST. § 89.²⁰

Legislative

SOUTH AFRICA CONST. § 58.

Ministerial

SOUTH AFRICA CONST. § 58.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, REP. OF S. AFRICA CONST. ACT (1961).

Legislative

See generally, REP. OF S. AFRICA CONST. ACT (1961).

Ministerial

See generally, REP. OF S. AFRICA CONST. ACT (1961).

SOUTH KOREA / REPUBLIC OF KOREA (KOR)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

REP. OF KOREA CONST. art. 65.
REP. OF KOREA CONST. art. 84.

Legislative

REP. OF KOREA CONST. § 44.

Ministerial

See generally, REP. OF KOREA CONST.

Historical immunity for South Korea could not be verified. Accordingly, South Korea was omitted from the historical data sample.

SPAIN (ESP)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

SPAIN CONST. art. 102 § 2.

Legislative

SPAIN CONST. art. 71 § 2.

Ministerial

SPAIN CONST. art. 102 § 2.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

SPAIN CONST. (1931) art. 85.

Legislative

²⁰ § 89 has not been interpreted to apply as a bar to criminal prosecution of the president. *See* case of President Jacob Zuma (2007-2009).

SPAIN CONST. (1931) art. 56.
Ministerial
SPAIN CONST. (1931) art. 92.

SRI LANKA (LKA)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

SRI LANKA CONST. art. 35 § 1.
SRI LANKA CONST. art. 38 § 2.

Legislative

Interparliamentary Union, *Sri Lanka: Parliament*, available at http://www.ipu.org/parline/reports/2295_D.htm (last visited August 15, 2012).

Ministerial

See generally, SRI LANKA CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, CEYLON CONST. ORDER IN COUNCIL.

Legislative

CEYLON CONST. ORDER IN COUNCIL § 27(1).

Ministerial

See generally, CEYLON CONST. ORDER IN COUNCIL.

SURINAME (SUR)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, SURINAME CONST.²¹

Legislative

See generally, SURINAME CONST.

Ministerial

See cases of Dewanand Balesar (2006) and Errol Alibux (2002).

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, SURINAME CONST. (1987).

Legislative

See generally, SURINAME CONST. (1987).

Ministerial

See generally, SURINAME CONST. (1987).

SWEDEN (SWE)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

SWEDEN INSTRUMENT OF GOV'T (1974) chapter 13, art. 3.

Legislative

SWEDEN INSTRUMENT OF GOV'T (1974) chapter 4, art. 12.

Ministerial

SWEDEN INSTRUMENT OF GOV'T (1974) chapter 13, art. 3.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

SWEDEN INSTRUMENT OF GOV'T (1809) § 106.

Legislative

SWEDEN INSTRUMENT OF GOV'T (1809) § 110.

Ministerial

SWEDEN INSTRUMENT OF GOV'T (1809) § 106.

SWITZERLAND

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

²¹ The case of President Desi Bouterse, who was granted immunity through a wider amnesty for human rights abuses committed under military rule does not represent the conventional criminal immunity regime in the country. The observation that his prosecution continued while he was president indicates that the president does not enjoy immunity protections.

Dokumentationsdienst, *Die Immunität der Mitglieder der obersten Bundesbehörden*, Parlamentsdienste der Schweiz (2012), available at <http://www.parlament.ch/d/dokumentation/berichte/faktenblaetter/Documents/faktenblatt-immunitaet-d.pdf> (last visited August 15, 2012).

Legislative

Dokumentationsdienst, *Die Immunität der Mitglieder der obersten Bundesbehörden*, Parlamentsdienste der Schweiz (2012), available at <http://www.parlament.ch/d/dokumentation/berichte/faktenblaetter/Documents/faktenblatt-immunitaet-d.pdf> (last visited August 15, 2012).

Ministerial

Dokumentationsdienst, *Die Immunität der Mitglieder der obersten Bundesbehörden*, Parlamentsdienste der Schweiz (2012), available at <http://www.parlament.ch/d/dokumentation/berichte/faktenblaetter/Documents/faktenblatt-immunitaet-d.pdf> (last visited August 15, 2012).

Historical immunity data for Switzerland could not be verified. Accordingly, Switzerland was omitted from the historical data sample.

TAIWAN (TWN)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CONST. REP. OF CHINA art. 52.

REP. OF CHINA PRESIDENTIAL AND VICE PRESIDENTIAL ELECTION RECALL ACT (2009).

Legislative

CONST. REP. OF CHINA art. 33.

Ministerial

CONST. REP. OF CHINA art. 97.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

CONST. REP. OF CHINA (1991) art. 52.

Legislative

CONST. REP. OF CHINA (1991) art. 33.

Ministerial

CONST. REP. OF CHINA (1991) art. 97.

TRINIDAD AND TOBAGO (TTO)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, CONST. TRINIDAD AND TOBAGO.

Legislative

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Ministerial

See generally, CONST. TRINIDAD AND TOBAGO.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

See generally, CONST. TRINIDAD AND TOBAGO (1976).

Legislative

See generally, CONST. TRINIDAD AND TOBAGO (1976).

Ministerial

See generally, CONST. TRINIDAD AND TOBAGO (1976).

UNITED KINGDOM (GBR).

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

Albert Venn Dicey, *Introduction to the Study of the Law of the Constitution* (1889), reprinted by the Legal Classics Library (1999) at 179-180.

Legislative

Albert Venn Dicey, *Introduction to the Study of the Law of the Constitution* (1889), reprinted by the Legal Classics Library (1999) at 179-180.

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Ministerial

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HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

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Legislative

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Ministerial

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UNITED STATES (USA)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

U.S. CONST. art 1 §§ 2-3.

Keith King, *Indicting the President: Can a Sitting President Be Criminally Indicted?*, 30 SOUTHWESTERN UNIV. L. R. 417 (2001).

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Randolph Moss, *A Sitting President's Amenability to Indictment and Criminal Prosecution*, U.S. Dep't of Justice (2000), available at http://www.justice.gov/olc/sitting_president.htm (last visited August 15, 2012).

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Ministerial

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See generally, U.S. CONST.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

U.S. CONST. (1789) art 1 §§ 2-3.

Legislative

U.S. CONST. (1789) art 1 § 6.

Ministerial

See generally, U.S. CONST. (1789).

URUGUAY (URY)

CURRENT CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

URUGUAY CONST. art. 102.

URUGUAY CONST. art. 103.

URUGUAY CONST. art. 113.

URUGUAY CONST. art. 172.

Legislative

URUGUAY CONST. art. 114.

Ministerial

URUGUAY CONST. art. 102.

URUGUAY CONST. art. 103.

URUGUAY CONST. art. 113.

URUGUAY CONST. art. 172.

URUGUAY CONST. art. 178.

HISTORICAL CONSTITUTIONAL IMMUNITY PROVISIONS

Chief Executive

URUGUAY CONST. (1830) art. 26.

URUGUAY CONST. (1830) art. 38.

Legislative

URUGUAY CONST. (1830) art. 26.

URUGUAY CONST. (1830) art. 38.

URUGUAY CONST. (1830) art. 51.

Ministerial

URUGUAY CONST. (1830) art. 26.

URUGUAY CONST. (1830) art. 38.