

## High Court refuses immunity claim by Saudi billionaire

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The estranged wife of a Saudi billionaire has won the right to make a claim on his fortune in the English courts, after the High Court ruled her ex-husband did not have [diplomatic immunity](#).

Sheikh Walid Juffali is being sued by Christina Estrada, a former Pirelli calendar girl, for a share of his £4bn fortune after the couple split up following 13 years of marriage.

Mr Juffali had claimed she could not have the case heard in London because he has diplomatic immunity and said her case should be struck out.

He argued that since 2014 he has been a permanent representative to the International Maritime Organisation (IMO) for the Caribbean island of St Lucia. However, Mr Justice Hayden called his attempt to invoke diplomatic immunity “spurious” and refused to strike out the claim.

He added that he was satisfied that Mr Juffali “has sought and obtained a diplomatic appointment with the sole intention of defeating [his wife’s] claims consequent on the breakdown of their marriage”.

Mr Juffali “has not, in any real sense, taken up his appointment, nor has he discharged any responsibilities in connection with it,” he said, adding it was “an entirely artificial construct”.

The judge noted that the Sheikh is “apparently an extremely wealthy Saudi citizen with no pre-existing connection to St Lucia,” and said there was no evidence the he “has any knowledge or experience of maritime matters”.

The decision is significant because a growing number of litigants are claiming diplomatic and state immunity in the English courts, perhaps because of London’s popularity with the globe-trotting super rich and its appeal as a place to fight legal disputes.

Ms Estrada’s lawyers had claimed in the hearing that Mr Juffali’s diplomatic immunity was “a flag of convenience” and alleged that the tycoon has never attended a meeting of the IMO since his appointment.

The judge noted that the IMO is a global standard-setting authority for the safety and security of international shipping and that since his appointment, Mr Juffali “has not undertaken any duties of any kind in the pursuit of functions of office”.

In a statement after the ruling, Frances Hughes, senior partner in the law firm Hughes Fowler Carruthers and who acted for Ms Estrada, said: “Mr Justice Hayden has found that [Mr] Juffali sought diplomatic immunity with the sole intention of defeating my client’s claims.

“The issue of the abuse of diplomatic immunity is one with profound international importance, and my client is grateful to the judge for his clear findings,” she said. In a statement, Mr Juffali’s representatives said he would be appealing against the decision which he “believes to be deeply offensive, not least in its conclusion that his appointment to the International Maritime Organisation is an artifice”.

“If this decision is upheld, it will set a dangerous precedent for diplomats everywhere. He was, and remains, proud to serve as St Lucia’s Permanent Representative to the International Maritime Organisation,” his statement said.