

## REMEMBERING PROFESSOR DR. CONCEPCIÓN ESCOBAR HERNÁNDEZ

It is with great sadness that we received the news that Professor Concepción Escobar Hernández passed away after a short serious illness in Madrid on August 28, 2025. She was a renowned lawyer, scholar, and diplomat who left her mark on the development of international law.

Dr. Concepción Escobar Hernández was born in Madrid on December 22, 1959. She studied law at the Universidad Complutense in Madrid where she obtained the first degree (*licenciada*) in 1981 and PhD in 1987. She started her academic carrier at the Institute of Human Rights of the Universidad Complutense. Later, she became associate professor (*profesora titular*) and then full professor (*cadetrática*) of Public International Law at the Universidad de Cantabria (1991–2001). Her next academic position was Professor of Public International Law at the National University of Distance Education (UNED, since 2001).

At the same time, Dr. Escobar Hernández was active in practice, in particular in the position of Legal Advisor, Director of the International Legal Advisory Office of the Ministry of Foreign Affairs and Cooperation (2004–2012).

Her scholarly work spanned international criminal law, diplomatic immunity, and human rights. In spring 2025, Spain nominated Dr. Escobar Hernández as a candidate for judge of the International Criminal Court, for election at the end of 2026.

I first met Prof. Escobar Hernández personally during the campaign for the elections to the UN International Law Commission in New York in 2011. Thanks to our election, we then worked together in the ILC for two terms (2012–2022).

Prof. Escobar Hernández was Special Rapporteur of the International Law Commission on the topic of “Immunity of State officials from foreign criminal jurisdiction”. She significantly influenced the content of these draft articles, which the Commission provisionally adopted at first reading in summer 2022. She advocated the idea that, although the immunity of State officials is necessary for the proper functioning of inter-State relations, it is not absolute in contemporary international law. Functional immunity (*ratione materiae*) of State officials therefore does not apply in the case of crimes under international law. The Commission’s new Special Rapporteur, Prof. Claudio Grossman, has fully followed up on the work of Prof. Escobar Hernández in this regard.

Prof. Escobar Hernández also had contacts with the Czech academic community. Among other things, thanks to our friendly relations and cooperation in the Commission, she came and actively participated in a conference organized at the Faculty of Law of Charles University in Prague in November 2023 on the topic “Towards accountability for the crime of aggression committed against Ukraine”. I wished that our collaboration would continue within the framework of the book in preparation and on other future projects. Unfortunately, the illness and premature death of Concepción Escobar Hernández put an end to these plans.

For all of us who knew Prof. Concepción Escobar Hernández, she will be remembered not only as an outstanding academic and tireless fighter for the promotion of human rights and against impunity for heinous crimes under international law, but also as a rare and friendly person.

May she rest in peace!

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