

Diplomacy and International
Law:
A Diplomatic Glossary

Authors:

Prof. Dr. Dejan Marolov

Prof. Dr. Natasa Miroslaveva

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Reviewers:

Prof. Dr. Ljuben Tevdovski

Dr. Andrej Lepavcov (Ambassador)

Editors:

Prof. Dr. Dejan Marolov

Prof. Dr. Natasa Miroslaveva

Proofreader:

Sladjan Spasovski

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Preface

Dear Readers,

It is with great pleasure that we present this work entitled

Diplomacy and International Law: A Diplomatic Glossary. This publication is the result of sustained academic work and teaching engagement in the fields of diplomacy, foreign policy, and international public law. The primary aim of this glossary is to serve as a practical and accessible reference tool for students, scholars, and all readers interested in international relations and diplomatic practice. The glossary is designed for general use, but it is particularly intended to support students attending courses such as Foundations of Diplomacy, International Public Law, International Relations, and related subjects. For this reason, the explanations are concise, clear, and focused on clarifying the core meaning and legal relevance of key concepts used in diplomacy and international law.

In preparing this work, the authors were mindful that a purely terminological approach may appear abstract or difficult for students encountering these concepts for the first time. To address this, and to make the learning process more engaging, selected practical examples and short case studies from contemporary international relations have been included at the end of the glossary. These examples are intended to illustrate how diplomatic and international legal concepts operate in real situations and to encourage learning through concrete cases rather than abstract definitions alone.

The glossary includes key terms from diplomacy, foreign policy, and international law that are commonly used in academic literature and international practice. The selection of terms reflects their relevance for understanding the structure, functioning, and principles of international relations and the international legal order. This work does not aim to provide exhaustive theoretical analysis, but rather to function as a compact and user-friendly guide that supports study, teaching, and introductory research. Each entry is structured to allow readers to quickly grasp the essential meaning of a concept and its place within the broader framework of diplomacy and international law.

We hope that this publication will be a useful learning aid and reference source for students and other readers, contributing to a clearer and more structured understanding of diplomatic and international legal terminology.

Sincerely,

The Authors

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Introduction

This book is designed as a practical and accessible resource for students and readers seeking to understand the core concepts of diplomacy and international law. In academic practice, these fields are often approached through complex theoretical frameworks and extensive legal texts, which can make the initial learning process challenging. This book aims to bridge that gap by providing clear definitions of key terms and linking them to concrete examples from diplomatic and international practice.

The primary objective of the book is to facilitate the understanding of essential terminology used in diplomacy and international law. Each term is presented in a concise and structured manner, allowing readers to grasp its meaning without unnecessary complexity. At the same time, the book moves beyond purely descriptive definitions by incorporating illustrative cases that demonstrate how these concepts operate in real-world situations.

Methodologically, the book follows a descriptive and interpretative approach. It does not seek to advance a new theoretical framework, but rather to systematize existing knowledge and present it in a pedagogically effective format. The selection of terms is based on their relevance in academic curricula and practical importance in international relations and legal practice.

In addition, the inclusion of selected international legal instruments, such as the Vienna Convention on Diplomatic Relations (1961), provides readers with direct access to primary sources. This allows for a more comprehensive understanding of the legal foundations underlying diplomatic relations.

This book is intended primarily for undergraduate and graduate students in the fields of international relations, international law, and diplomacy. It may also serve as a useful reference for practitioners and anyone interested in gaining a clearer understanding of diplomatic concepts and their application in international practice.

How to Use This Book

This book is structured to support both independent learning and classroom use.

The glossary section provides concise definitions of key terms related to diplomacy and international law. Readers are encouraged to use this section as a quick reference tool when encountering unfamiliar concepts.

The section on illustrative cases offers practical examples drawn from diplomatic and international practice. These cases are intended to demonstrate how theoretical concepts are applied in real-world situations. Readers may use them to deepen their understanding or as a basis for discussion and analysis. For teaching purposes, instructors may use the cases as exercises by encouraging students to identify relevant legal principles, assess the actions of the actors involved, and discuss possible outcomes.

The appendix containing the Vienna Convention on Diplomatic Relations (1961) serves as a primary legal reference. Readers are encouraged to consult the relevant articles when studying specific concepts in order to connect theoretical knowledge with formal legal provisions.

The book may be used sequentially or selectively, depending on the needs of the reader. It is designed to function both as a learning tool and as a reference guide.



Ad hoc conferences – Conferences convened to address specific issues or matters in particular situations. This means that such conferences are not in continuous session.

Ad hoc diplomacy – A term used to distinguish it from permanent diplomatic missions. It involves the appointment of a specific individual or delegation tasked with carrying out clearly defined objectives. Once the task is completed, this form of diplomacy ceases to exist. It is employed in situations where regular diplomatic missions or established diplomatic channels are ineffective or insufficient.

Ad hoc missions – Temporary missions entrusted to delegations for the execution of specific and concrete tasks that fall outside routine diplomatic activities. They differ from permanent diplomatic missions and cease to exist once their mandate is fulfilled.

Ad interim – A Latin term referring to a position, function, or mandate that is held temporarily, pending the appointment or assumption of office by a permanent holder.



Ad referendum – A Latin term used in international relations to indicate that an acceptance, agreement, or signature is provisional and subject to approval by a higher authority. It is commonly used in diplomatic negotiations where an authorized representative acts without final binding authority, pending confirmation by a constitutionally competent body. The term originates from Latin, meaning “for reference” or “for consideration,” implying the need for subsequent approval.

Administrative and technical staff of the diplomatic mission – Members of the diplomatic mission employed in administrative and technical services. This category also includes their family members forming part of their household, whose status derives from that of the staff member.

Adoption of the Treaty Text – One of the stages in the process of concluding international treaties, whereby the final text of the treaty is formally agreed upon. It precedes the



authentication of the text and the subsequent stages of signature and ratification.

Aggression – A term formally defined in 1974 by United Nations General Assembly Resolution 3314. According to Article 1 of the Resolution, aggression is “the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations.”

Agrément – The consent of a receiving State to the accreditation of the head of a diplomatic mission of another State. Prior to appointing a head of mission, the sending State must seek the agreement (approval) of the receiving State with regard to the proposed individual.

Aide-memoire – A written document relating to a specific issue or problem, containing the essential elements necessary to accurately record a position and avoid misinterpretation. It is usually prepared on plain paper without official letterhead or seals, is unsigned, and is typically handed over after an oral presentation of the matter discussed.



Ambassador – The head of a diplomatic mission holding the highest diplomatic rank and accredited to the head of the receiving State.

Arbitration - One of the principal methods for the peaceful settlement of disputes between States. In most cases, arbitration functions as a quasi-judicial, non-political mechanism of dispute resolution. The establishment and jurisdiction of an arbitral tribunal are based on the consent of the parties, expressed through an agreement commonly referred to as a *compromis d'arbitrage* (arbitration agreement). This agreement defines the subject matter of the dispute, the applicable law, the procedure for appointing arbitrators, and other procedural and substantive elements. These matters are governed by the will of the States concerned, notwithstanding the existence of the 1953 Draft Convention on Arbitral Procedure adopted within the United Nations General Assembly, which serves only as a non-binding model. The arbitral award is final and binding upon the parties.



Archives – The documents and records of a diplomatic or consular mission, regardless of their location. Such archives enjoy special protection and immunity under international law and are inviolable, meaning they are not subject to inspection, seizure, or destruction. This protection continues to apply even in situations of armed conflict or states of emergency.

Asylum – Protection granted by a State to an individual against persecution or prosecution by another State. It may take the form of territorial asylum, granted within the territory of a State to a stateless person or a foreign national who is considered to be persecuted, often for political reasons. Asylum may also take the form of diplomatic asylum, granted within the premises of a diplomatic mission, although this form of asylum is not universally recognized under international law. A well-known example is the asylum granted to Julian Assange by Ecuador within its embassy in the United Kingdom.



Authentic interpretation – The interpretation of an international legal instrument given by the entities that adopted it, primarily the States Parties, acting jointly or through procedures provided for in the instrument itself. Such interpretation is authoritative and binding upon the parties.

Authorized Representative – A person vested with a duly executed power of attorney, authorizing them to negotiate, conclude, and sign agreements, as well as to perform other acts that legally bind the party they represent.

Autonomous regions – Territories that form an integral part of a State's territory but enjoy a certain degree of self-government under specific legal arrangements. The scope and form of autonomy may vary and can be established through domestic constitutional or legislative provisions, international treaties, or international arrangements, provided they are incorporated into the internal legal order of the State concerned. The degree of autonomy differs from case to case and may range from limited administrative self-rule to extensive competences in economic, legal, or cultural matters. Historical examples include Kosovo and Vojvodina

within Serbia during the period of the SFRY. Contemporary examples of a high degree of autonomy are the special administrative regions of Hong Kong and Macau within China.



Balkanization – A process of political and territorial fragmentation marked by the breakdown of cooperation and the inability to achieve consensus in pursuit of common interests. It denotes the disintegration of a previously unified political entity into several smaller and often mutually antagonistic units. The term originates from the historical developments in the Balkan Peninsula following the decline of the Ottoman Empire and re-emerged in international discourse during the dissolution of the Socialist Federal Republic of Yugoslavia in the 1990s, which resulted in the emergence of multiple successor states.

Bellum justum – A Latin term referring to a war regarded as just or morally justified, fought for legitimate reasons and with proper authority and intention. The concept is used to distinguish between just and unjust wars and holds primarily historical and doctrinal significance in legal and political thought.

Bilateral Treaty – An international agreement concluded between two contracting parties.



Casus belli – A Latin term referring to an event or act invoked by a State as the justification for declaring war against another State. A well-known example is Japan’s attack on the United States naval base at Pearl Harbor in 1941, which served as the justification for the United States’ entry into the Second World War.

Cession –The transfer of sovereignty over a specific territory from one State (the cedent) to another State (the cessionary) by agreement between them. Cession, also referred to as relinquishment, constitutes a lawful and peaceful mode of territorial change under international law. Historically, cession has occurred through acts of donation by absolutist rulers, the purchase of territory, or as an obligation imposed on a defeated State under a peace treaty. A well-known example is the sale of Alaska by Russia to the United States in 1867. In Southeastern Europe, cession occurred when Bulgaria transferred territories to the Kingdom of Serbs, Croats and Slovenes under the Treaty of Neuilly (1919), including areas around Strumica, Bosilegrad, and Dimitrovgrad.



Charter – An international treaty that establishes an international organization and sets out the basic principles, rules, and obligations for the states that are members of an international organization or participants in a specific international treaty. Charters are also foundational documents that define the structure, objectives, and functions of international organizations and serve as the legal basis for their operation. A well-known example is the Charter of the United Nations.

Commonwealth of Independent States (CIS) – A regional intergovernmental organization established in December 1991 following the dissolution of the Soviet Union. It was founded by Russia, Ukraine, and Belarus through the Minsk Agreement and subsequently joined by several other former Soviet republics. The Baltic states never became members. The CIS is headquartered in Minsk and was intended to provide a framework for economic cooperation and coordination in areas such as foreign policy, defense, peaceful dispute settlement, and environmental protection among its members. Over time, the organization has lost much of its political relevance, with some founding and member states withdrawing or limiting their



participation. Turkmenistan participates as an associated member, while Georgia formally withdrew in 2008, and Ukraine never ratified the founding agreements and has effectively ceased participation. Parallel and more advanced integration initiatives have emerged among certain CIS states, notably the Customs Union and the Eurasian Economic Union, which now constitute the primary mechanisms of economic integration in the post-Soviet space.

Commonwealth of Nations – An international organization comprising 56 independent States, most of which share historical ties with the United Kingdom. It evolved from the former British Empire into a voluntary association of sovereign and equal States. The organization promotes democracy, human rights, economic cooperation, and cultural exchange among its members. Its headquarters are located in London, and its symbolic Head is the British monarch. The Commonwealth is neither a political nor an economic union comparable to the European Union, but rather a flexible framework for dialogue and cooperation among States with diverse political and economic systems. While some members recognize the British monarch as their head of State, others are republics and monarchies with



different constitutional arrangements. Despite its limited binding authority, the Commonwealth remains an important network for diplomatic, cultural, and developmental cooperation.

Concordat – An international agreement primarily aimed at regulating the legal status and activities of the Catholic Church within a State. One of the contracting parties is always the Holy See. A notable example is the concordat concluded between the Holy See and Brazil in 2008.

Confederation – A union of sovereign States established by an intergovernmental treaty in order to pursue specific, jointly agreed objectives. The member States retain their international legal personality and full sovereignty, coordinating certain activities only to the extent expressly provided for in the founding treaty. A confederation may act internationally as a collective entity solely within the powers conferred upon it by its member States. Historically, the United States functioned as a confederation under the Articles of Confederation before transforming into a federal state. Switzerland formally retains the designation of a confederation, although its internal constitutional structure



corresponds largely to that of a federation. Certain international organizations, such as NATO, display limited confederal features.

Consensus – A method of decision-making in international organizations and diplomatic meetings whereby formal voting is avoided. Decisions are adopted on the basis of general agreement, meaning that no participating member raises a formal or substantial objection. Consensus does not necessarily imply unanimity, but rather the absence of opposition sufficient to block the decision.

Consul – An individual authorized to perform consular functions on behalf of a sending State. The head of a consular post may hold the rank of Consul General, Consul, Vice-Consul, or Consular Agent. The sending State issues a commission or letters patent appointing the consul, while the receiving State grants an exequatur authorizing the consul to exercise consular functions within its territory.



Consular Law – A branch of diplomatic and consular law within international law that regulates consular relations between States, as well as the status, functions, privileges, and immunities of consulates and consular officers.

Consular Patent – A formal document issued by the sending State appointing an individual as a consul. It is transmitted to the receiving State to notify it of the appointment and contains details such as the consul's name, rank, and consular district.

Consulate – An official office of a State established in a foreign city to perform consular functions, including the protection of the interests of its nationals, the provision of administrative and legal services, and the promotion of economic, cultural, and other lawful relations with the receiving State.

Corps diplomatique – The collective term for all heads of diplomatic missions accredited to the government of the receiving state.



Co-sovereignty (Condominium) – A legal arrangement involving the joint exercise of sovereign authority by two or more States over a specific territory. In a condominium, no single State possesses exclusive sovereignty; instead, authority is exercised collectively on the basis of agreement. Such arrangements are rare and typically arise in situations of competing territorial claims. A classic historical example is Sudan, which was jointly governed by the United Kingdom and Egypt until its independence in 1955. Andorra represents a *sui generis* case: although it is a fully sovereign and independent State, including UN membership since 1993, it retains a unique constitutional structure with two co-princes—the Bishop of Urgell and the President of France—whose roles today are largely ceremonial rather than expressions of shared sovereignty.

Council of Europe – A pan-European international organization and the leading regional body for the protection of human rights, democracy, and the rule of law in Europe. It cooperates closely with the European Union, the United Nations, the Organization for Security and Co-operation in Europe (OSCE), and other international actors. It should not be confused with the Council of the European Union, which



is an institution of the EU. The headquarters of the Council of Europe are located in Strasbourg, France. The organization currently comprises 46 member States, covering almost the entire European continent. Belarus has never been a member, while Russia was expelled from the organization in 2022. All member States are parties to the European Convention on Human Rights and have abolished the death penalty. The Council of Europe promotes freedom of expression and media freedom and monitors compliance with its standards through independent expert and monitoring bodies. A particularly well-known advisory body is the Venice Commission, composed of experts in constitutional law. The judicial organ of the Council of Europe is the European Court of Human Rights.

Chargé d'affaires – A diplomatic representative who heads a diplomatic mission in the absence of an ambassador. A chargé d'affaires is accredited not to the head of state of the receiving country, but to its Minister of Foreign Affairs. This position may arise either temporarily, when an ambassador is absent or the post is vacant (chargé d'affaires ad interim), or permanently, when states choose to maintain diplomatic relations at a lower level without appointing an



ambassador. A chargé d'affaires performs essentially the same day-to-day diplomatic functions as an ambassador, but with lower rank and protocol status. The appointment of a chargé d'affaires does not imply a breakdown of diplomatic relations, but may indicate political caution or a cooling of relations. After the withdrawal or expulsion of ambassadors following political disputes, states often continue relations through chargés d'affaires. A well-known example occurred in 2022, when several Western states temporarily maintained diplomatic missions in Ukraine through chargés d'affaires after their ambassadors were recalled for security reasons.

Couriers – Individuals officially authorized to carry diplomatic mail or correspondence on behalf of a sending State. In the performance of their functions, diplomatic couriers are protected under international law, and the diplomatic pouch entrusted to them is inviolable and exempt from inspection or seizure.



Dean of the Diplomatic Corps – A ceremonial and protocolary figure, traditionally regarded as the senior representative of the diplomatic corps in the receiving State. The Dean often acts as a spokesperson or intermediary of the diplomatic community in its relations with the host government, particularly on protocol and ceremonial matters, but holds no formal decision-making authority. The position is usually assigned to the longest-serving head of a diplomatic mission, subject to local practice.

Demarche – An official diplomatic action undertaken by a representative of one State vis-à-vis the authorities of another State, at an appropriate level, with the aim of achieving a specific objective. The term derives from the French word *démarche*, meaning “step” or “measure.” A demarche is used to induce a particular action or restraint from action by the receiving party.

Derogation – A temporary suspension or non-application of certain legal obligations or treaty provisions, permitted under international law in exceptional circumstances, such as a public emergency threatening the life of the nation. Derogation is subject to strict conditions, including necessity,



proportionality, and temporal limitation, and does not constitute a permanent exemption from the obligation. Following the terrorist attacks in Paris in November 2015, France notified the Council of Europe of a derogation under Article 15 of the European Convention on Human Rights. France temporarily derogated from certain Convention obligations on the grounds of a public emergency threatening the life of the nation. The derogation was limited in scope and duration and was lifted once the emergency measures were no longer considered necessary.

Diplomacy – The skill and practice of negotiating between representatives of States (or, in a broader sense, other international actors) in order to achieve predefined objectives. Diplomacy may also be understood as a systematically organized social activity through which a State represents itself in international relations and pursues its foreign policy goals by peaceful means. Diplomacy is closely related to, but distinct from, foreign policy. While the two terms are sometimes used interchangeably, foreign policy is the broader concept. Foreign policy defines the objectives and interests a State seeks to achieve in its external relations, whereas diplomacy constitutes the principal instrument



through which those objectives are pursued. In simple terms, foreign policy determines what a State wants to achieve, while diplomacy determines how those goals are achieved.

Diplomat – An individual forming part of the diplomatic staff of a State and entrusted with the performance of diplomatic functions within a diplomatic mission. A diplomat is an accredited representative authorized to carry out specialized diplomatic tasks on behalf of the sending State. The term encompasses various ranks and positions, including ambassador, counselor, attaché, and similar diplomatic offices.

Diplomatic and Consular Protection – Actions undertaken by a sending State on behalf of its nationals, companies, or legal entities in the territory of a receiving State for the purpose of safeguarding their rights and interests. Consular protection consists of assistance and administrative support provided through consular authorities, while diplomatic protection constitutes a formal act by the State at the international level, whereby the injury to a national is treated as an injury to the State itself.



Diplomatic Bag – A container used for the transport of official diplomatic correspondence and documents, which, under international law, enjoys inviolability and may not be opened or detained. All packages forming part of the diplomatic bag must bear visible external markings indicating their character.

Diplomatic Ethics – A set of ethical principles and professional standards governing the conduct of diplomats in the performance of their duties, including integrity, discretion, loyalty to the sending State, respect for international law, and adherence to accepted norms of diplomatic conduct.

Diplomatic Immunity – An exemption from the jurisdiction of the receiving State, recognized under international law and codified in the Vienna Convention on Diplomatic Relations, granted to diplomatic agents and, under certain conditions, to members of their families. Diplomatic immunity is intended to ensure the effective performance of diplomatic functions by protecting diplomats from legal proceedings and undue interference by the



authorities of the host State. It is a functional privilege attached to the office, not a personal benefit.

Diplomatic Law – A body of norms within international law governing diplomatic relations between States, including the establishment and functioning of diplomatic missions, as well as the status, functions, privileges, immunities, and duties of diplomatic personnel.

Diplomatic Mail – Official correspondence exchanged between the Ministry of Foreign Affairs or other competent authorities of a sending State and its diplomatic or consular missions. Diplomatic mail enjoys inviolability and confidentiality under international law and may not be opened, inspected, or intercepted by third parties. Traditionally, diplomatic mail is transported in a diplomatic bag that is visibly marked and sealed and is usually carried by a diplomatic courier. In modern diplomatic practice, official correspondence is also transmitted through secure electronic communications, which are treated as confidential by States, although their legal status is not expressly regulated in the same manner as traditional diplomatic mail under the Vienna Convention on Diplomatic Relations.



Diplomatic Negotiations – A process involving the joint exchange of views, ideas, and positions between parties with the aim of resolving issues of common interest, reaching decisions, or concluding agreements through peaceful means.

Diplomatic Note – A formal written communication addressed by one State to a foreign government or its Ministry of Foreign Affairs, usually transmitted through the head of the sending State's diplomatic mission to the competent authorities of the receiving State. Diplomatic notes are commonly used to convey official positions, requests, or information.

Diplomatic Passport – A special type of passport issued by a State, usually through its Ministry of Foreign Affairs, to individuals traveling abroad in the performance of official State functions. A diplomatic passport serves as proof of the holder's official capacity but does not, in itself, confer diplomatic status or diplomatic immunity. Diplomatic privileges and immunities arise only when the holder is accredited as a diplomatic agent in accordance with international law, particularly the Vienna Convention on Diplomatic Relations. In practice, holders of diplomatic



passports often benefit from facilitated border procedures and visa exemptions under bilateral or regional arrangements. The possession of a diplomatic passport does not exempt the holder from the obligation to respect the laws and regulations of the receiving State.

Diplomatic Relations – Official relations between two States, typically manifested through the establishment of diplomatic missions and the accreditation of heads of mission. The establishment of diplomatic relations requires the mutual consent of the States concerned, while their termination may be effected unilaterally by either party. As a general rule, the existence of diplomatic relations presupposes mutual recognition. For example, in February 2022, Ukraine unilaterally terminated diplomatic relations with Russian Federation following Russia's large-scale military invasion of Ukrainian territory. This case illustrates that while the establishment of diplomatic relations depends on mutual agreement, their termination may occur by the decision of only one State.



Discrimination in International Law – Differential treatment between comparable subjects of international law, resulting in the denial, restriction, or unequal enjoyment of rights or privileges, without objective and reasonable justification. Such discrimination may affect individuals, legal entities, or States, particularly in the application of international obligations, access to international organizations, or the enjoyment of treaty-based rights. In academic discourse, the long-standing dispute between Greece and Republic of Macedonia has often been cited as an illustration of differential treatment, insofar as the latter's accession to international organizations such as the United Nations, the European Union, and NATO was conditioned upon a requirement not imposed on other States.

Dispositive Clause – The operative part of an international treaty, judicial decision, or arbitral award that sets out the specific rights, obligations, and legal effects arising from the instrument. In international law, the dispositive clause constitutes the essential section through which the parties' rights and duties are formally defined and made binding.



Embassy – The diplomatic mission of a State in a foreign country, consisting of the ambassador and the diplomatic staff accredited to the receiving State. The term is also commonly used to refer to the building in which the diplomatic mission is housed and carries out its official functions.

Erga omnes – A Latin term meaning “towards all.” In international law, it refers primarily to obligations owed by a State to the international community as a whole, rather than to one or more specific States. Breach of such obligations may give rise to a legal interest on the part of all States.

European Court of Human Rights – A judicial body of the Council of Europe, seated in Strasbourg. The Court adjudicates alleged violations of the European Convention on Human Rights by member States. Under the Convention, individuals may lodge applications with the Court after exhausting all effective domestic legal remedies in the respondent State.



European Union (EU) – A unique *sui generis* entity in international relations, combining elements of an international (intergovernmental) organization with certain characteristics commonly associated with federal systems, while not constituting a federal State. The European Union is composed of 27 member States. Its principal institutions are primarily located in Brussels, which is often regarded as its informal capital. The EU possesses competences of considerable breadth in certain policy areas, conferred upon it by its member States through the founding treaties. These competences reflect the willingness of the member States to delegate and share specific aspects of sovereignty at the supranational level. The Union has its own legal personality and functions as a subject of international law, while its member States remain independent subjects in international legal relations. The European Union has achieved a high level of economic integration, including a common currency used by most of its member States and the removal of internal border controls among many of them within the Schengen Area. The Lisbon Treaty introduced the position of High Representative of the Union for Foreign Affairs and Security Policy, enhancing coordination in external action. Nevertheless, the EU has proven



more effective as an economic integration project than as a unified foreign policy actor.

Exequatur –An official authorization granted by the receiving state that allows a consular officer to perform consular functions within its territory. Even after a consul is appointed by the sending state, they may not exercise their duties until the receiving state issues an exequatur. The granting of an exequatur is a sovereign right of the receiving state and may be refused without an obligation to provide reasons. The exequatur confirms the legal status of the consul and enables them to carry out consular tasks such as assisting nationals, issuing visas, notarizing documents, and protecting commercial interests. The receiving state may also withdraw an exequatur at any time, which effectively terminates the consul's functions.

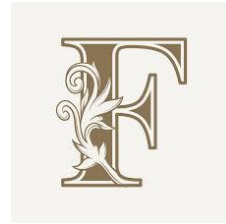
Exchange of Notes –A form of diplomatic correspondence between States or their governments used as a bilateral legal mechanism for concluding an international agreement. An exchange of notes consists of two matching written communications, which together create binding legal



obligations and have the same legal effect as a formally concluded international treaty.

Exterritoriality – A legal concept referring to the exemption of certain persons or objects from the jurisdiction of the territorial State, based on rules of international law. It does not imply that the territory itself is outside the sovereignty of the State, but rather that specific legal privileges and immunities apply, limiting the exercise of local jurisdiction.

Extradition – The formal surrender of an individual by the authorities of the State in whose territory the person is located to the authorities of another State requesting that individual, usually for the purpose of criminal prosecution or the execution of a sentence. Extradition is carried out in accordance with international treaties or domestic law and is subject to legal conditions and procedures.



Federation – A form of complex State composed of multiple federal entities, established and governed by a constitution. The constitution regulates the distribution of competences between the federal level and the constituent units. As a rule, the federation possesses international legal personality, while the federal entities do not enjoy independent international subjectivity, except where limited external powers are constitutionally granted. A contemporary example of a federation is the Federal Republic of Germany, where the *Länder* (federal states) exercise constitutionally guaranteed competences in areas such as education and policing, while the federation as a whole possesses international legal personality and conducts foreign relations.

Force majeure – An unforeseeable and unavoidable event beyond human control that renders the performance of a contractual or international obligation objectively impossible. Where such an event causes a permanent impossibility of performance—due to the destruction or disappearance of an essential object required for execution—and a direct causal link exists between the event and the non-performance, the obligation or contract may be terminated or suspended in accordance with applicable law. For example, the 2004



tsunami in Indonesia, Thailand, and Sri Lanka led to the temporary suspension of numerous international contracts, particularly in the fishing and tourism sectors, as the destruction of essential infrastructure constituted a force majeure event justifying non-performance.

Foreign Affairs – The totality of activities conducted by a State and its organs in their capacity as subjects of international law, encompassing the management of external relations with other States and international organizations.

Francophonie (La Francophonie) – An international organization bringing together States and governments that share a connection to the French language and Francophone culture. Founded in 1970, its principal objectives are the promotion of the French language, cultural exchange, democratic values, and cooperation among its members. The organization is officially known as the Organisation Internationale de la Francophonie (OIF) and is headquartered in Paris.



Good Offices – A method of peaceful settlement of disputes whereby a third party facilitates contact and communication between States that are unwilling or unable to engage in direct negotiations. The function of the provider of good offices is limited to encouraging dialogue and creating conditions for negotiations, without participating in the substance of the dispute or proposing concrete solutions. Good offices may be offered by a third State, an international organization, or an individual, and may be exercised only with the consent of the parties concerned. A contemporary example of good offices is the role of the Secretary-General of the United Nations in the Cyprus dispute. Acting under a mandate accepted by the parties, the Secretary-General has facilitated contacts between the Greek Cypriot and Turkish Cypriot sides and encouraged the resumption of negotiations, without imposing proposals or acting as a mediator



Head of State – The highest representative of a State in domestic and international relations. The head of State represents the State internally before foreign diplomatic representatives and externally in relations with other States and international organizations, including at bilateral meetings, multilateral conferences, and summits. In republics, the head of State is typically the president, while in monarchies it is the monarch. The role and powers of the head of State depend on the constitutional system of the State. Generally, the head of State participates, together with the government, in shaping foreign policy by defining its general directions, particularly in matters related to international relations, security, and defense. For this reason, constitutions often designate the head of State as the supreme commander of the armed forces. In the field of foreign relations, the head of State may conduct negotiations, represent the State, and conclude international treaties, in accordance with national law. Additional powers usually include appointing and recalling ambassadors and other diplomatic representatives, granting consent (*exequatur*) for foreign heads of mission, and receiving letters of credence and recall. In performing these functions, the head of State



enjoys special privileges, immunities, and honors under international law.

Honorary Consul – An individual appointed by a State to represent its interests in the territory of a receiving State, who is not a career diplomat. An honorary consul usually performs the function on a voluntary or part-time basis and is not salaried by the appointing State. Such consuls are often prominent local persons with professional, economic, or cultural ties to the sending State and are typically nationals or permanent residents of the receiving State. Honorary consuls do not enjoy the same privileges and immunities as career consular officers, and their functions, rights, and immunities are more limited. Their status and activities are regulated by the Vienna Convention on Consular Relations (1963), as well as by domestic law of the receiving State.



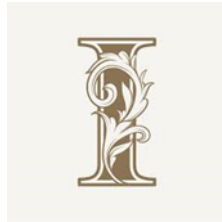
Implementation of Treaties – The obligation of the parties to a treaty to perform and give effect to its provisions in good faith. States may not invoke their internal law as justification for failure to comply with treaty obligations. This principle reflects the fundamental rule *pacta sunt servanda* and is affirmed by the Vienna Convention on the Law of Treaties.

Inquiry (investigative) commissions – Bodies established to ascertain and clarify disputed facts between parties in situations where there is disagreement regarding a particular factual circumstance. Such commissions may be created on an ad hoc basis or pursuant to provisions contained in international treaties. They are typically composed of experts appointed by the parties concerned, often complemented by neutral experts from third States or international organizations. Inquiry commissions are empowered to examine evidence, hear witnesses, consult experts, and conduct investigations. Their function is not to settle the dispute itself, but to carry out an independent fact-finding process and produce an objective report, which may serve as a basis for subsequent negotiations or dispute-settlement procedures.



International Arbitration – A method of peaceful settlement of international disputes in which the parties, by mutual consent, submit their dispute to an impartial arbitrator or arbitral tribunal of their own choosing. The arbitral tribunal is established and empowered on the basis of an arbitration agreement (*compromis d'arbitrage*), which defines its jurisdiction and procedure. The arbitral award is final and legally binding upon the parties and has the effect of a judicial decision. A well-known example is the Island of Palmas arbitration (United States v. Netherlands, 1928), decided by the Permanent Court of Arbitration, in which the parties submitted a territorial sovereignty dispute to arbitration and agreed to be bound by the arbitral award.

International Community – A term referring to the collective body of States as a whole, and, in a broader sense, also encompassing international organizations that participate in international relations. In international law, it denotes the totality of States bound by common legal principles, interests, and obligations, particularly in contexts such as obligations *erga omnes* or matters of global concern. In political and media discourse, the term is often used imprecisely to refer only to a limited group of influential States or



organizations, rather than to the international community in its legal sense.

International Conference – A formal meeting of representatives of more States convened to discuss matters of common international concern. International conferences may be held for the purpose of negotiating and concluding international treaties, coordinating policies, or addressing and resolving interstate disputes.

International Convention – A term commonly used to designate an international treaty or agreement between States. In practice, the term is often associated with multilateral treaties of a more formal character, usually subject to ratification, although it does not denote a legally distinct category from other international treaties.

International Court of Justice – The principal judicial organ of the United Nations, also known as the World Court. The Court is seated in The Hague and operates officially in English and French. It was established in 1945 under the UN Charter, succeeding the Permanent Court of International Justice of the League of Nations. The Court is composed of



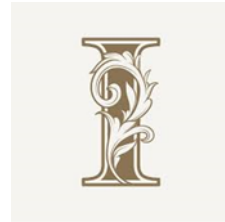
15 judges elected for nine-year terms by the UN General Assembly and the Security Council from among persons of high moral character and recognized competence in international law. The ICJ has jurisdiction to decide legal disputes between States, provided that the States concerned have consented to its jurisdiction. Only States may be parties in contentious cases before the Court. In addition, the ICJ exercises advisory jurisdiction. It may issue advisory opinions on legal questions at the request of UN organs or specialized agencies authorized under the UN Charter. Advisory opinions are not legally binding, but they carry significant legal authority and assist international bodies in the performance of their functions. The Court does not render advisory opinions on purely political questions.

International Delict – A violation of an obligation arising under international law, consisting of an act or omission attributable to a subject of international law and constituting a breach of an international legal norm. An international delict entails international responsibility and may give rise to the duty to cease the wrongful act, provide assurances of non-repetition, and make reparation for the injury caused.



International Dispute – A disagreement or conflict of legal or factual views between subjects of international law concerning a matter of international relations. Most commonly, an international dispute arises between two or more States, but it may also occur between a State and an international organization, or between international organizations themselves.

International Lakes – Lakes whose shores are not entirely situated within the territory of a single State, meaning that the international boundary of two or more States passes through the lake. In such cases, no single State exercises sovereignty over the entire body of water. Sovereignty is generally exercised by dividing the lake between the bordering States, with an interstate boundary delimiting the respective parts under national jurisdiction. Each riparian State retains sovereignty over the portion of the lake within its boundaries. In the case of larger lakes, arrangements analogous to those applied in international maritime law may be adopted, allowing for the establishment of territorial waters under State sovereignty and, where agreed, areas subject to an international regime governing matters such as navigation, fishing, and environmental protection. The use of



international lakes must not cause harm to other States entitled to their use.

International Law Commission – A body of the United Nations established to promote the progressive development and codification of international law. The Commission prepares draft articles, principles, and conventions on areas of international law that are not yet regulated or that require clarification and systematic codification, which may later serve as the basis for international treaties.

International Organizations – Subjects of international law established by States through an international treaty in order to pursue common objectives. International organizations possess their own international legal personality, distinct from that of their member States, and exercise only those powers and competences that have been expressly delegated to them by the founding treaty. They operate through their own institutional organs, which act within the limits of the conferred authority.

International Relations – A term referring primarily to relations between States in the international system, including



political, legal, economic, and diplomatic interactions. In a broader sense, it also encompasses relations between peoples, nations, and citizens of different States, as well as interactions involving international organizations and other non-State actors.

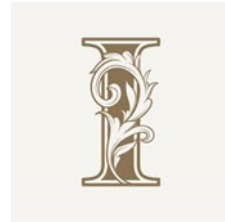
International Treaty – A legally binding agreement resulting from the consent of two or more subjects of international law, expressed through their competent authorities, with the purpose of creating rights and obligations governed by international law, whether to pursue common interests or to resolve specific disputes. According to the Vienna Convention on the Law of Treaties, an international treaty is defined as “an international agreement concluded in written form between States and governed by international law, whether embodied in a single instrument or in two or more related instruments, and whatever its particular designation.” While the Convention emphasizes the written form, international law does not exclude the legal validity of oral agreements; however, in contemporary practice, treaties are overwhelmingly concluded in written form for reasons of legal certainty and clarity.



Ius ad bellum – The body of rules of international law governing the legality and justification of the use of force between States. *Ius ad bellum* determines whether and under what conditions a State may lawfully resort to force. *Ius ad bellum* must be clearly distinguished from international humanitarian law (*ius in bello*), which applies once an armed conflict has begun and regulates the conduct of hostilities and the protection of individuals, irrespective of the legality or causes of the conflict. While *ius ad bellum* addresses whether force may be used, *ius in bello* governs how force is used.

Ius cogens – Norms of general international law recognized and accepted by the international community of States as a whole as fundamental rules from which no derogation is permitted. Such norms occupy a superior position in the hierarchy of international law and cannot be modified or repealed by treaties or agreements between States. Any treaty conflicting with a norm of *ius cogens* is void. Typical examples of *ius cogens* norms include the prohibition of genocide, slavery, torture, and aggression.

Ius dispositivum – Legal norms of international law that apply by default and allow the parties to regulate their



relations differently by mutual agreement. Such norms are binding only in the absence of a contrary agreement between the parties. The freedom to depart from *ius dispositivum* norms is limited by peremptory norms of international law (*ius cogens*), which cannot be derogated from under any circumstances.

Ius gentium – A Latin term meaning “law of nations,” traditionally used to denote what is today known as international law. The expression derives from *ius* (law) and *gens/gentium* (nation/nations). Historically, *ius gentium* referred to rules governing relations between different political communities and peoples. Prior to the widespread use of the term “international public law,” the German legal tradition employed the expression *Interstaatenrecht* (interstate law), emphasizing the regulation of relations between States.

Ius in bello – The body of rules of international law governing the conduct of hostilities during armed conflict, with the primary aim of protecting persons who are not or are no longer participating in the fighting, and of limiting the means and methods of warfare. *Ius in bello* is also known as international humanitarian law. It applies from the moment

an armed conflict begins, regardless of the causes or legality of the conflict, and is binding on all parties to the conflict in order to mitigate human suffering and destruction.



Jurisdiction – The authority of a state and its organs. The legal authority of a State and its organs to exercise power, including legislative, executive, and judicial functions, over persons, territory, and events, in accordance with international and domestic law..



Laissez-passer – A document of French origin meaning “let pass,” recognized in international law and issued by a competent authority to permit a person to travel, enter, transit through, or leave a territory. It serves as a temporary travel document or pass, often used in exceptional circumstances, such as for officials of international organizations or persons lacking standard travel documents.

Legal Capacity – The legal authority of a subject of international law to act within the international legal order and to produce legal effects through its actions. States, as the primary subjects of international law, possess full legal capacity. Other entities may have limited legal capacity, depending on their status and the scope of powers conferred upon them, particularly in relation to the conclusion of international treaties. Certain entities, such as territories under trusteeship, do not possess independent legal capacity under international law.

Legitimate – A term used to indicate that an action, claim, procedure, or authority is in accordance with the law and is legally justified or recognized as valid within the applicable legal framework.



Letter of credence – A document through which the sending state introduces and recommends the head of the diplomatic mission to the head of state of the receiving country. The letter of credence includes the name of the head of the diplomatic mission, their rank, which automatically serves as both their accreditation and authorization. Upon presenting the letter of credence, the head of the diplomatic mission assumes their duties.



Mediation –A method of peaceful settlement of disputes in which a neutral third party actively participates by proposing or suggesting possible solutions to the dispute. Any proposal made by the mediator becomes binding only if accepted by all parties concerned. The mediator must remain impartial and objective throughout the process. Mediation must be distinguished from *good offices*. While good offices are limited to facilitating contact and encouraging parties to enter into direct negotiations, mediation involves the substantive engagement of the third party through the formulation of proposals. When a provider of good offices goes beyond facilitation and begins to suggest solutions, the process constitutes mediation rather than good offices.

Military Pact – An international agreement concluded between two or more States establishing a military alliance based on mutual defense commitments and security cooperation. A military pact typically defines the obligations of the parties in the event of armed conflict or threats to their security and is closely linked to broader political and strategic objectives. Historical examples include the Tripartite Pact, concluded between Germany, Italy, and Japan prior to the Second World War, and the Warsaw Pact, established during



the Cold War. A contemporary example is the North Atlantic Treaty Organization (NATO), which continues to exist as a collective defense alliance.

Minister of Foreign Affairs –The head of a State’s Ministry of Foreign Affairs, responsible for the conduct and coordination of the State’s foreign policy and international relations within the framework of powers conferred by national law. The Minister directs diplomatic and consular activities, represents the State in international relations, and coordinates foreign policy actions with the government, particularly with the Prime Minister, and with the head of State on matters of major strategic importance. In performing official duties, the Minister of Foreign Affairs enjoys appropriate privileges, immunities, and honors under international and domestic law. The Ministry of Foreign Affairs is generally responsible for diplomatic protocol and the administrative oversight of diplomatic and consular missions, and the Minister is commonly regarded as the head of the diplomatic and consular service.



Ministry of Foreign Affairs (MFA) – A State institution responsible for formulating, implementing, and coordinating the foreign policy of the country in accordance with national law. The Ministry represents the State in international relations, oversees diplomatic missions and consulates, conducts bilateral and multilateral diplomacy, and participates in the work of international organizations. The MFA is generally responsible for negotiating, concluding, and implementing international treaties, protecting national interests abroad, and providing diplomatic and consular protection to the State's citizens. Depending on the constitutional and legal system of a State, the scope of the Ministry's competences may vary and may include areas such as trade diplomacy, relations with the diaspora, or international development cooperation. The Ministry is headed by the Minister of Foreign Affairs and operates through specialized departments and services, including diplomatic, protocol, and analytical units.



Most Favored Nation Clause – A treaty provision by which one State undertakes to grant another State treatment no less favorable than that accorded to any third State in a specified field, such as trade, navigation, or investment. The clause ensures equality of treatment by extending any advantage, privilege, or concession granted to a third State automatically to the beneficiary State.

Multilateral Treaty – An international treaty concluded between three or more contracting parties, establishing rights and obligations among all parties and governed by international law. Multilateral treaties often regulate matters of common international concern and may be open to accession by additional States.



NATO –An international military and political alliance established in 1949 by the signing of the Washington Treaty, with the primary objective of ensuring the collective defense of its member States. Under Article 5 of the Treaty, an armed attack against one member is considered an attack against all. NATO was founded in the context of the Cold War as a response to security concerns arising from the division of Europe and the influence of the Soviet Union. In 1955, the Warsaw Pact was established as a counter-alliance. Following the end of the Cold War, the dissolution of the Warsaw Pact, and the collapse of the Soviet Union, NATO adapted its role to address new security challenges, including regional conflicts, crisis management, and peace-support operations. Although the United States plays a leading role within the Alliance, NATO operates on the principle of consensus in decision-making. In addition to its military dimension, NATO has important political functions related to consultation, coordination, and collective security planning. Originally composed of 12 member States, NATO today includes 32 members.



Nemo dat quod non habet – A Latin legal maxim meaning “no one can give what they do not have.” In international law, this principle implies that a State cannot validly transfer sovereignty, rights, or title over territory or other legal interests if it does not lawfully possess them. A classic illustration of this principle is the *Island of Palmas* arbitration. Under the Treaty of Paris, Spain purported to cede the Island of Palmas to the United States. However, effective and continuous authority over the island was exercised by the Netherlands. In its 1928 award, the Permanent Court of Arbitration ruled in favor of the Netherlands, holding that Spain could not transfer sovereignty over territory it did not actually control.

Neutrality – An institution of international public law whereby a State refrains from participating in an armed conflict and maintains an impartial and equal attitude toward the parties involved. Neutrality entails the obligation not to provide military support to belligerents and to respect the rights and duties prescribed by international law. Neutrality may be permanent or temporary. Permanent neutrality is usually established by an international treaty and guaranteed by other States. A permanently neutral State remains obliged to defend



its neutrality and may maintain armed forces for that purpose. Classical examples of permanent neutrality include Switzerland (since the Congress of Vienna in 1815) and Austria (since 1955). A more recent example is Turkmenistan, whose neutrality was recognized by the United Nations in 1995. Temporary neutrality refers to a State's decision to remain neutral in a specific armed conflict without assuming a permanent status. Such neutrality is typically declared unilaterally and ends with the conclusion of the conflict or upon a change in the State's position. For example, Turkey remained neutral during most of the Second World War before later declaring war, while the United States initially entered both World Wars as a neutral State before becoming a belligerent. A unilateral declaration of permanent neutrality, without international recognition or treaty guarantees, does not in itself create a legally binding neutral status under international law.

Notification – An official communication by which a State or other subject of international law formally informs another State, an international organization, or relevant parties of a particular act, measure, decision, or legal situation, often in order to produce legal effects or to fulfill an obligation under international law.



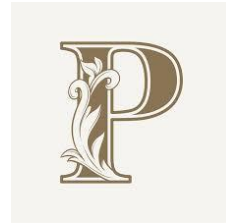
Nuncio – A permanent diplomatic representative of the Holy See accredited to a particular State. A nuncio holds the rank of ambassador and represents the Holy See in diplomatic relations, while also serving as a liaison with the local Catholic Church.



Organization for Security and Co-operation in Europe (OSCE) –

The largest regional security organization in the world, established to promote peace, stability, and cooperation among states. Its origins trace back to the Conference on Security and Cooperation in Europe (CSCE), which began functioning in 1973, and was officially transformed into the OSCE in 1995. The organization has 57 member states from Europe, North America, and Central Asia, making it an important forum for dialogue and cooperation on various security issues. The OSCE's headquarters are located in Vienna, Austria. The main activities of the OSCE are focused on conflict prevention, arms control, the protection of human rights, the rule of law, election monitoring, and combating organized crime, terrorism, and corruption. The organization operates based on a comprehensive security concept, which includes the military, political, economic, environmental, and humanitarian dimensions of security. While the OSCE does not make legally binding decisions, its recommendations and missions play a significant role in stabilizing crisis regions, especially through its observation and peacekeeping missions. The OSCE plays a key role in election observation through the Office for Democratic Institutions and Human

Rights (ODIHR), which sends election missions to assess democratic processes in member states. The organization also supports confidence-building measures between states, such as agreements on disarmament and conventional arms control.



Pacta sunt servanda – A Latin phrase meaning "agreements must be kept." International treaties are concluded to regulate specific rights and obligations between the parties that enter into them. Therefore, according to this principle, the obligations arising from international treaties (as well as the rights) must and should be respected by the parties involved. However, unfortunately, there are numerous historical examples where treaties have not been respected. For example, during World War II, Germany attacked the USSR despite the existence of a non-aggression pact. Similarly, Greece blocked the accession of the Republic of Macedonia to NATO at the Bucharest Summit, despite the existence of the Interim Agreement of 1995, thus breaching the agreement, a fact which was confirmed by a ruling of the International Court of Justice.

Persona non grata – A diplomatic law concept referring to a diplomatic agent or other member of a diplomatic mission whom the receiving State declares unacceptable. In accordance with the Vienna Convention on Diplomatic Relations, the receiving State may, at any time and without the obligation to give reasons, declare a diplomat persona non grata. In such a case, the sending State is obliged to recall



the person concerned or terminate their functions within the mission. If the sending State fails to act within a reasonable period, the receiving State may refuse to recognize that person as a member of the diplomatic mission. This institute represents a lawful political and diplomatic instrument through which a State protects its sovereignty and expresses disapproval of the conduct of foreign diplomatic personnel. A contemporary example is the case of Russian diplomats in the United Kingdom. Following the poisoning of Sergei and Yulia Skripal in Salisbury in 2018, the United Kingdom declared a significant number of diplomats from the Russia persona non grata, accusing them of activities incompatible with their diplomatic status, including intelligence operations. As a consequence, the diplomats were expelled, and Russia responded with reciprocal measures by expelling British diplomats. This case illustrates how the persona non grata mechanism is used in practice as a legal and political tool within diplomatic relations, especially in situations of serious political tension, without formally breaking diplomatic relations between states.

Positive international law – The body of international legal norms that are currently in force and applicable at a



given time. It consists of binding rules derived from sources of international law, such as international treaties, customary international law, and general principles of law, and it obliges the subjects of international law to whom it applies.

Preemptive self-defense – A unilateral use of force by a State undertaken in response to a perceived imminent and unavoidable threat, with the aim of acting before an actual armed attack occurs. The concept is highly controversial in international law, as Article 51 of the Charter of the United Nations expressly recognizes the inherent right of self-defense only in the event of an armed attack. While some States and scholars argue that preemptive self-defense may be justified in exceptional circumstances of strict necessity and immediacy, many others maintain that it falls outside the legal framework of Article 51 and risks undermining the general prohibition on the use of force in international relations.

Preventive Defense – Actions undertaken by a State against a perceived potential threat that is not immediate or imminent. Preventive defense seeks to eliminate a possible future danger before it materializes. This approach is



generally regarded as incompatible with the system established by the Charter of the United Nations, which is based on the prohibition of the unilateral use of force and the primacy of collective security. It is widely considered inconsistent with Article 51 of the UN Charter, which recognizes the right of self-defense only in response to an actual armed attack.

Protectorate – A legal relationship in which one State (the protecting State) assumes responsibility for the external affairs and defense of another political entity (the protected State or territory), usually on the basis of an international agreement. In classical international law, the protected entity retained a limited international legal personality, while significant aspects of its sovereignty—particularly in foreign relations—were exercised by the protector. The protecting State was typically responsible for diplomatic protection of the protected entity and its nationals abroad, often through its own diplomatic missions. Historically, the institution of the protectorate was widely used by stronger States to exercise political and strategic influence over weaker ones, especially during the colonial period. A classical example is Morocco, which was a French protectorate until 1956. In



contemporary international law, classical protectorates are largely obsolete. Instead, more flexible arrangements exist, such as free association or international administration. For example, Niue maintains a relationship of free association with New Zealand, which provides diplomatic support while Niue retains internal self-government. Other modern situations are sometimes described as “protectorate-like,” though they differ legally from classical protectorates, such as Kosovo after 1999 under the administration of the United Nations through United Nations Interim Administration Mission in Kosovo (UNMIK), or East Timor prior to independence under United Nations administration.

Protocol – In diplomatic practice, protocol denotes the body of rules, customs, and formalities governing official conduct, ceremonies, precedence, and communication in relations between States, diplomatic representatives, and international organizations. It regulates matters such as the ranking of diplomatic agents, forms of address, the reception and treatment of foreign delegations, the organization of official visits and ceremonies, and the conduct of diplomatic correspondence. Beyond its ceremonial dimension, the term protocol also has a legal meaning in international law, where it

refers to a formal international instrument, often annexed to a treaty or adopted alongside it, containing supplementary, technical, or procedural provisions related to the application or interpretation of the main agreement. Observance of diplomatic protocol serves to ensure mutual respect, prevent misunderstandings, and contribute to the orderly and stable conduct of international relations.



Ratification – A formal act by which a State confirms its consent to be bound by an international treaty, usually following approval by the competent domestic authority, most commonly the parliament. After such approval, the head of state (or another authorized authority) signs and issues the instrument of ratification, which is then deposited or exchanged in accordance with the treaty's provisions. Ratification signifies the final confirmation of the State's consent and enables the treaty to enter into force for that State, subject to the conditions laid down in the treaty itself.

Recognition of States – An act by which an existing state acknowledges that a new entity fulfills the criteria of statehood and accepts it as a subject of international law. Recognition expresses the willingness to establish normal relations, including diplomatic relations. It is a discretionary act of states and may be explicit or implicit. In international law, recognition is usually explained through two main theories. The declaratory theory holds that a state exists once it meets the objective criteria of statehood, while recognition merely confirms this fact. The constitutive theory argues that recognition itself creates international legal personality. Contemporary international practice predominantly follows the



declaratory approach. Recognition is not legally mandatory, but it is politically and practically important. The absence of broad recognition may significantly limit an entity's ability to participate in international relations and to become a member of international organizations. For example, Kosovo declared independence in 2008. Since then, it has been recognized as a state by many countries, including the United States, the United Kingdom, France, and Germany, while others, such as Russia and China, have refused recognition. As a result, Kosovo functions as a state in practice, but its limited recognition has prevented it from becoming a member of the United Nations.

Right of Self-Defense – A principle of international law that permits a State to use force in order to defend itself against an armed attack. This right is expressly recognized in Article 51 of the Charter of the United Nations and also forms part of customary international law. While the UN Charter establishes a general prohibition on the threat or use of force in international relations, self-defense constitutes a narrowly defined exception applicable when a State is the victim of an armed attack.



Sources of International Law in the Formal Sense –

International treaties and customary international law that are recognized as legally binding sources from which international legal norms derive their validity and authority.

Sovereign Military Order of Malta – Also known as the Order of Malta or the Knights of Malta, this entity is widely recognized as a non-state subject of international law possessing its own international legal personality. It should not be confused with the Republic of Malta, which is a sovereign State with full international subjectivity. The Order is a Catholic religious and humanitarian organization whose origins date back to 1113 in Jerusalem. The Order exercised territorial authority on the island of Malta from 1530 until 1798, initially as a vassal of the Kingdom of Sicily and later as a largely independent entity. Following the French occupation of Malta in 1798, the Order was expelled from the island. Its continued existence as an international legal entity was later acknowledged, including through recognition at the Congress of Verona in 1822. Since 1834, the Order's headquarters have been located in Rome, in premises that enjoy extraterritorial status. Today, the Sovereign Military Order of Malta maintains diplomatic relations with numerous



States and holds permanent observer status at the United Nations General Assembly. It is actively engaged in humanitarian and medical activities worldwide and cooperates closely with the International Red Cross and similar organizations. The Order also issues its own passports, coins, and stamps, reflecting its unique and *sui generis* position in international law.

State – A permanent political organization of people established within a defined territory and exercising effective authority over that territory. In international law, the generally accepted criteria for statehood are: a permanent population (with no minimum or maximum numerical requirement), a defined territory (the size of which is irrelevant), an effective government capable of exercising authority, and the capacity to enter into relations with other States and international organizations. These elements together distinguish a State as a subject of international law.

Subject in International Law – In international law, the main subjects are states and international organizations.



Succession – An institute of international law concerning the transfer of rights and obligations from one State to another as a result of territorial changes leading to a change of sovereignty. State succession may occur through the unification of two or more States, the dissolution or separation of a State into new States, or other forms of territorial transformation. In this process, the rights and obligations of the predecessor State (the succedent) are transferred, wholly or in part, to the successor State, with the aim of preserving continuity and legal certainty in international relations. Succession does not arise where territorial change results from illegal occupation. In addition to customary international law, the institute of succession is regulated by the Vienna Convention on Succession of States in respect of Treaties (1978) and the Vienna Convention on Succession of States in respect of State Property, Archives, and Debts (1983). It is generally accepted that successor States are obliged to respect pre-existing international borders and to assume responsibility for inherited international civil service present on their territory. With regard to state property, unification normally entails the transfer of all assets to the successor State, whereas succession resulting from secession gives rise to a fair



division of previously shared property. State debts are transferred either in full or proportionally, and state archives necessary for the functioning of the successor State must be handed over. The status of a successor State is typically confirmed through recognition by third States, often within an international framework. Following the dissolution of the Soviet Union, Russia was recognized as the successor State to the USSR, inheriting its permanent seat on the UN Security Council, whereas after the breakup of the Socialist Federal Republic of Yugoslavia, no single successor was recognized, and all republics that declared independence were regarded as successor States.

Sui generis – A Latin expression meaning “of its own kind” or “unique.” In law and political theory, it is used to describe a phenomenon, entity, or situation that is distinctive and cannot be easily classified within existing legal or conceptual categories. For example, the Republic of Macedonia is often described as *sui generis* in the context of its Euro-Atlantic integration and its admission to the United Nations, due to the atypical conditions imposed on it, including requirements related to changes of its constitutional name and state symbols.



Termination of International Treaties – The ending of the legal force and binding effect of an international treaty. A treaty may terminate upon the expiration of the period for which it was concluded, as expressly provided in the treaty itself. In addition, treaties may terminate on other grounds recognized by international law, such as denunciation or withdrawal, abrogation by agreement of the parties, material breach, supervening impossibility of performance (force majeure), or the occurrence of other circumstances provided for in the treaty or under the Vienna Convention on the Law of Treaties.

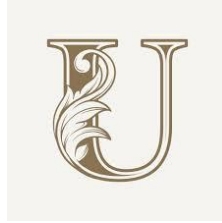
Terra nullius – A Latin expression meaning “land of no one.” In international law, it refers to territory that is not under the sovereignty of any State and is therefore legally capable of being acquired by occupation. The concept was historically used to justify the acquisition of territory deemed to lack an existing sovereign authority. A well-known example is Australia, which British authorities treated as terra nullius when they established control in 1788, despite the presence of Indigenous peoples.



Territories under Trusteeship – Territories placed under an international trusteeship system because they were considered not yet capable of full self-government. Such territories were administered by one or more States under a clearly defined international mandate, with the primary obligation to promote the political, economic, social, and educational advancement of the inhabitants and to guide them toward self-government or independence as soon as possible. Territories under trusteeship were not under the sovereignty of the administering State, but under the authority of the United Nations. The administering (trustee) State was required to submit regular reports on its administration to the Trusteeship Council, and the inhabitants of the territory had the right to submit petitions concerning the administration of the territory. Upon the termination of a trusteeship agreement, the General Assembly determined whether the population was ready for independence or whether trusteeship should continue. Today, the trusteeship system has largely become historical, as all trust territories have achieved self-government or independence. A notable example is Nauru, which became an independent State in 1968.



The Eurasian Economic Union (EEU) – An international economic organization established in 2015, with its main institutions headquartered in Moscow and Minsk. The EEU emerged from earlier integration frameworks, notably the Customs Union formed by Russia, Belarus, and Kazakhstan. It currently comprises five member States: Russia, Belarus, Kazakhstan, Kyrgyzstan, and Armenia. The Eurasian Economic Union aims to promote economic integration among its members through the creation of a common market based on the free movement of goods, services, capital, and labor. In its proclaimed objectives and institutional design, the EEU partially resembles the model of the European Union, though its integration remains primarily economic in nature and more limited in scope compared to the EU's supranational structure.



UNESCO – The United Nations Educational, Scientific and Cultural Organization is a specialized agency of the United Nations, established on 16 November 1945 with the objective of promoting international cooperation in the fields of education, science, culture, and communication. Its headquarters are located in Paris, France, and it currently has 194 member States. UNESCO’s activities focus on the promotion of quality and inclusive education, the advancement of scientific research and sustainable development, the protection of cultural and natural heritage, and the safeguarding of freedom of expression. One of its most visible functions is the protection of world cultural and natural heritage through the World Heritage List. The organization also works to preserve cultural diversity, promote linguistic rights, and support press freedom and the safety of journalists. Despite facing challenges related to political influence and financial constraints, UNESCO remains a key global institution for the promotion of education, culture, science, and the exchange of knowledge at the international level.



United Nations (UN) – The United Nations is an international organization established on 24 October 1945, when the Charter of the United Nations entered into force. Its principal purposes are the maintenance of international peace and security, the development of friendly relations among States, the promotion of international cooperation, and the advancement of human rights. The United Nations is the largest global intergovernmental organization, comprising 193 Member States, with its headquarters located in New York and major offices in Geneva, Vienna, and Nairobi. The Organization functions through six principal organs: the General Assembly, which serves as the main deliberative and representative body; the Security Council, responsible for maintaining international peace and security and composed of 15 members, including five permanent members with veto power (China, France, Russia, the United Kingdom, and the United States), with authority to adopt binding decisions; the Economic and Social Council (ECOSOC), which coordinates economic, social, and humanitarian activities; the International Court of Justice, which acts as the principal judicial organ of the UN by settling legal disputes between States and issuing advisory opinions upon request; the Secretariat, which carries out the administrative work of the Organization under



the leadership of the Secretary-General; and the Trusteeship Council, originally established to supervise trust territories and which suspended its operations in 1994 following the completion of its mandate. In addition to these principal organs, the UN system includes specialized agencies, programmes, and funds, such as the World Health Organization (WHO), UNESCO, and UNICEF. The United Nations plays a central role in peacekeeping, humanitarian action, conflict prevention, and the protection of human rights, and it addresses global challenges such as climate change, development, poverty reduction, and sustainable development through the 2030 Agenda and the Sustainable Development Goals (SDGs). Despite its importance, the UN is frequently criticized for institutional inefficiency, particularly in responding to major international conflicts, as the Security Council may be paralyzed by the veto power of its permanent members. The Organization has also been criticized for failures to prevent or halt severe humanitarian tragedies, including the genocides in Rwanda (1994) and Srebrenica (1995). Nonetheless, the United Nations remains the central global platform for multilateral diplomacy and international cooperation across a wide range of fields, from peace and security to development and environmental protection.



Uti possidetis juris – A Latin legal maxim meaning “as one legally possesses.” In international law, it denotes the principle according to which newly independent States inherit their pre-independence administrative boundaries as international borders. In practice, internal boundaries established under a prior sovereign authority are transformed into interstate frontiers upon independence, with the aim of ensuring stability and preventing territorial disputes. Although the principle originated in the context of decolonization, it has been applied more broadly beyond colonial situations. Notable examples include the dissolution of the Soviet Union and the Socialist Federal Republic of Yugoslavia, where former internal republican borders were recognized as international boundaries between the successor States.



Veto – The right of a State or authorized member to block the adoption of a decision or resolution, even when it is supported by the required majority. In international organizations, the veto is typically granted only in relation to specific matters and to a limited number of members. A well-known example is the veto power held by the permanent members of the United Nations Security Council—the United States, Russia, China, France, and the United Kingdom—which allows any one of them to prevent the adoption of substantive resolutions.

Vice-Consul – A consular official of lower rank than a consul, who acts as a deputy or assistant to the consul and may perform consular functions under the consul’s authority. In the absence of a higher-ranking consular officer, a vice-consul may also serve as the head of a consular post.



World Trade Organization (WTO) is an international organization officially established on 1 January 1995 on the basis of the Marrakesh Agreement of 1994. It is the successor to the General Agreement on Tariffs and Trade (GATT), which was created in 1947 as a provisional framework for multilateral trade cooperation. The WTO is headquartered in Geneva, Switzerland, and currently has 166 member States and several observers, representing more than 98% of global trade. The primary objective of the WTO is to regulate and promote international trade by establishing common rules, facilitating trade negotiations, and resolving disputes between member States. It seeks to ensure that global trade flows as freely, predictably, and transparently as possible. The WTO legal system is based on key principles such as non-discrimination (most-favored-nation treatment and national treatment), reciprocity, transparency, and the promotion of fair competition. These principles are implemented through multilateral trade agreements and successive rounds of trade negotiations. While trade liberalization remains its central goal, the WTO also acknowledges the need to balance economic growth with development concerns, environmental protection, and more equitable participation in global trade. Never-

theless, the organization has faced significant criticism, particularly regarding unequal benefits favoring developed economies and the limited outcomes of the Doha Development Round for developing countries. In addition, since 2019, the WTO's dispute settlement system has been weakened due to the non-functioning of the Appellate Body, caused by the blockage of judicial appointments.

Appendix A
Illustrative cases from diplomatic and in-
ternational practice

1. United States – Panama (1989): psychological pressure and the limits of diplomacy

Background of the case

During the U.S. military intervention in Panama in 1989 (*Operation Just Cause*), the United States sought to remove General Manuel Noriega from power and bring him before U.S. courts on charges related to drug trafficking. After the collapse of his regime, Noriega sought refuge in the Apostolic Nunciature in Panama City, the diplomatic mission of the Holy See.

Under the Vienna Convention on Diplomatic Relations (1961), the premises of a diplomatic mission are inviolable. This principle prohibits the authorities of the receiving State, as well as foreign military forces operating on its territory, from entering the premises of a diplomatic mission without the consent of the head of that mission. Consequently, despite having effective military control over Panama, U.S. forces were legally barred from entering the Nunciature to arrest Noriega.

Faced with this legal constraint, U.S. forces turned to psychological pressure rather than direct force. One of the most widely reported tactics was the continuous playing of extremely loud rock music through powerful loudspeakers positioned near the Nunciature. The music reportedly included songs such as “*Panama*” by Van Halen, along with tracks by

bands such as AC/DC, Guns N' Roses, and Metallica. The objective was to create constant noise, sleep deprivation, and psychological discomfort in order to induce Noriega to surrender voluntarily, without formally violating the rule of diplomatic inviolability. After several days, Noriega eventually surrendered to U.S. authorities.

Why this case matters

Although no weapons were used, this conduct raises important questions regarding the boundary between lawful pressure, psychological operations, and prohibited coercion. It also invites discussion on whether such actions are compatible with diplomatic conduct and the general obligation of states to respect international norms even during military operations.

Questions for discussion

- Can psychological pressure amount to a form of force under international law?
- Where is the legal and ethical line between diplomacy and coercion?
- Does the absence of physical violence automatically make an action lawful?

Relevant glossary entries

Use of force; Non-intervention; Diplomatic relations; International dispute.

2.Ecuador – United Kingdom: Julian Assange and diplomatic asylum

Background of the case

In 2012, Julian Assange, founder of WikiLeaks, entered the Embassy of Ecuador in London after Ecuador formally granted him diplomatic asylum. At that time, Assange was wanted by the United Kingdom for extradition to Sweden in connection with criminal allegations, and he claimed that extradition could ultimately lead to his transfer to the United States, where he feared political persecution due to his activities with WikiLeaks.

Ecuador justified the granting of asylum by invoking the risk of political persecution and violations of Assange's fundamental rights. Diplomatic asylum, however, is a highly controversial institution in international law. While it is recognized and regulated primarily in Latin American practice (notably through regional treaties such as the Caracas Convention on Diplomatic Asylum of 1954), it is not recognized as a general rule of international law. The United Kingdom explicitly rejected Ecuador's claim that Assange was entitled to diplomatic asylum under international law. British authorities emphasized that diplomatic asylum has no basis in customary international law and is not accepted within the European legal tradition. As a result, the UK refused to grant Assange safe passage out of the country, arguing that doing so would undermine its domestic legal obligations and judicial processes.

Despite this, under the Vienna Convention on Diplomatic Relations (1961), the premises of the Ecuadorian Embassy

were inviolable. British authorities were therefore prohibited from entering the embassy without Ecuador's consent, even though they maintained a constant police presence outside the building. This created a prolonged legal and diplomatic stalemate lasting nearly seven years, during which Assange remained confined within the embassy. The situation ended in 2019 when Ecuador withdrew its asylum and consented to British authorities entering the embassy, leading to Assange's arrest.

Why this case matters

This situation illustrates the tension between state sovereignty, the inviolability of diplomatic premises, and the controversial nature of diplomatic asylum, which is not universally accepted in international law. The case demonstrates how different legal traditions interpret diplomatic protection differently.

Questions for discussion

- Is diplomatic asylum recognized under general international law?
- Can the host state lawfully enter an embassy to arrest an individual?
- How long can diplomatic premises be used to shield an individual?

Relevant glossary entries

Diplomatic asylum; Inviolability of diplomatic premises; Sovereignty; Diplomatic relations.

3. United States – Iran (1979): Tehran hostage crisis

Background of the case

In 1979, following the Iranian Revolution and the overthrow of Shah Mohammad Reza Pahlavi, relations between Iran and the United States rapidly deteriorated. On 4 November 1979, a group of Iranian students and protesters seized the United States Embassy in Tehran. During the takeover, 52 American diplomats and members of the embassy staff were taken hostage and detained for a period of 444 days.

Although the initial seizure of the embassy was carried out by private individuals, the Iranian authorities failed to take effective measures to protect the diplomatic premises and personnel, as required under international law. Moreover, the new Iranian government later publicly endorsed and supported the actions of the militants. By doing so, Iran assumed responsibility for the continued detention of the hostages and for the violations committed against the embassy and its staff. The United States brought the dispute before the International Court of Justice. In its 1980 judgment in the case concerning United States Diplomatic and Consular Staff in Tehran, the Court found that Iran had committed serious breaches of its obligations under the Vienna Convention on Diplomatic Relations of 1961 and the Vienna Convention on Consular Relations of 1963. The Court emphasized that the inviolability of diplomatic premises and personnel constitutes a fundamental principle of international law and must be respected regardless of internal political developments, including revolutions or periods of instability.

Why this case matters

This case is one of the clearest illustrations of the absolute nature of diplomatic immunity and the inviolability of diplomatic missions. It also shows that a state may be internationally responsible for the acts of private individuals if it fails to prevent or stop them.

Questions for discussion

- Can a state be responsible for actions carried out by private individuals?
- Why is the inviolability of embassies considered fundamental?
- What remedies exist when diplomatic law is violated?

Relevant glossary entries

Diplomatic immunity; Inviolability of missions; State responsibility; International Court of Justice.

4.NATO intervention in Kosovo (1999): legality versus legitimacy

Background of the case

In 1999, the North Atlantic Treaty Organization launched a military intervention against the Federal Republic of Yugoslavia in response to the deteriorating situation in Kosovo. NATO member States argued that the intervention was necessary due to serious and systematic violations of human rights committed against the ethnic Albanian population in Kosovo, including forced displacement, violence against civilians, and the risk of a large-scale humanitarian catastrophe. According to NATO's justification, diplomatic efforts had failed to bring an end to the crisis, particularly after the breakdown of negotiations at Rambouillet. NATO further argued that continued inaction by the international community would have resulted in further mass atrocities and regional instability, including large refugee flows affecting neighboring states. The intervention was therefore presented as a measure of last resort, undertaken to prevent an imminent humanitarian disaster and to restore peace and stability in the region. NATO also emphasized that the Security Council had previously adopted several resolutions addressing the situation in Kosovo, which recognized the seriousness of the humanitarian situation and the threat to international peace and security. Although these resolutions did not explicitly authorize the use of force, NATO members argued that they provided a political and moral framework that justified action in exceptional circumstances. Despite these arguments, the interven-

tion was not based on an explicit Security Council authorization, nor did it fall under the right of self-defense as defined in Article 51 of the UN Charter. As such, the legality of the intervention under international law remains highly contested.

Why this case matters

The Kosovo intervention illustrates the tension between strict legal rules governing the use of force and arguments based on humanitarian necessity and moral responsibility. It raises fundamental questions about whether exceptional circumstances can justify departures from established legal norms. At the same time, it highlights the broader systemic risk that such precedents may create, namely that allowing states or military alliances to act outside the United Nations collective security framework could open the door for other powers to invoke similar humanitarian justifications to use force unilaterally, without Security Council authorization. This concern underscores the danger of eroding the prohibition on the use of force by selectively reinterpreting international law according to political or strategic interests.

Questions for discussion

- Can humanitarian concerns justify the use of force in the absence of authorization by the United Nations Security Council?
- Is it possible for an international action to be illegal under positive international law, yet considered legitimate from a moral or political perspective?
- Who has the authority to determine when humanitarian

intervention is justified, and what risks arise if this authority is exercised unilaterally?

Relevant glossary entries

Use of force; Humanitarian intervention; Collective security; UN Charter.

5. Greece – Macedonia: treaty obligations and political reality

Background of the case

In 1995, Greece and Macedonia concluded the Interim Agreement, with the aim of normalizing relations and creating a framework for cooperation while negotiations over the name issue continued. Under this agreement, Greece undertook a clear obligation not to obstruct Macedonia's membership in international organizations, provided that Macedonia applied under the provisional reference established by the United Nations. The agreement was legally binding and entered into force in accordance with international law.

Despite this commitment, in 2008 Greece blocked Macedonia's invitation to join NATO at the Bucharest Summit, arguing that the unresolved name dispute justified its position. As a response, Macedonia initiated proceedings against Greece before the International Court of Justice, alleging a violation of the Interim Agreement. In its 2011 judgment, the Court found that Greece had indeed breached its treaty obligation by opposing Macedonia's NATO accession, and confirmed that the Interim Agreement was binding and had been violated.

However, the ruling of the International Court of Justice did not result in the removal of the political blockage. Greece continued to condition Macedonia's Euro-Atlantic integration on the resolution of the name issue, which eventually led to the Prespa Agreement in 2018 and a change of the country's constitutional name. This case demonstrates that even

when international law clearly establishes a violation, legal responsibility does not automatically translate into political compliance or effective enforcement.

Why this case matters

This example demonstrates the limits of international adjudication and the tension between legal obligations and political power in international relations. It shows that international law does not always guarantee immediate or effective compliance, even after a binding judgment by the principal judicial organ of the United Nations. The case illustrates that enforcement of international legal decisions largely depends on the political will of states and the broader balance of power within the international system. As such, it highlights the structural weakness of international law when confronted with strategic interests, alliance politics, and unequal influence among states, while at the same time reaffirming the normative importance of judicial rulings as authoritative statements of the law.

Questions for discussion

- If treaties are binding, why are they sometimes ignored?
- What happens when international law conflicts with political interests?
- Are ICJ judgments always effective in practice?

Relevant glossary entries

Pacta sunt servanda; International treaties; ICJ judgments; Enforcement of international law.

6. Russia – Ukraine: core principles under pressure

Background of the case

The conflict between Russia and Ukraine escalated dramatically in 2014 with Russia's annexation of Crimea and intensified further in February 2022 with Russia's large-scale military invasion of Ukrainian territory. Russia justified its actions through various legal and political arguments, including claims of self-defense, protection of Russian-speaking populations, and the recognition of separatist entities in eastern Ukraine. Ukraine and the vast majority of the international community rejected these arguments, characterizing Russia's actions as an act of aggression and a clear violation of Ukraine's sovereignty and territorial integrity.

The conflict has raised fundamental questions concerning the prohibition of the use of force, the scope and limits of self-defense under Article 51 of the UN Charter, the legal effects of recognizing breakaway territories, and the legality of unilateral sanctions imposed by states and international organizations. It has also demonstrated the limitations of the United Nations collective security system, as the UN Security Council has been unable to adopt binding measures due to Russia's veto power as a permanent member.

At the same time, the hostilities have triggered the application of international humanitarian law, including rules on the protection of civilians, prisoners of war, and civilian infrastructure. Overall, this case represents one of the most significant contemporary tests of the international legal order, illustrating both the strength of international legal principles and the

practical challenges of enforcing them in situations involving major powers.

Why this case matters

The Russia–Ukraine conflict is one of the most significant contemporary tests of international law. It directly challenges fundamental principles such as the prohibition of the use of force, respect for sovereignty and territorial integrity, and the right of self-defense. The case illustrates the gap between clear legal norms and their enforcement when major powers are involved, showing how international law often relies on political and collective measures rather than judicial mechanisms alone. It also demonstrates how legal arguments are intertwined with political narratives, raising concerns about the selective interpretation of international law and its long-term credibility.

Questions for discussion

- Who determines whether an act constitutes aggression?
- When does self-defense become unlawful?
- Can international law prevent war, or does it merely regulate it?

Relevant glossary entries

Aggression; Veto; Right of self-defense; *Ius ad bellum*; *Ius in bello*; Sanctions.

**Appendix B – Vienna Convention on
Diplomatic Relations (1961)**

**Vienna Convention on Diplomatic Relations¹
1961**

The States Parties to the present Convention,

Recalling that peoples of all nations from ancient times have recognized the status of diplomatic agents,

Having in mind the purposes and principles of the Charter of the United Nations concerning the sovereign equality of States, the maintenance of international peace and security, and the promotion of friendly relations among nations,

Believing that an international convention on diplomatic intercourse, privileges and immunities would contribute to the development of friendly relations among nations, irrespective of their differing constitutional and social systems,

Realizing that the purpose of such privileges and immunities is not to benefit individuals but to

¹ Vienna Convention on Diplomatic Relations, 18 April 1961, United Nations Treaty Series, vol. 500, p. 95.

Available at:

https://legal.un.org/ilc/texts/instruments/english/conventions/2_1_1961.pdf

ensure the efficient performance of the functions of diplomatic missions as representing States,

Affirming that the rules of customary international law should continue to govern questions not expressly regulated by the provisions of the present Convention,

Have agreed as follows:

Article 1

For the purpose of the present Convention, the following expressions shall have the meanings hereunder assigned to them:

- (a) The “head of the mission” is the person charged by the sending State with the duty of acting in that capacity;
- (b) The “members of the mission” are the head of the mission and the members of the staff of the mission;
- (c) The “members of the staff of the mission” are the members of the diplomatic staff, of the administrative and technical staff and of the service staff of the mission;
- (d) The “members of the diplomatic staff” are the members of the staff of the mission

having diplomatic rank;

(e) A “diplomatic agent” is the head of the mission or a member of the diplomatic staff of the mission;

(f) The “members of the administrative and technical staff” are the members of the staff of the mission employed in the administrative and technical service of the mission;

(g) The “members of the service staff” are the members of the staff of the mission in the domestic service of the mission;

(h) A “private servant” is a person who is in the domestic service of a member of the mission and who is not an employee of the sending State;

(i) The “premises of the mission” are the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission including the residence of the head of the mission.

Article 2

The establishment of diplomatic relations between States, and of permanent diplomatic missions, takes place by mutual consent.

Article 3

1. The functions of a diplomatic mission consist, inter alia, in:

- (a) Representing the sending State in the receiving State;
- (b) Protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;
- (c) Negotiating with the Government of the receiving State;
- (d) Ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State;
- (e) Promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations.

2. Nothing in the present Convention shall be construed as preventing the performance of consular functions by a diplomatic mission.

Article 4

1. The sending State must make certain that the *agrément* of the receiving State has been given for the person it proposes to accredit as head of the mission to that State.

2. The receiving State is not obliged to give reasons to the sending State for a refusal of *agrément*.

Article 5

1. The sending State may, after it has given due notification to the receiving States concerned, accredit a head of mission or assign any member of the diplomatic staff, as the case may be, to more than one State, unless there is express objection by any of the receiving States.

2. If the sending State accredits a head of mission to one or more other States it may establish a diplomatic mission headed by a chargé d'affaires ad interim in each State where the head of mission has not his permanent seat.

3. A head of mission or any member of the diplomatic staff of the mission may act as representative of the sending State to any international organization.

Article 6

Two or more States may accredit the same person as head of mission to another State, unless objection is offered by the receiving State.

Article 7

Subject to the provisions of articles 5, 8, 9 and 11, the sending State may freely appoint the members of the staff of the mission. In the case of military, naval or air attachés, the receiving State may require their names to be submitted beforehand, for its approval.

Article 8

1. Members of the diplomatic staff of the mission should in principle be of the nationality of the sending State.

2. Members of the diplomatic staff of the mission may not be appointed from among persons having the nationality of the receiving State, except with the consent of that State which may be withdrawn at any time.

3. The receiving State may reserve the same right with regard to nationals of a third State who are not also nationals of the sending State.

Article 9

1. The receiving State may at any time and without having to explain its decision, notify the

sending State that the head of the mission or any member of the diplomatic staff of the mission is persona non grata or that any other member of the staff of the mission is not acceptable. In any such case, the sending State shall, as appropriate, either recall the person concerned or terminate his functions with the mission. A person may be declared non grata or not acceptable before arriving in the territory of the receiving State.

2. If the sending State refuses or fails within a reasonable period to carry out its obligations under paragraph 1 of this article, the receiving State may refuse to recognize the person concerned as a member of the mission.

Article 10

1. The Ministry for Foreign Affairs of the receiving State, or such other ministry as may be agreed, shall be notified of:

- (a) The appointment of members of the mission, their arrival and their final departure or the termination of their functions with the mission;
- (b) The arrival and final departure of a person belonging to the family of a member of the mission and, where appropriate, the fact that a person becomes or ceases to be a member of the family of a member of the mission;

(c) The arrival and final departure of private servants in the employ of persons referred to in subparagraph (a) of this paragraph and, where appropriate, the fact that they are leaving the employ of such persons;

(d) The engagement and discharge of persons resident in the receiving State as members of the mission or private servants entitled to privileges and immunities.

2. Where possible, prior notification of arrival and final departure shall also be given.

Article 11

1. In the absence of specific agreement as to the size of the mission, the receiving State may require that the size of a mission be kept within limits considered by it to be reasonable and normal, having regard to circumstances and conditions in the receiving State and to the needs of the particular mission.

2. The receiving State may equally, within similar bounds and on a non-discriminatory basis, refuse to accept officials of a particular category.

Article 12

The sending State may not, without the prior express consent of the receiving State, establish offices forming part of the mission in localities

other than those in which the mission itself is established.

Article 13

1.The head of the mission is considered as having taken up his functions in the receiving State either when he has presented his credentials or when he has notified his arrival and a true copy of his credentials has been presented to the Ministry for Foreign Affairs of the receiving State, or such other

ministry as may be agreed, in accordance with the practice prevailing in the receiving State which shall be applied in a uniform manner.

2.The order of presentation of credentials or of a true copy thereof will be determined by the date and time of the arrival of the head of the mission.

Article 14

1.Heads of mission are divided into three classes, namely:

- (a) That of ambassadors or nuncios accredited to Heads of State, and other heads of mission of equivalent rank;
- (b) That of envoys, ministers and internuncios accredited to Heads of State;

- (c) That of *chargés d'affaires* accredited to Ministers for Foreign Affairs.

2. Except as concerns precedence and etiquette, there shall be no differentiation between heads of mission by reason of their class.

Article 15

The class to which the heads of their missions are to be assigned shall be agreed between States.

Article 16

1. Heads of mission shall take precedence in their respective classes in the order of the date and time of taking up their functions in accordance with article 13.

2. Alterations in the credentials of a head of mission not involving any change of class shall not affect his precedence.

3. This article is without prejudice to any practice accepted by the receiving State regarding the precedence of the representative of the Holy See.

Article 17

The precedence of the members of the diplomatic staff of the mission shall be notified by the head of the mission to the Ministry for Foreign Affairs or such other ministry as may be agreed.

Article 18

The procedure to be observed in each State for the reception of heads of mission shall be uniform in respect of each class.

Article 19

1. If the post of head of the mission is vacant, or if the head of the mission is unable to perform his functions a chargé d'affaires ad interim shall act provisionally as head of the mission. The name of the chargé d'affaires ad interim shall be notified, either by the head of the mission or, in case he is unable to do so, by the Ministry for Foreign Affairs of the sending State to the Ministry for Foreign Affairs of the receiving State or such other ministry as may be agreed.

2. In cases where no member of the diplomatic staff of the mission is present in the receiving State, a member of the administrative and technical staff may, with the consent of the receiving State, be designated by the sending State to be in charge of the current administrative affairs of the

mission.

Article 20

The mission and its head shall have the right to use the flag and emblem of the sending State on the premises of the mission, including the residence of the head of the mission, and on his means of transport.

Article 21

1. The receiving State shall either facilitate the acquisition on its territory, in accordance with its laws, by the sending State of premises necessary for its mission or assist the latter in obtaining accommodation in some other way.

2. It shall also, where necessary, assist missions in obtaining suitable accommodation for their members.

Article 22

1. The premises of the mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission.

2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

3.The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.

Article 23

1.The sending State and the head of the mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the mission, whether owned or leased, other than such as represent payment for specific services rendered.

2.The exemption from taxation referred to in this article shall not apply to such dues and taxes payable under the law of the receiving State by persons contracting with the sending State or the head of the mission.

Article 24

The archives and documents of the mission shall be inviolable at any time and wherever they may be.

Article 25

The receiving State shall accord full facilities for the performance of the functions of the mission.

Article 26

Subject to its laws and regulations concerning zones entry into which is prohibited or regulated for reasons of national security, the receiving State shall ensure to all members of the mission freedom of movement and travel in its territory.

Article 27

1.The receiving State shall permit and protect free communication on the part of the mission for all official purposes. In communicating with the Government and the other missions and consulates of the sending State, wherever situated, the mission may employ all appropriate means, including diplomatic couriers and messages in code or cipher. However, the mission may install and use a wireless transmitter only with the consent of the receiving State.

2.The official correspondence of the mission shall be inviolable. Official correspondence means all correspondence relating to the mission and its functions.

3.The diplomatic bag shall not be opened or detained.

4.The packages constituting the diplomatic bag must bear visible external marks of their character and may contain only diplomatic documents or articles intended for official use.

5. The diplomatic courier, who shall be provided with an official document indicating his status and the number of packages constituting the diplomatic bag, shall be protected by the receiving State in the performance of his functions. He shall enjoy person inviolability and shall not be liable to any form of arrest or detention.

6. The sending State or the mission may designate diplomatic couriers ad hoc. In such cases the provisions of paragraph 5 of this article shall also apply, except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the diplomatic bag in his charge.

7. A diplomatic bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorized port of entry. He shall be provided with an official document indicating the number of packages constituting the bag but he shall not be considered to be a diplomatic courier. The mission may send one of its members to take possession of the diplomatic bag directly and freely from the captain of the aircraft.

Article 28

The fees and charges levied by the mission in the course of its official duties shall be exempt from all dues and taxes.

Article 29

The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

Article 30

1. The private residence of a diplomatic agent shall enjoy the same inviolability and protection as the premises of the mission.

2. His papers, correspondence and, except as provided in paragraph 3 of article 31, his property, shall likewise enjoy inviolability.

Article 31

1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of:

(a) A real action relating to private immovable property situated in the territory of the receiving

State, unless he holds it on behalf of the sending State for the purposes of the mission;

(b) An action relating to succession in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State;

(c) An action relating to any professional or commercial activity exercised by the diplomatic agent in the receiving State outside his official functions.

2. A diplomatic agent is not obliged to give evidence as a witness.

3. No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under subparagraphs (a), (b) and (c) of paragraph 1 of this article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.

4. The immunity of a diplomatic agent from the jurisdiction of the receiving State does not exempt him from the jurisdiction of the sending State.

Article 32

1. The immunity from jurisdiction of diplomatic agents and of persons enjoying immunity under article 37 may be waived by the sending State.

2. Waiver must always be express.

3. The initiation of proceedings by a diplomatic agent or by a person enjoying immunity from jurisdiction under article 37 shall preclude him from invoking immunity from jurisdiction in respect of any counterclaim directly connected with the principal claim.

4. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgement, for which a separate waiver shall be necessary.

Article 33

1. Subject to the provisions of paragraph 3 of this article, a diplomatic agent shall with respect to services rendered for the sending State be exempt from social security provisions which may be in force in the receiving State.

2. The exemption provided for in paragraph 1 of this article shall also apply to private servants who are in the sole employ of a diplomatic agent,

on condition:

- (a) That they are not nationals of or permanently resident in the receiving State; and
- (b) That they are covered by the social security provisions which may be in force in the sending State or a third State.

3. A diplomatic agent who employs persons to whom the exemption provided for in paragraph 2 of this article does not apply shall observe the obligations which the social security provisions of the receiving State impose upon employers.

4. The exemption provided for in paragraphs 1 and 2 of this article shall not preclude voluntary participation in the social security system of the receiving State provided that such participation is permitted by that State.

5. The provisions of this article shall not affect bilateral or multilateral agreements concerning social security concluded previously and shall not prevent the conclusion of such agreements in the future.

Article 34

A diplomatic agent shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except:

- (a) Indirect taxes of a kind which are normally incorporated in the price of goods or services;
- (b) Dues and taxes on private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission;
- (c) Estate, succession or inheritance duties levied by the receiving State, subject to the provisions of paragraph 4 of article 39;
- (d) Dues and taxes on private income having its source in the receiving State and capital taxes on investments made in commercial undertakings in the receiving State;
- (e) Charges levied for specific services rendered;
- (f) Registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of article 23.

Article 35

The receiving State shall exempt diplomatic

agents from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.

Article 36

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on:

- (a) Articles for the official use of the mission;
- (b) Articles for the personal use of a diplomatic agent or members of his family forming part of his household, including articles intended for his establishment.

2. The personal baggage of a diplomatic agent shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1 of this article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the receiving State. Such inspection shall be conducted only in the presence of the diplomatic agent or of his authorized representative.

Article 37

1. The members of the family of a diplomatic agent forming part of his household shall, if they are not nationals of the receiving State, enjoy the privileges and immunities specified in articles 29 to 36.

2. Members of the administrative and technical staff of the mission, together with members of their families forming part of their respective households, shall, if they are not nationals of or

permanently resident in the receiving State, enjoy the privileges and immunities specified in articles 29 to 35, except that the immunity from civil and administrative jurisdiction of the receiving State specified in paragraph 1 of article 31 shall not extend to acts performed outside the course of their duties. They shall also enjoy the privileges specified in article 36, paragraph 1, in respect of articles imported at the time of first installation.

3. Members of the service staff of the mission who are not nationals of or permanently resident in the receiving State shall enjoy immunity in respect of acts performed in the course of their duties, exemption from dues and taxes on the emoluments they receive by reason of their employment and the exemption contained in article 33.

4. Private servants of members of the mission shall, if they are not nationals of or permanently resident in the receiving State, be exempt from dues and taxes on the emoluments they receive by reason of their employment. In other respects, they may enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

Article 38

1. Except insofar as additional privileges and immunities may be granted by the receiving State, a diplomatic agent who is a national of or permanently resident in that State shall enjoy only immunity from jurisdiction, and inviolability, in respect of official acts performed in the exercise of his functions.

2. Other members of the staff of the mission and private servants who are nationals of or permanently resident in the receiving State shall enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of

the mission.

Article 39

1. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the receiving State on proceeding to take up his post or, if already in its territory, from the moment when his appointment is notified to the Ministry for Foreign Affairs or such other ministry as may be agreed.

2. When the functions of a person enjoying privileges and immunities have come to an end, such privileges and immunities shall normally cease at the moment when he leaves the country, or on expiry of a reasonable period in which to do so, but shall subsist until that time, even in case of armed conflict. However, with respect to acts performed by such a person in the exercise of his functions as a member of the mission, immunity shall continue to subsist.

3. In case of the death of a member of the mission, the members of his family shall continue to enjoy the privileges and immunities to which they are entitled until the expiry of a reasonable period in which to leave the country.

4. In the event of the death of a member of the mission not a national of or permanently resident in the receiving State or a member of his family forming part of his household, the receiving

State shall permit the withdrawal of the movable property of the deceased, with the exception of any property acquired in the country the export of which was prohibited at the time of his death. Estate, succession and inheritance duties shall not be levied on movable property the presence of which in the receiving State was due solely to the presence there of the deceased as a member of the mission or as a member of the family of a member of the mission.

Article 40

1.If a diplomatic agent passes through or is in the territory of a third State, which has granted him a passport visa if such visa was necessary, while proceeding to take up or to return to his post, or when returning to his own country, the third State shall accord him inviolability and such other immunities as may be required to ensure his transit or return. The same shall apply in the case of any members of his family enjoying privileges or immunities who are accompanying the diplomatic agent, or travelling separately to join him or to return to their country.

2.In circumstances similar to those specified in paragraph 1 of this article, third States shall not hinder the passage of members of the administrative and technical or service staff of a mission, and of members of their families, through

their territories.

3. Third States shall accord to official correspondence and other official communications in transit, including messages in code or cipher, the same freedom and protection as is accorded by the receiving State. They shall accord to diplomatic couriers, who have been granted a passport visa if such visa was necessary, and diplomatic bags in transit, the same inviolability and protection as the receiving State is bound to accord.

4. The obligations of third States under paragraphs 1, 2 and 3 of this article shall also apply to the persons mentioned respectively in those paragraphs, and to official communications and diplomatic bags, whose presence in the territory of the third State is due to force majeure.

Article 41

1. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the receiving State. They also have a duty not to interfere in the internal affairs of that State.

2. All official business with the receiving State entrusted to the mission by the sending State shall be conducted with or through the Ministry for

Foreign Affairs of the receiving State or such other ministry as may be agreed.

3. The premises of the mission must not be used in any manner incompatible with the functions of the mission as laid down in the present Convention or by other rules of general international law or by any special agreements in force between the sending and the receiving State.

Article 42

A diplomatic agent shall not in the receiving State practise for personal profit any professional or commercial activity.

Article 43

The function of a diplomatic agent comes to an end, *inter alia*:

(a) On notification by the sending State to the receiving State that the function of the diplomatic agent has come to an end;

(b) On notification by the receiving State to the sending State that, in accordance with paragraph 2 of article 9, it refuses to recognize the diplomatic agent as a member of the mission.

Article 44

The receiving State must, even in case of armed conflict, grant facilities in order to enable

persons enjoying privileges and immunities, other than nationals of the receiving State, and members of the families of such persons irrespective of their nationality, to leave at the earliest possible moment. It must, in particular, in case of need, place at their disposal the necessary means of transport for themselves and their property.

Article 45

If diplomatic relations are broken off between two States, or if a mission is permanently or temporarily recalled:

- (a) The receiving State must, even in case of armed conflict, respect and protect the premises of the mission, together with its property and archives;
- (b) The sending State may entrust the custody of the premises of the mission, together with its property and archives, to a third State acceptable to the receiving State;
- (c) The sending State may entrust the protection of its interests and those of its nationals to a third State acceptable to the receiving State.

Article 46

A sending State may with the prior consent of a receiving State, and at the request of a third State not represented in the receiving State, undertake the temporary protection of the interests of the third State and of its nationals.

Article 47

1. In the application of the provisions of the present Convention, the receiving State shall not discriminate as between States.

2. However, discrimination shall not be regarded as taking place:

(a) Where the receiving State applies any of the provisions of the present Convention restrictively because of a restrictive application of that provision to its mission in the sending State;

(b) Where by custom or agreement States extend to each other more favourable treatment than is required by the provisions of the present Convention.

Article 48

The present Convention shall be open for signature by all States Members of the United Nations or of any of the specialized agencies Parties

to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a Party to the Convention, as follows: until 31 October 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until 31 March 1962, at the United Nations Headquarters in New York.

Article 49

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 50

The present Convention shall remain open for accession by any State belonging to any of the four categories mentioned in article 48. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 51

1. The present Convention shall enter into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 52

The Secretary-General of the United Nations shall inform all States belonging to any of the four categories mentioned in article 48:

- (a) Of signatures to the present Convention and of the deposit of instruments of ratification or accession, in accordance with articles 48, 49 and 50;
- (b) Of the date on which the present Convention will enter into force, in accordance with article 51.

Article 53

The original of the present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States belonging to any of the four categories mentioned in article 48.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their re-

spective Governments, have signed the present Convention.

DONE at Vienna this eighteenth day of April one thousand nine hundred and sixty-one.

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