

DIPLOMATIC HANDBOOK

Seventh Edition

R. G. Feltham

Sometime Sub-Warden of Queen Elizabeth House and Founder-Director and
Senior Tutor, Oxford University Foreign Service Programme

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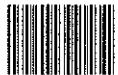
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Chapter 4

PROTOCOL AND PROCEDURE

ORDERS OF PRECEDENCE

A diplomat is concerned with four orders of precedence:

1. PRECEDENCE BETWEEN HEADS OF DIPLOMATIC MISSIONS

The precedence of a head of mission is based on the class into which he falls:

Ambassador, High Commissioner or Apostolic Nuncio;
Envoy Extraordinary and Minister Plenipotentiary or Inter-nuncio (a rank rarely used);
Chargé d'Affaires *en titre* (titular or *en pied*).

Within each class, seniority is based on the date on which the head of mission assumed his duties as such. This is either the date on which he presented his credentials to the Head of State, or alternatively the date on which he notified his arrival to the Ministry of Foreign Affairs and sent or handed to the Minister or Ministry a copy of his credentials, depending on the practice of the country. In most countries the date is that of the presentation to the Head of State, but in some, including the UK, it is the date of handing over the copy of credentials.

If two heads of mission present their credentials on the same day precedence may be determined either by the place in the alphabet of the first letter of the state (in French) of the representatives concerned; or, more commonly, by the relative times of day they officially commenced their functions. Whichever practice of determining precedence is adopted by a state, it must be applied consistently, and not altered without prior notification.

Department of Protocol) and the heads of diplomatic missions: both have a vested interest in the accuracy of the List, if only because it is used for reference by both parties, and because it is *prima facie* evidence of the right to diplomatic status.

The List does not normally have any security rating, and in some countries it is on sale to the public. It is issued free to all foreign missions and diplomats, and to ministers and officials of the host government who may need to refer to it, e.g. customs and immigration officials, police and mayors, as well as to the heads of the issuing government's missions abroad.

In certain instances a combined Diplomatic and Consular List is issued containing, in addition, details of career and honorary consular officers; otherwise a separate Consular List is sometimes issued, depending on need.

CORRESPONDENCE AND COMMUNICATION BETWEEN DIPLOMATIC MISSIONS AND THE HOST GOVERNMENT

All formal communications between a diplomatic mission and the foreign government in whose capital it is situated are made (a) by or on behalf of the head of mission, and (b) to the Ministry of Foreign Affairs (or its equivalent), except where special permission has been given for dealing with another department, or in the case of specialist attachés who are by custom permitted to deal direct with the relevant department on technical (but not policy) matters. In practice, the complexity of modern diplomacy has reduced the strict formalities in many countries.

PERSONAL INTERVIEWS

The Minister for Foreign Affairs is customarily accessible to heads of mission, and appointments are usually made by telephone. Such top-level approaches are normally limited to matters of special importance; those of lesser importance are best dealt with by the head of mission or a member of the diplomatic staff of the mission arranging (once again by telephone) to see an appropriate member of the ministry staff. Ministers and ministry officials are normally very busy people, and tend to be sympathetic to visiting diplomats who, after the initial courtesies, are brief and to the point, and take their leave when there is no further business to conduct.

WRITTEN CORRESPONDENCE

(a) *The Official Note in the third person*

The customary method of correspondence between a diplomatic mission and a Ministry of Foreign Affairs is the Official Note. The note is typed in a recognised international language on official paper headed with the national crest and address, and begins as follows:

The Embassy presents its compliments to the Ministry of Foreign Affairs and has the honour to inform them that ... [or] to bring to their attention the following matter ...

The substance of the note then follows, and the document terminates with a formula on the following lines:

The Embassy takes [or avails itself of] this opportunity of assuring the Ministry of its highest consideration.

Date [Sender's initials and Embassy stamp]

In some countries (e.g. the United States of America) this final courtesy is omitted.

The Official Note is also the standard form of communication between Diplomatic Missions.

(b) *The note verbale*

The *note verbale* is written in the third person and its general form is that of the official note.

(c) *The Official Letter in the first person*

A less formal approach to a Minister for Foreign Affairs (by a head of mission) or to an official in the Ministry (by a member of the diplomatic staff of a mission) is the letter in the first person. This is written on correspondence paper with the address and date at the top, and would be on the following lines:

Head of mission to Minister for Foreign Affairs

An official letter from a head of mission to a Minister of Foreign Affairs usually begins 'Your Excellency' or sometimes just 'Sir' or 'Excellency', followed by:

I have the honour ...

and ends with the sentence:

I avail myself of the opportunity to assure Your Excellency of my highest consideration

or

Accept, Excellency, the renewed assurances of my highest consideration.

[Name of sender]

Alternatively, and depending on the Ambassador's relationship with the Minister, a letter might begin 'My dear Minister', and end with the words 'Yours sincerely'. This less formal approach is used in the UK since no British Minister or official there is properly addressed as 'Excellency'.

If the letter is addressed in the form 'Your Excellency', it ought strictly to continue in the same way, e.g. 'My government has studied Your Excellency's proposal ...'. However, such phraseology can become tedious, and the judicious and occasional use of the second person (you, your) is permissible, and avoids pomposity.

Official to official

As a general rule correspondence between officials begins, 'My dear (name of addressee)', and ends 'Yours sincerely (name of sender)'.

(d) Methods of providing records of verbal discussions

Heads of mission are frequently instructed by their governments to 'make representations' to the Ministry of the country to which they are accredited or to ask for clarification of an issue. This necessitates a personal visit during which the diplomat 'states his case', and in order that there can be no room for doubt as to the purpose of his visit, he leaves behind a summary of his remarks. This may take the form of:

An *aide-memoire* which explains a government's action or point of view, or puts forward a proposition. It is headed 'Aide-Mémoire' and bears the date at the end, but has no signature, address or Embassy stamp.

or

A *bou de papier* which is typed on paper without heading, signature or date, the theory being that its provenance could be denied if necessary. It is thus less 'official' than the *aide-mémoire*.

Diplomats may wish to put forward a tentative suggestion at a conference, or may be instructed by their government to make representations on a matter of great delicacy, about which their own Ministry does not yet wish to take a stand. The diplomat may then choose to discuss the issue and leave a *non-paper* in which the matter is clarified in a non-committal way.

(e) Rejection of a note or letter

If a Ministry of Foreign Affairs considers that a communication from another government is offensive in any way it may 'refuse to accept'

it, even though it has already taken delivery of it and studied it. In these circumstances the Ministry – or invariably the Minister in such a serious situation – would summon the appropriate head of mission and hand back to him the document concerned informing him at the same time that it was unacceptable to his government.

DEMONSTRATIONS

A diplomatic mission may find itself approached by a group of people asking for an interview with the Ambassador, or a member of his staff. An embassy thus approached has various options, the last being most commonly adopted:

- to keep the door shut,
- to accept the petition without comment,
- to invite the spokesman/men of the group in and explain the home government's position.

If the demonstration appears to be getting out of hand the Chief of Protocol (or, better still, the Police Diplomatic Protection Unit, if such exists) should be advised without delay: 'The receiving State is under a special duty to ... prevent any disturbance of the peace of the mission or impairment of its dignity' (1961 Vienna Convention on Diplomatic Relations, Article 22, paragraph 2).

FLAGS

Heads of mission are entitled to fly their national flag on their residence and the premises of their mission at all times, and it is the practice to do so to mark (a) their own national occasions, and (b) those of the state in which they are situated. They are also entitled to fly their national flag on their official car, although many choose to do so only on formal occasions or in dangerous situations.

On occasions when national mourning is officially prescribed, whether in the sending state or in the host state, flags are flown at half mast. They are normally flown in this manner only on the day of the funeral, but in the event of the death of a Sovereign it is customary for them to be flown from the day of death until (and including) the day of the funeral except on the date of the proclamation of the accession of the new Sovereign.

Traditionally flags are raised first thing in the morning (8 a.m.) and lowered at sunset.

Consular officers who include a port within their consular area are normally permitted – subject to any existing convention, and dependent

on local custom - to fly their national flag on a boat (at the bow) when on official duty. It is also common practice for heads of consular posts to fly their national flag on their official car when making official visits to the local authorities or when they are invited to take part in ceremonies or festivities in their official capacity; but the precise conditions are often regulated by a consular convention. The flying of the national flag on a consular post may be prohibited if the premises are situated in the same city as the diplomatic mission.

On the occasion of the visit of a distinguished foreign guest, the national flag of the visitor's state and that of the host state are often flown at the same place, e.g. on either side of a saluting base or platform. In this instance the flag pole on the right hand of a person sitting on the platform would be the 'guest' one; and as such would fly the visitor's flag.

When a number of flags of different countries are flown from individual flagstaffs the place of honour should be assigned to the national flag, the others being arranged alternately to right and left of this central point (looking outwards from the site) in the alphabetical order of the countries represented.

When a flag is flown on a car, the seat behind the flag is highest in the order of precedence.

DRESS

The rules regarding dress for diplomats vary considerably between countries, and depend largely on tradition, custom and climate; the increasing trend being towards informality. There are, however, certain standard forms of dress which it is useful to be aware of (in addition to the diplomatic uniform or national dress that diplomats of certain states wear); these are normally indicated when invitation cards are sent. Dress for ladies can only be defined as 'appropriate'. Unlike that of the dull and standardised male it enlivens otherwise formal occasions, and makes a personal visual statement. For males the options are:

MORNING COAT

Occasionally worn for daytime ceremonies, especially in the open, e.g. farewells to, or arrivals of, distinguished visitors.

Black tail coat, black waistcoat and black high silk hat for solemn occasions, alternatively grey waistcoat and grey top hat for festivities; white shirt, black striped 'pepper and salt' trousers; stiff turndown (i.e. plain) collar, grey tie, black shoes. Medal ribbons are not worn, but

full-size medals are worn on the left breast if the occasion demands, e.g. military or remembrance.

TAIL COAT ('WHITE TIE' OR 'FULL EVENING DRESS')

Usually restricted to formal evening functions such as dinners, balls or receptions; occasionally for more formal indoor ceremonies during the day (e.g. the presentation of credentials in the UK because it is the highest form of civilian national dress).

Long black tail coat; white waistcoat; stiff (starched) white shirt; wing collar; white bow tie; black trousers with two black silk stripes; black silk hat; black patent leather shoes; miniatures of decorations and orders (the ribbon of any neck decoration going under the white tie, and the sash of an order going across the white waistcoat).

DINNER JACKET ('BLACK TIE' OR 'SMOKING')

For informal evening functions.

Black jacket with silk-faced lapels; black trousers with one silk stripe; white shirt (usually soft with soft collar); black bow tie; black shoes. Miniatures of decorations and medals are worn where indicated on the invitation card.

The greater the degree of informality of the evening (and the climate), the greater is the liberty with regard to dress. In some situations cummerbunds (black, or sometimes maroon, silk sashes) are worn with dinner jackets; also coloured bow ties. White tuxedos are customarily worn when the climate so demands.

NATIONAL DRESS

Formal national dress is suitable for all diplomatic functions.

STATE CEREMONIES

It usually falls to the Chief of the Department of Protocol to plan and execute arrangements for state ceremonies and these (assuming the once-and-for-all nature of independence celebrations) are most commonly: inaugurations, visits, anniversaries of national significance and funerals.

On all the above occasions (funerals being a possible exception) detailed plans are produced several weeks, even months, in advance

and the Ministry would make a point of consulting with the Dean of the Diplomatic Corps if the Corps as a whole would be involved.

The cooperation of various organisations is essential for most functions, and it is usual to create an *ad hoc* planning and coordinating committee which might include representatives of the police (for parking and the regulation of traffic); the army (for a band and guard of honour); the press relations office and civic authorities; and, if foreign visitors are expected in any number, representatives of the customs, immigration and airports.

On the occasion of the visit of a foreign Head of State or member of the government or other person of distinction, the head of mission of the state concerned is invited to all the official functions and entertainments which the visitor attends; and in return the visitor offers hospitality at his head of mission's residence or an appropriate place for the corresponding dignitary in the host country (e.g. Head of State to Head of State, Foreign Minister to Foreign Minister, Head of Church to Head of Church).

A formal diplomatic visit begins when the visitor arrives in the diplomatic capital of the state (which normally must be his first objective) and it is there that the official reception takes place. The visitor's national anthem will be played, the guard of honour inspected, and compliments paid to the host's flag. If, however, the port, airport, or frontier post by which the visitor enters the state is some distance from the capital, the visitor is met by members of the local authority and an official representative who accompanies him to the capital. A procession with motor-cycle or horse escort is then arranged with the visitors riding in a carriage or motor car (depending on the distance involved). The general rule for the seating of state visitors in carriages and cars in a procession is that they are placed in the vehicles in descending order of precedence with the senior person in each vehicle seated behind the flag.

It is a recognised practice that the host of a state visit should be invited to make a return to visit to the other's capital within a reasonable time.

OFFICIAL MOURNING

The observance of official mourning may be declared (a) by a head of mission's own government, in which event it applies to him and to the members of the staff of the mission; or (b) by the host government, in which case it applies to the Diplomatic Corps as a whole.

In the former instance, which might be occasioned by the death of the Head of State, the head of government or a member of the royal family or by a national catastrophe, a head of mission would receive

instructions from his Ministry concerning the period of official mourning, the flying of the flag at half mast, etc. During this time he and members of the staff of his mission would wear black ties or their equivalent (ladies being appropriately dressed); and he would as far as possible refrain from giving or attending social engagements. Previously arranged official commitments might justifiably be cancelled, but state functions would have to be attended. Private functions, if given, would be unostentatious and relatively solemn. A 'condolences' book would be available at the Embassy or sometimes at the head of mission's residence to receive the signatures of persons wishing to express their sympathy, together with a tray for cards. In certain instances a photograph of the deceased is displayed surrounded by black ribbon, and black-edge stationery used for correspondence for a limited period of time.

In the event of official mourning being declared in the host country, the Diplomatic Corps acts as a body and receives its guidance through the Doyen who would be in close touch with the Chief of the Department of Protocol. Its members would be required to fly their flags at half mast for a given period, and to cancel all but the most informal gatherings. They would be expected to attend official ceremonies and generally to behave in conformity with the solemnity of the times. Heads of Mission would individually send formal letters of sympathy to the Minister for Foreign Affairs, and all members of the diplomatic staff of a mission would leave their cards marked 'p.c.' (*pour condoléances*) at the Ministry where a suitable receptacle would be provided, together with a condolences book.

If a distinguished national or a diplomatic colleague's state dies, heads of mission would express their condolences in a similar fashion, but there would be no general mourning. They would similarly express their condolences — by letter or by card, and by attendance at the funeral — on the death of a diplomatic colleague.

A note to the other diplomatic missions might take the following form:

The Embassy of presents its compliments to the Diplomatic Missions accredited to the Court of St James's and in deep sorrow has the duty to inform them that died on

A Book of Condolence will be opened at the Embassy
 Thursday 9 to Friday 10 September from
 10.00 a.m. and 2.00 p.m.

The Embassy of avails itself of this opportunity to renew to the Diplomatic Missions accredited to the Court of St James's the assurance of its highest consideration.

t out in the Hague Convention of
ty Laws have been modified by a
state grants nationality to a person
s so tenuous as not to constitute a
t bound to recognise that grant of
e to apply.

by birth in the territory (*jus soli*) or
sanguinis); occasionally by natur-
n, and on rare occasions as a con-
her change in the nature of a state.
n of a different nationality and may
e legislation or, in some cases, mar-
nationality may occasionally result
islation on the subject or from excep-
omes stateless when he is deprived
uire an alternative.

re complicated and varied, but they
general and to consular officers in
the right to accord diplomatic pro-
but not to others; a person usually
y into the state of which he is a
entitlement to a transit visa through
that state); or he may be liable to
ition. A duly authorised passport is
vidence of nationality.

Chapter 10

CONFERENCES

International negotiation is a specialised form of bargaining: when it takes the form of bilateral negotiation it may be relatively informal, but multilateral negotiation is normally conducted on a formal conference basis. As the range of international business has increased over recent years, so has *conference practice and procedure* become to a greater extent refined and standardised: that is a sort of science; and *conference diplomacy*, which is rather more an art, has, like diplomacy in all its forms, adapted to changing situations.

Conference practice and procedure are concerned with the commonly accepted rules designed to ensure the most successful possible outcome of a conference and the greatest degree of satisfaction to all participants; whereas conference diplomacy is the expertise practised by the individual delegate who seeks to gain the maximum advantage for his country. It may be said that the chairman or president of a conference requires a high degree of diplomacy to ensure a successful outcome of a conference, but as he also needs to be well acquainted with practice and procedure his skill can best be summed up in the term *conference management*.

International conferences can be classified in a number of ways. They may be:

- bilateral or multilateral;
- single-subject or multi-subject;
- *ad hoc* or regular;
- those with a permanent secretariat and those without.

International conferences may also be classified in terms of the objectives that they set out to achieve. These may be:

- to serve as a forum for the general discussion of a subject or subjects;
- to make non-binding recommendations to governments or international organisations;

Conferences

- to make decisions binding on governments (in most instances *ad referendum*);
- to make decisions giving guidance or instructions to the secretariat of an inter-governmental organisation, or on the way in which a programme financed by governments should be administered, e.g. the standing or executive committees of international organisations in the interim between plenary sessions;
- to negotiate and draft a treaty or other formal international instrument;
- to provide an international exchange of information, e.g. UN Conference on the Peaceful Uses of Atomic Energy;
- to provide for the pledging of voluntary contributions to international programmes, e.g. UN High Commission for Refugees; World Food Programme.

CONFERENCE PRACTICE AND PROCEDURE

RULES OF PROCEDURE

The first requirement of every formal conference is a set of written rules that guide and determine the activities of the participants and to which the chairman can refer in cases of doubt or dissent. These must either be standing rules which, having been approved by a previous session, are accepted as standard procedure by subsequent sessions, e.g. the rules of procedure of the United Nations General Assembly; or they must be submitted to, and approved by, the conference. In the latter instance they would be circulated in draft form in advance, and would include the date and place of the meeting, adequate advance notice of which must always be given.

THE AGENDA

The agenda of a conference lists the items of business that will be raised and the order in which each item will be considered. A draft or provisional agenda is normally prepared and circulated by the convenors or secretariat of the conference and will, in the case of regular meetings, include (i) obligatory items (e.g. the approval of the minutes of the previous meeting); (ii) items of business left over from the previous session; and (iii) new submissions for consideration. The agenda must be circulated sufficiently far in advance of the conference to give participants time to study the various items of business. Similarly, items to be included on the agenda must be sent to the secretariat/convenors sufficiently early for them to be processed and the participants notified.

Conference Practice and Procedure

For certain conferences (e.g. the UN General Assembly) it is obligatory for an explanatory memorandum to be circulated in respect of each substantive item on the agenda.

COMPOSITION OF DELEGATIONS

The composition of delegations is normally provided for in the Rules of Procedure. The United Nations recognises representatives (maximum five) and alternate representatives (maximum five), and as many advisers, experts, etc., as are required.

CREDENTIALS

Credentials are provided in a document identifying a representative and authorising him or her to act; they are usually verified by a credentials committee which reports to the plenary meeting for approval. Credentials must be issued by the proper authority and comply with the requirements of the conference rules of procedure. Full powers are required in certain instances, e.g. for adopting the text of a treaty. Paragraph 29 of the General Assembly rules of procedure allows for the provisional admission of a representative against whom objections have been raised.

OBSERVERS

The admission and status of observers depend on the rules of procedure of the conference, but they do not in any circumstances have a vote. In the UN General Assembly it is exceptional for observers to be permitted to join in the discussions, but in the Security Council it is a common practice.

OFFICIAL LANGUAGES AND WORKING LANGUAGES

Official languages are those in which texts and resolutions are published and in which discussions are held. Working languages are those languages used in discussion and from and into which interpretation is provided.

PUBLICITY

Conferences can be divided into three general categories: those that are completely open and to which the public and media are invited; those

that are completely closed, the public and the media being provided with a final communiqué agreed by the participants; and those that are limited to the participating members, the public and the media being informed by individual participants by means of press conferences, television interviews and other forms of publicity. In practice there is a spectrum of *ad hoc* arrangements between the closed and the open conference (e.g. some sessions may be open to the public and others not).

RECORDS

A fundamental requirement of any conference is that there should be no doubt as to what has, and what has not, been agreed. For this purpose records of the proceedings are invariably kept and are agreed as correct by the participants. The records kept can be divided into three categories:

- (a) verbatim records (manual or audio);
- (b) summary records, usually prepared by the secretariat, and supervised by a *rapporteur*;
- (c) the texts of resolutions only.

Participants normally have the right and opportunity to make minor alterations to improve the presentation but not the substance of a report of their intervention when it is circulated in draft form; this applies particularly in respect of verbatim reports.

THE RIGHTS OF PARTICIPANTS

The rights of participants as well as the limitations on their activities are usually specified in the rules of procedure, and are subject always to the proviso that it is the task of the presiding officer to ensure that the conference reaches a satisfactory conclusion, and that the business of the meeting is not deliberately or needlessly obstructed. These rights are usually: the right to speak once on each question under discussion, the right to make a *point of order* (usually an objection to the remarks of a participant which are considered offensive or irrelevant); the right to make a *procedural motion* (a procedural motion relates to the conduct of the meeting and must immediately be put to the vote by the presiding officer); and the right to reply to another speaker.

MAKING PROPOSALS AND TAKING DECISIONS

Decisions at conferences are normally taken on the basis of written proposals submitted for consideration by one or more participants: these

are referred to as draft resolutions. In the UN they take the form of a preamble and an operative section; and they are normally required to be submitted with an explanatory memorandum.

Amendments and sub-amendments to draft resolutions may be proposed (and may subsequently be withdrawn) before voting takes place. Voting is firstly on sub-amendments; secondly on 'the amendment furthest removed in substance from the original proposal' (UN General Assembly rule 92) when two or more amendments relate to the same text; and finally on the draft resolution as amended. Amendments cannot negate the substance of a resolution: they must add to, delete from or revise part of a proposal. *Explanations of vote*, i.e. a verbal statement given by a participant explaining why his vote has been cast in a particular way, are normally permitted, as are *motions for division*, which provide for separate voting on separate sections of a resolution in the event of this being specifically provided for.

VOTING QUORUMS AND MAJORITY REQUIREMENTS

Voting is usually on the basis of a simple majority (i.e. over half) of the representatives *present and voting*; in certain instances (often for important questions) the rules of procedure may specify a two-thirds majority (i.e. two-thirds or more) of the representatives *present and voting*; or alternatively a simple or two-thirds majority of *total membership*.

Normally each country has one vote, but systems of *weighted voting* exist in, for example, the ILO and the IMF (in accordance with their rules of procedure), whereby certain categories of participants or certain countries having a greater financial or practical stake in the matter in question have more votes than others.

Rules of procedure normally provide for two specific *quorums*:

- (a) the minimum number of members or participants who must be present for a vote to take place;
- (b) the minimum number required to be present for business to proceed.

Voting in the Security Council is on the basis of two categories of representatives: permanent members and non-permanent members. In the General Assembly, where each country has one vote, a resolution on which there is an equally divided vote is voted on at a second meeting held within forty-eight hours, and is rejected if the votes are again equal. This procedure does not apply to the elections of officers.

Votes may be counted in various ways: by a show of hands, a roll call, by members standing or pressing a button, by secret ballot or by postal ballot.

DETERMINING PROPOSALS BY CONSENSUS

It is unnecessary to go to the extent of casting votes on certain proposals – for example that the Conference should adjourn for lunch: the president decides that there is a consensus of opinion among the representatives that they are feeling hungry, and accordingly proposes that they should do so. This is a *consensus decision without a resolution*: it is based on an assumption by the presiding officer of what is sufficiently self-evident not to warrant taking up the time of the meeting on preparing a resolution, and is particularly applicable to procedural decisions. It is also a device that may be adopted by the presiding officer if he judges that the absence of a resolution is the best political solution to a particularly delicate situation and would be accepted as such by the participants.

A *consensus decision with a resolution* falls within the same category but is slightly more formal. It is for routine and non-controversial items, and for those items to which a minority of representatives object, but would rather not be seen to object through the publicity of a vote. The term 'consensus' is also used to an increasing extent in various inter-governmental organisations as an extension of the term 'unanimity'; implying that:

- (a) all delegates have had an opportunity of expressing their point of view before final approval is given, and
- (b) although they may not be entirely in favour of a draft resolution, all delegates consider it advisable, on balance, not to force the issue by opposing it.

SUBCOMMITTEES AND WORKING PARTIES

It is common practice for conferences to resolve themselves into sub-committees or working parties in order to deal with separate issues of a problem, and then to consider their reports at plenary sessions. They may also provide a useful means of making recommendations on highly specialised subjects; and in cases where a conference meets at lengthy intervals are a means whereby business can be continued during the intervening periods.

THE ELECTION OF THE OFFICIALS

The president, vice-president(s) and, where applicable, the rapporteur assume their functions either by election (as is the case in the majority of conferences) or by rotation (as the chairmanship of the Security Council). In an *ad hoc* conference the representative of the country in which the conference is being held is normally the provisional chairman.

SEATING, PROTOCOL, ORDER OF PRECEDENCE, ETC.

In *bilateral* conferences normal diplomatic protocol is customarily observed. In *multilateral* conferences precedence is normally based on the alphabetical order of name of country (in English or French). In the UN General Assembly the point of seniority in the alphabetical order is varied for each session.

CONFERENCE MANAGEMENT

THE ROLE OF PRESIDING OFFICERS

There is a close parallel between the role of the presiding officer and that of the football referee. Each has the lonely and responsible task of supervising the interplay of skills and techniques between professional players each seeking to gain the maximum advantage; and within a given space of time he has to ensure that the game is played according to the rules and that the final decision is accepted by all the participants. He is provided with a book of rules (the rules of procedure) but his authority, though theoretically supreme, can have no substance unless he is able, by his sensitivity and diplomacy, to persuade those concerned that it is in their own interests to accept it and abide by his decisions. Both need fairness, firmness, knowledge of the rules and very sensitive antennae; not to mention monumental patience and, at times, self-restraint.

The functions of the presiding officer fall into two categories: procedural and substantive.

1. Procedural functions

- (a) Opening, closing and adjourning meetings.
- (b) Calling on representatives to speak.
- (c) Limiting the length of speeches if necessary, or if the rules so require.
- (d) Giving rulings on points of order and points of procedure.
- (e) Clarifying points where necessary.
- (f) Calling for the termination of irrelevant remarks.
- (g) Ensuring that the business of the meeting is carried out.

2. Substantive functions

- (a) Carrying out *ad hoc* functions which the meeting entrusts to the Presiding Officer's discretion (e.g. the appointment of countries/members to new committees).

(b) Acting as mediator, and assisting the conference to reach a conclusion. This may take the form of:

- permitting time for informal discussions;
- promoting informal discussions in which he does not participate;
- promoting informal discussions and participating in them;
- holding discussions with individual representatives to see if he can find sufficient common ground to overcome an *impasse*.

The increasing impact of multilateral organisations on international relations has resulted in the need – and opportunity – for the Presiding Officer to play a much more active role than previously. Delegates gather not so much to play an adversarial role as to seek solutions – not all of which will meet the objectives of their individual countries, but which provide the most satisfactory result for the members of the organisation as a whole. They undertake an exercise in *Positive Diplomacy*, and the Presiding Officer, aware of this sense of purpose, is, to an increasing extent, able to submit a draft resolutions for initial consideration and – with the blessed invention of the wordprocessor – to proceed virtually without interruption to sponsor a whole series of amended drafts until a final version is produced of which nobody may really approve wholeheartedly but one to which nobody is prepared to object: a process of consensus-building and eventually of *nenime contradictoire*.

THE SECRETARIAT

The secretariat provides the administrative backing to a conference: not only to the presiding officer and representatives during the conference, but in preparation for the conference and on its conclusion. If the secretariat is a permanent one it also continues its administrative functions between meetings, when it may assume a largely executive role, acting on the general or specific guidance of its governing body.

Before a conference, and assuming that the place of meeting has been determined, the secretariat will be mainly concerned with invitations, protocol, reception and hospitality, transport, liaison with local authorities, and the arrangement of the conference hall down to the last microphone, pencil and cup of coffee; but above all it will be concerned with the preparation and distribution of the agenda (or draft agenda) and the agenda papers, together with the rules of procedure for the conference where applicable.

While the conference is in progress the secretariat will be responsible for its entire administration, including the provision of translators and the keeping of such records of the proceedings as may be specified by the rules of procedure or required by the presiding officer. A considerable number of documents is invariably required for circulation at all

stages of the proceedings – draft resolutions in particular – and typists are normally available at all reasonable hours. After the close of the conference there are two major tasks apart from the general clearing-up operations: the circulation of the Report of the Proceedings (the minutes or *procès-verbale*): these are often circulated in draft in the first instance (and nearly always so in the case of verbatim reports) so that participants may correct minor errors of punctuation, spelling or grammar (but not change the substance of their intervention); and putting into effect the various decisions that have been reached at the conference.

The head of the secretariat in many instances has certain specific functions that he is required to perform and these are usually set out in the rules of procedure. These may relate to the submission of periodic reports, the presentation of accounts, and matters relating to the staff.

CONFERENCE DIPLOMACY

The object of conferences is to discuss problems and find solutions that are so far as possible acceptable to all participants, and this process is carried on by the traditional methods of diplomacy. However, the flourishing of multilateral diplomacy since the foundation of the United Nations has resulted in a proliferation of international organisations, conferences and committees, and has brought with it an additional dimension to traditional diplomacy: the phenomenon of group voting. Group interest does not normally override national interest, but where the national interest is not strong the group policy will be followed, mainly on the reasoning that strength lies in numbers and in unity, but also because many states with the right to vote do not have the staff to research every issue that comes before them. It is also a particularly useful system for prearranging the election of officers and generally exchanging information on matters of mutual concern.

The fundamental types of group are:

- Political and cultural,
- Economic development,
- Regional,
- Economic treaty-linked states.

Among the major groups at the present time are:

- African group
- Asian group
- The European Union
- Group of Arab States

Conferences

- Group of 77 (developing countries of Africa, Asia and Latin America, now over a hundred in number)
- Latin-American group

There are in addition *ad hoc* groups which form to protect their common interests in specific matters. For example in the law of the sea conferences members of the same political or regional group opposed each other in the Continental Shelf group, the group of territorialists (200 mile territorial sea), the fishing states group and the various other *ad hoc* groups that came together on this particular issue.

For a comprehensive study of conference practice and procedure, conference management and conference diplomacy see *Conference Diplomacy* by Johan Kaufmann (Leyden, Sijthoff).

Chapter

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