

Law of Diplomatic and Consular Relations

Definition of diplomacy According to Fauchet, it can be defined as a science or a technique whose purpose "as a science" is to know the legal and political relations of the various States, their mutual interests, historical traditions and the conditions mentioned in the treaties; whereas its objective "as a technique" is to manage international affairs, including the capacity to coordinate and pursue the causes of political negotiations. Ernest Satow: "Diplomacy is the use of intelligence and civility in the management of official relations between governments of independent states". – Negotiation: Negotiating among issues and objectives related to resolving disputes, alleviating congestion or arranging the situation of the past and the future." According to Gineh: Diplomatic law was defined as "a branch of public law which is particularly concerned with the exercise of external relations and representation of States abroad, the conduct of international affairs and the manner in which negotiations are conducted". Accordingly, the Diplomatic Law is a branch of international law which deals in particular with practicing the rules of foreign representation, administering of international affairs in addition to the manner in which the negotiations are conducted. It includes the study of the means of establishing friendly relations between States, including the study of diplomatic representatives, rights, duties, immunities, privileges and ceremonies.

Diplomacy and foreign policy The relationship between diplomacy and foreign policy is strong, where the former is not only a tool for the second, but also its tool of preparation. Despite of this relationship, it is always confused to differentiate between both of them. While foreign policy is the general strategic plan drawn up by a state, and implemented by many means, including diplomacy as a group of jobs. On the other hand, there are several means to implement foreign policy, including peaceful and technical ones. Diplomacy is the primary means both in peace and in war. Clausewitz says "War is only a continuation of state policy by other means," says Klaus.Bradeh fordieh : "Diplomacy is the art of representing the government and the interests of the country vis-a-vis foreign governments and countries and safeguarding the rights, interests and dignity of the country so as not to be unknown abroad. It also means managing international affairs by directing diplomatic negotiations and following their stages according to the instructions, and to seek to apply the law in international relations so that legal principles become the basis for dealing among peoples" Montsekryo : Linking diplomacy to its goal.