

Summary

The origins of the diplomatic immunities are to be found already in primitive societies, because each tribe was obliged to negotiate with other communities around him. From the beginning, the envoys enjoyed of personal immunity, without which any communication would not have been possible. This usage have been borrowed and developed by posterior states (especially the Roman Empire and the medieval European states were very active in their international relations) and that is the reason why the rules for the exchange and the treatment of envoys were the earliest to be firmly established as generally acknowledged customary law.

At these times, the legal principles of diplomatic immunities, which are essential for the protection of diplomatic missions and their personnel, are to be found in the Vienna Convention on Diplomatic Relations, elaborated by the International law Commission in 1961. This Convention represents a progressive codification of all the principal legal rules governing the field of diplomacy. In some cases Vienna Convention even conceived some legal principles which until that time had not been universally recognized. For example article 22, where the inviolability of embassy premises is guaranteed, contains the provision that no pretext of public emergency or abuse by the embassy of its immunity may justify entry by the authorities of receiving State, which was crucial development in the law. The Convention assures also, apart from other necessary principles, the inviolability of mission's archives, communication and personal inviolability of a diplomatic agent, which are essential for the performance of the duties of the diplomatic mission.

Even after almost fifty years of their existence, the provisions of the Vienna Convention on Diplomatic relations are still valid, but the international situation changed a lot during that period, mainly because of the global terrorism menace. By the need for a collective response to that threat, there have been concluded quite many Conventions on both regional and universal field. The most important legal instrument against the terrorist attacks on diplomats is represented by The Convention on the Prevention and Punishment of crimes against Internationally Protected Persons, including Diplomatic agents from December 1973, which accentuates above all the need of firm international cooperation and strict observance of the rules of the Vienna Convention on Diplomatic Relations.