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AND ETIQUETTE

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The main theoretical information, the matters of diplomatic protocol and etiquette are considered in the monograph. The general overview of the diplomatic and international organizations abroad is presented, the historical development of diplomacy worldwide and in Ukraine, the features and basic types of diplomatic communication are described. An attention is paid to planning and carrying of negotiations, the national peculiarities of communication and cooperation with other countries of the world, the culture of speech, correspondence, business communication, as well as the desired behavior in the diplomatic and business communities, a short Glossary of terms and concepts of diplomacy is also presented.

The monograph is intended for students of international relations and international law faculties, higher education institutions, as well as graduate students university instructors. It may be useful for state employees, businessman and partners in business relationships, scholars and writers, doctors, journalists, artists, athletes, and even children, for all who are interested in the discussed matters.

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INTRODUCTION

Business sphere is one of the main vital areas of human activity. Ethics of business relations, norms and rules of behavior and communication is gaining paramount importance today.

In the present monograph considerable attention is given to the main features of the protocol and diplomatic conducting business negotiations, interviews, conferences, diplomatic and business correspondence, preparation and maintenance of international visits of different levels.

It analyzed, generalized and systematized modern and retrospective materials, recommendations, standards and rules of behavior of business people in different situations, as well as grounds for the necessity to respect, remember and observe age-old traditions of different nations. Here you can find answers to a wide circle of questions that may arise in the course of painstaking daily work related to the state service, business and business relationships with domestic and foreign partners.

The main objective of the monograph is to inform to the readers of the basics rules of official protocol, ceremonial and business etiquette. The monograph is intended to promote the diplomatic knowledge and provide answers to questions like how to address, to sign, to date business papers; how to claim to harmonize the documents; how to prepare the general and detailed program of the foreign delegations visit; how to behave in a particular situation, especially if it is non-standard, etc. The monograph includes the basic rules of modern business, diplomatic protocol and etiquette. It also includes and generalizes the traditional behavior rules of business people. Monograph's materials contain the information required to state employees of any level, politicians, businessmen, managers and secretaries of various institutions, organizations, companies, enterprises, managers, teachers and students of higher educational institutions, as well as all those who persistently want to improve their professional and cultural level. The monograph is designed not only for professionals but also for the mass reader. It is currently diplomacy as a profession has ceased to be just a matter of professionals. Besides them in international affairs more and more are beginning to play the role of "people's diplomacy": scientists and writers, doctors, journalists, artists, businessmen, sportsmen and even children.

According to the rules of etiquette protocol I want to thank the people who have given at first glance invisible but very important and useful assistance in the preparation of this monograph. Such mission fulfilled respected reviewers: N.G. Aliyev – Ambassador Extraordinary and Plenipotentiary of Azerbaijan Republic, Doctor of Juridical Science, professor; Vice-president of National academy of Sciences of Ukraine, the Doctor of Economics, professor, the academician of NAN of Ukraine, the Ambassador Extraordinary and Plenipotentiary in Ukraine Sergey Pirozhkov; the CEO of Directorate General for rendering services to diplomatic missions, the Plenipotentiary Envoy of the II class, the member of an academic council of Diplomatic academy of Ukraine at the Ministry of Foreign Affairs of Ukraine Pavlo Krivonos; the Ambassador Extraordinary and Plenipotentiary of the Republic of Uzbekistan in Ukraine A.Kh.Abdualiyev; the vice rector for scientific work and the international relations of Diplomatic academy of Ukraine at Ministry of Foreign Affairs of Ukraine Natalya Tatarenko; the Head of Border of Studies of the National Aviation University Vladimir Chepizhenko, English edition editor Larysa Vdovenko.

I express the warm-hearted words to everyone who helped to prepare this edition by their advices: NAU administration and others.

I also thank to students, the staff of department of international law of educational and scientific Institute of the international relations of National Aviation University.

I wish to remember, with a great warmth, all practical advices of my old friends – the worthy representatives of National diplomacy Novruz Mamedov, Amir Aliyev, Aurelia Grigoriu, Azer Karimov, Arye Gut, Oktay Aliyev, Elchin Mamedov, Togrul Kerimli, Afgan Mamedov, Ondar Murady Guliyev, Shahin Omarov, Alisha Safarov, Tomas Cermak, Vugar Novruzov etc.

The author heartily expresses gratitude to all who became the first readers, if not of all guide, then its separate parts, for complete support, improvements, interesting questions and regards in preparation of this monograph.

Chapter 1

DIPLOMATIC PROTOCOL, CEREMONIAL AND ETIQUETTE

1.1. A little history of diplomatic protocol

Since the immemorial time, the human experience has accumulated and selected from the infinite variants of behavior those rules, conventions and traditions that have contributed to the strengthening of communication between people. With the advent of states and the development of relations between them began to be formed and the norms of interstate relations, including protocol standards. Protocol has undergone permanent change in the process of its development.

Diplomatic protocol is an integral part of diplomacy and its political instrument, the form by which any of the state's foreign policy action is accompanied and the form by which its representative or representatives follow. Diplomacy has a long history, since it was almost with the emergence of gentile society, the first exchange of products, as well as the first problems connected with the territories, disputes and conflicts. With the development of society's productive forces, social thinking and initial legal norms has evolved and diplomacy ¹.

Information has reached us that in the XV century. BC. in Egypt was concluded international agreements on the rules that resemble the current diplomatic skills. The first agreements on the peaceful settlement of disputes and not to attack each other are fixed in Chinese history. The impact of the original diplomacy of Egypt and the Ancient East to further its development was insignificant due to their isolation from the rest of the world, but the diplomacy of Greek, Rome and Byzantium left an appreciable trace². States of that era supported active contacts with each other, traded, fought over new territory and markets. However, diplo-

¹ История дипломатии: сб. / сост. А. Лактионов. – М. : АСТ: АСТ МОСКВА, 2009. – 943 с. (History of diplomacy: collection / composed by A. Laktionov . – М.: АСТ: АСТ MOSCOW, 2009 – 943 p.)

² Pietkiewicz E. Protokół dyplomatyczny / E. Pietkiewicz. – Warszawa, 1992. – P. 34.

matic protocol standards were not the invention of any one country or group of diplomats, they – the result of centuries of relations between states.

In ancient Rome, appears the legal concept of the sanctity of ambassadors and treaties. Personality of Ambassador even *hostile states* was considered sacred and inviolable. Violation of the rights of the embassy was qualified as a violation of international law.

"If anyone would harm Ambassador of hostile country – notes on this occasion the lawyer Pomponius, – it should be considered as a violation of the right of peoples, because the ambassadors recognized as the sacred person (Sancti habentur legati)»³.

The forms of diplomatic activity evolved in the process of historical development of the experience of different countries, including in the Middle Ages and during New time played a leading role, Byzantium, Venice, the Vatican, France. Thus, the principles of diplomatic protocol originated from the practice of European countries and spread throughout the world⁴.

... In XVI-XVII centuries less honorable title of the representative began to go out of use, the other title of low-ranking diplomats was the title of "charge d'affaires". Residents met in different time periods until the end of the XVIII century. In fact, diplomatic representatives were divided into two classes: the first consisted of ambassadors and delegates, and the second consisted of representatives, residents and envoys. Following the model of the term "extraordinary ambassador" the definition of "extraordinary" came to be applied to the apostles, who became eligible on seniority before residents, it means for permanent envoys. Such questions of precedence resolved according to the protocol of yard, to which the diplomatic representative was designated⁵.

³ Digesta, L. VII: цит. по История дипломатии. Т. I, Указ. изд. – С. 76. (quoted by History of diplomacy, V. I., stated edition – P. 76).

⁴ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center "Kyiv University", 2007. – 296 p.)

⁵ Гулиев А. Д. Право зовнішніх зносин: підруч. / А. Д. Гулиев. – К. : НАУ, 2012. – 488 с.; Гулиев А. Д. Право внешних сношений: учебник / А. Д. Гулиев. – К. : НАУ, 2012. – 520 с. . (Guliyev A.D. Law on foreign relations: textbook / A.D. Guliyev – K.: NAU. 2012 – 520 p.)

The question of the priority of state, heads of states and representatives remained open to XIX century. Addressing these issues took place during the Congress of Vienna in 1815, which summarized the results of the Napoleonic wars and during the Aachen Congress of the Holy Alliance in 1818.

At the Aachen Congress in 1818 was adopted the "Aachen Protocol", which added to this list ministers resident class, that placed the rank among envoys and the charge d'affaires. The diplomatic representatives of the first three classes (the ambassador (nuncio), the envoys, the minister-resident) were accredited by the heads of the host countries. D'affaires represented his Minister of Foreign Affairs of the Ministry of the host country and border affairs.

So, at all stages of a thousand years of human history, as well as in the history of the Ukrainian state, from princely times, and to this day, diplomatic protocol and etiquette were applied in the relations between citizens and rulers, although their legal registration received only after the Vienna Congress in the early nineteenth century.

The classification of diplomatic representatives of the classes established by the regulations put an end to all previous disputes on seniority issues. The value of the Vienna's rules consisted in the fact that it was the first multilateral written certificate in the field of diplomatic protocol. All previous decisions in this area have had a ordinary character.

Despite the shortcomings of these instruments in hindsight, they have regulated international protocol practice more than 150 years. Vienna Resolution Rules for the diplomatic representatives were the basis of the articles of the Vienna Convention on Diplomatic Relations, 1961.

1.2. Scientific bases of diplomatic protocol

Diplomatic protocol is based on the following four main scientific disciplines: international law, diplomatic law, sociology, history.

International law – a set of legal principles governing relations between states, international bodies, as well as between these entities, i.e., between states and international organizations.

Diplomatic law is a part of international law, provides and regulates the narrower field of its application, namely, the official activities of institutions and individuals, carried out abroad, the foreign policy of the state, i.e., diplomatic missions and their staff. Relying on the diplomatic law, acting department, office (office, service) of diplomatic protocol –

a kind of diplomatic tool, since it is through it the ambassadors and other representatives of foreign states establish their first contacts with the host country; through this management accredited heads of mission receive agreement, the question of the agreement and its transmission to the interested party settled; organized the presentation of credentials, holding various kinds of meetings, exchanges of diplomatic correspondence, and so on. Through the management of diplomatic protocol the ambassadors and members of diplomatic missions obtained, according to their status, special certificates, which give them the right to use the privileges and immunities. The entire protocol activity is based only on the diplomatic law and takes place in compliance with the principles of international comity.

Closely related to diplomatic protocol and the sociology – the science of society, the laws of its development, relations between individuals and social groups. Sociology studies the mood of the people, shape their behavior in different situations, or under the influence of important historical events in certain social groups and regions, countries⁶.

Another discipline is quite closely related to diplomacy and diplomatic protocol, – history. Knowledge of socio-political and socio-economic problems in the historical context, the history of diplomatic relations and an important part – of diplomatic protocol – help to understand the forms and methods of modern diplomacy.

1.3. The subject, the principles of diplomatic protocol value

The study of diplomatic protocol and etiquette will be useful not only to students of international relations, public administration, international business, but also the organizers and participants of international cooperation, business people, all those who care about their own image⁷.

⁶ Гулієв А. Д. Дипломатичний протокол та етикет: практикум / уклад. : А. Д. Гулієв. – К. : НАУ, 2014. – С. 7. (Guliyev A.D. Diplomatic protocol and etiquette: practicum / A.D. Guliyev – K.: NAU, 2014 – P. 7)

⁷ Кочубей Ю. М. Імідж дипломата – імідж країни // Наук. вісн. ДА України. – К., 2001. – Вип. 5. – С. 30–33. (Kochubey Y.M. Image of diplomat – image of country // Scientifica Neasletter of SA of Ukraine – K., 2001. – Issue 5. – P. 30 – 33.)

Under the influence of global factors, the process of transformation of the international protocol practices in the direction of a certain democratization. Modern protocol practice in most countries is characterized by a pronounced pragmatic approach to issues of protocol, etiquette and ceremonial.

Thus, the diplomatic protocol in one form or another covers all aspects of interstate cooperation, starting from the recognition of the new state and government and ending with the order of seating in cars during the visits of foreign delegations. The Protocol helps to show respect to other states, not to the detriment of their own prestige, national dignity, thus ensuring effective inter-state relations. Diplomatic protocol allows you to create an atmosphere of friendship, strengthen cooperation during visits, summits, conferences, and so on.

Active participation of Ukraine, as well as any other state in international relations requires compliance with the generally accepted rules, traditions and conventions, the totality of which is called *diplomatic protocol*.

Diplomatic protocol – a sample of international communication, which are oriented government and business entities and private individuals.

In domestic and foreign literature there are many definitions of the term "protocol" usually in the form of the phrase "diplomatic protocol." The word "protocol" comes from the Greek protokollon (*protos* – the first, *kolla* – glue).

The most detailed definition of "diplomatic protocol" gives the concept of Ukrainian diplomatic encyclopedia:

"Diplomatic protocol – *a set of common rules, regulations, traditions and conventions that are held by the government, state agencies, departments of Foreign Affairs, diplomatic missions, the mission and the representatives at the International Organizations, officials and members of their families in international relations*"⁸.

With regard to the practice of a particular state these rules, traditions and conventions define the concept of "State Protocol". Regulations on the State Protocol and Ceremonial of Ukraine approved by the Presidential Decree of 22 August 2002 defines the State Protocol and

⁸ Українська дипломатична енциклопедія: у 2-х т. – К. : Знання України, 2004. – Т.1. – С. 373–374. (Ukrainian diplomatic encyclopedia in 2 volumes. – K.: Knowledge of Ukraine, 2004. – V. 1. – pp. 373-374.)

Ceremonial of Ukraine as "a set of requirements to ensure a uniform procedure for official events with the participation of the President of Ukraine, Chairman of the Verkhovna Rada of Ukraine, Prime Minister of Ukraine, Minister of Foreign Affairs and other senior officials of Ukraine, taking into account generally accepted international norms, rules and traditions, as well as national traditions in Ukraine"⁹.

Based on the fact that the protocol – a set of rules and regulations that determine the external form of international relations, his subjects are:

- senior officials (heads of states and governments, heads of parliaments, ministers, etc...);
- the heads of diplomatic and consular missions, diplomatic and consular staff of missions;
- international officials, representatives of the states in International intergovernmental organizations;
- managers and members of official delegations in international organizations and at international conferences, meetings and so on;
- Extraordinary Ambassador, Extraordinary and authorized thereto the Heads of State and Government;
- wives and husbands of the above functionaries.

Diplomatic protocol – a set of common rules, regulations, traditions and conventions that are held by the government, state agencies, departments of Foreign Affairs, diplomatic missions and representations of international organizations, officials and members of their families in international communication. Standards of diplomatic protocol are universal by their nature. The similar protocol rules and standards are in effect for all countries, independently of their socio-economic system and political, economic and military power. In their basis lie the acknowledgement of state sovereignty, equality, respect of independence and inviolability of state territory, non-interference in internal affairs. At all differences that exist in relationship between states, it is generally established that every diplomat enjoys similar privileges and

⁹ Положення про Державний протокол та Церемоніал України, затверджене Указом Президента України від 22 серпня 2002 р. – Режим доступу: <http://www.president.gov.ua> (Provision on State protocol and Ceremonial of Ukraine, approved by Decree of the President of Ukraine of August 22, 2002 – Access: <http://www.president.gov.ua>)

immunities in accordance to his rank. On the other hand, all diplomats must respect protocol of receiving state.

Standards of protocol are based on four major sources: international law, international custom, state law, national traditions and identities. The foundational international law acts regulating particular standards of diplomatic protocol are conventions concluded under the aegis of UN. The major source of modern diplomatic law is Vienna Convention on Diplomatic Relations, signed on April 18, 1961, in Vienna at UN Conference on diplomatic relations and immunities.

Standards of diplomatic protocol are based on "comitas gentium" (international comity) principle that anticipates respect and deference to everything that symbolizes and presents the state. Comitas gentium (international comity) is understood as acts of good-neighborly relation, friendliness, hospitality, pointed regard, and also cancelling of formalities, granting of preferences, privileges and services to foreign states and their citizens not by virtue of requirements of international law standards, but in good faith of state that performs such acts. Comitas gentium (international comity) does not allow any insults of other states, their representatives, state symbols.

1.4 Concept of diplomatic ceremonial

Ceremonial is understood as state official act, which performance anticipates the clearly set procedure, strict univocacy of actions of participants. For example, delivery presentation of credentials, red welcome of head of another state, guard march, state flag rising etc. are ranked to category of ceremonials.

In practice concepts of "diplomatic protocol" and "diplomatic ceremonial" are often equated or used as synonyms. This is because diplomatic protocol and diplomatic ceremonial are serving the sphere of diplomatic contacts between subjects of international law, providing such contacts with formally determined status and corresponding external attributes. The general sphere of use is determines a deep ingression and relation of these concepts.

Along with this, concepts of diplomatic ceremonial and diplomatic protocol have differences too. *First*, they differ in historical origin: in contradiction to diplomatic protocol, the ceremonial is rooted not in state basis, bit in national. Regulations of diplomatic protocol are based on principle of "comitas gentium" (international comity), in concept of

which is included demonstration of honor and respect to everything that symbolizes and represents the state. The ceremonial was formed in course of historical development on bases of national specifics of nations: their ideology and perception of the world, religion, nature of social relations, concept of hospitality, and especially – of nature of hierarchy structure of society. *Second*, differently from ceremonial actions, standards of diplomatic protocol have established and conventional nature, that is provided by presence of international law acts that regulate some protocol issues. The steadiness of ceremonial standards is provided by practice of separate subjects of international law only. The participation of foreign representatives in ceremonies does not change its state nature¹⁰.

1.5. Concept of diplomatic etiquette

Etiquette – is standards of relationship, unstated standards of communications accepted by people. Etiquette of modern society is, first of all, the form of people relations in daily life. This is a kind of agreement between people about what is accepted and correct in relations in particular historical society. It's fulfillment promoted normalization of human relations.

Etiquette is an external form of ethic nature of a man. French work has two meanings in mother tongue. The first meaning is "tag", "label", "trade mark". The second is "ceremonial", "etiquette". The word received the second, modern meaning in XVII century, in times of Louis XIV. In those times, special cards were sent for invitation to court balls, specifying time, place, dress code, mandatory rules of behavior of courtiers at ball. As these cards were called "etiquettes", the rules itself became called "etiquette".

There are several *types of etiquette*:

- court etiquette – strictly regulated procedure and forms of behavior established at monarch courts;
- diplomatic etiquette – aggregate of rules and standards of behavior of diplomats and other official personalities in course of different official and unofficial events;

¹⁰ Гуменюк Б. І. Основи дипломатичної та консульської служби / Б. І. Гуменюк. – К.: Либідь, 2004. – 248 с. (Gumenuik B.I. Basis of diplomatic and consular service / B.I. Gumenuik. – K.: Lybid, 2004. – 248 p.)

- military etiquette – aggregate of rules, standards, manner of behavior of military personnel, commonly accepted in army, in all spheres of their activity;
- mundane etiquette – aggregate of rules and standards of behavior that regulate the external manifestations of people relations;
- business etiquette – aggregate of rules and standards of behavior that regulate relations of businessmen.

The source of etiquette rules and standards are traditions, customs, changing with time or dependently of national or religious patterns of particular nation. In basis of diplomatic, mundane and business etiquette lie the principle of human relations – mutual respect and mutual politeness.

1.6. Sources of rules and standards of diplomatic protocol

Standards of protocol are based on four major sources: international law, international custom, state law, national traditions and peculiarities.

The basis international law acts regulating particular standards of diplomatic protocol are conventions concluded under the aegis of UN. The major source of modern diplomatic law is *Vienna Convention on Diplomatic Relations*¹¹, signed on April 18, 1961, in Vienna at UN Conference on diplomatic relations and immunities. In the basis or Convention text was laid the project prepared by UN International Law Commission in course of works on codification of diplomatic law that began in 1955. In our time over 170 countries are participating in convention, included Ukraine. All countries of the world, including those that formally refrain of joining to convention, follow the standards fixed in it, and protocol services take them into account in course of their work. In certain states the Vienna Convention was incorporated in national legislations and began to be considered as a constituent of national law. Others accepted their own legislation acts with taking into account standards of Convention.

¹¹ Право зовнішніх зносин. Міжнародне право в документах / уряд.: Ю. В. Алданов, І. М. Забара, В. І. Резніченко. – К., 2003. – С. 82–93. (Law of foreign relations. International law in documents / arranged by: Y.V. Aldanov, I.M. Zabara, B.I. Reznichenko – K., 2003. – P. 82 – 93.)

*Vienna Convention on Consular Relations*¹² of April 24, 1963 is a major source of modern consular law, in particular it regulates separate protocol issues of consular institutions and consular officials activity. Convention defines the procedure of establishing and termination of consular relations between states, and opening of consular institution; classification of heads of consular institutions; procedure of assignment and admission of heads of consular institutions; precedence between heads of consular institutions and order of precedence between consular officials of consular institutions; benefits, privileges and immunities of consular institutions, staff consular officials and other employees of consular institutions, particularly the procedure of use of state flag and emblem of the sending state.

*Convention on special missions*¹³, accepted by General Assembly of the UN and opened for signing on December 16, 1969, is one of the major sources of modern law on international relations. Convention defined the procedure of direction, beginning and completion of functions of special mission, assignment of mission members; regulations relating to precedence of special missions; rules of use of state symbols of the country that sent a mission; statute of head of state and high-ranked persons that are in charge of special mission; privileges and immunities of special mission and its members, similar to diplomatic.

The main international law document that regulates the activity of permanent ambassadors and permanent establishments of states in international organizations, delegations and observers in bodies and at conferences that are called by international organization or under its aegis, is *Vienna Convention on presence of states and their relations with international organizations of universal nature*¹⁴ of March 14, 1975. To international law documents regulating the separate protocol issues in activity of international organizations could be ranked the Convention on privileges and immunities of the UN (1946)¹⁵, General agreement on privileges and immunities of Council of Europe (1949), Protocol on privileges and immunities of European communities (1965) etc.

¹² Там же. – С. 481–503. (Ibid – P. 481 – 503.)

¹³ Право зовнішніх зносин. Міжнародне право в документах / упоряд.: Ю. В. Алданов, І. М. Забара, В. І. Резніченко. – К., 2003. – С. 463–475. (Law of foreign relations. International law in documents / arranged by: Y.V. Aldanov, I.M. Zabara, B.I. Reznichenko – K., 2003. – P. 463 – 475.)

¹⁴ Там же. – С. 436–461. (Ibid – P. 436 – 461.)

¹⁵ Там же. – С. 154–159. (Ibid – P. 154 – 159.)

Other source that forms protocol standards is the international custom. The examples of protocol standards based on international custom are forms and rules of composing of diplomatic correspondence, procedures of diplomatic receptions, diplomatic visits, use of visiting cards, entitling, congratulation of high heard of state with national holiday etc.

The sources of standards and regulations of official protocol of separate states are state law documents: constitution, laws, decrees, provisions, prescriptions, codes etc. State law acts establish the procedure of formal events with participation of high persons in charge of state; standards, regulations and ceremonial of visits on top-level; procedure of events with participation of the diplomatic corps. There also regulate issues of accreditation of diplomatic representatives and ceremonial of delivery presentation of credentials' state service and protocol precedence; diplomatic ranks and precedence of its diplomats; issues related to use of state symbolic etc.

Other sources that form protocol of separate countries are national traditions and peculiarities. To complex of standards and regulations that are based on national traditions and peculiarities is related the welcoming etiquette, in some countries – a dress-code at formal and protocol events, protocol gifts, special features of menu or pronunciation of toasts in course of reception etc.

Chapter 2

INTERNATIONAL LAW IN BODIES OF FOREIGN RELATIONS, LAW REGULATION OF PROTOCOL ACTIVITY OF DIPLOMATIC MISSION

2.1. General concepts and groups of bodies of foreign relations of state

For performance of external affairs with other states and other subjects of international law, states create the system of foreign relations. The body of foreign relations is understood as official, organization, institution that is assigned to perform foreign affairs of international law subject in limits of established competence and is acknowledged as such by international law. Competence of body of foreign relations is defined by internal law of international law subject (state). Therefore, *bodies of foreign relations* of state are the bodies through which the relations with other states, international organizations and other international law subjects are performed¹⁶.

Bodies of foreign relations are divided into: internal state bodies that are constantly located on territory of the given state; foreign bodies of foreign relations that are located beyond limits of the given state.

In their turn, the internal state bodies of foreign relations are divided into two groups: bodies of general competence and bodies of special competence.

To the *first group* are related bodies that represent the state in all issues of foreign relations, so called bodies of political management (head of state, parliament, government, head of government and department of foreign relations, head of department of foreign relations).

To the *second group* are related bodies representing state only in one more or less large field of its foreign relations. Usually is considered that here relate all ministries (except for Ministry of Foreign Affairs) and central departments, because in accordance to their profile compe-

¹⁶ Гулиев А. Д. Право внешних сношений: учебник / А. Д. Гулиев. – К. : НАУ, 2012. – 520 с. (Guliev A.D. Law of foreign relations: textbook / A.D. Guliev – K.: NAU, 2012 – 520 p.)

tence they perform certain foreign functions – due to this there are divisions (administrations, departments) of foreign relations.

Internal state bodies of foreign relations of general competence define the basis of state policy, develop its tactical and strategic targets and tasks, form the network of bodies of foreign relations abroad, perform training of personnel for these bodies.

Law position of bodies of foreign relations inside of state is captured in constitution, profile laws, provisions on ministries and departments developed by government and approved by it or by head of state.

2.2. Vienna Convention on Diplomatic Relations (1961) and its meaning

One of the requirements of a new time was the extension of diplomatic relations between states, amplification of effectiveness of activity of diplomatic missions that was practically regulated by standards of international common law. That's why, naturally, emerged the necessity in codification of progressive development of international law standards that regulate activity of diplomatic missions as bodies of foreign relations acting on territory of foreign states, their statute and functions, law position of their personnel etc.

On basis of this, the Commission of International Law of UN, at its first session in 1949, among other issues that are subject of codification, named issues of diplomatic and consular relations. In 1958 the Commission drafted the project of convention on diplomatic relations and immunities that was put into basis of Convention of Diplomatic Relations¹⁷ that was accepted at international conference in Vienna that was held in period from March 02 to April 14, 1964. In conference participated 81 state (USSR was also presented by BSSR and UkSSR), approximately 40 of them signed the convention.

Convention is the key international law document that regulated the diplomatic activity of international law subjects.

Vienna Convention on Diplomatic Relations is one of the major international agreements in field of diplomatic law.

¹⁷ Право зовнішніх зносин. Міжнародне право в документах / упоряд.: Ю. В. Алданов, І. М. Забара, В. І. Резніченко. – К., 2003. – С. 82–93. (Law of foreign relations. International law in documents / arranged by: Y.V. Aldanov, I.M. Zabara, B.I. Reznichenko – K., 2003 – P. 82 – 93.)

According to article 51 of Convention it was entering into force of thirtieth day after deposition of twenty second instrument of ratification or act of accession to General Secretary of United Nations organization.

After entering into force of Convention on Diplomatic Relations on April 24, 1964, the diplomatic law began to develop as conventional law. It codified the existing and established the new standards of international law. The issues that are not covered by Convention continue to be regulated by international custom.

Convention regulates all major issues of diplomatic law: types and functions of diplomatic missions, procedure of assignment of head of diplomatic mission, classes of heads of such missions are regulated, concept of diplomatic immunity is disclosed.

Convention consists of 53 articles and also comprise two optional protocols: on mandatory jurisdiction of international court and on non-application of law on citizenship of state of residence to employees of diplomatic mission.

In 2014 Convention has 190 state participants, in Optional Protocol on Acquisition of Nationality participate 51 states, in mandatory solving of disputes – 66 states.

According to article 48 of Convention, its participants could be only states – member of UN or specialized institutions, states – participants of Statute of International court of UN, and also other stated that were invited by General Assembly of UN to become participants of Convention.

At present time the activity of diplomatic missions is regulated at international aspect by Convention on Diplomatic Relations, concluded in Vienna, 1961.

Vienna Convention defines:

- establishment of diplomatic relations between states and institution of permanent diplomatic missions are performed by mutual agreement;
- functions of diplomatic missions;
- agreement;
- accreditation of head of mission;
- classes of heads of missions;
- privileges and immunities.

Vienna Convention of 1961 defined functions of diplomatic missions, classes of their heads, procedure of accreditation, provided

immunities and privileges. So, in accordance of article 3 of Convention, functions of diplomatic mission are, in particular:

- in representation of accrediting state in state of residence;
- in protection in state of residence of interests of accrediting state and its citizens in limits allowed by international law;
- in conduction of negotiations with the government of state of residence;
- in ascertainment by any law means of conditions and events in state of residence and reporting about them to the government of accrediting state;
- in promotion of friendly relations between accreting state and state of residence and in development of their relations in fields of economic, culture and science.

Moreover, the document establishes that none of provisions of Convention should be interpreted as one preventing the performance of consular functions by diplomatic mission. Usually the consular activity of Embassy is performed by consular department included in its structure.

Convention differentiates privileges and immunity of diplomatic mission in general and personal privileges and immunities of diplomatic and technical personnel of mission. To the most important privileges and immunities are related the inviolability of facility: authorities of state of residence can enter these facilities only by agreement of head of mission; they are obliged to accept all necessary measures for protection of mission facilities from any invasions or damage; for prevention of any violation or damage; for prevention of any violation of peace of mission; facilities of mission have immunity from search, requisition, arrest etc., to privileges are also related the freedom of relations of diplomatic mission with its state, immunity of diplomatic post etc.

Personnel of diplomatic mission and members of their families use the right of personal immunity, inviolability of dwelling, immunity from jurisdiction of state of residence. Service personnel of mission have the immunity related to action performed by them in course of performance of their duties and is freed from salary taxation.

Vienna Convention of 1961 divides heads of diplomatic mission into:

- class of ambassadors and legates, accredited at heads of states; to this class the Convention also related other heads of missions of equivalent rank;
- class of delegated and inter-nuncios, also accredited at heads of states;
- class of charge d'affaires, accredited at ministers of foreign affairs (this class should not be mixed with temporary charge d'affaires – head employees of mission, substituting its head in period of absence).

Convention establishes that "in no other way than related to precedence and etiquette there has to be no difference between heads of missions subsequently of their relation to one or other class". This provision meets the principle of equality of states and class of diplomatic mission that cannot impact it in any way. This class can serve only as index of degree of development of relations between them or their nature.

Also, the convention defines the procedure of accreditation, issue of agreement. If diplomatic relations are developed insufficiently, or by other consideration, the parties agree about accreditation of diplomatic missions pluralistically. Vienna Convention allows pluralistic accreditation of diplomatic missions even in several countries. In these cases the head of mission visits country of accreditation in short visits, according to necessity. In accreditation countries, however, can be created, in case of necessity, the apparatuses of mission, with temporary charge d'affaires in charge that manages them in period of head of mission absence. Such bodies are created on basis of special agreement between states.

The Convention anticipates the ability of combination – by head of diplomatic mission or by anybody of its employees – of their job with a job of representative of accrediting state at any international organization.

The Convention adsorbed all the rational content that was present in similar documents that were regulating the relations between states in the past, and also rules and customs set in interstate relations as a result of many centuries of diplomatic practice. The important meaning of Vienna Convention of 1961 is also in the fact that the thorough work on its text allowed to give to its multiple provisions the universal nature, that allowed to use some of them at the development of similar documents regulating other forms of interstate relations (participation in international organizations, performance of consular activity etc.).

Ukraine is the participant of the Vienna Convention of 1961 that in its basis corresponds to course of its external politics based on principle of peaceful co-existence of states and development of mutually advantageous cooperation between them. It found its expression in the preamble of the Convention already, where the hope is expressed that this document "will promote the development of friendly relations between states, independently of differences in their state and social structure"¹⁸.

The Vienna Convention on Diplomatic Relations of 1961 divides employees of diplomatic missions dependently of functions they perform, in three categories: diplomatic, administrative-technical and service personnel (article 1). To the diplomatic personnel are related persons that have diplomatic rank. The Vienna Convention calls them diplomatic agents. They perform functions of political and diplomatic nature, i.e. perform the immediate relations with bodies of foreign state and persons that are included in diplomatic corps.

According to current legislation of Ukraine, the ambassador or delegate is assigned by decree of the President of Ukraine by submission of Minister of Foreign Affairs of Ukraine in case of receiving of agreement for this assignment of agreement of foreign state that directs him. Charge d'affaires and also other members of diplomatic personnel are assigned by order of Minister of Foreign Affairs of Ukraine. Only citizens of Ukraine could be the employees of diplomatic personnel and also the members of diplomatic personnel of Ukraine in foreign state.

In his activity the ambassador (delegate) bases on members of diplomatic personnel. By their law status they, as also the head of mission, are authorized to perform official relations in the name of their state with foreign states and has the necessary special training for this.

The law basis of diplomatic service in our state is the Law of Ukraine "On diplomatic service" of September 20, 2001. In Law is noted that the diplomatic service is directed on practical realization of external policy of Ukraine, protection of national interests of Ukraine in sphere of international relations, and also rights and interests of citizens and entities abroad.

¹⁸ Право зовнішніх зносин. Міжнародне право в документах / упоряд.: Ю. В. Алданов, І. М. Забара, В. І. Резніченко. – К., 2003. – С. 82–93. (Law of foreign relations. International law in documents / arranged by: Y.V. Aldanov, I.M. Zabara, V.I. Reznichenko – K., 2003. P. 82 – 93.)

In article 9 of Law of Ukraine "On diplomatic service" are set the requirements to persons that are accepted to diplomatic service. They can be the citizens of Ukraine that have a corresponding professional higher education, possess the professional and business qualities, know state and foreign language and by condition of health can be sent into long-term errand.

2.3. Establishment of diplomatic relations. Protocol peculiarities of accreditation procedure of new ambassador in state of residence and completion of his mission

Diplomatic relations are formal relations that are voluntarily established between two states by friendly contacts of any nature between their governments in political, economic, cultural and other spheres of activities and give the right of exchange of diplomatic representatives. There is no certain special unified procedure of establishing of diplomatic relations in international practice, but countries are drawing these agreements in written form: by exchange of personal memorandums; preparation of special agreement; publication of corresponding agreed communique? by both sides ; by exchange of letters and telegrams on this issues on high level.

However until the moment of assignment and factual inauguration of ambassadors, delegates and permanent charge d'affaires it is necessary to perform numerous protocol actions, strictly regulated both by international laws and standards of national legislations.

The complete procedure of assignment of head of diplomatic mission, that is called accreditation, consists of several stages: selection of candidature of ambassador or delegate; request on agreement; issue of act of internal law that will draw the assignment on legislation basis; simultaneous (in both capitals) legal advertisement of assignation in media; delivery of credentials; preliminary audience of minister of foreign affairs of state of residence on arrival of ambassador or delegate and at delivery of credentials copy to minister; presentation of credentials to head of state in course of formal ceremony and then the beginning of diplomatic mission of this representative.

Performance and protocol peculiarities of procedure of assignment of head of diplomatic mission in country of his future residence antici-

pate the preliminary reception from government of this state the agreement of agreement for his assignment¹⁹.

Agreement (from French *agreement* – agreement, permission) – *agreement of receiving state for assignment of certain person as a head of diplomatic mission of other state*. Request of agreement is usually made through department of foreign affairs of receiving state by directing by embassy of accreditation country, more rarely – by MFA, of verbal note with added biographic reference with credential of candidate that is proposed for assignment. If the head of diplomatic mission is assigned for the first time after establishing of diplomatic relations between states, the request of agreement could be made in third country through embassies of both agreeing parties.

Answer for request of agreement is given in corresponding form (written as a vernal note of orally), usually within month.

The delay of answer for agreement always makes a negative impression. Refuse in provision of agreement results to worsening of two-side relations.

After receiving of agreement the assignment of head of diplomatic mission of is performed by state act of accrediting state, simultaneously by corresponding act his predecessor is freed from duties, about which is reported in media, and diplomatic representative, as any other diplomat that has permission for entry (in form of diplomatic visa) is considered as *persona grata* (*persona grata* – from Latin, i.e. desirable person). In case of refusal the diplomat is considered as *persona non grata* (*persona non grata* – from Latin, i.e. undesirable person).

For assignment of temporary charge d'affairs the agreement is not required.

After receiving of agreement and legal implementation of assignment, according to constitutional procedure of accrediting state, the ambassador or delegate that is directed to place of his service, receives the special document, signed by head of state and sealed by visa of minister of foreign affairs – *credentials*. the major purpose and contents of this document – the appeal to credence (thus a name – credentials) to all

¹⁹Право зовнішніх зносин. Міжнародне право в документах./ упоряд.: Ю. В. Алданов, І. М. Забара, В. І. Резніченко. – К., 2003. – С. 82–93. (Law of foreign relations. International law in documents / arranged by: Y.V. Aldanov, I.M. Zabara, B.I. Reznichenko – K., 2003 – P. 82 – 93.)

actions, statements and written acts issues from this ambassador or delegate as the highest official in country of residence, representing the accrediting state. The credentials have a nature of general authorities of diplomatic representative and are valid for all period of his stay at job, extending for all issues related ti functions of mission.

Official activity of head if diplomatic mission is related to delivery presentation of credentials to him. Ambassador Extraordinary and Plenipotentiary is considered as taken up his duties in dependence of practice accepted in accrediting state that, according to Vienna Convention of year 1961, has to apply equally other from moment of delivery presentation of credentials to head of state, or from the moment of report about his arrival and representing of verified copies of credentials to Ministry of Foreign Affairs of country of residence, or other ministry about which the agreement exist²⁰.

Shortly before the arrival of head of diplomatic mission, the temporary charge d'affaire informs the Ministry of Foreign Affairs about the time of arrival of head of mission. The temporary charge d'affair has also to meet the dean of diplomatic corps and inform him about the arrival of the new head of mission. Date and time of arrival of the ambassador define the priority deliverance of credentials by him.

Credentials are the document that ensures the authority of diplomatic representative (ambassador, delegate) and accredits him in foreign state. Its name is derived from word "credence" that serves the affirmation of trust by which the ambassador is endowed by power of the accrediting state, and of correctness of everything he will tell on its name. In other languages the name of document has approximately the same meaning. For example, the English variant of name of *credentials* means the mandate, identification of personality. In its turn, this name is derived from other English word – *credence* that means believe, trust.

Credentials are signed by head of the state that assigns the diplomatic representative, addresses and delivered to head of state of country of destination. Authority of permanent charge d'affairs is issued by minister of foreign affairs of accrediting state.

²⁰ Аскеров А. Современное дипломатическое и консульское право / А. Аскеров. – Баку : Нурлан, 2007. – 494 с. (Askerov A.S. Modern diplomatic and consular law / A. Askerov. – Baku: Nurlan, 2007 – 494 p.

Credentials are an important document not only of protocol but also of legal nature that reflects the nature and level of interstate relations. Form of credentials was developed in XIX century. The modern credentials are rather laconic letter with stable and approximately monotype structure. The appeal is expressed to believe everything that will be told by diplomatic representative in behave of head of his state or his government. The document is concluded by final compliment comprising the regard for people of country and reassurance of respect. The signature if head of accrediting state is verified by signature of minister of foreign affairs.

Usually, along with the credentials the new diplomat representative delivers to head of state the *recredentials* of his predecessor. The recredentials is a document by which the government informs about the withdrawal of diplomatic representative. They are addressed to head of state in which the diplomatic representative was accredited, signed by head of state that assigned the diplomatic representative, verified by signature of minister of foreign affairs.

In text of recredentials there is a notification about fact of withdrawal of diplomatic representative, reasons of his withdrawal.

Credentials and recredentials are manufactured on special blanks with state emblem, seals are not applied. First of all, the verified copies of credentials and recredentials are presented into MFA of country of residence for their check on satisfactory form.

The ceremony of deliverance of presentation of credentials, in course of which takes place the formal meeting of ambassador with head of state – the event of significant political heft.

In course of development of ceremonial of presentation of credentials the protocol services are following the generally acknowledged international practice. This is manifested in generality if major elements of ceremonial: usually the head of state accepts the credentials in his legal residence; ambassador is paid the military honors; the high-ranked representatives of head of state and MFA are present at ceremony; the ambassador is accompanied by members of diplomatic personnel of embassy, his wife; in course of ceremony the exchange of speeches is possible; after delivery of credentials the head of state grants an audience to ambassador; transport for passage if ambassador to ceremony is provided be reception party; the photographing of the ambassador with

the president of accrediting county is practiced. Information about presentation of credentials is published by media²¹.

The ceremonial of presentation of credentials is also defined by national traditions and historical past of the country.

Ceremony of deliver of credentials to the President of Ukraine is organized by Service of State Protocol and Ceremonial of Administration of the President of Ukraine in cooperation with structure subdivision – department of protocol of Ministry of Foreign Affairs of Ukraine and is usually held in Mariinskii palace ceremoniously.

At ceremony of delivery of credentials from Ukrainian side are present the minister of foreign affairs of Ukraine, or, in case of his absence, the first deputy minister of foreign affairs of Ukraine, and also executive officials of Administration of the President of Ukraine, person in charge (deputy administrator) of department of protocol of MFA of Ukraine.

The ceremony anticipates the introduction of ambassador to the President of Ukraine by person in charge of Administration of state protocol, greeting of the President by ambassador by hand shake and address speech of ambassador with a short introduction (up to two minutes), after that the credentials are delivered to the President of Ukraine. Usually, along with credentials the ambassador delivers the recredentials of his predecessor. The President of Ukraine accepts the credentials and in return congratulates the ambassador in short speech, after that is performed the ambassador's introduction of his wife and employees of diplomatic mission of corresponding foreign state in Ukraine that accompany the ambassadors in course if holding of ceremony (no more than five persons).

The president of Ukraine invites the ambassador to take a photograph near the State Flag of Ukraine (first of all – just them two and then – together with participants of ceremony from both sides). The President invites the ambassador for a conversation in separate facility. In conversation participate the Minister of foreign affairs and the person in charge of the corresponding structural sub-department of Administration of the President of Ukraine. After completing of conversation the President bids farewell to the ambassador in facility where the conversation was held. The members of delegation leave the Mariinskii palace. After exiting from Marinskii palace the procession stops near the State

²¹ Гулієв А. Д. Дипломатична та консульська служба: конспект лекцій / А. Д. Гулієв. – К. : НАУ, 2011. – 80 с. (Guliyev A.D. Diplomatic and consular service: abstract of lections / A.D. Guliev – K. NAU, 2011 – 80 p.)

Flag of Ukraine, present their respect to it by slight bow and pass through array of honorary guard to cars.

Delivery of credentials and recredentials to the President of Ukraine can be performed by several ambassadors of foreign state consequently (from 2 to 4 persons) or, in particular cases, individually during a day, specially determined by the President of Ukraine for such ceremony. Priority of deliverance of credentials and recredentials is defined by executive officials of Administration of the President of Ukraine, person in charge (deputy administrator) of department of protocol of MFA of Ukraine with taking into account of international diplomatic practice.

It is accepted in international protocol practice is accepted that after the ceremony of delivery of presentation of credentials the ambassador holds the reception in embassy, for example, "flute of champagne". For reception are invited the person in charge of protocol service of country of residence, garrison commander, if there was a honor guard, probably the participants of ceremony.

Immediately after delivery of credentials the ambassador sends to heads of all diplomatic missions accredited in this country the personal notes reporting of delivery of presentation of credentials. Texts of notes are composed in dependence of condition of relations of country of ambassador with the given particular state.

It is accepted to notify the MFA of country of residence about arrival and departure of members of diplomatic personnel by verbal note. Moreover, they must first of all obtain the entry visas to country of destination that can express its attitude to this assignment by issuing of visa or refrain of it.

Procedure of accreditation of military attach? is regulated by article 7 of the Vienne Convention on Diplomatic Relations that, in particular, anticipates that the state of residence can propose that their names would be reporter for its approval in advance. Military attach?, along with adherence to commonly accepted standards of diplomatic protocol, are governed by protocol standards that are approved in international practice according to affiliation to service branch, and also by existing statutes and decrees²².

²² Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center “Kyiv University”, 2007. – 296 p.)

The closure of ambassador's mission and his departure are also accompanied by a range of protocol events. Before departure the ambassador organizes the farewell reception, to which he invites the official representatives of country of residence, member of diplomatic corps. Before the departure he sends to MFA the verbal note, and to heads of diplomatic missions – mainly the personal notes, in which he reports about his departure and about assignment of temporary charge d'affair. In course of departure of the ambassador of foreign state related to closure of his mission in Ukraine from airport (railway station) he is accompanied by person in charge of department of protocol of MFA of Ukraine or his deputy ambassador.

2.4. Diplomatic precedence – basis of diplomatic protocol. Classes and ranks of diplomatic and consular employees

Adherence to certain protocol precedence at different state ceremonies, official events, and diplomatic receptions is the one of most important regulations of protocol. To concept of protocol precedence is closely related the rule of a honor place: persons with a higher diplomatic precedence at different events, ceremonies have a right for more honorable place. In diplomatic environment the issue of diplomatic precedence gains a specific meaning.

Relation of heads of diplomatic missions to one or other class determines the difference only in issues of protocol precedence and etiquette. This provision corresponds to principle of equality of states, and one or other class of diplomatic representative can serve only as index of degree of development of relations between states²³.

The solving of problem of precedence was started at Vienna Congress, according to regulation of which only the ambassador – "alter ego" ("the second I" of the one who sent him) – could proceed with first person of state. The right of assigning of ambassadors had only Austria, Great Britain, Prussia, Russia and France. According to Vienna Regulation of representatives of European states, that in 1818 was complemented by Aachen protocol, were established

²³ Гулієв А. Д. Міжнародно-правовий контекст зовнішніх стосунків в умовах глобалізації: монографія / А. Д. Гулієв – К. : Вид.-во Нац. авіац. ун-та «НАУ-друк», 2011. – 464 с. (Guliyev A.D. International law context of foreign relations in conditions of globalization: monograph / A.D. Guliyev – K.: printing center of National Aviation University "NAU-print", 2011 – 464 p.

diplomatic classes that corresponded to diplomatic ranks: class of ambassadors (Vatican legates and nuncios); class of delegates, ministers plenipotentiary (Vatican inter-nuncio); class of ministers-residents; class of charges d'affaires.

This regulation, although it was not a perfect one, existed until 1961, when the Vienna Convention on Diplomatic Relations was accepted that became a new step in classification of diplomats, with taking into account of vast changes that occurred in the world within almost 150 years²⁴.

According to Vienna Convention on Diplomatic Relations (article 14), heads of mission are divided into three classes: class of ambassadors and legates, accredited at heads of states and other heads of missions of equivalent rank; class of delegated and inter-nuncios, accredited at heads of states; class of charge d'affaires, accredited at ministers of foreign affairs. As we can see, the class of ministers-residents had disappeared from list as moribund, and is not used in practice. Countries – participants of the Convention unanimously agreed that "in no other way than related to precedence and etiquette there has to be no difference between heads of missions subsequently of their relation to one or other class". In limits of every rank the precedence is determined by time that passed from the moment of commencing of employment of the corresponding head of diplomatic mission, or with taking into account the date of presentation of credentials to the head of state, or from time of his notification of Ministry of Foreign Affairs about his arrival, or submission to MFA copies of his credentials, dependently of practice existing in on or another country. In majority of countries the moment of commencing of employment is defined as date of presentation of credentials, but some, for example, Great Britain, acknowledge the date of submission of copy of credentials²⁵.

In range of states, mostly Catholic, among all heads of diplomatic missions of the same rank, the advantage is granted to representative of Holy See. At meetings, when all heads of diplomatic missions are pre-

²⁴ Accepted on April 18, 1961. Ratification by Presidium of Verkhovna Rada of Ukrainian SSR is granted in 1964, valid since April 24, 1964 (for Ukraine – since July 12, 1964).

²⁵ Гуменюк Б. І. Основи дипломатичної та консульської служби. – К.: Либідь, 1998. – С.46–47. (Gumeniuk B.I. Basis of diplomatic and consular service / B.I. Gumeniuk. – K.: Lybid, 2004. – P. 46 – 47)

sent, the charge d'affaires (en titre) is in the same rank as heads of diplomatic missions that are in rank of ambassadors, and the third by precedence are acknowledged the temporary charge d'affaire (ad interim), at this is taken into account the date of authority acceptance. In case of presence of other members of diplomatic mission (including wives of diplomats) they take the place corresponding to degree of precedence that are acknowledged for the head of diplomatic mission or charge d'affaire²⁶.

To others employees of diplomatic

Other employees of diplomatic service are assigned by diplomatic ranks that corresponds their position in system of departments of foreign affairs. Diplomatic rank is a standard acknowledged in the whole world, milestone for power that receives this foreign diplomat. Rank determines position of diplomat in diplomatic corps, abilities and level of his contacts with power of country of residence and, finally, his place in hierarchic diplomatic ladder.

Assignment of diplomatic rank is intended for promotion of professional growth of employee, develop his professional qualities. Thus, individual diplomatic rank is a sight of diplomat's experience, his capabilities, level of gained knowledge. Moreover, persons that have diplomatic ranks and are working in MFA system, receive additional money accruements to established job salaries according to rank. As an exclusion, the diplomatic rank can be assigned for persons that are not working directly in system of department of foreign affairs, but are related to it (for example, working in Apparatus of the Verkhovna Rada of Ukraine, Administration of the President, Secretariat of Ministers Office) or have merits in field of foreign policy and diplomacy.

Diplomacy of independent Ukrainian state inherited from ruined USSR the staff schedules of MFA and diplomatic ranks. By the way, Bolsheviks that came to the power in Russia after October take-over, faithful to their slogan "ruin everything to basis, eliminated diplomatic ranks, and called heads of their diplomatic missions "plenipotentiary representatives" (polpreds), that was not keeping up with any standards

²⁶ Сагайдак О. П. Дипломатичний протокол та етикет: навч. посіб. / О. П. Сагайдак. – К.: Знання, 2006. – 380 с. (Sagaidak O.P. Diplomatic protocol and etiquette: textbook / O.P. Sagaidak – K.: Knowledge, 2006. – 380 p.)

of protocol and etiquette²⁷. But the necessity of contacts with the world made the Bolshevik power to approximate its diplomatic service to generally accepted international system, and to normalize it accordingly. That's why, by Decree from May 9, 1941, were introduced classes of ambassador, delegate and charge d'affair, and by Decree of May 18, 1943 – diplomatic ranks that exist in Russia and other post-soviet countries practically till this time²⁸. Diplomatic ranks are assigned personally and for life term.

In modern diplomatic missions and offices the diplomatic jobs, according to rank, go in the following sequence: ambassador, adviser-delegate, adviser, first secretary, second secretary, third secretary, attach?. On November 18, 2002, was accepted the Law of Ukraine "On diplomatic ranks of Ukraine", according to which are established the following diplomatic ranks: Ambassador Extraordinary and Plenipotentiary, first class Delegate Extraordinary and Plenipotentiary, second class Delegate Extraordinary and Plenipotentiary, first class adviser, second class adviser, first class first secretary, second class second secretary, third secretary, attach? – 11 ranks in total. It is very important to underline provision of the Law about that "diplomatic rank from Ambassador Extraordinary and Plenipotentiary to attach? are equated to ranks of government employee accordingly from first to eleventh rank". Diplomatic ranks of ambassador and delegates are assigned by Decree of the President of Ukraine, others – by order of minister of foreign affairs²⁹.

In course of many centuries of diplomacy formation history, fight of states for strengthening of their international prestige, changes occurred both in interpretation of diplomatic ranks, and of their meaning. For example, modern complete naming of ambassador – "extraordinary and plenipotentiary" – did not occur at once, but in rather acute fight of per-

²⁷ Кулик О. Елементи дипломатичного протоколу і дипломатичної практики в історії України / О. Кулик, П. Сардачук. – Л.: ЛНУ ім. Івана Франка, 2000. – 172 с. (Kulik O. Elements of diplomatic protocol and diplomatic practice in history of Ukraine / O. Kulik, P. Sardachuk. – L.: LNU of Ivan Franko, 2000 – 172 p.)

²⁸ Бибик С. П., Михно І. Л., Пустовіт Л. О. та ін. Універсальний довідник-практикум з ділових паперів. 6. – К., 1998. – С. 52–53. (Bibik S.P., Mihno I.L., Pustovit L.O. et al. Universal reference-practicum on business papers. 6 – K., 1998 – P. 52 – 53.)

²⁹ Law of Ukraine "On diplomatic ranks of Ukraine" of November 28, 2002, No. 253-IV. Право зовнішніх зносин. Міжнародне право в документах / упоряд.: Ю. В. Алданов, І. М. Забара, В. І. Резніченко. – К., 2003. – С. 133–135. (Law of foreign relations. International law in documents / arranged by: Y.V. Aldanov, I.M. Zabara, V.I. Reznichenko – K., 2003. – P. 133 – 135.)

manently accredited plenipotentiary ambassadors for their protocol precedence with extraordinary ambassadors that reside in country temporarily with special letter of attorney (for example, for coronation, certain important negotiations), and on this basis claimed for special honors and first places, in comparison to ambassador that resided in country permanently. To balance this, in the second half of XVII century, in credentials of permanent (plenipotentiary) ambassadors the word "extraordinary" was added, this equaling them in protocol aspect with extraordinary ambassadors. Thus the modern complete naming of ambassador's rank occurred. Names of other diplomatic ranks were also subjects to change. In Ukrainian history, especially in Cossack times, were used names of "great ambassador" or commissary, ambassador, delegate, lower diplomatic ranks – clerks, interpreters, couriers.

We should dwell on explanation of diplomatic rank and appointment of "attach?". According to Vienna Convention this is the lowest diplomatic rank or the first rank of young diplomat in his diplomatic career. Attach? is a young diplomat, whose rank mostly matches his job. But extension of range of international relations and their activating in XX century resulted in occurrence of attach? with special, specific functions. On embassies act attach? on defense issues, military, navy, air-force that are representatives of military departments of their country in country of residence and simultaneously – advisers of ambassadors on military issues.

Moreover, in embassies could be attach? on issues of culture, science and technic, agriculture, finance etc. Some countries even assign attach? on religion issues. Special attach? are highly qualified employees that are involved in building and development of inter-state relations in particular fields.

Special attach? mostly have rank of adviser or first secretary.

At embassies could be assigned attach? on issues of media (press-attach?). from diplomats (practically from attach? to adviser), that are involved in issues of media and information.

All categories of attach? are diplomatic employees of embassy and included in composition of diplomatic corps, and have all diplomatic privileges along with members of family³⁰.

³⁰ Law of Ukraine "On diplomatic service" of September 20, 2001 No. 2728-III.

2.5. Relations of diplomatic missions with departments of foreign police and governmental institutions of country of residence.

Usually employees of diplomatic missions formally communicate with governmental institutions of country of residence through Ministry of Foreign Affairs only. If they desire to have an immediate contact with other institutions, they have to obtain a preliminary agreement of MFA about this.

During performance of their duties consular officials can directly address to local authorities of their consular district. Is they have the necessity to address to central authorities on state of residence, they will do it through the diplomatic agent representing their country, who in turn addresses to Ministry of Foreign Affairs. General Council can himself perform functions of intermediary for other consular agents of his country in case of absence of ambassador, delegate, minister, resident or charge d'affair³¹.

Among the first, issues of procedure of performance of contacts of foreign diplomatic missions with governmental institutions of country of residence were formed in France. Two prescripts – of Directoire of French republic of July 10, 1799, and of emperor Napoleon of December 29, 1810 – determined the mandatory manner of relations between diplomatic representatives, accredited in France, and members of government. These regulations are still valid in France. Similar regulations are accepted in many countries. According to them, diplomatic representative have direct relations with MFA only, that is an intermediary for contact with other ministries and departments. From their side, ministers and heads of departments are not able to receive letter from diplomatic agents directly. In case of receiving of such letter, functionary should send the original letter to minister of foreign affairs within 24 hours from the moment of receiving. Ministers are prohibited to answer orally or in written form for requests, claims, cases, addressed to them by foreign diplomatic agents independently of their importance. The answer could be sent to minister of foreign affairs only.

³¹ Vienna Convention on Consular Relations of April 4, 1963. Право зовнішніх зносин. Міжнародне право в документах / упоряд.: Ю. В. Алданов, І. М. Забара, В. І. Резніченко. – К., 2003. – С. 481–503. (Law of foreign relations. International law in documents / arranged by: Y.V. Aldanov, I.M. Zabara, B.I. Reznichenko – К., 2003. – P. 481 – 503.)

Other practice exists too. For example, in Belgium diplomatic missions could directly communicate with ministries and bodies of regional power for organization of work visits of diplomats in these institutions. Only visits to prime minister and minister of foreign affairs needs to be agreed through direction of protocol.

Only those diplomatic missions that notified MFA about limits if their consular district and name of diplomat that is assigned for consular issues could communicated to local authorities directly.

Consular officials, in course of performance of their duties, could directly address to competent local authorities of their consular districts. If they have a necessity to address to competent central bodies of state of residence, they do this through diplomatic agent that represents their country, and he, in turn, addresses to MFA. General Council can himself perform functions of intermediary for other consular agents of his country in case of absence of ambassador, delegate, minister, resident or charge d'affair.

Ministers of foreign affairs usually always receive heads of diplomatic missions, if they have the necessity to discuss issues they are interested in. Agreement by phone about meeting with minister is enough.

In case of absence or illness of ambassador his adviser or secretary has a right to communicate with minister of foreign affairs. At departure from country (temporary or permanent), the head of diplomatic mission informs MFA about his departure by note, in which he states the name of temporary charge d'affairs. If this diplomat is not known to minister personally, he has to be introduced to him as temporary charge d'affairs. Protocol of separate countries anticipates direction of similar notes (personal or verbal) to address of diplomatic corps³².

Article 10 of the Vienna Convention of 1961 obliges ministry of foreign affairs to inform about assignation of mission employees, their arrival and final departure, or about termination of their functions in mission; about arrival and final departure of person that belongs to family of mission employee. Such notification is necessary, so the corresponding names would be enlisted in diplomatic corps, particularly for receiving of diplomatic cars and diplomatic car number plates. In Ukraine, Department of protocol of Ministry of Foreign Affairs registers employees of diplomatic and administration-technic personnel of

³² To any embassy or mission of stated with which the country of ambassador have diplomatic relations, and also to dean of diplomatic corps.

diplomatic missions on basis of the corresponding petitions – official notes that are submitted by diplomatic missions of foreign countries in Ukraine to Ministry of Foreign Affairs of Ukraine.

2.6. Specification of diplomatic corps. Duties and functions of dean

Concept of "diplomatic corps" is used in two meanings. In narrow sense this concept means the assemblage of heads of diplomatic missions accredited in country of residence. In wide sense the diplomatic corps is understood as all employees of diplomatic mission that have diplomatic ranks, and members of their families. Neither in first, nor in second case, diplomatic corps is not an organization that has any political functions. Diplomatic corps participates only in certain protocol ceremonial events – congratulations with national holidays of country of residence; inauguration of the new head of state; visiting of historical places, industrial facilities, scientific centers of receiving sides etc.

The head of diplomatic corps is the *dean* (chairman) – the superior in class and by time of accreditation in state of residence head of diplomatic mission. In some Catholic states, by established tradition, the Pope's nuncio is a dean. One of dean's duties is the consulting of newly assigned heads of diplomatic missions on traditions, protocol and peculiarities of relations with power of state of residence.

2.7. Diplomatic privileges and immunities

For successful fulfillment of functions by diplomatic mission and its personnel, the institute of diplomatic privileges and immunities exists in international law. Under diplomatic privileges and immunities should be understood special rights and preferences granted by international law to diplomatic mission and its personnel for their effective performance of their functions. These privileges and immunities are divided in two types: privileges and immunities of diplomatic missions as body of foreign relations of accrediting state; personal privileges and immunities that extends on personnel of mission.

To the first type are related: inviolability of mission facilities, fiscal immunity, inviolability of archives and documents of mission, freedom of relations of mission, right to use the flag and emblem of accrediting state.

To the personal privileges and immunities are related: inviolability of person, inviolability of residence, immunity against jurisdiction, fiscal immunity, custom privileges. Person of the head of diplomatic mission are members of diplomatic personnel are inviolable. They are not subject to arrest and custody in any form. State of residence is obliged to respect them accordingly and take all necessary actions for prevention of any offence of their personality, freedom and dignity³³.

Diplomats use the immunity from criminal jurisdiction of state of residence. According to general rule, the diplomat should not violate laws of state of residence, but in case of commitment of act punishable under criminal law, the criminal case against the diplomat is not arise due to immunity. Such diplomat is proclaimed as *persona non grata* and is proposed to depart from state of residence. Diplomates also have the immunity from administrative jurisdiction, i.e. they cannot be charged with fine or administrative charges.

The listed privileges and immunities are extending on diplomatic personnel of missions and members of their families, if they are not citizens of state of residence. In accordance to provisions of the Vienna Convention on Diplomatic Relations of 1961, members of administrative technical personnel of mission and members of their families residing with them, if they are not citizens of state of residence or do not reside in it permanently, have personal inviolability, inviolability of residence, immunity against criminal jurisdiction, fiscal immunity, certain custom privileges. Immunity against civil and administrative jurisdiction extends on them only at their performance of their duties. Diplomatic privileges and immunities start to extend for persons, defined by international law, from the moment of their crossing of board of accepting state. And they are valid till the moment of departure of stated persons from the state of residence³⁴.

³³ Зленко А. М. Дипломатия и политика. Украина в процессе динамичных геополитических перемен / А. М. Зленко. – Х. : Фолио, 2004. – 559 с. (Zlenko A.M. Diplomacy and policy. Ukraine in process of dynamic geopolitical changes / A.M. Zlenko – Kh.: Folio. 2004. – 559 p.)

³⁴ Гулієв А. Д. Право зовнішніх зносин: підруч. / А. Д. Гулієв. – К. : НАУ, 2012. – 488 с. (Guliyev A.D. Law on foreign relations: textbook / A.D. Guliyev – K.: NAU. 2012 – 488 p.)

Chapter 3

STATE SYMBOLS PROTOCOL

3.1. The state sovereignty symbols. State symbols of the country and Protocol standards for their exercise

Each nation fighting for independence and developing the state chooses the sovereignty symbols – a symbols of its unity, honor and dignity, the traditions of the state, of the history and modernity. The state symbols of the country in the modern world are the State Coat of Arms, State Anthem and State Flag.

The National Coat of Arms is an official figure – the emblem, the distinctive sign of the state. It is depicted on the seals and letterheads of the state bodies and institutions, on the forms of the official correspondence of diplomatic missions and consular offices, on the consulate shield, on the signs of embassies, missions, and other government agencies. The image of the State Coat of Arms is used on the medals, coins, banknotes, etc. The Establishment and description of the State Coat of Arms are fixed in the Constitution or another Act of the State.

The National Anthem is a sort of musical emblem of the State. The lyrics and the music of the Anthem shall be approved by the special legislative acts. The Anthem is performed during the inauguration of the President of the country; during the opening and closing sessions of the Parliament; during the official ceremonies of rising of the National Flag and other official ceremonies; during the military ceremonies³⁵.

3.2. Etiquette of the foreign national flag. Protocol standards for the exercise of the national flag and individual events in a foreign country

Etiquette of a foreign national flag is the system of rules that regulate in detail the procedure for the exercise of the Flag and handling in different situations.

³⁵ Резніченко В. І. Довідник-практикум офіційного, дипломатичного, ділового протоколу та етикету / В. І. Резніченко, І. Л. Михно. – К., 2003. – 479 с. (Reznichenko V.I. Reference and practical book of the official diplomatic protocol and etiquette/ V.I. Reznichenko, I.L. Mykhno.-К., 2003. – 479 p.)

The exercise of the National Flags during the ceremonial events has a particular importance, since it is associated with the Flag of one or other State.

Showing respect for the National Flag is a common and one of the oldest standards of international practice. On the other hand, the negligence to a flag of the state is considered as the heaviest abuse of the official person, who is the representative of this country, because this means the manifestation of negligence not to the individual, but to the state in general. Among all nonverbal means of representation of the state on the international scene the national flag is the most political significant and therefore the etiquette of national flag occupies one of the most important places in system of regulations of the international politeness of the states³⁶.

Flag is most often used in official life among all state symbols. The legal acts of many states are exactly defining the cases of compulsory, admissible and inadmissible use of national flag. Day and night posting of national flag cannot be considered as a widespread daily habit. Constantly hoisted (set) national flag indicates a construction (office) in which functions of the government are performed. Temporarily hoisted national flag (which is hung out established) indicates especially important event, an official ceremony, considerable solemnity which happens in the place (in the building, on the territory) where the colors are temporarily hoisted. National flags lift on the occasion of national holidays, public actions, in some countries – on the occasion of related significant dates. National flag is an equivalent image of the state which adds the special greatness to public holidays.

3.3. State of Ukraine and protocol standards for the exercise of its state symbols

In the Constitution of Ukraine adopted on 28 June 1996, in Article 20 it is stated that the State Symbols of Ukraine are the State Flag of Ukraine, the State Coat of Arms of Ukraine and the State Anthem of

³⁶ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавничо-поліграфічний центр «Київський університет», 2007. – С. 183. (Shinkarenko T.I. Diplomatic protocol and etiquette: textbook/ Shinkarenko T.I. – K- Publishing and printing centre “Kyiv University”, 2007 – p.183.

Ukraine³⁷. The colors of the flag, the main elements of the State Coat of Arms and the State Anthem music are approved, the mechanism for further legislative adjustment of the Great Coat of Arms and the words of the Anthem are provided.

The national holiday is a symbol of the state, along with such symbols as the Flag, the Coat of Arms and Anthem. This is an evidence of the important and sometimes the pivotal events in the life of the nation (the triumph of the revolution, the liberation from the invaders, and the achievement of the national independence). In the international practice it is necessary to respond to the most important events in the life of foreign partners, in particular to celebrate the national holidays of foreign countries. The nature and the scope of the activities depend on the state of relations between the States.

At the state level on the occasion of the national holiday, it is necessary to send the congratulatory messages, telegrams to the leaders of the state. These are important diplomatic documents reflecting the state of relations between the States that contain the wishes for their development, removal of barriers that hinder the full cooperation.

The state Flag of Ukraine is a banner of two equal horizontal bands: the upper one is blue, the lower one is yellow, with the ratio of the width of the flag to its length as 2:3.

According to the Constitution of Ukraine the Great Coat of Arms of Ukraine is set by taking into account the small Coat of Arms of Ukraine as its main element and the Coat of Arms of Zaporizhian Host. The main element of the Great Coat of Arms of Ukraine is the Sign of the Princely State of Volodymyr the Great – the Trident (the small Coat of Arms of Ukraine).

February 19, 1992 the Verkhovna Rada of Ukraine adopted the resolution “On the State Coat of Arms of Ukraine”, which approved the Trident as the small State Coat of Arms of Ukraine and as the main element of the Great State Coat of Arms of Ukraine.

Ukraine has not completed the establishment of the legal system of the exercise of the State Symbols yet, has not formed a complete con-

³⁷ Положення «Про Державний Протокол і Церемоніал України». Указ Президента України від 22 серпня 2002 р. [Электронный ресурс]. – Режим доступу: <http://www.president.gov.ua> (The Regulation “About State Protocol and Ceremonial of Ukraine”. Decree of the President of Ukraine on August 22, 2002 [Electronic resource]. – Access: <http://www.president.gov.ua>

cept of ceremonial practice of the exercise of the state symbols. The Decree of the President “Issues of the exercise of the State Symbols of Ukraine” dated on February 9, 2001 ordered the Cabinet of Ministers to draft a temporary order of the exercise of the State Symbols of Ukraine, which would contain the rules on the exercise of the State Symbols by the official bodies, state enterprises and institutions in their activities; during the official events; on the trademarks of the domestic manufacturers, as well as to make proposals for the establishment of the administrative responsibility for its improper exercise.

The Criminal Code of Ukraine dated on April 5, 2001 in the article 338 provided for the sanctions and criminal responsibility for the public disparagement to the National Flag, the National Coat of Arms and the Anthem of Ukraine and the Flag of a foreign state officially established that is punishable by a fine of up to five to ten non-taxable minimum incomes of citizens or arrest imprisonment up to six months.

Standards for the exercise of the State Symbols in different Protocol and ceremonial events were defined in the regulation “On the State Protocol and Ceremonial of Ukraine”, approved by the same Decree of the President dated on August 22, 2002.

3.4. State symbols of the President of Ukraine

The official symbols of the Head of State – the Flag (Standard), Sign, Official Seal and Mace (bulava) of the President of Ukraine – were determined by Decree of the President of Ukraine “On the official symbols of the Head of State” as of November 29, 1999 and the regulations about the official symbols of the Head of State were approved. The description of the official symbols of the Head of State and the procedure of their exercise were established and determined by this position.

The standard of the President of Ukraine is a square royal blue banner featuring a Golden Trident – the Sign of the Princely State of Volodymyr the Great. It is bordered with the gold fringe with foliage pattern. The Flag of the President of Ukraine has its original and its duplicate, the dimensions of which correspond to the purpose of their exercise. Duplicate Standard banner of the President of Ukraine is raised on the flag mast at the residence of the President of Ukraine in Kyiv city; it is installed in the special seat of the President of Ukraine at the session hall of the Verkhovna Rada of Ukraine during the stay of the President of Ukraine in the Verkhovna Rada; it is set (is raised, depicted

in a reduced form) on the transport vehicles of the President of Ukraine on the territory of Ukraine.

Official seal of the President of Ukraine is ring-shaped. There is an image of the lesser Coat of Arms of Ukraine in the center of the stamp hemmed with the “The President of Ukraine” inscription. Official seal of the President of Ukraine is used to certify the signature of the President of Ukraine on the certificates, the certificates to the presidential awards and honorary titles of Ukraine, and as well as on the messages of the President of Ukraine, to the Heads of other States.

The Mace (bulava) of the President of Ukraine is silver, but completely gilded with gold bearing engraved “*Omnia revertutur*” motto (Everything returns – from Latin.) The Mace (bulava) of the President of Ukraine certifies the continuity of long historical traditions of the Ukrainian State.

3.5. State awards in Ukraine and Protocol standards of their awarding

An important attribute of statehood is the existence of its awards and honorary titles in the country. According to the Constitution of Ukraine the right of awarding of the citizens belongs to the Head of the State. To ensure these constitutional rights of the President an Awards Department was created, since 2000 it is Management of state awards and heraldry. On March 16, 2000 the Verkhovna Rada of Ukraine adopted the Law “On State awards of Ukraine”. According to this act, for the previous consideration of issues related to state awards under the President of Ukraine the Commission of state awards and heraldry is established, which is an Advisory body and operates on a voluntary basis. The composition of the Commission and procedure of its work are determined by the President of Ukraine. State awards are made by decrees of the President of Ukraine, which are published for General information.

The first Ukrainian awards were made in Kiev in OJSC “Ukrainian jewelers”. After creation in 1998 banknote printing and minting works of the NBU it becomes exactly the main manufacturer of state awards.

The first award of the independent Ukraine was “Honorary decoration of the President of Ukraine”. It is established in 1992, and then transformed into the order “Of Merits” of three classes. Today the state awards of Ukraine are the honorary title of Hero of Ukraine, orders,

medals, decoration “Personnel Firearms”, the honorary title of Ukraine (they are 34 items), the state prize of Ukraine. The highest award is the title of Hero of Ukraine, established by Decree of the President as for August 23, 1998. This title will be awarded exclusively to the Ukrainian citizens for heroic acts or outstanding achievement. In the former case the Order of the “Golden star” is awarded in the later one it is Order of the State.

Based on the world traditions of many classes Ukraine has a similar system. The first, second, or third classes make possible the different levels of decoration. It is often necessary to mention the political and public figures of foreign States. So, the order of Prince Yaroslav the Wise of the first class, the highest class, only the Heads of sovereign States are awarded. As for the citizens of Ukraine, in order to get the first class, they first need to have four previous classes.

According to the Regulation “On State Protocol and Ceremonial of Ukraine” dated August 22, 2002, the ceremony of state awards and presidential decorations presenting, as a rule, takes place in White or Red halls of the Mariinsky Palace. The State Flag of Ukraine and Flag (Standard) of the President of Ukraine are set in the halls. The Head of the Presidential Administration of Ukraine, at the separate invitation of the structural subdivisions of the presidential Administration of Ukraine – the leaders of the Verkhovna Rada of Ukraine (by consent), the Cabinet of Ministers of Ukraine, Central Executive authorities, and representatives of the media take part in the ceremonies.

Individuals who are awarded are met near the Mariinskii Palace by the staff of the Department of State Awards and heraldry of the Administration of the President of Ukraine and escorted with the sound of music to the corresponding hall of the Palace.

The President of Ukraine is in the hall of the Palace at a certain time and harangues to the individuals, which are awarded. After the speech of the President of Ukraine the Head of the Administration of the President of Ukraine reads out the corresponding Decree of the President of Ukraine on awarding. Individuals who are awarded, in the order of the declaration of their names come to the President of Ukraine, which awards them with the state awards, the presidential decoration and congratulates on being awarded; awarded are presented with the flowers. Awarded individuals take the floor optionally with the words of gratitude. After the Awarding Ceremony the glass of champagne are offered

to the Awarded individuals after which there is a photo with the President of Ukraine.

Awards are an essential attribute of statehood and sovereignty. Their presence creates a positive image of the country. Also positive is the existence of an appropriate procedure at the State Ceremonial and Protocol. According to the traditions of many countries the availability of the awards of the officials has a direct impact on their place in the Protocol hierarchy, which does not always coincide with the official seniority. In some countries there are special rules for the wearing of medals on the uniforms and civilian clothes, depending on the solemnity of the ceremony, where the official is invited. It is generally accepted that domestic awards are placed on the more honorable places than the foreign ones.

In accordance with national legislation and international practice not only citizens of their State, but also the foreigners can be awarded with the State awards. Awarding of the foreigners is a demonstration of friendly relations and the manifestation of honor to the persons who contributed to the development of international relations of the country and made a personal contribution to the development of the State. When the State awarding for foreign citizens unilaterally, as usual, the request for the consent of the State is made, whose citizens are the candidates proposed for the award. It should be meant that some governments do not congratulate the persons awarded with the foreign orders and medals who are in the public service, including diplomats. This is especially true of the countries with a monarchical form of government.

It is possible to exchange honorary awards of the two States for a special occasion. Appropriate arrangements shall be made by an exchange of notes through diplomatic channels. Governments can exchange lists of the persons submitted for the award, with the aim of a mutual agreement. It is reported through diplomatic missions about approving decisions regarding the awarding, and through them, the same awards are transferred to the destination. When awarding not only the merits of the candidates take into account, but also the relative importance of the awards that are exchanged between the parties³⁸.

³⁸ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К.: Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center “Kyiv University”, 2007. – 296 p)

Chapter 4

DIPLOMATIC CORRESPONDENCE AND STANDARDS OF THE INTERNATIONAL COMITY

4.1. The concept of diplomatic language and Protocol requirements to the documents of diplomatic correspondence

Every form of diplomatic activity (the establishment of diplomatic relations, the beginning and the ending of representative functions, the negotiation, prospecting and information gathering, etc.) are accompanied with the executing the documents – diplomatic correspondence with the representatives of foreign States, official and personal; departmental correspondence (between the Ministry of Foreign Affairs and embassies of their country, President, government, and other agencies). It is this part of work that takes 80-90% of the working time of the diplomats of the middle and higher ranks of the ministries and more than half of working time diplomats working in foreign missions³⁹. As the famous English diplomat and writer H. Nicolson rightly said “diplomacy is the science of writing”⁴⁰. His point of view is shared by the well-known diplomats and scientists. So, according to the words of Vladimir Popov, “diplomacy is largely a skill and an ability to write”⁴¹.

The expression “diplomatic language” is used to define the concepts:

- language of official diplomatic relations, as well as the language, in which diplomatic documents are created, including the international

³⁹ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К.: Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – К.: publication and printing center “Kyiv University”, 2007. – 296 p)

⁴⁰ Никольсон Г. Дипломатия / Г. Никольсон. – К.: ВПЦ «Три крапки», 2000. – 184 с. (H.Nicolson Diplomacy / H. Nicolson. – К.: publication and printing center “Three points”, 2000. – 184 p)

⁴¹ Попов В. И. Современная дипломатия: теория и практика. Дипломатия – наука и искусство / В. И. Попов. – М. : Междунар. отношения, 2004. – 576 с (Popov V. I. Modern diplomacy: theory and practice. Diplomacy is the art and science / V. I. Popov. – М. : (Mezhdunarodnyie otnosheniya) International relationships, 2004. – 576.)

treaties; in this sense, the diplomatic language is the style of official-business style of the literary language;

- accumulation of specific terms, phrases that make up the standard diplomatic dictionary;
- the definition of restraint and caution during a conversation that allows diplomats and politicians speaking to each other in a polite, gentle manner;
- specific professional language of negotiations.

The use of diplomatic language during the negotiation process allows maintaining calm, peaceful, constructive atmosphere that, in particular, gives the

possibility to start negotiations with relatively favourable starting positions. This language allows “saving face” for the complex issues of each of the parties and avoiding a direct "Yes" or "No".

It must be noticed that it is necessary to distinguish the concept of “diplomatic language” and “international language”. International languages serve all international relations both between States and between non-governmental organizations and individuals, the same diplomatic language serve only diplomacy.

Till the eighteenth century the common language of diplomacy was Latin. The European middle ages inherited the Roman Church and Roman law from antiquity – the speakers of the Latin language. The clergy and lawyers monopolized long-term diplomatic activity, and the Latin language was the only common language for official relations of the States in medieval Europe. This tradition has been extended to the territory of Ukraine: diplomatic correspondence of Kingdom of Galicia-Volhynia, the Zaporozhian Host, Zaporozhian host was written in Latin. Since the mid-seventeenth century, French diplomats, overcoming the resistance of the other States, have repeatedly tried to achieve the adoption of the French language as diplomatic one. In the mid-eighteenth century the French language is firmly established as the official language of diplomacy. The Treaty of Aachen (Treaty of Aix – la – Chappelle) of 1748 was drawn up in French. It contained a special paragraph with the proviso that this should not set a precedent. The same provisions were included in the texts of the Treaty of Paris (1763), Versailles (1783), Final act of the Congress of Vienna (1815) and so on, concluded in the French language.

At Vienna (1815) and Paris (1856) congresses all work was written in French only. At the Paris peace conference of 1918-1919, only the English language was equal to the French language that was explained as a process of democratization of diplomacy, and the emergence of the qualified interpreters.

At the conference in San Francisco in 1945, which opened a new stage in the development of international relations and principles of diplomacy, English, French, Spanish, Russian and Chinese were accepted as the official languages. These languages (and later also Arabic) became the official and working languages of the UNO, i.e. the diplomatic languages.

The principle of equality of the languages in the international relations was established after the Second World War. In our time, there is no mandatory common language for the official diplomatic relations and the conclusion of international treaties. Diplomatic language is any language that is used in oral or written international relations.

Diplomatic correspondence is a rather conservative sphere of the diplomatic practice, therefore, as a rule, it involves the observance of traditional rules of diplomatic Protocol. Produced over a long historical time, these rules are generally accepted in international diplomatic activities and should be viewed as mandatory to use. Violation of the rules of diplomatic correspondence may lead to strained relations between the parties. Appropriate execution of the documents is not only a formality, but a matter of policies that affect the dignity of the State.

Diplomatic documents are the official documents, “State documents”, so it is important to choose correctly the type of the document: it must answer each specific case. It should take into account the content and purpose of the document the traditions of the host country.

4. 2. A note verbale in correspondence. Personal or signature notes

For the solution of the current affairs, technical issues, such as accelerating of the issuance of visas, car registration, etc., *a note verbale* shall be elected. To inform about the position of the State in a particular issue a personal note, a Memorandum should be used. To maintain contacts and friendly relations the private letter of the semi-official character, the greeting card, or the telegram are used. The specific of the verbal note is that it comes directly from the Ministry of foreign Affairs or its repre-

sentative. The text is drawn up from the third person and it is not signed, that it was considered further to emphasize its official character. The text of the note verbale is printed on the form for notes made in the typographical way.

An important principle of the diplomatic correspondence is the principle of reciprocity. It is a note verbale that should be answer on a note verbale, it is a personal letter that should be answer on a personal letter, and it is a business card that should be answer on a business card. There is a Protocol standard that every diplomatic document requires a response. The lack of the response in diplomacy is perceived as a negative character.

Personal letters of the semi-formal nature are made, as a rule, on the language of the addressee. It is possible the variant of writing on the language of the author with the signatures and language of the addressee. Such a document could be drawn up on a special form printed in the typographical way in the upper left corner with the name and surname or official position of the sender, as well as on paper A-4 format or in a half-sheet. Long letters are not accepted in business correspondence. Usually the format of such a letter is half page of the text. The reverse side of the sheet is never used.

Pro-memoria is a document that performs the supporting function of the confirming of the oral statement. As a rule, it shall be delivered personally to the recipient during a conversation. Its purpose is to prevent the possibility of incorrect interpretation or understanding conversation or verbal statement to draw the recipient's attention to the importance made during the conversation, statements or requests, to facilitate further progress of the case. Pro-memoria, delivered personally, is a summary of the oral statement. It is printed on the ordinary paper without the Coat of Arms, and it is not sealed. In diplomatic practice there is a kind of pro-memoria sent by the courier. This kind of documents is sent at the request of the person with whom the conversation took place, or as a reminder of something or another one.

Pro-memoria sent by courier as a separate document, does not differ almost by its form from the notes verbales. It is drawn up from a third party, it contains the Protocol formula, it is printed on the form for notes, it has a reference number, and it contains the place and the date of departure. But it is not sealed, and the address is not specified.

4.3. Semi-official and private correspondence

Diplomatic documents should have an impeccable appearance. They should be printed on the paper of the highest grade machine cutting, usually, A-4 format. It is not allowed making the erasures and corrections in the original texts. The text should be formatted nicely on the entire sheet. To send diplomatic documents, the envelopes, appropriate for the size and quality are used. It is allowed only folding the paper in half sheet. Some scholars of diplomatic Protocol do not advise to middle sent diplomatic documents. The seal is placed at the bottom of the document. In correspondence the inaccuracies, distortions of facts are unacceptable. Obligatory elements of many diplomatic documents are formulas of politeness, the compliments, and the so – called Protocol formula that sets the tone for the entire document. This becomes especially apparent when there is a deviation from the standard Protocol formulas towards warmer or more formal ones. But to capture these nuances, you need to know the rate acceptable for this type of diplomatic document. In our time, two major trends concerning the structure of the documents of diplomatic correspondence are established, including the protocol concerning the formulas: the French or European one and Anglo-American one, common in the English-speaking countries. The difference between these styles consists in the features of writing formulas treatment, complimentary closing formula of writing addresses. Anglo-American style of drafting diplomatic documents provides for the extensive use of semi-official and private correspondence. It should be noticed that the form and style of diplomatic correspondence documents in Ukraine is closer to the French style. A significant component of the diplomatic correspondence is the language in which diplomatic documents are drawn up. Formally, the representatives can correspond on the language of the State. Often, however, the representatives correspond on the language of the host country or make the translations of the documents into this language to the original paper. A Protocol rule is the consideration of the local practice in this matter. The language of the diplomatic documents should be tactful and polite. In the preparation of the diplomatic documents it is necessary to avoid the violent language, especially personalized, to adhere to the principles of the international comity. Diplomatic correspondence should be made in a calm tone, even in the case of solving the complex issues. The language of the diplomatic documents should be simple and concise, the thoughts should be set

out clearly, logically. Diplomatic documents cannot be ambiguous. The words in the diplomatic document should correspond unambiguously to their meaning. If a word in a particular context can be interpreted in different ways, it is better to replace it with the other one.

Part of the diplomatic correspondence between the functionaries of the Ministry of Foreign Affairs and diplomatic missions as well as diplomatic representatives and representatives of political, business, cultural etc. circles of the host country, as well as among the representatives of diplomatic missions takes place in the form of semi-official or a private correspondence. In the semi-formal personal letters issues are raised that are not accepted or the sender does not want to raise them in the official correspondence, such as technical, administrative, Protocol, in particular, to congratulate on different occasions, expressions of condolences. Such documents can be sent to accelerate the solution or underline the author's interest in the issue, which is already the subject of the official correspondence or negotiations in response of the received letter of the semi-official character. Usually with this kind of letters the persons occupying approximately the same position communicate. For example, the head of a diplomatic mission can provide such letters to functionaries of the foreign Ministry, from the Minister to the Directors of departments and heads of departments. The advisers of the Embassy send the relevant documents to the heads of departments and offices of the Ministry and their deputies, the secretaries send to the heads of departments, etc.

Memorandum is the document of diplomatic correspondence, which is used to report the state's position on any issue, it may contain the suggestions, and it may include a polemical character. The Memorandum may be a separate document or Annex to the verbal or personal note. In the latter case, the Memorandum develops and justifies the contents of the note. A distinctive feature of the Memorandum is a detailed statement of the factual or legal side of an issue.

In our time, some scholars and diplomats attribute the documents, which, in contrast to classic forms of diplomatic correspondence documents, do not have a specific addressee, but it exercise the important functions in communication between the States in the exercise of diplomatic activities to the diplomatic correspondence.

Statements by the government, the Ministry of foreign Affairs, Embassies are the position papers, which are the rapid response of the

country on the event of international life, a position statement on this issue. In contrast to the actual documents of the diplomatic correspondence, the statement is not a direct reference to a particular State or States and therefore does not necessarily require a formal response.

Speeches of top leaders, the representatives of the State are an important element of propaganda activities in the international arena. Writing such explanations rests on a rather narrow range of diplomatic staff. After pronouncing these papers fall into the mass media, become the subject of study, analysis, basis for conclusions, assumptions.

4.4. Documents that do not contain the ceremonial speech formulas

Pro-memoria is a document that performs the supporting function of the confirming of the oral statement. As a rule, it shall be delivered personally to the recipient during a conversation. Its purpose is to prevent the possibility of incorrect interpretation or understanding conversation or verbal statement to draw the recipient's attention to the importance made during the conversation, statements or requests, to facilitate further progress of the case.

Pro-memoria, delivered personally, is a summary of the oral statement. It is printed on the ordinary paper without the Coat of Arms, and it is not sealed. Address and reference number is not specified; only the place (city) and the date of delivery are indicated. Above the text of the note the title is printed in capital letters: PRO-MEMORIA. The document is drawn up in an impersonal form without the protocol formulas. The impersonal expressions are used: *it is reported, it is brought to the knowledge, the questions are, attention is drawn, and it is reported*. It is not used in the text such expressions as *the Ministry informs, the Embassy said, the embassy ask*.

In diplomatic practice there is a kind of *pro-memoria sent by the courier*. This kind of documents is sent at the request of the person with whom the conversation took place, or as a reminder of something or another one. Pro-memoria sent by courier as a separate document, does not differ almost by its form from the notes verbales. It is drawn up from a third party, contains the Protocol formula (an expression of respect and a compliment), it is printed on the form for notes, it has a reference number, it contains the place and the date of departure. But it

is not sealed, the address is not specified. Above the text of the note the title is also printed in capital letters: PRO-MEMORIA.

A *sheet of paper* is a document that is less formal than pro-memoria. On the sheet of paper the text is presented without the title, signature and date.

Memorandum (*memorandum – it must be remembered* in Latin) is the document of diplomatic correspondence, which is used to report the position of the State on any issue, it may contain the suggestions, and it may include a polemical character. The Memorandum may be a separate document or Annex to the verbal or personal note. In the latter case, the Memorandum develops and justifies the contents of the note. A distinctive feature of the Memorandum is a detailed statement of the factual or legal side of an issue. Sometimes a memorandum is advisable to be accompanied by a short explanatory note. In our time, the number of memoranda is increased, which are sent from one government to another one, or presented at international meetings in the UNO on major issues of the international relations.

The Memorandum, handed personally or sent by courier as a separate document, is printed on letterhead of the Ministry of foreign Affairs or foreign institutions, it does not contain treatment and compliment. Address and reference number are not listed. Under the text the date and place of departure are marked, it is not sealed.

The Memorandum, which is sent as an annex to the note, is printed on the note paper without the Coat of Arms. Place (city) and date of departure, seal and reference number are not listed.

In the 70-80th the Memorandum began to be used in a modified form. *A Memorandum of the mutual understanding (Memorandum of understanding)* is a bilateral or multilateral international agreement that may be concluded on a wide range of issues: political, financial, commercial, defense, industrial cooperation, cooperation in the aerospace field, etc. As a rule, this marked form of an international Treaty does not provide for ratification and registration in the UNO, reports about the reached agreement in the mass media. A Memorandum of the mutual understanding with the consent of the parties may be supplemented by other articles, the document usually commence on the date of execution. A Memorandum of the mutual understanding may constitute a continuation of the first agreements, their concretization, clarification or development.

Non Paper (translated from English – “non-existent paper”) is a type of document that is commonly used in the modern diplomatic practice. It is a kind of impersonal Memorandum – a note setting out the content of the question proposed with the wording of the document that is being discussed. As usual, such a document do not have a title and signature, although it may contain the technical subtitles. The use of this kind of documents allows registering in enough free form the submitted proposals, the situation that prevailed during negotiations, introducing the new elements for consideration by the opposite party. As a rule, such documents are not considered as an official, and serve as a working material. To refer to the Non Paper position is possible only without attribution of the document. In many cases, Non Paper is not meant for citation and publication.

4.5. Unilateral and multilateral policy papers

In our time, some scholars and diplomats refer the documents, which, in contrast to classic forms of diplomatic correspondence documents, do not have a specific addressee, but perform important functions in communication States in the exercise of diplomatic activities to the diplomatic correspondence.

Statements by the government, the Ministry of Foreign Affairs, Embassies are the position papers, which are the rapid response of the country at the international events, a position statement on this issue. Unlike the actual documents of diplomatic correspondence a statement is not a direct address to a particular State or States and therefore does not necessarily require a formal response. However, the lack of response or any other form of response to the statement, too, is a political act with a certain value. The statement of the Government, Ministry of Foreign Affairs often have more substantial load than classic documents of the diplomatic correspondence, as notes or Memorandum. The statement of the government can be not only published, but also officially sent with the special (supporting) note to the relevant States. The statement of the Embassy is distributed after consultation with the leadership of the foreign Ministry in the host country.

In diplomatic practice, there are *different forms of statements to the mass media*.

The statement of the press center of the Ministry of Foreign Affairs, the Embassy statement in the form of a press release, which

seem to warn of the ability of the government to take officially the position that they set out. In fact it is the official position. However, the objective statements to the mass media are to orient the public opinion and the people of their own country. The statement of the Ministry of Foreign Affairs is more formal document than the statement of the press center of the Ministry of Foreign Affairs.

General statements on bilateral or multilateral negotiations are the official documents by which the parties inform the public, other governments about the negotiations that took place, about the issues that were discussed, about the reached agreements and the General views and principles, perhaps the discrepancy between them or particular position of one or the other party. If a General statement contains textually language about the reached decisions and agreements that have no other official forms, it is regarded as an international Treaty.

Speeches of top leaders, the representatives of the State are an important element of propaganda activities in the international arena. Writing such explanations rests on a rather narrow range of diplomatic staff. After pronouncing these papers fall into the mass media, become the subject of study, analysis, basis for conclusions, assumptions.

Statements, speeches of state representatives at international meetings and in international organizations. In many cases, such statements and speeches are made as official diplomatic documents, are recorded as documents of international meetings and conferences of international organizations. An important diplomatic document is the main speech of the head of delegation at the UNO General Assembly sessions, in which the government, in addition to presentation of its own positions on topical international issues, specific suggestions, also explains the basic principles and main directions of its foreign policy. Such diplomatic documents as the Declaration of the statements of the government, declarations and speeches of representatives of the State and at international meetings and in international organizations, are issued in accordance with the practice in international organizations, or established in one or another international meeting. For example, the declarations which are submitted by governments for consideration by the General Assembly of the United Nations are represented by their respective delegations in the UNO Secretariat. The UNO Secretariat registers the draft Declaration as an official UNO document and sends it to the other delegations that take part in the work of the UNO General

Assembly. Such a procedure exists regarding the registration of statements by heads of delegations and other representatives in the United Nations. At the international meetings the international Secretariat, composed of representatives of all delegations design proposals is usually responsible for the speeches of Heads of delegations and other delegates as official documents of these meetings submitted to the parties.

Declaration (Latin *declaratio* – statement, announcement) is unilateral, bilateral or multilateral statement in which States proclaim the principles of their foreign and domestic policies, or state their position on specific issues. Bilateral and multilateral declarations are signed in most cases, but may be taken at the request of the participants without signing them.

Declaration with the participation of two or more States, if they create the mutual rights and obligations for the parties are the international treaties in which the parties declare, declare the General principles, objectives and intentions, mutual rights and obligations. Declaration is also used as subsidiary acts in relation to the acts of the principal contract. With their help the parties clarify the content of the contract, interpreted, complement or modify it. The declaration may be an official application to the contract.

Communiqué (*communiqué* in French) is the official report on the progress or outcome of the international negotiations, on the achievement of the international agreement, etc. The bilateral communiqué is usually called “General Communiqué”, “General message”... Communiqué can be detailed or brief, setting out the positions of the parties on specific issues and making decision. It may also reflect the agreement reached between the parties and in this case it has certain legal consequences for the parties.

Chapter 5

CONCEPT AND PECULIARITIES OF VISITS

5.1. Place and meaning of visits on high and highest levels in international relations

Foreign contacts of high statesmen are a part of diplomatic practice of sovereign states. Visits of high and highest levels are one of the major forms of multi-faced international relations. Visits promoted the development of international connections, quick and authorized decision of urgent and complicated issues of international life.

At the same time they are a mean of realization of many other forms of diplomatic activity, in particular, participation in international congresses, conferences, meetings, in work of international organizations etc.

In our time the meaning of visits on high and highest levels increases. Processes of globalization, dynamism of international life development, urgency and complexity of problems that occur in multi-faced relations demand the immediate authority decision more and more often.

In certain cases the traditional diplomatic channels are not sufficient. Visits of separate high officials (heads of states, parliaments, governments), formal delegations on high level are called to help the quick authority decision of corresponding problems⁴².

Cases became often when heads of states are involved into solution of particular trade and economic problems. That is why their conversations one-on-one, that are held before negotiations of delegations en masse, are implemented into practice of visits performance. In composition of delegations with heads of states and governments in charge are included economists, financial experts, branch ministers, experts, heads of large companies. Due to benign "climate" that is usually present in course of visits of head of states, a significant number of businessmen come along for purposes of organizing their business in this country⁴³.

⁴² Гулієв А. Д. Дипломатичний протокол та етикет: практикум: / уклад. А. Д. Гулієв. – К. : НАУ, 2014. – С. 96 (Guliev A.D. Diplomatic minute and etiquette: practicum book/ developer A.D. Guliev – K. NAU, 2014 – P.96)

⁴³ Ковалев А. Азбука дипломатии / А. Ковалев. – М. : Международные отношения, 1993. – 150 с. (Kovalyov A. Abecedyary of diplomacy/ A. Kovalyov – M.: Mezhdunarodnye otnosheniya, 1993 – 150 p.)

Visits on high and highest levels are the important part of diplomatic practice of Ukraine. At present time Ukraine is visited by more than 80 foreign delegations on level of heads of states, governments, parliaments, minister of foreign affairs and persons in charge of international organizations within year. Foreign contacts of Ukrainian authorities are performed rather intensively too; the average number of foreign visits is approximately the same⁴⁴.

For the purpose of provision of following the unified protocol practice in course of meeting and seeing off of foreign formal delegations, holding of events of protocol and ceremonial nature, performance of visits of Ukrainian authorities to foreign states, on August 22, 2002, by Decree of the President of Ukraine of August 2002 was approved the Provision "On State Protocol and Ceremonial of Ukraine" in order to provide the following of unified protocol practice in course of meeting and seeing off of foreign formal delegations, holding of events of protocol and ceremonial nature, performance of visits of Ukrainian authorities to foreign states. In course of development of the Decree, traditions and practical experience of former USSR were taken as a basis, commonly accepted international protocol standards and regulations and also national traditions of Ukraine were taken into account. State protocol and ceremonial of Ukraine is based on universal principle of "comitas gentium" ("international comity") that anticipates honorific and respectful relation to everything that symbolizes and represents the state. List of ceremonial honors, their amount are dependable not from which country is represented by visitor, but from position held by statesman that visits the country or is in charge of formal delegation.

In the Decree categories and format of visits for different statesmen are clearly defined; scenario of ceremonies included in program of visit is spelled in details; there are determined conditions of financing of visit, placement of honored guests, provision of transport means etc.; stipulated issues of conferment of honored guests by state awards, presenting of souvenirs.

⁴⁴ Кириченко М. М. Роль державного протоколу в ефективному здійсненні дипломатичних зносин: Матеріали науково-практичної конференції «Роль дипломатичного протоколу та етикету в сучасних міжнародних відносинах». – К., 2002. – С. 5. (Kyrychenko M.M. Role of the state minute in effective implementation of the diplomatic relations: Materials of the research and practice conference "Role of the diplomatic minute and etiquette in a modern international relations" – K. 2002- P.5)

5.2. Classification of visits on high and highest levels

Every state has its own classification of visits on high and highest levels. For European practice and practice of CIS countries two criteria of classification are typical: by status of person in charge of foreign delegation (by composition of participants); by target, purpose and peculiarities of visits holding.

By status of person in charge of foreign delegation the visits are divided into visits on high level and visits on the highest level.

Visits on the highest level – visits of heads of foreign states. Protocol events with participation of heads of foreign states are held with taking into account of constitutional form of government of corresponding foreign state. In case of absence of president institution (in states with monarchy form, parliament form of government), provision of visits of government heads is performed according to protocol requirements of head of foreign state. Visits of delegations with abovementioned persons in charge are also related to the visits on highest level.

Visits on high level – visits of parliament, government representatives (is constitutional form of state government is presidential republic); visits of deputy heads of states, parliaments and governments; visits of professional ministers (ministers of foreign affairs, defence, economic); visits of delegations with mentioned persons in charge; visits of special representatives of heads of states and governments.

Category of visit and status of person in charge of delegation are defining the format of visit – assembly of events of business and protocol nature, included into program of visit, their ceremonial side and level of personal participation in the key elements of program of representatives of host country.

Formal visits are one of the highest categories of official persons and foreign delegations visits. This category of visit is selected when political content of visits of heads of states, parliaments, prime ministers, ministers of foreign affairs exceeds usual work frame.

To category of *working visits* of heads of states, parliaments, governments, special ministers are related visits that have a particular target direction, including holding of negotiations, consultation, work meetings, conclusion of international agreements, signing of mutual documents, and also participating in international forums, celebration of jubilee dates. At

working visit the ceremonial element, characteristic for formal and state visits, takes much lesser space.

Transit visit – relatively short staying of formal delegation or honored guest in country, through which territory he passes. Ceremonial element in course of holding of corresponding category of visits is kept to minimum.

Informal visit is the arrival of foreign honored guest due to personal or private affairs, for participation in conferences or meetings of social nature, opening of national exhibitions and days of culture, for presence at sport events, competitions, with tourist purposes etc. Protocol events at such visits usually are not anticipated or are kept to minimum⁴⁵.

5.3. Diplomatic protocol of state visit of Ukraine

State visit in Ukraine is performed by heads of foreign states (presidents, monarchs) and is related to highest category of visits. State visit has a large political significance and is distinguished by special solemnity with mandatory observance of all ceremonial honors both in time of meeting and departure, and in course of other events anticipated by visit program. There is a rule that the head of state can arrive to the country with a state visit just once within the period of his time in power. Usually it is his first visit into country.

Programs of visits in Ukraine of high officials, representatives of foreign countries in status of personal guest of the President of Ukraine, in status of personal guest of the Chairman of Verhovna Rada or of the Prime Minister of Ukraine are approved by the head of Administration of the President of Ukraine by agreement with the President of Ukraine, the Chairman of Verhovna Rada of Ukraine, the Prime Minister of Ukraine. The personal guest of the President of Ukraine at the airport (at the railway station) is met (sent-off) by a person assigned by the President of Ukraine (by the Chairman of Verhovna Rada, the Prime Minister of Ukraine). Organization of visits of personal guests of the President of Ukraine (the Chairman of Verhovna Rada, the Prime Minister of Ukraine) is provided accordingly by Department of Protocol and Ceremonial of the President of Ukraine, by Apparatus of Verhovna Rada of Ukraine, by secretariat of Cabinet of Ministers of Ukraine with co-

⁴⁵ Гулієв А. Д. Дипломатичний протокол та етикет: практикум: / уклад. А. Д. Гулієв. – К. : НАУ, 2014. – С. 96 (Guliev A.D. Diplomatic minute and etiquette: practicum book/ developer A.D. Guliev – K. NAU, 2014 – P.96)

operation or direct participation of structural sub-division of protocol issues of MFA of Ukraine.

An important element of preparation of visit is its program. In development of programs of visits in Ukraine participates the Department of Protocol of MFA of Ukraine along with other sub-divisions of ministry, embassy of country of arriving side in Ukraine. In Provision on State Protocol and Ceremonial of Ukraine is clearly spelled out the process of acceptance of decision about the receiving of foreign delegation, agreement of time performance and length of visit. On format, category, terms of anticipated visit, sides agree preliminary by diplomatic channels. Measures on provision of safety and security, accommodation, food, service of members of foreign delegation and persons accompanying them, are discussed with work group, special representative of foreign side in time, with taking into account of principal of mutuality and agreements. Directing of work groups into country where the honored guest should arrive with a visit became a standard of international protocol practice within last years.

On final stage of terms agreement and defining in general the major elements of program of visit, the preparation group is directed into country. Such group, along with representatives of receiving side and embassy of its country performs the following tasks: detailed elaboration of program project; examination of objects that are anticipated to be visited by program; holding of meetings with representatives of corresponding services of other side; discussion of all range of organizational-technical and household issues, including accommodation in residence, hotels, provision of means of transport; definition of financial conditions of performance of visit on basis of existing regulations, standards and principles of mutuality.

Program of visit in Ukraine of the head of foreign state, heads of parliament, government, minister of foreign affairs is approved, respectively, by the President of Ukraine, the chairman of Verhovna Rada of Ukraine, the Prime Minister of Ukraine, the Minister of Foreign Affairs of Ukraine.

An important aspect of international protocol practice in period of visits in Ukraine of foreign delegations on high and highest levels and visits of Ukrainian statesmen abroad are presentation of memorable gifts and souvenirs.

5.4. Preparation of visits. Principles of arranging of program of visit on the highest level

The visit of foreign statesman is always an event in foreign political life of the state. It is a vast amount of documents, complicated negotiations, it is the elimination of interference on way of normal development of relations etc. And the state protocol service makes the maximum of efforts to ensure that the general atmosphere of visit would promote the increase of interest to country, deepening on inter-state connections, strengthening of positive image of country on international arena. Organization of such visits (especially state and formal ones) is a long and complicated process. It was calculated that in course of preparation of every visit the protocol service elaborates approximately 400 positions. This means that are covered 400 tasks, every one of them have to be solved⁴⁶.

At present time the provision of business, pragmatic nature to every visit is actual. On the other hand, the domestic service of state protocol struggles to do everything, so every visit of foreign guests to us would have its own highlight. And for this purpose it is necessary to constantly search for new forms, bring some variations into programs of staying, every time to look at the same event at different angle. Everything depends on political targets pursued by one or another meeting, what hopes are put on it.

In Provision on State Protocol and Ceremonial of Ukraine the process of acceptance of decision about receiving of foreign delegation, agreement on time of holding and duration of visit is clearly spelled out. Sides agree about format, category, term of a future visit preliminary, by diplomatic channels. In course of negotiations on this issue, the Ukrainian side bases on the fact that the quantity composition of foreign delegation, arriving into Ukraine, is not limited, but should correspond to opportunities of Ukrainian side and take into account the principle of mutuality. Activities on organization of safety and security, accommodation, food, service of members of foreign delegation and

⁴⁶ Кириченко М. М. Роль державного протоколу в ефективному здійсненні дипломатичних зносин: Матеріали науково-практичної конференції «Роль дипломатичного протоколу та етикету в сучасних міжнародних відносинах». – К., 2002. – С. 5. (Kyrychenko M.M. Role of the state minute in effective implementation of the diplomatic relations: Materials of the research and practice conference “Role of the diplomatic minute and etiquette in a modern international relations” – K. 2002- P.5)

accompanying persons, are discussed with a work group, special representative of foreign side in advance with taking into account of principle of mutuality and agreements. Directing of work groups into the country where the honored guest should arrive with a visit, became a standard of international protocol practice in last years. Within short term the group is visiting the capital, other cities of country included in program of visit for "reconnaissance" on site. Expenses related to staying in Ukraine of work group, special representative of foreign side are not financed by Ukrainian side⁴⁷.

If the visit of presidents is in process of arrangement, work on its preparation is performed with participation of two groups – preparation and forwarding. On the final stage of coordination of terms and general definition of major elements of program of visit, that typically takes into account the previous desired of a guest, the preparation group is directed into country. The forward group is sent in five to six days before the start of visit into receiving country for conclusion of arrangements for arrival of a honored guest. In composition of such groups are included representatives of protocol services, security, communications, information and medicine.

Work (preparation) group, along with representatives of receiving side and embassy of their country, performs the following tasks: detailed elaboration of program project; overview of objects that are anticipated to be visited according to program; holding of meetings with representatives of corresponding services of other side; discussion of all range of organizational-technical and household issues, including accommodation at the residence, hotels, provision of transporting means; determination of financial conditions of performance of visit on basis of existing regulations, standards and principles of mutuality.

Level of reception, financing of expenses and service of foreign delegation are determined by category of visit and are taking into account the principle of mutuality. At transit visits and informal visits all expenses related to staying in Ukraine are paid by a guest side.

At arrangement of visit on the highest level a significant attention is paid to protocol of accommodation of honored guest. In Ukraine heads

⁴⁷ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center “Kyiv University”, 2007. – 296 p.)

of foreign states, parliaments, governments are usually accommodated in state residence (4, Lypska Street, city of Kyiv). The state flag of the corresponding foreign state or flag (standard) of the head of foreign state is raised over the state residence.

There are such concepts as formal delegation and accompanying persons are clearly differentiated in formal protocol. The Ukrainian side finances the staying of persons that are accommodated in state residence, and also of ministers or members of foreign formal delegation that are equaled to minister by status. With taking into account of principle of mutuality, the Ukrainian side can finance the staying of larger number of members of foreign delegations by the corresponding agreement, which is an international practice.

Provision of the foreign delegation with transport means is performed with taking into account of opportunities of the Ukrainian side and number of members of foreign delegation.

In project of program are mandatory taken into account previous desires of the honored guest, of course, on basis of business interests of both sides. In process of further work on project of program the necessary mutually agreed amendments and additions are made to it. After final adaptation of visit program are prepared the necessary reference materials: approved program of visit, pattern of meeting and sending-off of delegation, pattern of corteges, placement of participants of negotiations and formal protocol events, plans of accommodation of guests with addresses, phones and numbers of assigned cars. At the same time the propositions related to memorable presents and souvenirs are prepared.

The receiving side develops two variants of program: general, intended for guests, and detailed that includes technical details necessary for receiving side. Detailed program reflects all organizational activities related to receiving of foreign delegation. Every item of the detailed program requires mandatory statement of performers responsible for conduction of particular events within period of visit. In visit program, events are spelled out by minutes, stated personal composition of all participants of events, their positioning in automobile transport, provision of translation etc.

The general program has an appearance of brochure in Ukrainian language and in language of country of the guest. Program of formal visit comprises the following major elements: composition of partici-

pants from both sides (formal delegations, accompanying persons, security service, media representatives); formal ceremony of meeting (sending-off); business part of a program (holding of negotiations, meetings and conversations, signing of documents); laying of a wreath on grave of the Unknown Soldier; protocol event (breakfast or dinner) in honor of the person that is in charge of foreign delegation (in honor of delegation); cultural program; tour of country; visiting of theatre (by request of the head of foreign delegation); private time. Annexes to program contain patterns of placement of delegations at residence and in hotels, positioning in automobile transport, corteges, useful phone numbers.

In case of arrival of the honored guest with his wife, a separate program is arranged for her. The wife of honored guest participates in formal events – ceremony of formal meeting (sending-off), formal dinner. The program of the wife of the honored guest includes visitation of exhibitions, libraries, museums, social and medicine institutions, holding of press-conferences. The composition parts of program of the wife of the honored guest are also cultural events (introduction with historical, cultural centres of the receiving country) and private time, assigned for rest. Protocol services are specifying the range of interests of the wife of the honored guest for taking it into account in process of arranging the program.

Program of visit in Ukraine of the head of foreign state, heads of parliament, minister of foreign affairs is approved by the President of Ukraine, the Chairman of Verhovna Rada of Ukraine, the Prime Minister of Ukraine, the Minister of Foreign Affairs of Ukraine respectively.

In case of arrival (departure) of foreign delegation in Ukraine in days-off, holidays or at the night time, the lowering of protocol level of representation of officials from Ukrainian side participating in meeting (sending-off) of the head of foreign delegation at the airport (railway station) is allowed.

In course of visit actions of protocol service come down to:

- organization of the ceremony of meeting, sending-off;
- protocol provision of negotiations, signing of two-side documents;
- organization of a formal dinner (breakfast) in honor of a foreign guest;
- organization of event of cultural program;

– accompanying of the honored guest in his tour for country (in our time it is one of cities of Ukraine) after completion of formal program; provision of expert assistance to local bodies of power related to organization of reception of the honored guest.

Work on reception of foreign delegation at high and highest levels put the exclusive responsibility on every employee involved in its arrangement and performance. There are no small items in diplomatic protocol. At arrangement of visits of foreign delegations at the highest level the exclusive significance belongs to organizational constituent, detailed scheme of distribution of duties that anticipates all aspects of practical realization of the prepared program and personal positioning of forces of employees of protocol service.

Scheme of arrangement of honored guests visits should include the spelled-out in details elements of all events of the program: preparation of project of order of corresponding institution related to visit and project of program; composition of participants list; provision of translation; scheduled check and order of necessary attributes – state flags of country of the guest, notes of hymn, ribbons for wreathes; composition of patterns of meeting, sending-off, ceremony of laying of wreath; transport provision; preparation of propositions about presents and souvenirs, necessary protocol technic. Schemes of conduction of protocol events that anticipates such items as personal notification of participants with statement of a place and time, specifying of lists and sending of invitations, composition of schemes of placement, preparation of necessary protocol technic etc.

5.5. Protocol and ceremonial issues of foreign delegations reception

Protocol of visits is not only the ceremonial provision of reception provision of staying of honored guest and persons accompanying him. Protocol also bears a severe political burden, significantly determine the success of arranged program and, therefore, success of foreign political efforts of the state in particular direction.

The ceremony of formal meeting of honored guest is started from the moment, when the person who pays visit arrives in the capital of state. In Ukraine the formal meeting of head of state starts at the airport (at the railway station) and continues near Mariinskii palace in Kyiv.

In course of meeting of the head of foreign state at the airport (at railway station) state flag of a corresponding state and State Flag of Ukraine are raised. At plane ramp (at exit from wagon) the red carpet is laid. The red carpet is lined by soldiers of honor guard. On board of plane (into wagon) enter the person in charge of structural sub-division of protocol issues of MFA of Ukraine, together with the head of diplomatic mission of the corresponding state in Ukraine, who congratulate the head of the foreign state and invite him to exit. The ambassador introduces to the honored guest the chief of protocol, after than the latter comes down by spare ramp and have to meet the guest together with other members of delegation. The honored guest comes down by ramp, after him, with a minute interval come down other members of delegation.

Girls in national clothes hand to the head of foreign state the bread and salt, and in case of participation in state or formal visit of wife of the head of foreign state, boys in national clothes hand her flowers. Flowers that are presented in an open space have to be properly packed. Flowers for the first lady should differ from other bouquets by color or by sort.

Near the ramp (exit from wagon) the head of foreign state is met by the Prime Minister of Ukraine, the head of Administration of the President of Ukraine, the Minister of Foreign Affairs of Ukraine, together with the head of diplomatic mission of a corresponding state in Ukraine, the head of diplomatic mission of Ukraine in corresponding foreign state, the head of Kyiv municipal state administration, person in charge of corresponding sub-division of MFA of Ukraine, other officials. In case of arrival of head of foreign delegation with wife, the program of visit anticipates participation in protocol events of wife of the corresponding official from Ukrainian side. To ceremony of meeting at the airport (at railway station) could be invited responsible employees of diplomatic mission, representatives of community of corresponding foreign state in Ukraine. The person in charge of structural sub-division on protocol issues of MFA of Ukraine introduces to the head of foreign state the Ukrainian officials that are meeting him⁴⁸.

State Protocol of Ukraine anticipates formation of corteges in period of visits of statesmen of the highest level in course of their motion in automobile transport. The general rule at placement of official guests in means of transport is

⁴⁸ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center “Kyiv University”, 2007. – 296 p.)

their positioning by protocol precedence in decrease order. In scheme of corteges, besides of VIP-cars, in which honored guests ride, are also included cars of SAI and security. In separate cars the ambassador of guest's country in receiving country and diplomatic employees, accompanying persons are placed. In course of state and formal visits of heads of states, from airport (railway station) and to state residence, in which the honored guest is accommodated, and also at tours for city of Kyiv, the car of guest is accompanied by honor escort of motorcyclists. At the airport (at railway station) and in streets of Kyiv along the route of advance of the major cortege to state residence and Mariinskii palace are installed state flags of the corresponding foreign state and State Flags of Ukraine. After completion of meeting ceremony the main welcomer from Ukrainian side (in course of state visit – the Premier Minister of Ukraine) accompanies the guest in automobile to the state residence. On the main car are set pennants of the corresponding foreign state and Ukraine, or, by agreement of sides, a pennant (standard) of the head of foreign state and a pennant of Ukraine (on the right and on the left side in direction of a car motion respectively).

Besides the ceremony of meeting at airport (railway station), the protocol of state and formal visit of heads of foreign states anticipates the formal ceremony of meeting of the honored guest near Mariinskii palace. The person in charge of structural sub-division on protocol issues of MFA of Ukraine accompanies the head of foreign state from the state residence, where he is accommodated, to Mariinskii palace. In case when the head of foreign state arrives to Ukraine with the wife, the married couple departs to Mariinskii palace in one car.

Persons that accompany the head of foreign state arrive to Mariinskii palace in 15 minutes before the beginning of ceremony and occupy places, determined by Service of State Protocol and Ceremonial of Administration of the President of Ukraine.

Over Mariinskii palace the standard of the President of Ukraine is raised, near the central entrance of palace are installed state flags of the corresponding foreign state and State Flags of Ukraine, in the yard is lined the honor guard of three types of Military Forces of Ukraine, the military orchestra; fanfare sounds.

Near the central entrance in the state residence (Mariinskii palace) the head of foreign state is congratulated by the President of Ukraine. It is considered as the sign of a special attention, if the head of state comes to meet the honored guest to the gates of the residence. In case of participation of wife of

the head of foreign state in state visit, the President of Ukraine hands her flowers.

The photographing of the meeting is performed. The President of Ukraine, together with the head of foreign state, accompanied by the person in charge of Service of State Protocol and Ceremonial of Administration of the President of Ukraine come to place marked by carpet. Wives of the head of foreign state and the President of Ukraine stay at the threshold of Mariiinskii palace. The commander of honor guard renders a report to the head of foreign state. Military orchestra performs national hymn of the corresponding foreign state, National Hymn of Ukraine. In course of their performance sounds the Salute of nations – twenty one artillery salvos in honor of the head of state.

The President of Ukraine, together with the head of foreign state, walks around the line of soldiers of the honor guard, paying homage by head bow to the State Flag of Ukraine. Soldiers are paying homage to the head of foreign state in answer to his greeting. The president of Ukraine, together with the head of foreign state, goes back to the place of beginning of the ceremony. Soldiers of the honor guards march in review in front of the head of foreign state and the President of Ukraine.

Representative of protocol sub-division of corresponding foreign state introduces to the President of Ukraine the formal delegation of his state, person in charge of Service of State Protocol and Ceremonial of the Administration of the President of Ukraine introduces to the head of foreign state the formal delegation of Ukraine, and after that the two-side negotiations begin. After completion of ceremony of a formal meeting of the honored guest the separate program for his wife comes into action.

Protocol format of formal and work visits anticipates lower, by comparison to state visit, level of meeting and sending-off at airport (railway station), and level of escort of delegation at all events of a program, including tour for country. At formal visit of the head of foreign state the meeting group is headed by the Head of Administration of the President of Ukraine. The honor guard is not put at the airport. The state flags of country of the guest and of host country are hanged in lesser number; at performance of hymns of both countries the Salute of nations is not sounding.

In course of ceremony of meeting of the head of foreign state that arrives in Ukraine with work visit, the meeting group from Ukrainian side is headed by the deputy Head of Administration of the President of Ukraine. Deputy person in charge of structural sub-division on protocol issues of MFA of

Ukraine introduces to the head of foreign state the officials that are meeting him. From airport (railway station) to the state residence, and also in course of motion in Kyiv, car of the head of foreign state is escorted by special cars of Ministry of Foreign Affairs of Ukraine.

Formal ceremony of meeting of the head of foreign state takes place at airport (at railway station), where the head of foreign state is met by deputy Chairman of Verhovna Rada of Ukraine (by decision of the Chairman of Verhovna Rada of Ukraine), first deputy Minister of Foreign Affairs together with the head of diplomatic mission of the corresponding state in Ukraine, the head of diplomatic mission of Ukraine in the corresponding foreign state, deputy chairman of Kyiv municipal state administration, person in charge (deputy person in charge) of structural sub-division on protocol issues of MFA of Ukraine, other officials. In course of formal ceremony of meeting of the head of foreign state Parliament, in airport (at railway station) are raised the state flag of the corresponding foreign state and the State Flag of Ukraine. On the main car are installed pennants of the corresponding foreign state and Ukraine (on the right and on the left in direction of car motion respectively). In the car, the head of foreign state parliament is accompanied by deputy Chairman of Verhovna Rada of Ukraine.

Formal ceremony of meeting of the head of foreign state government takes place at the airport (railway station), where he is met by Vice Prime Minister of Ukraine, first deputy Minister of Foreign Affairs of Ukraine together with the head of diplomatic mission of the corresponding foreign state in Ukraine, the head of diplomatic mission of Ukraine in the corresponding foreign state, deputy chairman of Kyiv municipal state administration responsible employees of Secretariat of Cabinet of Ministers of Ukraine, employee of structural sub-division on protocol issues of MFA of Ukraine, other officials. In course of meeting of the head of foreign state government at the airport (at railway station) is lined the honor guard of one type of Military Forces of Ukraine, are raised the state flag of the corresponding foreign state and the State Flag of Ukraine, are performed the state hymn of the corresponding foreign state and the State Hymn of Ukraine. On the main car are installed pennants of the corresponding foreign state and Ukraine (on the right and on the left of car motion respectively).

According to protocol requirements, the partner in negotiations with the head of foreign state is always the President of Ukraine. Composition of participants in negotiations and conversations from Ukrainian

side is determined by the President of Ukraine, and the foreign side is notified about it in advance. Negotiations in "face to face" format" or in private are typically held in the Blue hall of Mariinskii palace. Conversation partners are placed at angle to each other on both sides of a small table under the flags of their states. The conversation has an informal nature. Usually at negotiations are present one translator and one person recording the conversation on each side. Usually the assistants of presidents on issues of foreign police are present as recording persons.

Negotiations in extended composition are held in Green hall. Presidents of states, other participants of negotiations take places marked by cards, translators are seated on the left of heads of states.

Ceremony of signing of mutual documents and meeting with media representatives are typically held in White hall of Mariinskii palace. Participants of negotiations take their places on the left and on the right of table on sides of their state flags. Head of states take places at the table; the guest is on the right of the President of Ukraine. After signing of mutual documents and their alternates, presidents exchange documents and shake hands. Champagne is served. In some cases, after signing they are anticipated short speeches in front of microphones, placed by both sides of table, or approach to press and answering two or three questions of journalists.

The program of state formal visit could anticipate conversation and breakfast of the head of foreign state with the Prime Minister of Ukraine at state residence, visit of Verhovna Rada of Ukraine by the head of foreign state, speech at plenary session of Verhovna Rada of Ukraine, work breakfast with the Minister of Foreign Affairs of Ukraine.

Program of state formal visit of the head of foreign state, formal visits of heads of parliaments, governments anticipates *the ceremony of laying of wreath at the grave of Unknown Soldier* in Kyiv that is interpreted as a symbolical gesture of respect to nation that receives the honored guest. In course of ceremony the head of foreign state is accompanied by The Minister of Foreign Affairs of Ukraine, the deputy Head of Administration of the President of Ukraine, head of diplomatic mission of the corresponding foreign state, head of diplomatic mission of Ukraine in the corresponding foreign state, head of Kyiv municipal state administration, other officials.

The military commandant of Kyiv renders a report to the head of foreign state. Ceremony anticipates walk of the head of foreign state along the

line of soldiers of honor guard to the grave, laying of wreath, giving the honors to the memory of dead by minute of silence, performance of state hymn of the corresponding foreign state and the State Hymn of Ukraine by military orchestra, marching of soldiers of honor guard in review in front of the head of foreign state.

Programs of visits include protocol events that are organized in honor of the honored guest. *State dinner* from the person of the President of Ukraine in honor of the head of foreign state is typically held in the Red hall of Mariinskii palace. From Ukrainian side for a dinner are invited officials that participate in negotiations and conversations according to program of visit or in ceremony of meeting of the head of foreign state. List of invited from Ukrainian side for a state dinner is approved by the Head of Administration of the President of Ukraine by agreement with the President of Ukraine. Positioning of invited for a state dinner at tables is performed in accordance of stable protocol practice. At the beginning of a state dinner is anticipated exchange of speeches (toasts), the written translation of which is place on tables before equalled the beginning of dinner, if necessary. At the end of state dinner in the White hall of Mariinskii palace is arranged the concert of masters of arts of Ukraine⁴⁹.

By agreement of sides, the head of foreign state can in answer arrange the protocol event from his name. This event could be not arranged, because it is considered that in course of answering visit of the president of receiving country into country of a guest there will be a reception given in his honor.

Program of state (formal) visit can anticipate *a visit to theatre by the head of foreign state*, accompanied by the President of Ukraine. At proscenium are installed the state flag of the corresponding foreign state and the State Flag of Ukraine, the state hymn of the corresponding foreign state and the State Hymn of Ukraine are performed before the beginning of a performance. After the performance, two baskets of flowers are delivered to scene – from the head of foreign state and from the President of Ukraine.

By agreement of sides, program of state visit can anticipate a private visit of theatre by the head of foreign state. In this case, persons determined by program of a state visit are present in loge with the head of foreign state, state flags are not installed, state hymns are not performed.

⁴⁹ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center “Kyiv University”, 2007. – 296 p.)

By desire of the head of foreign state (parliament, government), in course of state and formal visits and by agreement of sides, could be arranged a *tour* of the honored guest for Ukraine. By request of the head of foreign state, Ukrainian side can provide him with plane for a tour for Ukraine. Official ceremony of sending-off takes place in Kyiv, the guest departs without returning to Kyiv, except for technical stop. The protocol peculiarity of holding of events anticipated by program of visits is the different level of accompanying the guests, depending on category of visit and status of the honored guest. In tour for Ukraine the head of foreign state is accompanied by the Vice Prime Minister of Ukraine, first deputy Minister of Foreign Affairs of Ukraine, the head of diplomatic mission of the corresponding foreign state, the head of diplomatic mission of Ukraine in the corresponding foreign state, representative of structural sub-division on protocol issues of MFA of Ukraine. In Autonomous Republic of Crimea, in regions the head of foreign state is me and constantly accompanied by the Chairman of the Council of Ministers of Autonomous Republic of Crimea, the head of the corresponding regional state administration.

Chapter 6
PECULIARITIES OF PROTOCOL ACTIVITY
OF DIPLOMATIC AGENTS. PROTOCOL ASPECTS
OF COURSE OF NEGOTIATIONS

**6.1. Peculiarities of handing of credentials in countries
of the world**

The ambassador is formally enter his duties from the moment of handing of credential, and all his following actions and statements are considered to be formal, i.e. performed in the name and on behave of government of the country that assigned him, and, subsequently, put certain obligations on him. Act of handing of credential is at the same time the start of counting the time of staying of the ambassador on his position in given state that typically has the critical importance for holding the position of a dean of diplomatic corps in the country of staying.

Ceremony of handing of credentials, in course of which takes place the first formal meeting of ambassador with the head of state is an event of a large political importance. That's why the ceremonial of handing of credentials in all countries is elaborated in details and is strictly adhered in every detail. Departure from the set procedure in course of mentioned ceremony could be considered as an effort to damage the prestige of a country represented by ambassador.

At elaborating the ceremonial credentials handing, protocol services adhere the commonly accepted international practice. This is manifested in commonality of major elements of ceremonial. Usually the head of state accepts credentials in his formal residence, the ambassador is honored by military honors. At ceremony are present high representatives from side of the head of state and the Ministry of Foreign Affairs. The ambassador is accompanied by members if diplomatic personnel of embassy. In course of ceremony is possible exchange of speeches, after handing of credentials the head of state gives the ambassador his audience. Transport for heading of the ambassador to ceremony is provided by receiving side, photographing of ambassador with the president of country of accreditation is practiced. Information about handing of cre-

dentials is submitted to media. In some countries, in Russia, France, USA in particular, texts of speeches of the president and ambassador are handed in written form before or in course of ceremony, but are not read.

Ceremonial of credential handing is also determined by national traditions and historical past of the country. In ceremonial standards could be traced the effort of a state to underline its sovereignty, distinctive character. That's why in most of countries the ceremonial of credentials handing remains unchanged for many years. It is especially characteristic for countries with monarchy form of government, where the traditions of court etiquette are preserved. For example, in Great Britain and in Sweden, the ambassador heading in royal palace for handing of credential is provided by a horse-drawn carriage. Dress code of ambassador and all of diplomats accompanying the ambassador are strictly regulated. It is accepted for diplomats to wear tail-coats. In some countries the diplomatic representative is honored by additional honors. For example, in FRG the car of ambassador is accompanied by escort of motorcyclists, and in Belgium – by cavalry unit. In Austria and Sweden takes place parade of honor guard team, in Ireland and Poland hymns are performed. In USA in course of handing of credentials are present not only wives of ambassadors, but also their children.

Ceremonial of separate countries also comprises rather exotic elements. For instance, in Nepal and Morocco the ceremonial anticipates triple bow of an ambassador (an entrance in hall, in middle of hall and at approach to the king). Clearly is regulated the number of steps and bows that the ambassador have to make in course of ceremony in Thailand. In New Zealand the handing of credentials is preceded by demonstration of national ritual of natives of country that is accompanied by performance of warrior dance in national costumes and handing a lance to the ambassador. After ceremony of credentials handing in Republic of Cuba, ambassadors can by desire lay flowers to monuments of Cuban revolution⁵⁰.

⁵⁰ Гулієв А. Д. Дипломатичний протокол та етикет: практикум: / уклад. А. Д. Гулієв. – К. : НАУ, 2014. – С. 96 (Guliev A.D. Diplomatic minute and etiquette: practicum book/ developer A.D. Guliev – K. NAU, 2014 – P.96)

6.2. Forms of response to events in host countries according to local protocol practice

In international protocol practice is accepted to response to the most important events in life of foreign partners, in particular to celebrate the national holidays of foreign states. Nature and amount of corresponding events depends on condition of relations between states. On state level, on the occasion of national holiday is accepted to send congratulation notes, telegrams in address of heads of state. These are important diplomatic documents reflecting the condition of relations between states that comprise wishes of their development, elimination of barriers on the way of comprehensive cooperation. Telegrams (notes) are usually transferred through ambassadors, with taking into account of local protocol practice are handed to heads of state. Forms of transfer of congratulation telegrams should be unified for representatives of all countries, without any discrimination.

Protocol service must keep the records of written congratulations, because the answer for them is mandatory. Answer for greeting in address of the highest officials of state is sent through the embassy of own country in corresponding countries.

Congratulation telegrams are also sent on occasion of election of heads of states (governments), election of heads of parliaments, assignment of heads of governments, ministers of foreign affairs of foreign states, with which Ukraine has diplomatic relations. The telegrams are exchanged on occasion of anniversaries and jubilee dates (every five years) of conclusions of agreements about mutual acknowledgement, friendship and cooperation and also on occasion of jubilees (every ten years) of establishment of diplomatic relations.

Regulations of international practice oblige diplomatic representatives and consuls to participate in ceremonies and formal events on occasion of national holidays of host country, hang state flags on this occasion on houses of embassies, consulates.

On occasion of national holiday persons in charge and people of host country collectively greet the diplomatic corps. Dean speaks on behalf of diplomatic corps.

6.3. Protocol work on arrangement and holding of negotiations

Negotiations as the method of solving of issues occurred between states were the instrument of diplomacy in all times. In our time, when sphere of interstate interaction had extended, negotiations, both on two-side and multi-side basis, began to play dominating role in foreign policy of practically every member of the world community. Long-term negotiation practice allowed development of general organizational regulations and law standards of interstate negotiations performance.

At arrangement and performance of negotiations occurs the whole range of issues of protocol nature, upon a proper approach to these both a successful course of negotiation itself and results of decisions made depend to a significant degree.

One of composing parts of successful holding of negotiations is the preparation of plan of their conduction. In order to provide normal conditions of negotiations is necessary to take into account a range of organizational issues. To them is first of all related the accommodation of arriving delegations.

The most important requirement is the provision for every delegation of conditions at which, *first*, they will not deal with any inconveniences and, second, these conditions have to be approximately equal for all delegations. The *other* issue is a choice of sufficient place for negotiations.

For holding of international negotiations every state determines composition of its delegation and assigns its head. In composition of delegation could be also included advisers, experts and other employees. Delegation forms its secretariat. Besides that, participants of negotiations form common or general secretariat. If negotiations take place on the territory of participating state, such secretariat is often headed by a person from a delegation of this state. In functions of the general secretariat is included solving of all issues related to provision of normal work of meeting.

One of the most important functions is the work with negotiation documentation, its exact classification, multiplication and distribution according to schedule. The necessity to urgently multiply and distribute among the delegates one or another provision, statement, amendments to documents, with which delegates speak in course of meeting itself often occur. It is made for a possibility for delegates to get acknowledged with documents and, probably, response even before a break in meeting. At negotiations the

regulations of etiquette and peculiarities of protocol accepted in host country should be adhered to.

There are major techniques of conduction of business conversations and negotiations that may and should be used in any situation. The most often technique used is "avoiding of fight". It is applied at addressing the issues that are undesirable for discussion, ore when one does not want to give exact information, unambiguous answer to a partner. "Avoiding" technique can play positive role, for example, when it is necessary to agree the issue with other organizations or think thoroughly, weight positive and negative aspects related to acceptance of partners proposition.

6.4. Meaningful side of negotiations

Another tactics is close by meaning to "avoiding" – "delaying" or "anticipation". This technique is used when one desires to delay the negotiating process in order to clear the situation, receive more information from partner.

More complicated tactics is the "batching". It consists in the fact that for a discussion if proposed not a single issues, but several. At this are solved ambivalent tasks. In one case in "batch" are united attractive and barely acceptable propositions to a partner. It suggests that a partner interested in one or several propositions will accept others too.

Close to the previous is the technique of "inflated requirements". It lies in including in problems to be discussed of items that could later be painlessly put off with pretending that this is a yield, and require the similar steps from the partner's side.

Similar to this is the tactics "placement of false accents in own position". It lies in demonstration of extreme interest in solving of some issue that in fact is minor to a partner. Sometimes it is made in order to receive the necessary decisions on other, more important issue, by putting this issue off the business of the day.

One more tactics is a "setting up requirements in the last minute". Essentially, at the end of negotiations, when all that is left is the signing of a contract, one of partners sets new requirements. If other side is much interested in contract, it will accept these requirements, although sometimes due to these reasons the signing of contract could "fall apart".

6.5. Strategy and tactics of conduction of negotiations

Strategy of negotiations is an assembly of action made by sides in course of negotiations and principles of their realization. It includes methods of presentation of position, principles and tactics of interaction with opponent.

Four methods of position presentation are defined that could be applied by participants of negotiations: opening of position, closing of position, underlining of commonality in positions, and underlining of differences in positions.

If in course of speech the own position is characterized without its comparison with position of partner, this action is considered as opening of position.

When participant of negotiation criticizes position of opponent without comparing it to his own position, we have the closing of position. If participant compare two or more positions, then, dependently of things underlined in speech, it could be considered either as underlining of commonality, or as underlining of differences.

Chapter 7

DIPLOMATIC RECEPTIONS

7.1. Classification and aims of diplomatic receptions

One of the forms of business communications are receptions. Diplomatic receptions are one of commonly accepted and widespread forms of foreign policy activity of governments, ministries of foreign affairs, diplomatic missions and diplomats. Receptions are conducted in commemoration of important events: national holidays, jubilee dates, anniversaries etc. Receptions are also conducted on occasion of performance of formal events (congresses, symposiums, conferences and presentations, opening and closing of international exhibitions, signing of agreements). Formal receptions with invitation of members of diplomatic corps to them are arranged by the head of state, the head and members of government, responsible representatives of ministry of foreign affairs. In diplomatic practice the most widespread are receptions arranged by diplomatic missions and ministries of foreign affairs by procedure of daily activity independently of certain events.

Independently of type and intention, any diplomatic reception has a political nature, as here happens the meeting of representatives of foreign states. Besides representative meaning, diplomatic receptions play the role of the most important mean of establishment, support and development of contacts of official powers with diplomatic corps and foreign journalists; contacts of diplomatic mission or separate diplomatic representatives with official, social, business, scientific, cultural commonwealths of host country⁵¹.

Receptions are type of employment activity, by performance of which diplomats in informal circumstances are explaining policy of their country, collect information about the host country, exchange opinions on important international events.

⁵¹ Гулієв А. Д. Дипломатична та консульська служба: конспект лекцій / А. Д. Гулієв. – К. : НАУ, 2011. – 80 с. (Guliev A.D. Diplomatic and consular service: lecture notes/ A.D. Guliev. – K. NAU, 2011. – 80 p.)

Dependently of participants in whose honor the holiday is arranged, and also of events that initiated the arrangement of celebrations, receptions are divided into formal and informal. Receptions are considered to be formal when the invited persons are connected to each other by employment activity. They are similar to diplomatic receptions and are arranged in honor of arrival of the head of foreign state or diplomatic missions and other formal representatives of business commonwealth. A reason for them could be national and state holidays, jubilee dates, and also congresses, symposiums, opening or closing of international exhibitions, signing of agreements, trade contracts etc.

Informal receptions are organized on occasion of general, social events, family holidays and other traditional celebrations. In diplomatic and business practice the major types of both formal and informal receptions are "glass of wine", "glass of champagne", breakfast, lunch, dinner, dinner-buffet, supper, "a-la fourchette", cocktail, "jour fixe", and also minor receptions: tea and coffee.

Receptions are divided into day-time and evening-time, and also into receptions with placement at the table and without it. As day-time receptions are considered "glass of wine" or "glass of champagne", breakfast, lunch. All others are related to the evening-time. Reception "glass of champagne" ("glass of wine") lasts approximately for an hour and does not require large and long arrangement, it is usually held on occasion of national holidays, opening of exhibitions, festivals, arrival and departure of delegations etc. Of drinks are served champagne or wine, juices, mineral water.

Snacks are not mandatory for such reception, but waiters can propose canapés, sandwiches, nuts etc. to guests. Dress code is in most of cases informal. "Breakfast" lasts from one to two hours. Before the breakfast are proposed cocktails, wine, juices. Usually first courses are absent at breakfast, although everything depends on traditions and customs of countries. The dress-code is typically marked in invitation, in most cases it is informal for breakfast.

"Tea" is arranged for women only. For example, the wife of the head of one of diplomatic missions invited to teat wives of heads of other diplomatic missions. The reception lasts up to one and a half of hour. Guests are proposed by confectionary for tea, of drinks – a dry wine, juice, mineral water. On separate cases, on tables of invited could be light shacks: sandwiches, canapés, fruits etc. Dress code is informal.

"Jour fixe" is arranged by the wife of the minister of foreign affairs, by the wife of the head of diplomatic mission or other official in period of autumn-winter season (usually from October to May) in specially fixed day of the week. Invitations to them are sent once at the beginning of season and are valid until its ending. Usually these are musical, literature evenings, performances of Master of Arts.

"Cocktail" lasts up to two hours and is held in standing position. Guests are proposed with cold snacks, confectionary, fruits that are carried by waiters. Dress code is informal costume of tuxedo, dependently of particular case and indication about this in invitation. "A-la fourchette" is very similar to "cocktail" with only difference in placement of courses are places on small tables and every guest chooses food according to his taste, departing them from table with shacks on it to allow other invited to approach. Drinks could be carried by waiters or be placed on tables; sometimes a special bar is arranged.

Dinner is the most long-lasting and honorable type of reception that last from two and half an hour. Dress-code is indicated in invitation. Dependently of cause, for men it could be dark costume or tuxedo, for women – evening dress.

Choice of reception type is determined, first of all, by event that cause it, and financial abilities of its organizers. The aims of conduction of event and protocol traditions of host country are also taken into account.

Reception could be conducted in residence of ambassador or at embassy. If the reception is conducted outside of embassy, a restaurant with a good cuisine and high service culture is chosen. At facility rented by embassy could be hanged state flags of country of accreditation and host country, portraits of the head of states. In especially ceremonial cases (reception in honor of the head of state) could be invited the orchestra for performance of hymns of country of a guest and of host country. At such receptions are often organized concerts, national music is performed. The facility should correspond to format of reception at such level.

For conduction of reception with seating are used two halls: one for a gathering of guests and the second – for a banquet. In the first hall are placed armchairs, low tables at which could be placed cigarettes and ashtrays. Tables are laid in the second, major hall of a reception. At

conduction of reception without seating of guests could be used only one hall.

7.2. Invitation and list of invited persons

Composition of list of persons invited to reception is one of the most important elements of preparatory work. Total number of guests is determined, that should not exceed normal ability of service and size of facility where the reception would be held. At composition of calculation of costs certain per cent of guests that due to circumstances of different nature should not be able to be present at the reception.

At receptions that are given in honor of an honored guest or foreign delegation on formal visit, beside the accompanying persons (members of delegation) is invited the ambassador and senior diplomatic employees of embassy of country of a guest. Also are invited persons that communicated with guests within the visit. If delegation of guests is represented by married couples (couple), than officials of the receiving side are invited to the reception with wives/husbands. In reception are arranged on occasion of jubilee dates in two-side relations, the invitation of diplomatic corps is not anticipated. Foreign diplomats are present at receptions dedicated to national holidays of countries, and also at protocol events that are conducted by diplomatic missions by the procedure of their daily activity.

7.3. Organization of receptions. Positioning at table

Every reception consists of two parts. First is the meeting, greeting and gathering of guests, private and general conversations, preliminary acknowledgement of invited with their places at banquette table, aperitifs (drinks for thirst satisfaction). The second is a banquette at the table with complete service or fourchette.

For conduction of receptions and banquettes is necessary to have two adjacent halls: first – for reception and gathering of guests, second – for a banquette.

In hall for reception and gathering of guests (it is also called entrance hall) are placed several armchairs, small round table where are placed cigarettes in packs of in holders, matches, cigars in boxes, scissors for

cutting the cigar ends, ashtrays and chandeliers with lighted candles. Facilities are decorated by fresh flowers in baskets of in high vases.

For acknowledgement of guests with their places at table in entrance hall, at prominent position is set the small-scaled mock-up model of the main table where are placed cards with indicated surname, name and patronymic of every guest in the order that corresponds to places at the banquet table. In the center of table is put an arrow that points the direction in which table is positioned, and sequence of places positioning, starting from entrance door.

If the banquet is conducted in several halls at the same time, in every one of which are several tables, another system of preliminary acknowledgement of guests with their places is recommended. At the entrance hall, on stand, positioned prominently, is hanged the list of participants of the reception, mark surname, name and patronymic of every one of them, number of hall or its name, number of table and place. Here, at stand, guests also can get acknowledged with scheme of positioning of banquet halls, tables in every one of them and numbers of their places.

Before invitation of guests into banquet hall, in the entrance hall aperitifs are proposed to them. Of non-alcohol drinks are proposed juices, mineral table water, carbonated water or chilled water with ice. Sweet water is not served, because it decreases appetite⁵².

The best juices for aperitif are considered to be lemon, grapefruit, pomegranate, grape (of non-sweet sorts of grapes) juices. As aperitif of wine and vodka drinks are proposed vermouth (by the way. it is considered to be the best drink for aperitif), champagne (dry or semi-dry), natural wines – white or red, and also cognac or vodka.

Three types of aperitif are distinguished: single, combined and mixed. Aperitif is called single if it has only one type of drink, for example vermouth or champagne only. Combined one has two or more types of drinks, poured in shot-glasses, glasses, particularly wine, cog-

⁵² Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center “Kyiv University”, 2007. – 296 p.); Сагайдак О.П. Дипломатичний протокол та етикет: навч. посіб. / О.П. Сагайдак – К. : Знання, 2006. – 380 с. (Sagaydak O. P. Diplomatic Protocol and etiquette: textbook / O.P. Sagaydak. – K.: Znannya, 2006. – 380 p.)

nac or vodka. Mixed aperitifs are specially prepared mixes of different drinks, for example non-sweet cocktails.

Main rule of placement is based on strict adherence of precedence according to employment and socially-political position of guests at determination of their places at the table. As places by table are divided for more or less honorable, the guests that had higher precedence are mandatory provided by more honorable places. Breaking of this rule can be considered as deliberate offence of guest's prestige and prestige of state he represents.

If the head of state is present at reception that is given by foreign ambassador in his residence, the plan of positioning at the table is prepared by local protocol service. Major principles of such placement are the following: of the head of state is present without his wife, he occupies the place opposite to the ambassador, and wife of ambassador seat at the right of him. On the head of state is present at reception with his wife, he occupies the place opposite to the ambassador. His wide is sitting on the right from ambassador, and wide of ambassador – on the right of the head of state. In any case, if the head of state is sovereign, the ambassador gives him a sear and sits on the right of him.

At receptions where men and women participate, positioning of woman near woman should be avoided, better is the sequence woman – man. Married coupled are not seated together or at opposite places at table. Woman should not be seated at the end of table (here a man should sit). Foreigners from the same country are not seated together. At placement at reception on occasion of visit of a foreign delegation it is necessary to take into account the knowledge of foreign language by persons that will be seated near guests.

At determination of order of placement at table is taken into account the precedence of persons occupying official jobs, precedence of persons that have a large influence on social life, who occupy high position in society, on basis of politeness. The preference goes to statesmen of high rank, high diplomatic officials and employees of ministry of foreign affairs, while among other present persons the preference goes to elders by social status and age.

Regulations of diplomatic protocol anticipate that the employees of diplomatic missions, ministry of foreign affairs invited to reception arrive before arrival of their persons in charge. Punctuality is especially important at conduction of receptions with seating, where guests arrive

within 10 minutes. If circumstances made the guest to be late a little, and he arrives when reception is already started, he should approach the hostess and host, state the reason of his delay without details, congratulate them, bow to guests and occupy the place assigned for him.

It is not recommended to stay late at receptions, because it burdens hosts. At arrival and departure from reception it is not obligatory to shake hands with every present person. Hand shaking is obligatory only at greeting or bidding good-bye to host and hostess, and just bow to everyone else⁵³.

7.4. Appointment about business meeting

Any meeting, especially a business one is held with a certain purpose. The communication itself in business practice is typically supported by mutual interests. To conduct a business meeting effectively, it should be arranged in advance with elaboration of every small detail. It is accepted to appoint the business meeting in advance, at this the period of time between appointment and meeting itself depends on particular circumstances and its program⁵⁴. Within one region the most effectually is to appoint in 2-3 days. Business meeting planned for longer time often has a worse arrangement due to psychological reasons. At beginning it seems that there is a time for solving of organizational issues in next days, and then, with taking into account possible unpredictable circumstances, there simply will be no time left⁵⁵.

Special diligence is required by arrangement of meeting with foreigners. Such meeting should undoubtedly be prepared in advance, with anticipating of all elements of program of their stay: procedure of meeting personal composition of participants, participation of media representatives, exchange of souvenirs, greeting speeches, accommoda-

⁵³ Гулієв А. Д. Дипломатичний протокол та етикет: практикум: / уклад. А. Д. Гулієв. – К. : НАУ, 2014. – С. 96 (Guliev A.D. Diplomatic minute and etiquette: practicum book/ developer A.D. Guliev – K. NAU, 2014 – P.96)

⁵⁴ Резніченко В. І. Довідник-практикум офіційного, дипломатичного, ділового протоколу та етикету / В. І. Резніченко, І. Л. Мухно. – К., 2003. – 479 с. (Reznichenko V.I. Reference and practice book of the official, diplomatic, business minute and etiquette/ V.I. Reznichenko, I.L. Mykhno – K.2003. – 479 p.)

⁵⁵ Панкєєв І. А. Енциклопедія етикета. – М.: ОЛМА-ПРЕСС, 2002. – 309 с. (Pankeev I.A. Encyclopedia of the etiquette – M: OLMA-PRESS, 2002 – 309 p.)

tion in hotel, business part, culture program, informal receptions, sending-off.

Organization of business meeting could be appointed by e-mail, by telex or by phone. Before picking up the telephone it is useful to note all important organizational aspects of a meeting, because a repeated getting into connection would be slightly aggravating.

Protocol anticipated such major moments of appointment: Subject of business meeting; Place of conduction; Time limits; Number of participants; Materials for discussion and summary documents of meeting⁵⁶.

I. Subjects of business meeting are issues that are put into discussion, thematic limits of negotiations, list of problems that will be approached etc.

Negotiations are typically conducted for solving of issues concerning general activity, changing forms of this activity or for not interrupting the cooperation if these conditions or approached of one of sides are not satisfying the other due to some reasons.

There are protocol negotiations too, they are called visits of politeness, as they are conducted for personal acquaintance or showing a respect to partner on any occasion⁵⁷.

II. Location of meeting. Business negotiations are usually held in service facilities of their participants (in own office or in partner's), although it is possible to conduct it at neutral territory or, thanks to development of communication means, remotely.

Initiator of a meeting proposes (without imposing) his option, however the last word about location of meeting belongs to invited side.

Let's consider every one option:

1. At own office. It is well-known to sportsmen that playing at own field often gives victory to hosts. Similarly most of people of business commonwealth prefer to conduct negotiations at their own territory. A proverb "the walls at home are your friends, your comfort and your

⁵⁶ Галушко В. П. Діловий протокол та ведення переговорів: навч. посіб. / В. П. Галушко. – Вінниця : Нова книга, 2002 (Galushko V.P. Business minute and negotiations: textbook/ V.P. Galushko. – Vinnytsya. Nova Knyga, 2002).

⁵⁷ Калашник Г. М. Вступ до дипломатичного протоколу та ділового етикету: навч. посіб. / Г. М. Калашник. – К. : Знання, 2007. – 143 с. (Kalashnyk G.M. Introduction to the diplomatic minute and business etiquette: textbook/ G.M. Kalashnyk – K.: Znannya, 2007. – 143 p.)

helping hands" is not a senseless one. Hosts do not need to spend precious time and forces for adaptation to external environment, fighting tiredness after a long way, and could without additional problems use telephone, fax, rest rooms, reliable secretary service, assistance of lawyers, experts or employees of higher jobs, stay alone for conduction of confidential conversations.

2. At partner's company. A serious reason for conduction of business meetings in partner's office is an opportunity to receive additional information, to learn more about partner, his company and conditions of its functioning. By using this option it is easier to lay the foundation of future relations, there is a chance to quickly conclude advantageous agreement, because your partner understands that by arriving to him you spent much time, put away a range of works, and thus feel a certain obligation⁵⁸.

By agreement for meeting in partner's company you are demonstrating by this the seriousness of your intentions and a big desire to conclude an agreement.

3. At neutral territory. Opportunity of conduction of negotiations at neutral territory has also its attractiveness. Usually, discussion of issues at this option does not give any advantages to any of sides and is especially effective at solving of conflict situations. Conduction of such meeting at international level could be rather useful, if receiving of additional information is not one of important aims of negotiations and if the opportunity of economy of time is taken into account.

Representatives of business commonwealth prefer business meeting in specially designated or adjusted facility.

4. Remote. Such achievements of STP as direct international telephone communication, fax and video-communicators (conference-video-connection) allow to refrain from conduction of direct face-to-face meetings and simplify the process of negotiations arrangements. Modern technic of communication gives a possibility to perform direct electronic contact between two or more sides with simultaneous mutual

⁵⁸ Киселев В. А. Основы дипломатического протокола и нормы деловых отношений / В. А. Киселев, А. И. Ефименко. – М. : Международные отношения, 1988. – 255 с. (Kiselev V.A. Foundations of diplomatic minute and regulations of business relations/ V. A. Kiselev, A.I. Efimenko. – M: Mezhdunarodnye otnosheniya, 1988. – 255 p.)

transmission of image and sound. But, similarly to Archimedes who needed a foothold in his strive to upturn the globe, businessmen who desire to accomplish mutually advantageous deal still need corresponding places for conduction of face-to-face meetings.

III. Time limits. First step to the success of a business meeting is the right choice of time and day of a week. At meeting face to face is necessary to take into account circumstances of business life of a partner, his biorhythms. In case of big number of participants is preferable to be in course of everybody's circumstances and take into account business habits of partners.

To hold a meeting on adequate level, psychologists propose to take into account the following factors:

a) Do not plan the meeting right before the dinner: haste and thoughts about meal will only interfere.

Approximately at 11 o'clock organism already needs recharging, so, in the meeting is already anticipated, it would be appropriate to propose to partners a cup of coffee, some snacks, This would revive both sides.

b) The meeting should not be planned right after dinner too, it is better to be held at least in an hour after that, providing partners with opportunity to gather thoughts and view received information.

v) At Monday people need some time to adjust to working rhythm after weekend. However, on the other hand, Monday has an advantage of "fresh head" and at this day the discussion of important problems could be made, with planning to finish them to the end of week.

q) On Friday people are already looking towards the weekend. It is not a time to start something, and, of course this day is not the best for additional exertion of thoughts.

d) Discuss duration of meeting. It can happen that your unwarned partner will apologize after half an hour of meeting and, pleading a need for his no less important affairs, will leave you. The determined time of holding the meeting is mandatory to adhere.

e) In case if your partner have a tight working schedule you should organize the conduction of business meeting in such manner that there will be time not only for statement of one's position, but also for possible answers for questions and necessary explanations without watching clocks.

If the referred issues are well known to both sides, the statement of their core could be shortened, but in a manner that would allow to keep the mutual interest in a subject. If the discussed issue is rather complicated, it is necessary to underline the main points and not to go too deep into details. Take care that your information will set your partner for positive waiting of circumstances that will not bear the unpleasant surprises.

j) After appointment of time of meeting, be punctual. Being late is considered as disregard of receiving person and can influence the course of negotiations. In case of unpredictable delay you should try to find the opportunity to warn the partner and apologize.

The receiving side has a moral right, after waiting for a guest for appropriate time, to go on with a business, delegating negotiations to assistants, or refrain of meeting in this day at all.

IV. Number of participants. At appointing a meeting is recommended to determine a number of its participants too. Usually it is done on basis of principle of equal number of delegations from both sides.

According to protocol, the right for participation in negotiations, besides of person in charge, is also provided to persons that are included into list. In protocol list are indicated surname, name and patronymic, place of employment and job of participant. If necessary, at negotiations with foreign partners in protocol lists are stated short records on sphere of activity and interests of every participant, theme of future speech.

Protocol lists are exchanged before the beginning of meeting. In the lists were not composed in advance, sides exchange by visiting cards in order to have the information about participants of meeting.

As experience shows, the most effective are negotiations "one by one". If several participants of delegation are planned, the person in charge should be assigned that will be responsible for activity of group in general and every participant separately.

Future meeting or negotiations anticipate "preparation of materials" in advance. First is reflecting position of participant of meeting on wide range of issues and usually contains recommendations related to issues that will be discussed. Second is projects of different agreements, protocols or contracts that are proposed as basis for conduction of negotiations. Third category anticipates projects of resolutions or agreements about intentions.

An integral part of preparation work is a selection of documents on various issues that are anticipated to be discussed. On basis of this selection usually are prepared texts of speeches, materials for conversation with partners, various references.

In you know your clients, if you know their special interests and features of characters, you will always have a foundation for establishing contact with them.

FACILITY. Preparation of facilities for business meetings usually involves either specially assigned employees of company or invited specialists. The major requirements for these facilities are cleanness and order. Facility should not be sultry or noisy. Before meeting it should be aired thoroughly.

Tables for negotiations are often covered by traditional green tablecloth. For every participant on table are placed notebooks, pens and flyers. Chairs and armchairs should be comfortable and in satisfying quantity. Along the table for negotiations is customarily to place bottles with mineral water in groups. Near them are placed clean glasses and devices for their opening. If there is no mineral water available, then, as exclusion, there could be placed decanters with boiled water with several cubes of ice put in them preliminary.

In field of vision of persons in charge should be clock reminding them about not delaying of time, because "time is money". Maximum duration of negotiations is 2-2.5 hours.

It is desirable to provide coffee or tea. For this is necessary to anticipate the presence on tables for negotiations of tea-pot, several good dinner-wares, tea, coffee, cookies or confectionery. Differently from many other countries, in Turkey, for example, many business conversations are starting at tea with cakes. Turks extremely like sweets. They even have a proverb: "Ate sweetly – talked sweetly".

The entire world knows about Azerbaijan welcoming and Ukrainian hospitality. Our countrymen are really trying to show themselves dignified in front of foreign partners. But there is no special need to gorgeously serve your partners round in course of business meeting – there are receptions for this⁵⁹.

⁵⁹ Резніченко В. І. Довідник-практикум офіційного, дипломатичного, ділового протоколу та етикету / В. І. Резніченко, І. Л. Михно. – К., 2003. – 479 с. Reznichenko V.I. Reference and practical book of the official diplomatic protocol and etiquette/ V.I. Reznichenko, I.L. Mykhno.-K., 2003. – 479 p.

If you put an ashtray on the table, this is a signal that smoking is allowed, but before lighting a cigarette you should ask for permission of present persons. If smoking is prohibited, there has to be prepared a facility for smoking at a break time.

7.5. Meeting of delegation. Etiquette of communication through translator

At meeting of delegation is necessary to properly determine the level of meeting persons. The general rule is the following: a person who invited, signed a letter with an invitation should be meeting, or, as an exclusion – one of his deputies.

At positioning in a car the following rules should be taken into account. The first honorable place is a place on a rear seat on the right side by direction of a car motion, the second honored place is behind the driver.

First is seated the passenger for a most honorable place, then a passenger that occupies the second place.

At meeting is usually occupied the rear seat only. If one more man is seated in a car, then he occupies the third place between two honorable places, in order not to disturb the one who occupies honorable place at exit.

A person occupying the place number 1, exits through the right door and others, in order not to disturb the one who occupies honorable place – through the left. First are leaving persons occupying honorable places.

In representative carriages with positioning of places one opposite the other, the honorable place is also the place of a rear seat on the right side by direction of a car motion.

At arrival the carriage is driven up in such a manner that the exit would be on the right side, at this a person occupying honorable place, exits first.

You should be well prepared for a visit of a delegation, especially of a foreign one. Foreigners, knowing about our complications, are very grateful for even the least signs of attention to them.

Ensure in advance that the guests would be warmly greeted at the entrance of company, escorted to reception room, proposed to take off outwear. At reception room allow members of delegation the opportunity to settle "as being home", drink a cup of tea or coffee.

Business communication with Turkish businessmen would mandatorily be preceded by "sohbet" – talking about something abstract. And it is possible that namely in course of this talk the destiny of proposition about cooperation will be decided.

At moment of arrival of guests all the group that participates in negotiations from you side should be gathered. Hosts that enter and exit in presence of guests are making a bad impression, even if they are apologizing.

As was indicated above, in interstate and business contacts the negotiations between representatives and delegations of different countries occupy a significant place. Namely in course of negotiations, personal visits, conversations etc. are solved important issues that promote nurturing of contacts and development if interstate, business and personal relations.

Undoubtedly, the best variant is when participants of negotiations can speak foreign languages, however it should be taken into account that even usual level of knowledge of, for example, English or French is absolutely insufficient for control of situation at negotiations, especially at discussion of certain conventions, fine points and other details. This in affairs of this type is reasonable to use the assistance of a translator. So, the translator becomes an integral and a very important participant of negotiations⁶⁰.

⁶⁰ Резніченко В. І. Довідник-практикум офіційного, дипломатичного, ділового протоколу та етикету / В. І. Резніченко, І. Л. Михно. – К., 2003. – 479 с. Reznichenko V.I. Reference and practical book of the official diplomatic protocol and etiquette/ V.I. Reznichenko, I.L. Mykhno.-K., 2003. – 479 p.

Chapter 8

PROTOCOL OF MULTILATERAL DIPLOMACY. SERVICE OF PROTOCOL PROVISION

8.1. Protocol of international organizations

The major principle, on which is based the protocol of international organizations, is the respect to everything that symbolizes independence and sovereignty of states. In formation of regulations and standards of protocol of international organizations an important role was played by regulations of protocol at UN that are more or less adhered by other international organizations.

The main international law document regulating activity of permanent representatives and permanent missions of states in international organizations is Vienna Convention on representation of states in their relations with international organizations of universal nature of March 14, 1975. The Convention determines procedure of foundation, functions and procedure of termination of permanent representations and permanent missions of observers at international organizations; procedure of accreditation at bodies of organizations and authority of the heads of mission; procedure of determination of precedence of permanent representatives, permanent observers, delegations; issues of use of state symbols by mission of countries; status of the head of state and persons of high rank that are in charge of are members of delegations; privileges and immunities of representatives, observers and delegates, similar to diplomatic⁶¹.

To international law documents that regulate separate protocol issues of activities of international organizations are related: Convention of Privileges and Immunities of UN (1946); General agreement on privileges and immunities of European Council (1949); Protocol on privileges and immunities of European communities (1965) and others.

⁶¹ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center “Kyiv University”, 2007. – 296 p.)

In their activity international organizations are guided by protocol standards and regulations, determined in statutes and regulations of procedure of organizations; in acts establishing standards of use of organization symbols, order of precedence etc. In management bodies of international organizations, governments of countries-members have equal rights⁶². Accordingly, delegations are accommodated in alphabetical order. Every delegation receives equal number of places in the first row. Places of delegations are indicated by plates with names of countries. Alphabetical order is also used at seating of states representatives at formal ceremonies. Persons in charge of delegations, even if they do not have similar ranks, are using equal rights and are honored equally.

Sessions of international organizations are managed by special body. In statute and foundation documents are always contained rules regulating composition and procedure of its election. Here is determined the method of assignment and authority of this permanent body called to perform management of work of organization in period between sessions and accept the necessary decisions in circumstances requires so. Within period of session work a special advantages in issue of precedence are provided to members of elected body of meeting.

8.2. Protocol issues of activity of international conferences

In international relations are traditionally separated two forms of multilateral diplomacy: participation of states in international conferences and session work of international organizations.

International conferences are temporary collective bodies that are created for consideration of one or another issue concerning interests of these states. International conferences could be inter-governmental and non-governmental. Difference in names of international forums (meetings, congresses, negotiations, summits) does not substantially influence their protocol-organizational provision.

For organizational provision of conference its initiators create secretariat (organizational committee). Its role is comprised in sending of

⁶² Гулиев А. Д. Украина-азербайджанские отношения: право, политика, дипломатия: сб. научных трудов. Т. 2. / А. Д. Гулиев. – Х.: Факт, 2015. – 572 с. (Guliev A.D. Ukraine- Azerbaijan relations: law, policy, diplomacy: edited volume. Volume 2. A.D. Guliev. – Kh. Fakt. – 2015 – 572 p.).

invitations, elaboration of document projects, reservation of hotels, ordering of transport, preparation of conference halls etc. In course of work of conference the secretariat is responsible for a range of administrative issues: arrangement of meeting of conference participants, support of communication with local authorities, provision of delegates with translators, audio and video means, keeping of meetings protocols according to regulations of procedures, distribution of projects of documents, publishing of conference materials after its completion etc.

A mandatory element of conference is a presence of procedure regulations that determine activity of its participants and to whom the chairman appeals in case of doubts or disagreement. Regulations of procedure could be presented to participants in advance in form of project along with notification about time and place of conduction of international forum, its business of a day.

Regulations of procedure could determine the mechanism of confirmation of authorities of conference participants. These functions are usually performed by special commission. Results of its work are reported at first meeting. All participants of formal negotiations must have formal authorities of their governments or other management bodies that directed them. Only officials of country do not need special authorities: heads of states, governments, minister of foreign affairs. If negotiations in name of their state are conducted by heads of diplomatic mission, they do not require special authorities, which are why the conduction of negotiations with the government of host country relates to direct function of diplomatic representative in accordance to chapter 3 of Vienna Convention of 1961. However, if in results of negotiations the ambassador has to sign contract or agreement, he presents the authorities of his government mandatory.

Authorities is the document certifying the right of a person or persons stated in it to conduct negotiations, represent the state in international organization etc. In the text of authorities is stated who authorized this person (the head of state, government); surname and name, job or rank of authorized person; name of agreement that is anticipated to be concluded, or subject and target of negotiations; name of international organization etc.

To the beginning of forum is decided the issue of formal and working languages of conference. Formal languages are languages in which are published all documents that received status of formal. Working

languages are languages in which debates are conducted, reports and projects of documents composed. Organizers of conference are obliged to provide synchronous translation of speeches in all formal and working languages of conference⁶³.

8.3. Order of precedence at international organizations

Protocol precedence of heads and employees of permanent missions of countries-members at UN, heads and members of delegations in period of work of sessions of General Assembly of UN depends on accepted alphabetical order of this precedence, determined by draw procedure that is performed by General Secretary of UN annually on the day before session of General Assembly of Organization.

This order is valid within a year until the next session of General Assembly. Country that received a draw receives a protocol priority and occupies the first place at all protocol events. It is followed, in English alphabetical order, by all other countries – members of UN. Seating in hall is also regulated by drawing⁶⁴.

8.4. Protocol of UN Flag

In 1947 the General Secretary of UN issues the Provision on Flag, from January 1, 1967 the Regulation of UN Flag is valid. The UN Flag is hanged at all buildings occupies by UN.

Flag is used by anybody acting in the name of UN. During military operations use of UN flag is determined by receiving of special permission from competent body of UN. Under no circumstances the flag or its image cannot be used for commercial purposes or in direct association with any subject of trade.

Flag never could be used as drapery, garland, in upturned or folded form. Any breach of Provision on Flag of UN could be a subject to penalty according to law of that country where such a breach took place⁶⁵.

⁶³ Пашаев Х. М. Манифест одного посла / Х. М. Пашаев. – Баку, 2009. – 356 с. (Pashaev Kh.M. One ambassador's Manifest. Kh.M. Pashaev – Baku, 2009 – 356 p.)

⁶⁴ Гулієв А. Д. Дипломатичний протокол та етикет: практикум: / уклад. А. Д. Гулієв. – К. : НАУ, 2014. – С. 96 (Guliev A.D. Diplomatic minute and etiquette: practicum book/ developer A.D. Guliev – K. NAU, 2014 – P.96)

⁶⁵ Гулієв А. Д. Дипломатичний протокол та етикет: практикум: / уклад. А. Д. Гулієв. – К. : НАУ, 2014. – С. 96 (Guliev A.D. Diplomatic minute and etiquette: practicum book/ developer A.D. Guliev – K. NAU, 2014 – P.96)

8.5. Privileges and immunities of international organizations

Tradition of granting to international organizations wide range of privileges and immunities was founded by UN that in 1946 accepted the Convention on Privileges and immunities of UN⁶⁶. By this document the Organization and also its officials were provided by status close to status of staff diplomats and diplomatic missions. Should be distinguished general immunities provided for organization by all its countries-members, and immunities that are specially provided to administrative services of organization by state on which territory the headquarters of organization is located. In most cases agreements about privileges and immunities are subject to ratification, because they comprise duties of states-members. Such agreements determine privileges and immunities provided to heads of organization and also its officials on territory of countries-members.

International organizations are freed from all direct and indirect taxes, except taxes or payment for services that are a payment for services. For ability to perform its international functions organizations have right for unobstructed reception of delegations of countries-members, and delegates, in their turn, use law immunities that are granted to organization, and freedom of movement in such manner that they are able to freely express opinion of their governments. Right for such benefits is cancelled if the government withdraws a person from composition of delegation.

Agreement on privileges and immunities should be sufficient for regulation of status of organization administration at its accommodation on territory of one of states-members too. However a necessity to clarify provisions of such agreement can occur. For example, status of headquarters is often a subject of agreement on headquarters between organization and state where it is located. Such agreement is mandatory when the headquarters is located on territory of state that is not a member of organization, or is the state-member still had not ratified the corresponding agreement on privileges and immunities. Non-governmental organizations cannot claim privileges and immunities

⁶⁶ Право зовнішніх зносин. Міжнародне право в документах / упоряд.: Ю. В. Алданов, І. М. Забара, В. І. Резніченко. – К., 2003. – С.154–159. (Internal relations law. International law in documents. Issued by Yu.V. Aldanov, I.M. Zabara, V.I. Reznichenko. – К. 2003 – p. 154-159).

used by intergovernmental organizations. But states where non-governmental organizations are functioning should create the necessary conditions for their normal functioning. Term "international official" is related to staff administrative employees of international intergovernmental organization and persons that are entrusted by organization to perform one or another temporary mission under its management and control. All new employees of UN, specialized institutions and other universal international organizations should give international oath of fidelity, usually in written form. The key provision of oath is the obligation to perform by international official with all loyalty functions, put on him by international organization. It is supposed that international official obeys exclusively to the head of organization that hired him, and is prohibited to request or receive instructions from any authority exterior for organization. In organizations where oath is not required in order on assignation usually is included reference for the chapter of statute or provision on personnel, in which the duties of administrative officials are stated in details⁶⁷.

8.6. Protocol issues in activity of international administrative officials

Provisions on personnel of international organizations contain description of manner in which international officials should behave. In particular, activity incompatible with functions of international official is prohibited.

International administrative official is obliged to refrain all acts and statements that could discredit international activity, display moderation and sensitivity in issues of national senses, religious and political opinions. In provision on personnel is stated the necessity to display prudence on issues that are subject of formal activity of international administrative official, even after their retirement. Within all period of service and usually after retirement they are prohibited to accept honor signs, services, presents, awards from national governments, except awards for military merits.

⁶⁷ Гулиев А. Д. Международно-правовой контекст внешних сношений в условиях глобализации: монография / А. Д. Гулиев. – К. : Изд.-во Нац. авиац. ун-та «НАУ-друк», 2011. – 464 с. (Guliev A.D. International and law context of the external relations in the condition of globalization. Monograph. / A.D. Guliev. K.: Publishing house of the National Aviation University "NAU-druk", 2011. – 464 p.).

In organizations of political nature whose personnel requires defense of its activity are usually granted the following immunities: personal immunity from arrest, except for cases when delinquent is apprehended *flagrante delicto*; immunity from court action for activity conducted in course of performance of his international functions; tax immunity from payment made from funds of organization; customs privileges; abolition of police and immigration formalities for officials and their families; guaranteed ability to leave country in case of occurrence of international tension⁶⁸.

⁶⁸ Шинкаренко Т. І. Дипломатичний протокол та етикет: навч. посіб. / Т. І. Шинкаренко. – К. : Видавнично-поліграфічний центр «Київський університет», 2007. – 296 с. (Shinkarenko T. I. Diplomatic Protocol and etiquette: textbook / T. I. Shinkarenko. – K.: publication and printing center “Kyiv University”, 2007. – 296 p.)

Chapter 9

ADHERENCE TO STANDARDS OF DIPLOMATIC ETIQUETTE AS A CONSTITUENT OF IMAGE OF DIPLOMATE, POLITICIAN, BUSINESSMAN

9.1. Appearance of diplomat, politician, businessman

In our time the connection of dress and social role of a man, whose appearance should correspond to the level at which he is positioned in service hierarchy stays very prominent.

Formula of professional appearance, image of diplomat could be defined as follows: a groomed man behaving with confidence and dignity, dressed in accordance to a professional role he performs, and also in accordance to time, place and nature of event. It should always be remembered that clothes is a kind of visiting card not only of a certain person, but of institution he represents.

In formal-business relations is very important to correspond to generally accepted image of diplomat, politician, businessman etc.

And this image anticipates adherence to classical style in clothes. Clothes for formal-business communication should be of high quality and distinguished by reasonable conservativeness (absence of bright colors, extravagant tailoring) that, however, does not mean a complete disregard of fashion. In wardrobe should not be combined things with a drastic difference in price, and this price is reflected in quality. Important for men of representative professions stays the rule that does not recommend to appear at work in the same clothes for two days in a row.

Major colors for men costumes are considered to be gray, dark-gray, dark-blue, black and coal color. These colors are defined as colors of power (force colors). Black costume is intended for solemn occasions. In late autumn, in winter, in early spring, in the evening time the preference goes to dark costume, at daytime and in summer – to a light one.

Business costume is not to be wear without a tie. Absence of a tie underlines free style of life and behavior, characteristic to actors, artists, writers etc. At selection of tie the major attention is paid to quality. Highly appreciated are Italian silk handmade ties. The tie should be silk or look like a silk one. A striped tie is considered to be a classic attribute

of a successful businessman. In formal clothes is usually used a tie of dark tones in combination with a light shirt. Tie is selected in matching tone to costume but at this could not match completely. Tie and handkerchief should complete each other without having a similar pattern.

Color of socks should correspond to costume of be darker, making a smooth passage to a color of shoes. An important detail is a length of socks. They should be long, so a man can seat with crossed legs without feeling uncomfortable.

Rules of etiquette do not allow wearing of suede shoes with formal costume. The best are considered blucher boots, mandatory made of leather. Black boots matches a costume of any color (dark-blue, gray, black), dark-brown shoes make a bad match with a dark costume but matches clothes of a beige color. Boots of light sunburn color, gray and white are not allowed in a business world, they are wear to light summer costumed, usually of a sports style. Decorative elements are not desirable in a style of boots for business: buckles, bows, badgers. The best of a businessman are considered to be smooth boots of Oxford type.

Men are not recommended to wear jewels as decorations. Allowable accessories for men are functional things: tie pin, cuff links, belt, pouch, notebook, pen, card case, case (fob) for keys. Items should be of a high quality, preferably made in one style. Watches are a mandatory attribute for a businessman, its absence could be considered as insufficient attention and respect of time.

Etiquette allows more abilities for women in selection of clothes, than for men. this allows dames to select color of clothes, style that are the best fit for their preferences, peculiarities of figure. But some generally accepted rules should be taken into account. First of all, due to larger variability of women clothes a special attention should be paid for its correspondence to time and circumstances.

A woman should look professionally, business-like and groomed. Bright and luxurious clothes are not allowed. For formal-business circumstances neither deep cleavage nor mini-skirt are matching. Businesswoman should select a skirt of Italian length: up to the middle of a knee. Recommended standard for a business wardrobe is a costume with a skirt or a costume dress. If a coat is single-breasted, it could be not buttoned. A costume should be made of wool or of material that looks like wool. For daytime clothes are not suitable velvet, taffeta, transparent capron, chiffon, laces, sparkling silk, pearl and beads embroidery. Tradi-

tional colors for business clothes of a woman are considered to be gray, dark-blue, olive, burgundy. For spring and summer costumes – ivory, cacao, beige. In clothes assembly is better not to have more than three colors, at this they are selected in a manner underlining the major, dominating color, or contrasting to it.

At business, formal or solemn circumstances tights or stockings are always mandatory. The color of shoes should match or be a tone darker of color of a lowest dress detail (skirt hem). Accessories of a business woman should be of a high quality. Preference should be given to leather bags or brief cases. At this designer labels on bags should be avoided.

9.2. Etiquette of phone conversation

At present time a significant part of business issues are solved by phone. As practice shows, bad manners of employees are most clearly displayed namely in course of telephone communication. If a telephone connection of performed through secretary, a person in charge should remember that a culture of his assistant is an important component of image of his organization. There are sayings that should be "tabooed" in telephone conversation, so no false impression would be made about organization. Here, in particular, could be related the following phrases: "I don't know", "Nobody's in", "You have to", "Wait a minute, I'll be back soon". At occurrence of complications a more preferable phrase is: "I will clarify this for you, please, call again later".

If a call is not sanctioned, it is necessary to find out if a partner has a time for a conversation. If not, ask to transfer a conversation for another time. If the corresponding question was not asked and a person whom you've called does not have a time for a conversation, he could, without stating a reason of his business, ask to call him again later or to propose a recall. For example, the following phrases are possible: "I am sorry, but I cannot speak with you right now. I am in a hurry for a meeting and should be there at assigned time."

At presence of a preliminary appointment of a phone call, but in absence of surety that partner remembers about it, it is necessary to remind about the last conversation, to name yourself. Phone is picked up after second – fourth ring. At sanctioned conversation by speed of reaction for a call one can judge about a degree of interest in it. Even if a call is sanctioned, the caller awaits for connection for no more than five rings. If the phone was not picked up, this means that subscriber cannot or

don't want to pick up a phone. According to standards of phone etiquette to call longer is impolite. Formulas of greetings and good-byes depend on status of companions and nature of their relations. The conversation should begin from greeting and introduction. A man to whom the call was made introduces himself first. On external, non-personal phone the one who picks up a phone usually states not his surname but a name of organization. On internal phone the sub-division is named and a surname of a person that picked up a phone. Neutral answers like "yes", "hello", "I'm listening" are not allowed in business communication. The caller should say the greeting, introduce himself and if necessary – to name the institution he represents⁶⁹.

If in course of phone conversation the other phone is ringing, it is necessary to apologize to your companion, pick up a phone, notify about your business and find out from other companion if he will wait till completion of a conversation, or you will call him back after some time. A companion should not be made to wait for more than 30 – 60 seconds.

9.3. Etiquette of handing and accepting of presents

A present is always a symbol of respect, a peculiar for of expressing of feelings, good attitude to a man. Skill to make presents is an art, a manifestation of internal culture of a man. Present in business sphere could create atmosphere of benevolence and trust, promote business connections.

A delicate issue at selection of a present in business sphere is its price. A comparatively inexpensive present shows a good attitude of a one man to another, a corresponding price does not allow to consider it as a bribe. In many countries law prohibits officials to accept presents which cost exceeds a determined comparatively minor amount. By Western standards a business present should cost 10 to 50 USD. In protocol practice of most countries are implemented strict limits for presents that are handed or received by higher officials. In Great Britain this amount is 140 pounds, in USA- 250 USD, in France – 200-300 dollars, in Ukraine a single present is 609 UAH, within a year – 1218 UAH.

Etiquette regulations recommend respecting of superstitions. For example, handkerchiefs should not be presented (this means tears). In pouch or

⁶⁹ Молочков Ф. Ф. Дипломатический протокол и дипломатическая практика / Ф. Ф. Молочков. – М. : Международные отношения. 1979. – 232 с. (Molochkov F.F. Diplomatic minute and diplomatic practice/ F.F. Molochkov – M. Mezhdunarodnye otnosheniya. 1979 – 232 p.)

purse should be mandatory placed a coin, or the present would "bring" a shortage of money. A bad sign is to present mirrors or knives. In some countries both in West and in East presenting of watches is not customary. The ritual of handing is not less important than a gift. All presents, except flowers, are handed in package. Here relates strong drinks that are not given without brand package. If there is an opportunity, the present should be handed personally. If there is not than it is desirable to pass it with a visiting card with a corresponding writing that is made from a third person only.

At acceptance of a present one should always thank. This is usually made twice: first at ceremony of handing, and then after unwrapping a present. If a gift could not be accepted due to ambiguity of its content or because of unallowable price, it is immediately returned with a short note of, for example, the following content: "I consider impossible for myself to accept your present and due to this return it to you"⁷⁰.

9.4. Rules of greetings, introductions (recommendations) by standards of diplomatic etiquette

Greeting – a custom most widely spread in our daily life, it requires adherence to etiquette standards. In all countries of the world people greet each other at meeting. The most widespread form of greeting in modern etiquette is a slight bow and a smile. Greeting is accompanied by words: "salute", "my respects", "good morning", "good afternoon", "good evening". Then should be stated a name of a man that is greeted. At less formal greeting the reference by name could be skipped. Greeting answering phrases of a communication partner could be of other structure and lexical composition than greeting phrases. Words are pronounced clearly, not quickly but not slowly too. The tone should mandatory be polite. Words of greeting should be accompanied by smile.

Young men greet elder people fist, men greet women, junior employees – senior employees. In business relations only persons that are at the same service level are taking into account age and sex of a partner in course of greeting.

Standing up is also a form of greeting. If to a man who sits approaches a woman or an elder man, he has to stand up to greet them. Women stand

⁷⁰ Драйман Д. Дипломатический протокол: задачи, средства, методы и стиль работы / Д. Драйман. – Лейпциг, 1981. (Drayman D. Diplomatic minute: tasks, instruments, methods and style of work. Leipzig, 1981.)

up only in case when a second person is much elder. Men, except for very old or ill, stand up while extending a hand for a greeting. Women, especially of an old age, can extend a hand in sitting position while greeting men or young women. If a woman enters room, men stand up (except elder men and also those who are physically impaired). At workplace, when enters a woman of a lower rank, men do not stand up. Is a person in charge enters a room where women work, they are standing up if he entered for the first time for acquaintance with personnel; returned from business trip or vacation; at the beginning of a working day. Person in charge of organization, institution shads up if a visitor enters a cabinet. He should button his coat and walk from behind the table towards the visitor. In cabinet the chief may not stand up at greeting of his employees⁷¹.

One of the most popular forms of greeting is a handshake. It is an element of European culture of communication that had spread throughout the world. In the past it was considered that extended hand demonstrated friendly intentions. At present time a handshake is a sign of respect to partner and a correct form of greeting to colleagues, customers, diplomats, high officials, even to the queen if she wishes to extend a hand for a greeting. In Europe hand are shake at acquaintance, good-bye, congratulation. There is a rule to take off the gloves before handshake. Modern etiquette allows that in the street a man can stay in gloves. But, if a man took off his glove for a greeting, the other one should do the same.

Handshake is initiated by a person of elder age, senior job, a woman, is she is greeting a man. At work a woman does not extend her hand first to a person in charge. At introduction a person to which the other person in introduced extends hand first. In any case, the extended hand should be answered by a handshake, or else a man would be strongly offended.

Acquaintance (introduction, recommendations) is considered as an establishment of contact between people by statement if a minimal information about them, that is necessary for communication. In formal circumstances a person is introduced, recommended, and in informal circumstances the introduction has a private nature, gaining a form of acquaintance.

⁷¹ Молочков Ф. Ф. Дипломатический протокол и дипломатическая практика / Ф. Ф. Молочков. – М. : Международные отношения. 1979. – 232 с. (Molochkov F.F. Diplomatic minute and diplomatic practice/ F.F. Molochkov – M. Mezhdunarodnye otnosheniya. 1979 – 232 p.)

In modern etiquette there are certain general principles and rules of introduction that are usually adhered to in most countries. They are based on standards of politeness and mutual respect. If people are equal by job position, rank, then a minor by age is introduced to senior. If people of the same age and sex are getting acquainted, then a less known man is introduced to a more known. Colleague is introduced to a customer, visitor, one man is introduced to a group of persons, man in introduced to a woman.

9.5. Etiquette of visiting of theater, academic concert, opera

Programs of state and formal visits of foreign statesmen in Ukraine could anticipate a formal visit of theater by foreign delegations. The ceremonial of formal visiting of theater anticipates installation of state flag of a corresponding foreign state and the State Flag of Ukraine at proscenium, the state hymn of the corresponding foreign state and the State Hymn of Ukraine are performed before the beginning of a performance.

By agreement of sides, program of state visit can anticipate a private visit of theater by the head of foreign state. In this case, persons determined by program of a state visit are present in loge with the head of foreign state, state flags are not installed, state hymns are not performed. At private visit to theater men wear dark costumes, light shirts and ties. Women wear gala dresses or costumes. Premiere of a spectacle of any evening performance for which spectators receive a special invitation can anticipate a formal dress code: evening dresses for women and tuxedos for men⁷².

In European theaters women are customarily seated on the right of men. However, is a woman's place is near the passage or from her place the scene is less visible, a man should propose to dame his, more convenient place. If two couples are visiting theater, than first to their places heads a man, then women, the last is a second man.

⁷² Удовенко Г. Дипломатія, що праця мінера на передній лінії, вимагає повної віддачі // Україна молода. – 1995. – 29 вересня. (Udovenko G. Diplomacy, as miner's work on the first line, requires the total efficiency// Ukraina moloda – 1995 – September 29)

INSTEAD OF CONCLUSION

A famous diplomat, Jules Cambon had written that regulations of protocol in modern times seem to be a little old-fashioned. But not to adhere them is the same silliness as not to take off a hat entering a church or shoes entering a mosque... Basically everything is not that senseless in these solemn bagatelles. As to diplomatic protocol and etiquette, than in every sovereign state there are own sacred places, on way to which a foreign guest should receive honors accepted in this country.

Throughout all this book I tried to lay stress on philosophy of a mutual (in diplomatic language – parity) benefit. One should try not to dominate a partner but to make him feel himself a winner. You should always remember that people will give you what you want not when you are dominating them, but when you can give then what they want.

While speaking of art of diplomacy I tried to persuade you in the fact that the aim of every negotiations related to different sides of diplomatic and protocol practice is not to defeat your opponent but to creatively persuade him to develop such an agreement when everyone would feel himself a winner. I affirm: at any negotiations, independently of their subject should win both sides.

Now you have everything necessary for performance of diplomatic activity and business more effectively. Use of this knowledge for achievement of agreements that will benefit for all interested sides depends only on you, dear reader.

THINGS YOU SHOULD KNOW

Etiquette at the table

- Do not be late, being invited for lunch, breakfast, dinner and tea.
- Do not sit down at the table until the ladies will sit down or until the host or hostess will not invite you to take a seat.
- Do not offer the lady the left hand while you accompany her to the table. The man should always offer the lady his right hand.
- Do not forget that the lady sitting next to you, especially on the right hand, has a right to your attention. You should entertain the lady sitting next to you regardless of whether you have introduced to her or not.
- Do not introduce after the guests sat at the table.
- Do not sit too close to the table or too far away from it.
- Do not caulk by the collar napkin and lays out it on the chest. Napkin should be placed on the knees.
- The first thing to do – to service the ladies.
- Do not eat soup with a spoon end. Do not ask for a second portion of soup.
- Do not bend over the plate. Keep straight as possible.
- Don't stretch across the table crossing other guests to reach food, wine or condiments. Do not take the bread with the help of the fork, take by hand.
- Do not bite the whole piece of bread. The bread should be broken.
- Do not butters a piece of bread. You should break bread slices and then butters it. Don't use one's bread for dipping into soups.
- Do not eat from the knife. Never take a knife to your mouth. Do not lay on a fork with the help of a knife. Take with a fork as much as it can fit easily.
- Do not eat too fast.
- Do not fill the mouth with plenty of food.
- Do not put your elbows widely. Elbows should be pushed to the sides.
- Do not put your elbows on the table.
- Do not raise your cup or a glass too high.
- Do not eat with a spoon that you can eat with a fork.

➤ Do not try to scoop up the last spoonful of soup, eat the last piece of meat, and so on.

➤ Do not take your plate asking for a second portion. Let it do the servants. Better not to ask for a second portion at all.

➤ Do not spit out the bones and the others on a plate. The bone should be removed from the mouth to the fork leaning to your mouth, and then put it on a plate. Fruit bones need to remove out of the mouth unnoticed on a spoon.

➤ Do not ask a neighbor to pass anything, if nearby is a servant.

➤ Do not play with a napkin, fork and other table accessories.

➤ Do not wipe the face with a napkin. Napkins can only slightly hold on the lips.

➤ Do not turn your back to the other, if you intend to talk with a neighbor.

➤ Do not talk with others through a neighbor.

➤ Do not talk with your mouth full.

➤ Do not lean back and do not fall apart on the chair.

➤ Try to be always calm.

➤ Do not drop the knife and fork. But if it dropped, do not be shy, ask for the other, not giving importance to what happened. Generally better to make mistakes than to try to do it with effort and involving attention.

➤ Do not use a toothpick at the table, if this is not necessary. In extreme cases, do it unnoticed.

➤ Do not treat the guest constantly.

➤ Do not drink a lot of wine.

➤ Being the host or hostess, never finish your meal first. Wait, when your guests finish. This is especially important when the last dish is served.

➤ Do not ask for a second cup of tea or coffee while guests are not received by the first.

➤ Do not make any comments regarding the dishes served. Do not criticize what is served at the table.

➤ Do not refuse any dish, referring to the fact that it you do not like or that it is harmful to you. It is best to refuse without explanation. Do not tell at the table about the illnesses.

➤ Do not put a teaspoon in a glass or cup. Stir the tea or coffee, then put the spoon on the saucer. Do not fold napkin after ate. Napkin should be placed carelessly on the table.

➤ Do not forget to get up from the table after a woman stood up. Remain standing up until they come out of the room, and then you can sit down again.

➤ Do not read the letters or documents at the table.

During the visits, in a society, on a visit

➤ If you pay a visit, do not enter into the living room or the office in the coat. Don't come in without knocking.

➤ Do not stretch out the hand the first to a lady, and a person who because of age or older than you in rank, while they do not offer it themselves.

➤ Do not rush to sit down. It is necessary to wait, when you were invited, and when the host or hostess will sit down. Sit quietly and confidently, do not make unnecessary movements.

➤ Do not look closely at the furniture, paintings and other items.

➤ Don't forget to get up every time when a lady enters the room.

➤ Don't present a lady to a man. A man, regardless of rank, has always presented to a lady personally. Younger age men and ladies should be presented a senior and not vice versa. Before anyone will be introduced it is useful to be sure that both sides want this.

➤ Entering the room or leaving it, do not go ahead of the ladies.

➤ Sitting down in the car, miss out lady forward. Coming out of it, go out the first and help lady to go out, offering her hand. The same thing – in the elevator.

➤ Do not try to shake hands with each one of those present. Always necessary to shake hand with the host and hostess, and the rest can only bow.

➤ Do not touch the interlocutor in order to attract his attention.

➤ Do not talk in a society about matters relating to only you and your companion, or about things that are understandable only for you two.

➤ Do not whisper. If you want to say what can not be spoken aloud, leave it to a more appropriate occasion.

➤ Do not tell about yourself and your business. Do not talk about their illnesses, failures, and so.

- Do not try to take over the conversation entirely.
- Do not lead a conversation about people who do not know the those present.
- Do not joke prickly against another.
- Do not ridicule others for their manners. If someone sneezes in a society, leave it unattended.
- Do not interrupt the interlocutor.
- Do not get into an argument by trifles.
- Do not look for the case to make a joke.
- Do not tell old stories, jokes and anecdotes.
- Do not flaunt the fact that you are well versed in the art or technique.
- Do not refuse to sing, play an instrument, or tell something, if you are asked to and you really can do it.
- Do not be morose because you think that you are not noticed.
- Do not show disrelish to boring or bothersome people. You'll be really polite, if others do not notice of your irritability or upset.
- Do not forget to be attentive to the elderly. This applies especially to the young, who for carelessness often inattentive to a senior.
- If at a reception or a party will be dances, do not forget to dance with the hostess and her daughters.
- Inviting a lady to dance and escorting her in her place, you need to offer her right hand.
- Do not abuse the hospitality of the hosts because of too long stay.
- Being at a party, do not dispose by the flowers and you may take them with you if the flowers were gifted to you by the host.
- Do not look at your watch frequently. Learn to correctly determine the time when you may leave. If you really need to get away before diverge the other guests, make it imperceptibly, apologizing pre before the hosts.
- When you are a guest at somebody's house or at the dacha do not forget to inquire about the customs of the owners: Is it possible to smoke in the bedroom, at what time to get up and go to bed. Do not be late to the table.
- Do not forget in this case to take with such things as shaving supplies, toothbrush, etc...

In public places, on the street

- Be polite to others or passers-by. Do not forget to apologize if you cause of another anxiety or discomfort.
- Do not stare at others. Do not point the finger at people or objects.
- Do not turn around and do not look after at people passed.
- Do not eat while walking down the street.
- Do not forget to take off your hat, if the case makes you to appeal to an unfamiliar lady.
- In the theater while passages between the aisles, you should go in such manner that your back will be turned to the scene.
- In the movie, entering the cinema hall, do not forget to take off your hat. A man should take off his hat in the foyer.
- Making the trip, do not forget to pay attention to your clothes. In some cases, for example, traveling on the ship, you should ask about common accepted clothes.
- When traveling abroad, do not forget that your behavior is judged about the customs of your country. Observe the rules and customs of the country where you are.
- Do not forget that in many countries it is forbidden to make photographs from the train windows, ship or plane.
- When the train is starting the way, do not block the train window without the need as your companions may also wish to say goodbye to someone. In the coupe do not open the window without asking prior consent of the other passengers.
- Do not be embarrassed by the fact that you do not know the size of the tip, which should be given at the end of the trip. This possible to consult from a fellow traveler who more experienced than you. Tickets for many airlines include tip.
- During car driving, remember not only about traffic rules; do not forget about the convenience and peace of other drivers and pedestrians. Do not signal if it is not needed. Driving on wet, muddy street, do not forget that your car may splash mud pedestrians and other vehicles.

Appearance and habits

- Do not forget constantly take care of your appearance, neatness and cleanliness. Do not neglect the details of his toilet. However, you can only do this at home or in places where there are no strangers. You

should never brush the hair, brush your nails tidy your suit and so on. at a reception, in public places or in the street.

➤ Do not wear brightly colored clothing or too colorful patterns. Choose soothing colors and styles that are most suitable for you.

➤ Do not wear jewellery only as decoration. You can wear a tie pins, chains for watches, brooches, pins, etc., because these accessories useful, but than they are simpler, the better. Women should be attentive to their jewellery especially.

➤ Do not put in the outside pockets pen, pencil, glasses, comb and other items.

➤ Do not go out into the unpeeled shoes.

➤ Do not wear a rumpled suit, no ironed shirt, tie.

➤ Do not wear a hat stretched over the eyes and shifted to the back.

➤ You should monitor your gait. Do not go waddlingly. You should go firmly straight, without bending and with dignity.

➤ Do not gesticulate unnecessarily. Always keep your hands under control. Do not put hands in the pockets.

➤ Do not wear pajamas, bathrobe and slippers anywhere but the bedroom or bathroom.

➤ Do not whistle in the street and in other public places.

➤ Do not laugh too loud.

➤ Do not smoke if it is unpleasant to others.

➤ Do not forget that your appearance and your manners draw attention of the surrounding people.

QUICK REFERENCE OF DIPLOMATIC TERMS AND CONCEPTS ⁷³

Agreement – the consent of the host State to the appointment of a certain person a diplomatic representative the represented state. Request A. is addressed only to heads of diplomatic missions, mainly through the Office of Foreign Affairs. The request is usually given in writing; A. correspondence and a possible renunciation in it have not been disclosed. The host State is not obliged to give reasons of refusal A.

Ad hoc – in diplomatic practice a form of representation of the state special missions. Special Mission – a kind of the External Relations of the Provisional Institutions, consisting of representatives sent by one State to another to perform specific tasks determined by agreement between those States. Previously, this form of external relations called diplomacy A.h. (Creation of diplomatic bodies in each particular case or a particular occasion).

Ad interim – the term used before the name of the diplomatic officer of the person authorized to make the necessary diplomatic acts and sign documents. A.i. means that such a person is only temporarily in this position. In a practice of work of embassies and missions in the case where the head of the diplomatic mission is unable to perform his functions, responsibilities are assigned normally to one of the advisors or other senior positions at the rank and diplomat, called temporary charge d'affaires. According to the procedure of notification his surname is reported to department of Foreign Affairs of the host country. Charge d'affaires do not represent any special class of heads of diplomatic missions, but only substitute them for the period of their absence.

⁷³ Составлен на основе: Дипломатический словарь в трех томах. Изд-во «НАУКА». – М., 1984–1986.; Большой словарь иностранных слов. – М.: Центрполиграф, 2001. – 815 с.; Большой толковый словарь иностранных слов: В 3 т. – Ростов-на-Дону: Феникс, 1997. – Т. I. – 526 с.; Т. II. – 528 с.; Т. III. – 492 с.; Руденко Г. М. Україна дипломатична. – К., 1999; Словник іншомовних слів. – К.: Наукова думка, 2000.; Фельтхэм Р. Дж. Настольная книга дипломата. – Минск: Новое знание, 2001.; Сагайдак О. П. Дипломатичний протокол та етикет: Навч. посіб. – К.: Знання, 2006. – 380 с.

Accreditation – the process of appointment of the diplomatic representative of one State to another. The culmination of it is the presentation through the diplomatic representatives of credentials to the head of host State. In most states, a diplomatic representative is considered to assume his duties from the date of presentation of credentials; in some states – after notification by the Office of Foreign Affairs of the arrival and presentation of a certified copy of his credentials. There is also the practice of journalists Accreditation.

Alterna (alternate) – the rule that in the copy of international treaty intended to sign a specific contract party the parties' names, signature of authorized, printing, as well as the text of the agreement in language of certain contractual parties are placed in the first place. To sign the first is considered place that under the text of the treaty on the left side, and if the signatures are placed one under other – the place on top. Application A. emphasizes the equality of the contracting parties. A. strictly enforced in bilateral treaties. In the multilateral treaties are relatively rare.

Annexation (accession) – the wrongful connection (capture) of the state territory belonging to another State. A. is a flagrant violation of international law.

Enclave – the territory of the state, which is entirely surrounded by land territory of another State, or part of the territory of the state, is completely surrounded by land territory of one or more states. In cases where part of the territory of the land is surrounded by the territory of another state entirely, but there is an exit to the sea, it is called a half-enclaves.

Arbitration foreign trade – the resolution of the conflict on foreign trade agreements arbitration court (the arbitrators), who are appointed in accordance with the procedure agreed between the parties or prescribed by law.

International Arbitration – the consideration of international disputes, by the voluntary agreement of the disputants, one or more arbitrators. A characteristic feature of I.A. is a mandatory legal force of its decisions to the parties and the choice of arbitrator (s) disputing parties.

Attache – the position or rank of diplomatic representative. In international practice, there are the following categories A.:

a) military, naval, air – the representatives of the military department of State who appointed them, with military department of the receiving

state. At the same time, they are representative of the diplomatic advisors on military matters;

b) special – representatives of various departments of state concerning agriculture, finance, trade, culture, science, etc. They study in the host country over issues of their specialty, are work related to the development of relations between the submission of the relevant departments and agencies of the host country;

c) on issues of the press (press attache) – responsible employee in charge of the diplomatic representation of the Press and Information;

g) Diplomatic – junior diplomatic personnel of the central apparatus Ministry of Foreign Affairs or diplomatic representation;

e) honorable (in the practice of some countries) – the person who chose a diplomatic career, but have not yet enrolled in the staff and do not receive pay. They have the right to undergo training in the diplomatic mission, after which can be credited to the staff.

Rent the international legal – the representation on a contractual basis by one State to another part of its territory for use for a specified period, for certain purposes and under certain conditions. State lessor retains sovereignty over the territory, are given in rent by restricting some of the rights to it in accordance with the contract in favor of the lessee State.

Diplomatic Archives – a set of documentaries, which have emerged as a result of activity of the Ministry of Foreign Affairs and its missions abroad.

Audience with a diplomatic (hearing) – the reception the Head of State, Head of Government, Minister of Foreign Affairs or other members of the diplomatic representative of the Government. Depending on local rules of protocol, diplomatic class and character, A. d. Can take place in a festive atmosphere with or without the protocol ceremonies In a festive atmosphere is implemented the reception of head of the State of foreign diplomatic representative while he delivery his credentials.

Authentic text (the original) – the original text of any document. In international law, the adopted text of an international treaty called authentic. If the contract is made in two or more languages, then in his final article notes that these texts being equally authentic, that is deemed authentic, the same original.

Statelessness (political indifference, apatridizm) – the legal status of persons without citizenship (stateless person, political indifference). For S.

adopted two international conventions: the Convention on the Status of Stateless Persons of 28.09.1954, and the Convention on the Reduction of Statelessness of 08.30.1961 year.

Benelux – Economic Union of Belgium, Netherlands and Luxembourg. Since 1958, the state BN is part of the European Economic Community.

Boycott in international relations – the refusal of the state to establish or maintain a certain relationship with the State or group of States. The UN Charter provides for the B., as one of the compulsory measures to keep the peace, which do not involve the use of armed forces. B. can be used as a reprisal.

Briefing – meetings, conversations of representatives of the foreign ministries and other government bodies, international and other organizations with the press, radio and television to inform them about important events, international negotiations, conference, symposium, meeting, about the position and the views of the participants and the results achieved. B. differs from the press conference because it briefly, less formal and is for informational purposes.

Currency warning – a form of restrictions and cautions so-called currency risks in foreign trade. Used in international lending, payment and other ways, as well as in long-term trade agreements in connection with the depreciation of the currency.

Politeness international – the acts of good-neighborliness, friendship, kindness, underlined respect, and cancellation of formalities, granting privileges to foreign states and the privileges and services to the citizens of foreign State, not because of the requirements of international law but because of voluntarily of the State exercising such acts. Acts P. i. Does not necessarily entail appropriate action and not accompanied by the requirements mutuality, however, such actions are often expected and desirable. Failure of acts P. i. can be regarded as an unfriendly act, but is not considered a violation of international obligations and does not entail liability.

Veto – a lack of consensus, which allows a definite decision to reject, for example, at the UN Security Council meetings is sufficient disagreement one permanent member of the Council.

Mutuality – established principle of international relations, in which the state should build their relations on a mutually beneficial and equitable basis, taking into account the legitimate interests of the other party.

On the basis of M. the State can take appropriate action in response to any action on the part of another State. M. application of the principle is unacceptable, if such actions are accompanied by a violation of international law and accepted norms of humanity and morality.

Office of Foreign Affairs – External Relations domestic body, which carries out practical activities for the implementation of foreign policy. In most countries, the Ministry of Foreign Affairs represents and protects the rights and interests of the state in international relations, carries out diplomatic and consular relations with foreign States, provides for participation in international intergovernmental organizations, to diplomatic representatives give instructions and advice to institutions abroad, directs and supervises their activities. Office of Foreign Affairs supports the communication and negotiating with foreign diplomatic representatives and delegations, preparing draft agreements, processes the incoming information. Office of Foreign Affairs is to protect the rights and interests of citizens of the state abroad. It submits to the important issues of the foreign policy of the government. The Head of Office of Foreign Affairs is a part of the government. During his stay abroad, he enjoys diplomatic privileges and immunities.

Diplomatic visa – a special stamp which is affixed Office of Foreign Affairs, the diplomatic mission or consular post. D.v. means the recognition of the diplomatic status of the person the owner of the passport she put. These are members of government and higher officials of the of states, delegates at international conferences, the person sent to extraordinary diplomatic missions, diplomatic staff officials of border agencies affairs, diplomatic couriers sent to the official purposes of , etc. D. v. also accepted if the person having a right to them follows about their business.

Visits State – one of the most important forms of foreign policy that promotes the development of international relations, immediate authoritative decision of important international or inter-state issues. V. s. are the visits of heads of states, governments, official delegations at the highest level. In accordance with diplomatic protocol, V.s. have a classification procedure for their implementation and the appropriate ceremonies.

Diplomatic visits – an important means of establishing, maintaining and developing relations with the representatives of official, public and business circles of the host country, as well as with the diplomatic corps.

D. v. of official and mandatory nature visits are considered those, which are applied to diplomatic representative before and after the presentation of credentials. D. v., of diplomatic representative with the aim of maintain acquaintances, are considered private. D. v. is carried in exactly the agreed time. Initiative of completion D. v. Belongs to the guest, with the exception of D. v. to the head of state, which is the first lets you know that D. v. is over. Diplomatic staff of missions and their wives also perform D.v.

Business card – is widely used in diplomatic practice. On the business card is printed the name (in some countries also patronymic) and last name and position underneath. B. c. is accepted to pass, send or leave personally. If the card is delivered to the recipient personally by the owner, but without causing the visit, it should be folded from the right side across the width of the card. On the business card that is sent for a woman, the position is not indicated. The size and font B. c. depend on local practices. . Depending on the individual case, in the lower left corner of B. c. possible write by pencil such letters of the Latin alphabet: p.f. – Greeting p.r. – Thanks, p.c. – Empathy, p.p. – Distance presentation of the new employee of a diplomatic mission (directed together with B.c. of senior diplomatic member of the mission.); p.p.c. – The final departure from the country of residence (instead of applying a personal visit) and p.p.N.a. – New Year greetings. On the business card may be other inscriptions in the third person: "congratulates", "thanks for the greeting", "Thank you", etc...

Credentials – a document certifying the authorization of the diplomatic representative and accredits it as such in a foreign country. C. addressed to the head of the host State, shall be signed by the head of state, appointer diplomatic representatives and by the Minister of Foreign Affairs. C. issued to ambassadors, ministers, and heads of the special (emergency) delegations. They have the character of the general powers of the diplomatic representative; for the negotiation of any matter or for signing an agreement or contract they would be provided with special powers.

Foreign policy information – one of the daily functions of a diplomatic mission abroad. It has a dual purpose: to inform his government about the situation and developments in the host country; to inform the country of residence of the policy of the state, which represents the diplomatic mission.

Foreign policy – the general state course in international affairs. F. p. regulates State relations with other states and peoples in accordance with its principles and objectives implemented by various means and methods. Diplomacy is the most important method of F. p.

Guarantees International – one of the ways to ensure international law and international obligations. International guarantees are collective (from several countries) or unilateral.

"Hot pursuit" – a legal doctrine that applies to the sea and allows you to detain ships, have committed crimes in the territorial waters of any state, and then disappeared into the sea. This term is used to define such acts in respect of persons who illegally crossed the land border.

UN General Assembly (UNGA) – one of the main United Nations bodies. It consists of all UN member states. It is empowered to consider the general principles of international cooperation in the maintenance of international peace and security, including disarmament and the regulation of armaments, as well as any other issues or matters within the scope of the United Nations, relating to the powers and functions of any UN body, and make recommendations on these issues. The UN General Assembly functions include approval of UN budget.

General Agreement on Tariffs and Trade (GATT) – a multilateral agreement, the code of legal rules, on which based commercial relations between the participating countries.

Genocide – the acts committed with intent to completely destroy or in part, any national, ethnic, racial or religious group.

State Anthem – a solemn song, a symbol of national sovereignty. Performed during official government events, meetings and wires of foreign government delegations, foreign dignitaries.

Head of state – the highest constitutional authority of the state leadership and the country's external representation. It may be the sole (President, etc.) or a collective. Head of State has benefit of all diplomatic privileges and immunities for stays in foreign countries.

Head of government – an officer who managing of government activity. While staying in foreign countries enjoy diplomatic privileges and immunities.

Group of Seven – the leading industrial countries: United Kingdom, Italy, Canada, Germany, USA, France, Japan, and Russia and the President of the European Commission.

Downing Street – a street in the center of London, named after British diplomat J. Downing of the Restoration period. On D. s. located the Ministry of Foreign Affairs and the official residence of the British Prime Minister.

Declaration – single, double or multilateral statement which states proclaim the principles of the foreign and domestic policies or expresses the position on specific issues. In the form of D. may be the recognition of states and governments.

Demarcation of boundaries – an implementation of the state border on the ground with the designation of its special characters.

Demarche – a diplomatic action which is undertaken by the Government, the Office of Foreign Affairs of before the government of another state. D. may be different in shape (note, memorandum, declaration, etc.) and content (from a simple sounding or requests to protest).

Demilitarization – the international legal regime of a particular territory, banning its use for military purposes in peacetime.

Dumping – selling goods on foreign markets at prices below their "pure" value of the domestic market. The term "non-profit competition" applies to services, such as transport.

Denunciation – duly executed waiver of the state of the international agreement concluded them.

Depository – one or more States, an international intergovernmental organization or the chief administrative officer of the organization, the remaining originals international multilateral agreement and all documents relating thereto (statements, ratification, denunciation, etc.).

Depositing – transfer of deposited with the Depository of the international treaty of the original and other documents relating to it.

Gentleman's Agreement – accepted in international practice, the name of the contract that is concluded orally.

Diplomat – an official of the state, leading to work towards the implementation of official relations of his state with a foreign country and having got special training.

Diplomatic correspondence – a set of different types of official correspondence and diplomatic documents, which helps in relations between States. Types D. c .: letter, telegram, letter, note, as well as a declaration statement, the official news agency.

Diplomatic representation – a foreign state body of external relations, who heads the diplomatic staff: embassy – Ambassador, Mission – a permanent Charge d'affaires.

Diplomatic corps – a set of heads of foreign diplomatic missions accredited in the country. In a broad sense D.c. -. all diplomatic staff of diplomatic missions, recognized as such by the Government of the host country, and members of their families.

Diplomatic Asylum – asylum in the premises of diplomatic and consular missions.

Diplomatic relations – the main form of maintaining official relations among States in accordance with international law and practice of international relations.

Diplomatic contacts – personal contacts between leaders of the State or by persons having special powers. D. c. are supported on the Heads of State and Government, Foreign Ministers and other officials. In practice, D. c. are implemented during periodic meetings during diplomatic conferences, visits, negotiations, diplomatic receptions and so on.

Diplomatic negotiations – formal discussions representatives of the political state, economic and other issues of bilateral and multilateral relations with a view to harmonizing the foreign policy strategy, practice or in accordance with the stock exchange of views and information, preparation and conclusion of contracts, settlement of disputes. D. n. implemented through personal interviews of participants or in writing through diplomatic correspondence.

Diplomatic privileges and immunities – the rights and privileges granted to diplomatic missions, special missions, missions of States and international intergovernmental organizations, their heads and staff.

Diplomacy – a means of achieving foreign policy; the official activities of the heads of state and government, foreign ministers, departments of Foreign Affairs, diplomatic missions and delegations to international conferences with a view to carrying out the tasks of foreign policy of the state to protect the rights and interests of the state, its institutions and citizens abroad; the art to achieve its goal methods inherent to diplomacy.

Multilateral diplomacy – diplomatic activities with the participation of representatives of several countries, related to the work of

international intergovernmental organizations and conferences, negotiations, conferences etc.

Good service – one of the means of peaceful settlement of international disputes and conflicts. It is a set of actions by states or international organizations that are not parties to the dispute or conflict, as mediation in solving them. G. s. carried out on their own initiative or at the request of the parties to the conflict.

International agreements – an explicit agreement between two or more subjects of international law which governs their relationship by creating mutual rights and responsibilities in the political, economic, scientific-technical, cultural and other fields. The order of detention, execution and denunciation I. a. governed by the law of treaties. I. a. devoted Vienna Convention on the Law of Treaties of 1969 and the Vienna Convention Succession of States on the treaties in 1978.

Doctrine foreign policy – adopted in a particular state system of views on the goals, objectives and character of the foreign policy activities, as well as the methods of its implementation and enforcement.

Doyen of the diplomatic corps – a head of the diplomatic mission, which is the first among his colleagues in the diplomatic corps in the host country presented his credentials. The functions D. d. c. have primarily protocol character.

The European Space Agency (ESA) – an international intergovernmental organization for cooperation among States in the field of space research and development of space technology for peaceful purposes.

The European Bank for Reconstruction and Development (EBRD) – created in 1991 to assist countries of Central and Eastern Europe and the Commonwealth of Independent States (CIS) in establishing a market economy. The main forms of EBRD financing are loans, equity investments (shares) and guarantees.

European Economic Union (EU) – an international intergovernmental organization of European countries, whose main task is to form a 'common market' through the progressive canceling between Member States of customs duties and quantitative restrictions on the importation and exportation of goods; establishing a common customs tariff and coordinated trade policy towards third countries, and so on.

Laws and customs of war – a set of principles and norms of international law, establishing the rights and obligations of the parties, the warring and neutral countries in connection with the armed conflict.

Hostages – the person who captured or detained, including under the threat of death or physical injury, in order to force a third party to exercise or refrain from exercising any actions.

Migrants – citizens of one state, settled permanently or for a long time on the territory of another country in search of work, due to reasons of political or religious nature.

Incorporation (in international law) – 1) to include in its structure, joining other organizations; 2) providing, in accordance with US law group legal status, corporations, ending with the issuance of a certificate; 3) systematization of rules of international law; 4) integration and placement of international law without any changes to their essence in separate collections in chronological, alphabetical, thematic or other procedure.

Foreigners – the persons who are not citizens of that State and have proof of their citizenship of another country (foreign citizens).

Intervention – a type of use of force, manifested in aggressive intervention of one or more States in the affairs of another state like using armed forces to armed aggression, as well as in any other form.

Capitulation – a termination resistance and submission of the armed forces of the enemy. Specific terms of C. may be agreed by negotiation between the command of the warring parties.

Communiqué – a type of diplomatic documents – official notification of the consequences of diplomatic negotiations.

Convention – Agreement, an international treaty on some specific issues.

Condominium – Condominium, a joint implementation of supreme power over the same territory of two or more States. C. can be installed and over water.

Concordat – a special contract (agreement) between the Pope as the head of the Catholic Church and the government of a state, which controls the position and privileges of the Catholic Church in this country.

Consensus – the procedure of decision-making method in international organizations and international conferences without a vote in the absence of formal objections on the part of the participants against the resolution as a whole.

Consular legalization – the establishment and certification consul personal signature and seal of the consular office of the original signatures on documents made by the authorities of the consular district, as well as the relevance of documents to the laws of the host State.

Consular establishment – permanent state body foreign relations, established in a foreign country on the basis of a bilateral agreement for the exercise of consular functions.

Consular District – territory of the host State, within which a consular officer performs consular functions.

Consular patent – a document confirming the appointment of a particular person the head of the consular post. C. p. is provided by the head of state, head of government or head of the department of Foreign Affairs of the appointing State.

Consular shield – the emblem of the state with the image of its coat of arms and the name of a consular post in the languages represented State and the host State.

Consular fees – fees charged by consul (consular) for actions that they are carried out: the issuance of passports and visas, civil registration, legalization of documents and more.

Consular privileges and immunities – benefits and privileges that are provided by the host State to consular officers and staff of consular offices in order to ensure the smooth implementation of their functions.

Consular ranks – official title of consuls. They generally correspond to positions that are similar to the names of: general consul, vice-consul, consular agent.

Confederation – a form of government, which is a permanent union of two or more sovereign states. C. Is created for certain purposes (mutual defense, foreign relations, etc.).

Diplomatic Conference (Plenipotentiary) – a Meeting of the Conference in order to prepare or review international document, which delegates have broad powers.

Confrontation – 1) strength, explosive condition in relations between states, which could lead to a military conflict; 2) confrontation, the confrontation of political systems, attitudes, ideological and political principles; 3) the maximum intensification of contradictions.

Place Card – a card with a coat of arms bearing a guest's name and used to mark their place at a dining or meeting table at diplomatic reception.

Diplomatic courier – a person responsible for delivery of diplomatic mail. D. c. shall enjoy personal inviolability and shall not be subject to arrest or detention in any form.

League of Nations – an international organization, which operated between the First and Second World Wars.

IAEA – International Atomic Energy Agency, created by the decision of the UN General Assembly in 1955 to promote international cooperation in the peaceful uses of atomic energy.

Memorandum – a kind of a diplomatic document. A distinctive feature of M is a detailed presentation of factual or legal side of any issue in the relations between states. M may be an application to the diplomatic note. As a separate document on the staff of M. printed form, it does not include treatment and compliments, a text note the place and date of departure, printing is not put. M. directed to the note, printed on paper for notes (not on the form). Location and date in this case is not put down.

Interstate Bank for Reconstruction and Development (IBRD) – an international intergovernmental organization, a specialized agency of the United Nations; established in 1945 in accordance with the decision of the United Nations, the Bretton Woods conference in 1944 .; in collaboration with the International Development Association (IDA) and the International Finance Corporation (IFC), forms the so-called World Bank Group. IBRD members can only be members of the International Monetary Fund.

International Federation of Red Cross and Red Crescent Societies – founded in 1919 in Paris. Headquarters – in Geneva. It unites over 160 national Red Cross and Red Crescent Societies, including the Red Cross Society of Ukraine.

International law – the system of legal principles and norms governing relations between States and defining their rights and responsibilities.

The International Monetary Fund (IMF) – an international intergovernmental organization, a UN specialized agency. The official task of the IMF – to promote international monetary cooperation and trade. The fund is carried out by monitoring compliance with international agreements in this area, providing short-term loans to countries to align the balance of payments, promote the formation of a multilateral system of currency accounts.

The International Committee of the Red Cross – founded in 1863 Headquarters – in Geneva. Ukraine is a member of the Committee since 1949 as a state party to the Geneva Convention relative to the Protection of War Victims.

International relations – a set of economic, political, ideological, legal, diplomatic, military and other ties and relations between states and groups of states, social, economic, political forces, organizations, movements, operating in the international arena. The main role in I. r. plays interstate relations.

International intergovernmental organizations – a union of states created on the basis of multilateral international agreements and in accordance with international law for certain purposes.

International non-governmental organization – any international organization, creating not on the basis of interstate agreements.

Diplomatic mission – a diplomatic mission, which is headed by a messenger or a charge d'affaires. D. m. ooften referred to as representatives or delegates allocated to perform a single diplomatic assignment of his government.

Modus Vivendi – a temporary short-term deal, which is under the circumstances, do not give the possibility to reach a permanent or long-term deal.

Modus prosedendi – the method and procedure implementation of any commitments or actions by international agreement.

Moratorium – agreed subjects of international law postponing or refraining from taking any action on a certain or an indefinite period.

Marine International Law – system of principles and rules of international law governing the legal regime of sea spaces and regulating the relations between the states, which arise in connection with the use of the world's oceans. The principles and norms of M. i. l. set out in the UN Convention on the Marine Law 1982.

The greatest assist mode – an international legal regime under which each contracting party undertakes to give the other side, its physical and juridical persons, such as favorable conditions in the field of economy, trade and other relations that it provides or will provide in the future a third State its physical and juridical persons.

Naturalization – granting by the State his citizenship to a foreigner or a stateless person.

National Regime – a kind of legal regime that applies to foreign legal and natural persons in the territory of a particular state. N. r. means granting to such persons of the same rights and privileges enjoyed in the state its own legal and natural persons.

Non-interference – one of the main principles of international law that a State or group of States haven't the right to interfere in the internal or external affairs of another State.

Neutrality – a special international legal status of states. International law distinguishes: N. during the war (saves with belligerent States peaceful relations and does not provide any of them military aid) and N. constant (in international law – the position of the State not to be involved in the war, the military units).

Non-use of force in international relations – one of the main principles of international law enshrined in the UN Charter and other international agreements and documents, providing solutions to all disputed issues by peaceful means.

Note diplomatic – a type of document of diplomatic correspondence – diplomatic official written appeal. N. d. are divided in the personal and verbal. In diplomatic practice widely used by N. verbal, which sets out the current issue of a different nature. N. personal is mainly concerns issues important and fundamental values.

Nuncio – a permanent diplomatic representative of the Pope of the highest rank in states with which the Vatican maintains diplomatic relations.

Exchange of notes – a form of international agreements. It is used at the conclusion of agreements between states on issues such as the establishment of diplomatic relations, the transformation of the diplomatic mission of the embassy, clarifying certain provisions of the treaty, ending its action, transfer of ownership, etc.

Military occupation – a temporary capture of the armed forces of a State against the territory of another state (or part of it) and the establishment of the power of the military administration in the occupied territory.

Oligarchy – a form of government in which political and economic governance is carried out by a small group of persons – owners of the largest banking and industrial monopolies, effectively subordinating the whole apparatus of the state and determine its internal and external policies.

Choice of citizenship – a voluntary choice of citizenship in the case of the two transition areas under a contract from one to another state (Conservation of previous nationality or citizenship of a transition to another state by submitting individual applications).

Organization for Security and Cooperation in Europe (OSCE) – was established in the early 1970s under the title "Conference on Security and Cooperation in Europe" as a multilateral forum for dialogue and negotiation between East and West. Its basic principles are fixed in the Final Act of the 1975 Helsinki Conference of Heads of State.

United Nations (UN) – an international organization created in 1945 by the main participants of the anti-Hitler coalition. The purpose of the UN is: the maintenance of international peace and security, the prevention and elimination of threats to peace and acts of aggression suspension, the settlement by peaceful means of international disputes or situations which might lead to a breach of the peace; developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples; to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, etc.

United Nations Educational, Scientific and Cultural Organization (UNESCO) – an international intergovernmental organization, UN specialized agency, established in 1945. The main task of UNESCO – to promote peace and security by promoting collaboration among nations through education, science, culture and information.

North Atlantic Treaty Organization (NATO) – the military-political bloc in Europe and North America established in 1945. NATO members are US, Canada, UK, Germany, Belgium, Denmark, Italy, Spain, Turkey, Greece and other countries.

Pact – the name of the bilateral or multilateral international treaty that regulates the issues of mutual and collective security.

Aide Memoire – one of the types of diplomatic correspondence. Often it is transferred personally during a meeting in support of a verbal declaration.

Initialing – a preliminary signing of an international treaty (or its parts) by initials of authorized representatives of each of the contracting parties as a sign of agreement of treaty text.

Parity – in international relations means negotiating with equal representation of the parties and on the basis of equality.

Persona Grata – a diplomatic representative, for the appointment of which the head of the diplomatic mission was given consent of the State Government, to which he is appointed. PG – it's also any other diplomat, to get a visa to enter the host State (to work at the embassy).

Persona non grata – a member of the diplomatic staff, the host State considered an undesirable person. In the case of classification the diplomat as P. n. g. sending State shall withdraw him.

D'affaires – a head of the diplomatic mission, has received accreditation under the head of the Foreign Affairs Ministry. D. should be distinguished from the *Chargé d'Affaires*, who is appointed for a period of absence of the head of mission.

Envoy – 1) a head of the diplomatic mission of the 2nd class. Full official name – Envoy Extraordinary and Minister Plenipotentiary; 2) The diplomatic rank of a diplomat.

Ambassador – 1) a head of the diplomatic mission of the 1st class. Full name – Ambassador Extraordinary and Plenipotentiary; 2) the highest diplomatic rank of a diplomat.

Succession of States – the rights and obligations of one state to another. S. s. occurs in the case of formation of several states on the territory of its predecessor, the union of two or more states at the same.

Succession of Governments – the transfer of rights and responsibilities from one government to another through internal changes in the State.

Preamble – the introductory part of the international agreement. As a general rule, the preamble contains a list of parties who conclude the contract, his motives, goals and principles, the relationship with other treaties and agreements, and so on.

Prerogative – the exclusive right to a specific government body or official.

Preferences – the special benefits in the field of trade and economic relations, provided by one State to another or a group of states, in the form of customs and other privileges.

Precedent (in international law) – the decision of any question of international relations using the example that took place when considering similar cases. It is not a source of international law and can only be used as an adjuvant.

Diplomatic receptions – an official events, which are organized with the aim of celebrating important events and anniversaries, the crea-

tion of honors high government officials, as well as in the exercise of its functions by a diplomatic mission.

Extension – an extension of the validity of an international treaty. Terms of extension may be specified in the contract.

Promulgation – an intrastate publication of an international treaty by the media.

Protocol – one of the names of the international treaty. In the form of P. can be made important bilateral or multilateral agreements. P. may be a supplement to main contract.

Diplomatic protocol – a set of common rules, traditions and conventions that are held by the government, departments of foreign affairs, diplomatic representatives and officials in international communication.

Council of Europe (CE) – an international organization founded in 1949, is headquartered in Strasbourg (France). CE Parliamentary Assembly is convened annually.

Ratification – an approval of the supreme body of state authority of an international treaty, signed on behalf of the state or government by his authorized representative. R. is a form of expression of a State's consent to be the party of the contract.

Resolution – a kind of decisions taken by the international conference or organ of an international intergovernmental organization; R. usually has the character of the recommendation.

Reparations – a form of liability of subjects of international law for damage caused by another subject of international law as a result of international offenses.

Repatriation – returning to their country of citizenship, permanent residence of persons for various reasons find themselves in the territory of another State.

Rebus sic stantibus (Lat.) – Clause, the legal formula of customary international law – the basis for the termination of a treaty or an exit from it provided a fundamental change in the circumstances that existed at the time of signing the contract.

Salute (in international practice) – a solemn form of greeting and appreciation (e.g., artillery barrages or other firearms, flags, etc.).

Commonwealth – an inter-state union of Great Britain and most of its former dominions, colonies and dependent territories, resulting from the collapse of the British colonial empire.

Fairness principle – a principle applied in international relations, in virtue of which the solution of international problems should be based on and consistent with the interests of nations and peoples.

Seniority diplomatic – one of the most important rules of diplomatic protocol, which adhere to: the collective seniority of the diplomatic corps, invited to the public events; precedence among the heads of diplomatic missions; precedence among diplomatic representatives and representatives of the host country's authorities; diplomats' seniority of certain diplomatic mission and other.

Status – the legal status of a person or entity in international law. Sometimes the term is used to determine S. legal status or mode of a certain territory.

Status Quo – to return to the situation that existed before the changes on any circumstances.

Sovereignty the state – the fullness of legislative, executive and judicial power of the state on its territory; disobeying a foreign state authority in the sphere of international relations, except the express and voluntary consent of the state to limit its S.

Ultimatum – a categorical requirement of the government of one state to another state government on the implementation of the specified period of their specific action, accompanied by a threat to take certain measures in case if these actions are not met. U. may be oral or written; During the war the U. can be made by the military command forces (army group) enemy.

UN Charter – an international treaty, which stipulates the purpose, principles and procedures of the United Nations and its principal organs.

Expansion – 1) seizure of foreign territories, markets, sources of raw materials; 2) policies aimed at economic and political enslavement of other countries.

Expatriation – loss of nationality. E. arises, for example, at the exit from nationality and by enforcement by the decision of the supreme legislative or judicial organs of the state (deprivation of citizenship).

Extradition – issuance of to a foreign state a person who committed a crime against that State.

Embargo – the prohibition or restriction on importation into any country of certain goods or currency, the transfer of scientific and technical information, copyright and other rights to certain types of

commercial activities, etc. The prohibition to enter to the port and departure from the port of foreign ships.

Emigrant – someone who has left their country of citizenship or permanent residence, and departure for permanent residence in another country.

Emissary – the special representative of the state and a private company (sometimes a personal representative of a person) that performs various (mostly secret) orders in another country. As a rule, the mission E. has no official character.

Cession – Transfer of part of the territory of one state to another by agreement between them. According to contemporary international law Ts is allowed only in the event that does not violate the right to self-determination.

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CONTENT

INTRODUCTION	3
Chapter 1. DIPLOMATIC PROTOCOL, CEREMONIAL AND ETIQUETTE	5
1.1. A little history of diplomatic protocol	5
1.2. Scientific bases of diplomatic protocol.....	7
1.3. The subject, the principles of diplomatic protocol value	8
1.4 Concept of diplomatic ceremonial.....	11
1.5. Concept of diplomatic etiquette.....	12
1.6. Sources of rules and standards of diplomatic protocol	13
Chapter 2. INTERNATIONAL LAW IN BODIES OF FOREIGN RELATIONS, LAW REGULATION OF PROTOCOL ACTIVITY OF DIPLOMATIC MISSION	16
2.1. General concepts and groups of bodies of foreign relations of state.....	16
2.2. Vienna Convention on Diplomatic Relations (1961) and its meaning	17
2.3. Establishment of diplomatic relations. Protocol peculiarities of accreditation procedure of new ambassador in state of residence and completion of his mission	22
2.4. Diplomatic precedence – basis of diplomatic protocol. Classes and ranks of diplomatic and consular employees	28
2.5. Relations of diplomatic missions with departments of foreign police and governmental institutions of country of residence.....	33
2.6. Specification of diplomatic corps. Duties and functions of dean	35
2.7. Diplomatic privileges and immunities.....	35

Chapter 3. STATE SYMBOLS PROTOCOL	37
3.1. The state sovereignty symbols. State symbols of the country and Protocol standards for their exercise	37
3.2. Etiquette of the foreign national flag. Protocol standards for the exercise of the national flag and individual events in a foreign country	37
3.3. State of Ukraine and protocol standards for the exercise of its state symbols	38
3.4. State symbols of the President of Ukraine.....	40
3.5. State awards in Ukraine and Protocol standards of their awarding.....	41
Chapter 4. DIPLOMATIC CORRESPONDENCE AND STANDARDS OF THE INTERNATIONAL COMITY	44
4.1. The concept of diplomatic language and Protocol requirements to the documents of diplomatic correspondence.....	44
4. 2. A note verbale in correspondence. Personal or signature notes.....	46
4.3. Semi-official and private correspondence	48
4.4. Documents that do not contain the ceremonial speech formulas	50
4.5. Unilateral and multilateral policy papers.....	52
Chapter 5. CONCEPT AND PECULIARITIES OF VISITS.....	55
5.1. Place and meaning of visits on high and highest levels in international relations	55
5.2. Classification of visits on high and highest levels.....	57
5.3. Diplomatic protocol of state visit of Ukraine	58
5.4. Preparation of visits. Principles of arranging of program of visit on the highest level.....	60
5.5. Protocol and ceremonial issues of foreign delegations reception	64

Chapter 6. PECULIARITIES OF PROTOCOL ACTIVITY OF DIPLOMATIC AGENTS. PROTOCOL ASPECTS OF COURSE OF NEGOTIATIONS	72
6.1. Peculiarities of handing of credentials in countries of the world.....	72
6.2. Forms of response to events in host countries according to local protocol practice	74
6.3. Protocol work on arrangement and holding of negotiations.....	75
6.4. Meaningful side of negotiations	76
6.5. Strategy and tactics of conduction of negotiations	77
Chapter 7. DIPLOMATIC RECEPTIONS.....	78
7.1. Classification and aims of diplomatic receptions	78
7.2. Invitation and list of invited persons	81
7.3. Organization of receptions. Positioning at table.....	81
7.4. Appointment about business meeting.....	84
7.5. Meeting of delegation. Etiquette of communication through translator	90
Chapter 8. PROTOCOL OF MULTILATERAL DIPLOMACY. SERVICE OF PROTOCOL PROVISION	92
8.1. Protocol of international organizations.....	92
8.2. Protocol issues of activity of international conferences	93
8.3. Order of precedence at international organizations	95
8.4. Protocol of UN Flag	95
8.5. Privileges and immunities of international organizations.....	96
8.6. Protocol issues in activity of international administrative officials	97
Chapter 9. ADHERENCE TO STANDARDS OF DIPLOMATIC ETIQUETTE AS A CONSTITUENT OF IMAGE OF DIPLOMATE, POLITICIAN, BUSINESSMAN	99
9.1. Appearance of diplomat, politician, businessman	99
9.2. Etiquette of phone conversation	101

9.3. Etiquette of handing and accepting of presents	102
9.4. Rules of greetings, introductions (recommendations) by standards of diplomatic etiquette	103
9.5. Etiquette of visiting of theater, academic concert, opera.....	105
INSTEAD OF CONCLUSION	106
THINGS YOU SHOULD KNOW	107
Etiquette at the table	107
During the visits, in a society, on a visit.....	109
In public places, on the street	111
Appearance and habits.....	111
QUICK REFERENCE OF DIPLOMATIC	113
REFERENCES	133

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Arif Jamil oglu Guliyev

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