

tion of the receiving state. Nor is he obliged to give evidence as a witness. The exemptions of members of a mission from taxation, customs duties and inspection of the receiving state are dealt with in some detail. For example, the baggage of the diplomatic agent is exempt from inspection unless there are serious grounds for presuming that the baggage contains unauthorized articles. The procedure by which this immunity may be waived is also dealt with in this section.

Persons Entitled to Immunity

Article 36 of this section is one of the most important articles, as it defines the persons entitled to diplomatic privileges and immunities. This is an attempt to clarify the much controverted question of immunities and privileges of the administrative and technical staff of a mission, together with their families, by stating that these persons shall enjoy the same privileges and immunities as those accorded to the diplomatic agent and his family. However, members of the service staff of a mission who are not nationals of the receiving state are to enjoy immunity only in respect of acts performed in the course of their duties and exemption from duties and taxes on emoluments they receive by reason of their employment. It is also stipulated that a third state through which the diplomatic agent or his staff may be travelling should respect the inviolability of these persons.

Section 3 of the Article records the important rule that it is the duty of all persons enjoying diplomatic privileges and immunities to respect the laws and regulations of the receiving state while Section 4 provides for the termination of the diplomatic agent's duties, requiring that even in times of emergency or in the event of a severance of diplomatic relations the receiving state shall facilitate the departure of the diplomatic agent and his staff and shall ensure the protection of the premises, archives and interests of the mission.

Section 5 embodies the notion of reciprocity of treatment, stipulating that in the application of the foregoing rules the receiving state shall not give more favourable treatment to one state than to another. The final section provides that any dispute between states concerning the interpretation and application of the convention, which cannot be settled through diplomatic channels, is to be referred to conciliation or arbitration. Failing a settlement through these means a dispute is to be submitted to the International Court of Justice at the request of either of the parties.