

Diplomatic representatives who initiate proceedings before a local jurisdiction must first have their immunity waived by the sending State. They may not thereafter invoke jurisdictional immunity in respect of any counter-claim directly connected with the principal claim. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings, however, shall not be held to imply waiver of immunity in respect of the execution of the judgment, for which a separate waiver is necessary.

The sending State may waive the immunity from jurisdiction of the members of the staff of the mission, but such waiver must always be explicit.

All diplomatic representatives enjoy privileges and immunities from the moment they enter the territory of the receiving State on proceeding to take up their post or, if already in that country, from the moment when their appointment is notified to the Ministry of Foreign Affairs or such other ministry as may be agreed on. Privileges and immunities are normally valid until the departure of the beneficiaries on cessation of their functions at the mission or until the expiry of a reasonable period allowed for the purpose, and they subsist until that time, even in case of armed conflict. In the event of the death of a member of the mission, family members continue to enjoy the privileges and immunities to which they are entitled until the end of a reasonable period in which to leave the country.

It is the duty of all diplomatic representatives enjoying such privileges and immunities to respect the laws and regulations of the receiving State without prejudice to their privileges and immunities. They also have a duty not to interfere in the internal affairs of that State.

A diplomatic representative may not carry on any professional or commercial activity in the receiving State for personal profit. This rule applies equally to the representative's spouse, unless there exists a bilateral agreement between the sending country and the receiving country stipulating the conditions under which a spouse may work.

The function of diplomatic representatives comes to an end, *inter alia*:

- (a) on notification by the sending State to the receiving State of the cessation of their functions and their final departure from the receiving country;
- (b) on notification by the receiving State, in accordance with regulations pertaining to a diplomatic representative being declared "*persona non grata*", or refusal to recognize the person in question as a member of the mission.

The receiving State must, even in case of armed conflict, make arrangements to enable diplomatic representatives and members of their families, irrespective of nationality, to leave at the earliest possible moment. It must, in particular, in case of need, place at their disposal the necessary means of transport for themselves and their property.

4. Communication and diplomatic bag

The receiving State authorizes and protects free communication on the part of the mission for all official purposes. The mission may use all appropriate means, including diplomatic couriers and messages in code or cipher, for such communication. It may not, however, install or use a wireless transmitter without the consent of the receiving State.