Introduction

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Since its inception, diplomacy has been an integral part of how a state functions. Even the earliest state structures used diplomacy to achieve fundamental objectives. It gained particular significance in the declaration and conclusion of wars, as well as in the formation of alliances. Dynastic marriage diplomacy played a significant role. As civilisation developed, diplomatic standards became more formalised. The importance of a state's diplomatic service depended on the position of its ruler. This was particularly significant during the Middle Ages, when various precedence mechanisms were established. The rivalry between the Empire and the Papacy polarised diplomatic relations around the world at that time. Modern diplomacy emerged against the backdrop of relations between Italian city-states and took on a more organised form. This form was effectively cemented by the Congress of Vienna in 1815; indeed, modern diplomatic law is based on the models accepted at that time. The major codification of diplomatic law in the form of the 1961 Vienna Convention on Diplomatic Relations involved codifying the norms of customary international law established through state practice. Today, it is the only universally binding written source of international law in this field.

Although diplomatic law is generally quite stable, its normative structure adapts to changing realities within the framework of existing models. Other, less formalised forms of diplomatic contact, devoid of the traditional trappings of 'Viennese' diplomacy, are also beginning to play an increasingly important role. This is not only about economic diplomacy, but also the involvement of other state bodies, such as lower-level and judicial bodies, in relationships that were previously the preserve of diplomatic channels. Nevertheless, contemporary diplomacy remains the domain of state activity.

Consular relations have a much more complex legal basis. They are grounded in the norms of international law, such as bilateral consular conventions and the 1963 Vienna Convention, as well as numerous other international agreements concerning

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specific aspects of consular activity. Most importantly, they are also based on the domestic laws of the states that send consuls. Consular activities have changed significantly over the centuries, and these changes continue to occur today, accelerating even further. Initially, consuls served as representatives of merchants, but they also later served as officials exercising jurisdiction over their compatriots. Strictly jurisdictional functions, such as consular jurisdiction and capitulation treaties, are no longer encountered today. Paradoxically, however, these have been replaced by consular functions of an assistive nature, relating to citizens deprived of their liberty abroad. Consuls perform a range of public law administrative functions on behalf of the sending state abroad. This assistance includes issuing passports and other documents to citizens. Consuls perform a wide range of functions in which they act as representatives of various authorities of the sending state abroad, including in matters of private law. Thus, their activities also include those of a civil registrar, sworn translator and notary. Changes in this area simply reflect changes in the domestic law of the sending state. These evolve over time in response to technological advances, the conditions of European integration and so on. Furthermore, certain restrictive measures regarding foreign nationals' and foreign documents' access to their sending state remain in effect. Consuls issue visas to foreign nationals and admit documents issued abroad into the legal sphere of the sending state through legalisation procedures. However, a significant reduction in this activity is currently evident in light of the liberalisation of legal transactions. The consulate's protective functions now clearly predominate, and in addition to national and international law, European Union law also provides a basis for such activities. The consuls' role in guaranteeing political civil rights to citizens abroad, primarily the right to vote in external elections, is growing.

The chapters included in this monograph address various aspects related to the evolution of diplomatic and consular relations between states. These include historical-legal analyses and discussions of current activities, particularly those of the consular service. For the most part, these analyses are based on Polish (as well as Hungarian) practice. The authors address issues typical of international law, as well as areas of domestic law that particularly impact consular activities. These activities are performed as a classic function of state administration, albeit abroad. The rules of the sending state's administrative law play a significant role in their operation. The substantive provisions of the sending states' administrative and civil laws also play a significant role in the consular service's operations. Consuls operate within the territory of the receiving state, but under the legal framework of the sending state. Consequently, analysing the evolution of legal provisions affecting consular relations sometimes involves examining norms from various areas of the sending state's substantive law. Special attention was given to European Union law in these deliberations. Its significance in shaping contemporary consular and diplomatic relations is growing. Not only does it lead to the liberalisation of relations (sometimes rendering consular activity unnecessary in relations between integrated EU member states), it also creates a framework for cooperation among national services (as in the

case of so-called European consular protection). There are also visible attempts to establish a European Union foreign service, separate from those of the member states. While the structures established thus far do not seek to replace national diplomacy, their future form will depend on the extent of political integration.

The future of diplomatic and consular relations depends on the political situation as well as economic development. Technological progress will undoubtedly play a significant role in this regard, as a number of consular services will become redundant in a world of cashless transactions and remote data and document transfers. Perhaps the future foreign service will consist solely of a service that provides specific assistance to citizens in crisis situations. For now, however, a transitional phase prevails. Many activities are performed less frequently, but have not ceased entirely, while new, previously unknown activities are emerging. This state of evolution has always characterised the work of the foreign service, and it continues to do so today.