Chapter 4

Changing Role of Diplomatic and Consular Offices: Poland's Experience

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Abstract

The chapter 'Evolution of the Role and Function of Diplomatic and Consular Offices in the Changing Landscape of International Relations: A Historical Perspective on the Experiences of Polish Diplomacy' examines the transformation of diplomacy from ancient times to the present, with a particular emphasis on Poland's experience. The author traces the evolution of diplomatic principles and institutions-from the Peace of Westphalia (1648) and the Congress of Vienna (1815), through to the creation of the League of Nations and the United Nations, and up to the challenges of the digital era. Special attention is given to the development of the Polish diplomatic service after regaining independence in 1918, the structure of consulates in the Second Republic, and their role during World War II. The theoretical part discusses the main functions of diplomacy – representation, negotiation, information, promotion, and protection – and their modern transformations. This chapter argues that contemporary 'neo-new' diplomacy connects states, international organisations, NGOs, corporations, and citizens, while technologies (AI, social media) reshape but do not replace its essence-dialogue and cooperation. The author highlights the importance of soft power, where credibility, trust, and reputation have become key currencies, and effective diplomacy requires flexibility, digital competence, and the ability to adapt to global challenges.

Keywords: diplomacy, international relations, history of diplomacy, diplomatic offices, Polish diplomacy, functions of diplomacy, evolution of diplomacy

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1. Introduction

Diplomacy is a field with a centuries-old tradition, often evoking clear and specific associations. It is commonly linked with politics, the state's activity on the international stage, embassies, or diplomats skilled in navigating interactions with others. While this perception does align with many aspects of reality, the essence of diplomacy has evolved significantly over time, particularly in the 21st-century.

The origins of diplomacy can be traced back to the earliest stages of human civilisation, but its meaning and essence have undergone profound changes over the centuries. A review of the extensive literature on the history of diplomacy reveals broad consensus on the core concept of the term 'diplomacy' yet authors often provide varied definitions and interpretations of its scope and nature.

The following text, which discusses the evolution of diplomacy among states and the consular protection of individuals and the interests of citizens, employs a legal-comparative and historical-legal methodology. Due to the vast scope of the subject matter across the centuries, the author will focus to a significant extent on the experiences drawn from Poland's history in international relations. The example of Poland is particularly original, as it is closely intertwined with the broader history of European diplomatic relations – owing to its geopolitical position between East and West, and to the numerous interests and diplomatic relations among various European and global powers.

Before the partitions, Poland was among the world's major powers – using the terminology of the modern era. However, it is worth emphasising that Poland also served as a kind of laboratory for the transformations occurring in human life and in state systems. Therefore, it constitutes an excellent example of the evolution of diplomatic relations taking place in the world of that time.

The term 'diplomacy' derives from the Greek word *diploma* (Gr. *diplóos* – double), referring to two wax-covered tablets used in ancient Greece to record instructions for envoys dispatched on special missions. These tablets, bound together with thongs, folded in half, and sealed, emphasised the confidentiality of their contents. They served as official documents issued by sovereigns, granting their envoys not only specific instructions but also certain privileges.

The principles of diplomacy, its organisational structures, and the selection of those tasked with its implementation have evolved significantly over the centuries. Among the many historical developments shaping diplomacy, one key turning point stands out: the conclusion of the Peace of Westphalia in 1648. This event marked the conventional beginning of modern diplomacy, distinct from the practices of ancient and medieval times.

However, it was not until the Congress of Vienna in 1815 that the norms of diplomatic law were codified for the first time. This milestone in diplomatic history introduced legal regulations addressing many of its facets. Notably, the rules of the Congress emphasised the principle of sovereign equality among states, enabling a break from earlier practices of precedence that favoured diplomats based on titles, familial

connections, or the status of their sovereigns. The Congress also established uniform ranks for diplomatic representatives, organising them into three distinct groups: 1) ambassadors, legates, or apostolic nuncios; 2) envoys, ministers of equivalent rank, or other representatives accredited to monarchs; 3) *chargés d'affaires*, accredited to foreign ministers and holding the lowest rank among diplomatic representatives.

The 20th century witnessed a significant development of both law and diplomatic practice. The discrediting of backroom alliances and secret diplomacy following World War I highlighted the need for greater transparency. It was reflected in Woodrow Wilson's Fourteen Points of 1918, which advocated for open diplomacy and the rejection of secret agreements. This paved the way for the establishment of the League of Nations – the first general international organisation, which commenced operations in 1920 and marked a major milestone in the development of multilateral diplomacy.

Despite its aspirations, the League of Nations failed to prevent the outbreak of World War II, leading to its dissolution and the establishment of the United Nations in 1945. This organisation was endowed with broader powers and a wider scope. The subsequent process of decolonisation further accelerated the growth of UN membership, the expansion of multilateral diplomacy, and the establishment of diplomatic frameworks by newly independent states. It was under the auspices of the UN that one of the most important documents in the history of diplomacy – the Vienna Convention on Diplomatic Relations – was adopted on 18 April 1961. This landmark legal instrument established a unified framework for modern international relations by codifying norms and practices in diplomacy. Ratified by 193 parties, the Convention set standards for key aspects such as the establishment of diplomatic relations between states, the appointment and classification of diplomatic representatives, diplomatic privileges and immunities, and protocols of precedence. While the Convention also addressed consular relations, their comprehensive regulation was finalised two years later, with the adoption of the Vienna Convention on Consular Relations on 24 April 1963.

The dynamic evolution of bilateral and multilateral diplomacy in the 20th century was closely associated with the increasing professionalisation of the field. This process involved both the expansion of diplomacy's organisational structure and a more rigorous approach to the selection of those who would represent their countries. Regardless of the specific recruitment methods employed by different nations, aspiring diplomats must meet formal criteria such as education, citizenship, verification of mental and physical health, and suitability for foreign service. Beyond these formalities, they must also possess key diplomatic competencies – a combination of knowledge, skills, abilities, and attitudes essential for effective diplomatic practice. Future diplomats must remain attuned to both domestic and international developments and have a solid understanding of the main areas of international relations. Additionally, familiarity with a country's foreign policy direction and historical context is critical. Such extensive knowledge is indispensable in navigating a nation's rapidly changing internal and external environment. A diplomat must

possess the analytical ability to identify connections among diverse phenomena and understand their interactions, even in highly uncertain and volatile circumstances. Information serves as one of the diplomat's primary tools, making proficiency in this area particularly vital. This includes an advanced knowledge of at least two foreign languages and cultural understanding. While English is now widely used as the *lingua franca* in international affairs, proficiency in an additional language provides significant advantages. Knowing the language of another country enhances cultural understanding, fosters deeper connections with its people, and aids in decoding nuanced information – an invaluable skill in diplomacy.

2. The Polish Diplomatic Experience

2.1. Diplomacy as a Weapon of Independence

In the pre-partition period, the Polish–Lithuanian Commonwealth was one of the largest states in Europe, with its territory at its peak exceeding one million square kilometres. An example of diplomatic efforts to preserve the Commonwealth from partition and collapse can be seen in the actions of the Bar Confederates in 1768.[1] On 16 December 1768, under France's guarantee, the Bar Confederates negotiated an informal treaty to establish a Polish–Turkish–Tatar alliance. Art. 4 of this treaty obligated Turkey and the Crimean Khanate not to conclude peace with Russia until the restoration of the Commonwealth's former system of government. The political strategy behind these efforts aimed to persuade Turkey that failure to support the Confederates, who sought to free the Commonwealth from Russian dominance, would in the future undermine Turkey's position on the international stage and leave it vulnerable to the expanding ambitions of Tsarist Russia.[2]

1 The Bar Confederation was a Polish gentry confederation formed in Bar, Podolia, on 29 February 1768, to defend Catholic faith and Polish independence against Russian domination. Its goal was to abolish laws imposed by Russia, especially those providing equality for dissenters. It is considered the first Polish national uprising.

2 Kęder, 2023, pp. 59–71.

During the major national uprisings – the November Uprising[3] (1830–1831) and the January Uprising[4] (1863–1864) – the insurgent governments sought to advance the Polish cause on the international stage by creating foreign representations.[5] Among these efforts, the *Hotel Lambert*[6] emerged as a powerful symbol of 'diplomacy without letters of credence'. Under the leadership of Prince Adam Jerzy Czartoryski, the Hotel Lambert represented Polish independence émigrés and worked to garner support for the Polish cause among the political elites of Western countries. The Polish national elite understood that the conspiracy among the neighbouring powers had led to the partitions and the eventual collapse of the Polish–Lithuanian Commonwealth in 1795. The acumen of this diplomatic conspiracy lay with the Kingdom of Prussia, the greatest beneficiary of the partitions. The erosion of Polish sovereignty began as early as 1706–1709, due to Prussia's diplomatic manoeuvring, culminating in the ratification of the Grzymułtowski Treaty[7] in 1710.

The subordination of Poland to Russia was formalised in 1717. In that year, Tsar Peter I imposed himself as mediator in the conflict between King Augustus II and the rebellious noble society organised as the Tarnogród Confederation.[8] The settlement, enforced by Peter I during the one-day *Silent Sejm* on 1 February 1717, included the reduction of the Polish army to 24,000 troops. In 1719–1720, when an international coalition formed to counterbalance Russia's gains in the Great Northern War,

3 The November Uprising was a Polish national uprising against Russia, lasting from 29 November 1830 to 21 October 1831. The fighting covered the area of the Kingdom of Poland and part of the partitioned land, in particular Lithuania, Zmudia and Volhynia.

4 The January Uprising was a Polish uprising against the Russian Empire, proclaimed by the Manifesto of 22 January 1863, issued in Warsaw by the Provisional National Government. It began in the Kingdom of Poland on 22 January 1863, and on 1 February 1863, in historic Lithuania. It lasted until the autumn of 1864 and encompassed the lands of the Russian partition, including the Kingdom of Poland and the annexed territories. The uprising garnered significant support among the Lithuanian population and partial support from the Belarusian population.

5 Bazylow and Labuda, 1982, pp. 180–330.

6 Established in 1833 in Paris, this monarchist conservative-liberal camp operated in exile following the November Uprising. It primarily comprised the affluent circles of the Great Emigration society and was politically grounded in the provisions of the 3 May Constitution. The camp advocated for Western intervention in the Polish cause. It was founded and led by Prince Adam Jerzy Czartoryski and, after his death, by his son, Władysław Czartoryski. The name 'Hôtel Lambert' began to be used in 1843 when Czartoryski acquired the Hôtel Lambert palace on the Île Saint-Louis, which became the centre of the camp's activities.

7 The Grzymułtowski Treaty was a peace treaty signed on 6 May 1686, in Moscow between the Polish-Lithuanian Commonwealth and the Tsardom of Russia. It reaffirmed and solidified the terms of the Andrusovo Truce of 1667. The treaty was signed on behalf of the Commonwealth by Krzysztof Grzymułtowski, Voivode of Poznań, and Marcjan Aleksander Ogiński, Grand Chancellor of Lithuania.

8 The Tarnogród Confederation was formed by the Polish nobility on 26 November 1715, in Tarnogród to oppose the brutal stationing of Saxon troops in Poland and, consequently, King Augustus II the Strong. Following an unresolved civil war and unsuccessful negotiations in Rawa, the nobility requested mediation from Tsar Peter I of Moscow, whose troops were also stationed in the Commonwealth. The conflict was resolved with the Treaty of Warsaw in 1716, which was subsequently ratified at the Silent Sejm of 1717, ushering in 15 years of peace.

Augustus II attempted to align Poland with these allies, seeking to escape Peter's control. However, the Tsar, with the assistance of Prussia, successfully disrupted the Sejm that was to deliberate Poland's participation. From 1720 until the end of the 18th century, St. Petersburg and Berlin entered into repeated alliances with secret clauses aimed at perpetuating the weaknesses of the Polish state by maintaining the *liberum veto*, 'free' election, and the army's reduced size. While Tsar Peter I aimed to maintain full hegemony over the Republic, the Hohenzollerns advocated partition. Initially, the tsars opposed partition, but this stance changed under Tsarina Catherine II, who ultimately agreed to divide Polish lands.

2.2. Resurrecting Polish Diplomacy

The resurrection of the Polish Republic after World War I owed much to the efforts of officials who had served in the diplomatic corps of the partitioning states, particularly Austria-Hungary and Russia, before they became Polish diplomats. By the end of hostilities in 1918, Poland, despite its formal non-existence as a state, had managed to assemble an impressive diplomatic apparatus.[9] This development was also shaped by decisions made by the partitioning powers, driven by their own interests. One of them was the *Act of 5 November* – a joint manifesto issued in 1916 by the emperors of Germany and Austria-Hungary, which envisioned the creation of a non-sovereign Kingdom of Poland.[10] As part of this arrangement, the Regency Council of the Kingdom of Poland was established in September 1917. Although the council was formally prohibited from engaging in independent diplomatic actions or infringing upon the 'international position of the occupying powers',[11] in practice its scope of activities expanded, culminating in the proclamation of an independent Polish state on 7 October 1918.

In institutional terms, the re-establishment of Polish diplomacy began with the creation of the Ministry of External Affairs,[12] formed during the transitional government of Józef Świerzyński,[13] with Stanisław Głąbiński serving as its first minister. While this marked an important step in organising Poland's diplomatic efforts, it was not the most significant achievement during the partitions. On the eve of Poland's independence, the Polish National Committee, acting in alignment with the Entente powers, played a pivotal role in advocating for Polish interests and laying the groundwork for the international recognition of an independent Polish state.

In November 1918, as hostilities ceased across all fronts of the Great War, the Polish National Committee (*Komitet Narodowy Polski*, KNP) was established in Paris.

9 Sibora, 2013, pp. 121–134.
10 Girzyński, Kania and Kłaczkow, 2016, pp. 56–76.
11 Official Gazette of the Department of Justice of the Provisional Council of State of the Kingdom of Poland, No. 5, 2 October 1917.
12 Decree on the establishment of the Ministries of External Affairs, Military Affairs, Communications and Provisions (Journal of Laws of the Kingdom of Poland, No. 14 of 2 November 1918).
13 Długołęcki, P. and Szczepanik, K. (eds.) 2014, pp. 15–51.

Comprising 13 members and led by Roman Dmowski, it operated with a staff of more than 100 individuals and a comprehensive organisational structure. It addressed a wide range of issues, including legal-political, military, press and propaganda, consular, and administrative-organisational matters. Between 1917 and 1919 alone, the KNP convened over 200 meetings.[14] In addition to the KNP, other notable centres of Polish diplomacy included the Supreme National Committee (*Naczelny Komitet Narodowy*)[15] and the Lausanne Agency (*Agencja Lozańska*).[16] Together, these four institutions developed extensive networks of outposts and representative offices. Among them, the KNP held the most significance due to its diplomatic representation in the capitals of the World War I victors. It was Roman Dmowski who made the strategic decision to align with the war's future victors – it was not a matter of gambling or opportunism but the outcome of profound political analysis.[17]

A pivotal moment in the development of the Polish diplomatic service, which should still be a reference point for Polish foreign service officials, was Poland's participation in the Paris Peace Conference.[18] This endeavour served as a 'reconnaissance-by-battle' of the diplomatic skill and determination of the Polish delegation, led by Dmowski. To maximise the delegation's effectiveness, the Polish Delegation to the Peace Conference was established, working in close coordination with the Bureau of Congressional Work, founded in November 1918 by Franciszek Pułaski and the Ministry of Foreign Affairs in Warsaw. The delegation also collaborated with scientists and trade and economic representatives, leveraging their expertise to substantiate Poland's demands on economic, territorial, nationality, legal, military, and cultural restitution issues. This group of almost 100 experts produced a comprehensive body of work, including official notes, memoranda, and expert reports, that supported the efforts of Polish diplomats. Their contributions also served broader political and public relations goals, helping to strengthen Poland's position in global public opinion.[19] Over the six months of the Peace Conference, the Polish Delegation in Paris not only shaped the immediate outcomes of negotiations but also laid the foundation for the Polish diplomatic and consular corps. As historian Piotr Długołęcki notes, 'In the interwar period, the office of the Minister of Foreign Affairs was held by seventeen individuals, including those who led the ministry without

14 Leczyk, 1966, pp. 76–83.

15 A political organization representing Poles in Galicia, established on 16 August 1914, in Kraków as a result of an agreement among all Polish political factions in the Austrian partition, including conservatives, democrats, national democrats, progressives, peasants, and socialists. It supported the resolution of the so-called Polish question during World War I within the framework of Austria-Hungary, advocating for trialism – the transformation of the Habsburg monarchy into a three-part state comprising Austria, Hungary, and Poland.

16 A news agency operating from 1915 to 1919 in Lausanne, Switzerland, whose purpose was to promote Polish affairs in Western European countries.

17 Dmowski, 1937, pp. 284–299.

18 Landgree-Nielsen, 1979, pp. 354–359.

19 Cf. Przyłuska-Brzostek, 2009, pp. 85–113.

being constitutional ministers, and nearly half of them were associated with the Polish National Committee'.[20]

The existence of multiple centres of Polish diplomacy in the aftermath of World War I occasionally led to challenges in recognising the official representatives of the 'Warsaw government'. For instance, in Bucharest, the *chargé d'affaires* Marian Linde was not recognised as the representative of Jędrzej Moraczewski's government. Instead, Stanisław Kozmiński, representing the KNP, was acknowledged by the Romanian authorities as the legitimate advocate for Polish interests. Contrary to a prevailing perception that Poles were unable to cooperate effectively, the unification of Polish diplomacy was achieved relatively quickly, despite significant political divisions. The Supreme National Committee (*Naczelny Komitet Narodowy*) subordinated itself to the Regency Council, which subsequently transferred power to Józef Piłsudski and dissolved itself. The Lausanne Agency was incorporated into the KNP, which then reached an agreement with Piłsudski to form a government of national unity, headed by Ignacy Jan Paderewski, after which the KNP declared its dissolution.[21] The Ministry of Foreign Affairs in Warsaw assumed direct oversight of Polish diplomatic missions abroad, which had previously been under the control of the KNP. These included key general posts in Brussels, Bucharest, Chicago, London, New York, Madrid, Paris, and Washington. Additionally, consular posts operated in Brazil, Canada, the Scandinavian countries, and civil war-torn Siberia.

The appointment of a consul established an official relationship between the individual and the sending state, and it was exclusively an internal matter for the state concerned. For professional consuls, this relationship came into effect through a unilateral act of appointment by the state. The appointment of honorary consuls was preceded by an agreement between the state and the candidate for the position. The recruitment process, the criteria for eligibility, and the formalities of the appointment were entirely determined by Poland's internal regulations. The act of appointing a consul was a domestic state decision that conferred upon the individual the character of an external state representative, finalised by issuing a nomination document. The first such document was issued on 15 November 1918, by Prime Minister Ignacy Daszyński to Karol Rose. Notably, the Consulate General of the Republic of Poland in Berlin became the first Polish diplomatic post in Germany and the first permanent external representation of the newly independent Polish state. This was a unique application of consular law. Although formal relations between the Allied and Associated Powers and Germany were to resume only after the ratification of the Treaty of Versailles and the formal conclusion of peace, Poland – despite its status as an associate state of the Entente – established 'normal' relations with Germany within days of the armistice that ended hostilities in World War I.

In conclusion, by the time Józef Piłsudski assumed power in Poland, a network of diverse diplomatic and consular representations was already in place, significantly

20 Długołęcki, 2019, p. 19.
21 Michowicz, 1995, pp. 5–10.

easing the establishment of a formal diplomatic service for the resurrected Polish Republic.

2.3. Polish Diplomatic and Consular Offices

An essential and significant expression of state sovereignty is the possession of the right of consulate. This right is an integral aspect of statehood, allowing a nation to maintain diplomatic and consular relations with other states and to participate in the international diplomatic network. The right of consulate, understood as the ability to appoint consuls and receive foreign consuls, is a fundamental element of the rights of members of the international community to establish and sustain relations. Similarly, the right of legation – the right to send and receive diplomatic representatives – is a key component of state capacity. Kazimierz Libera succinctly emphasises this principle: 'Under normal conditions of peace, every state has the right and, at the same time, the correlative duty to maintain relations with other states regardless of their political, economic, and social structure'.[22]

During the Second Republic, Poland maintained consular relations with more states than it did diplomatic relations. Of the 61 states with which Poland had official diplomatic relations, consular ties were also established. However, Poland did not establish diplomatic relations with six states for almost the entire duration of the Second Republic, up until the outbreak of World War II. Additionally, Poland maintained only consular relations with 31 countries. For brief periods, lasting between one and two years, Poland also used the right of legation without consular rights with three countries – Austria, the Netherlands, and Iran. Collectively, these exclusive diplomatic relationships spanned no more than four years in total.[23]

The signing of the so-called Little Treaty of Versailles, also known as the Polish Minority Treaty, on 28 June 1919, marked a significant step in the formalisation of consular relations for Poland and other states. Art. 13 of the *Treaty* confirmed the active and passive right of consulship for the Principal Allied and Associated powers (United States, France, Great Britain, Italy, Japan) on the one part, and Poland on the other, with the application of the most-favoured-nation clause and provisions for the establishment of consulates in the future. The normalisation of consular relations through this treaty provided the basis for Poland's consular agreements with Great Britain and Japan during the Second Republic. For France and Italy, the treaty governed consular relations until bilateral consular conventions were concluded. The United States, however, was not bound by the treaty, as it did not fulfil the conditions of ratification despite being signed. Poland's consular relations with Germany were outlined in Arts. 191 and 279 of the Treaty of Versailles.[24] Its relations with Austria

22 Libera, 1960, p. 121.
23 Pałyga, 1970, p. 49.
24 The Treaty of Peace between the Allied and Associated Powers and Germany, signed at Versailles, 28 June 1919 (Journal of Laws 1920, No. 35, item 200).

were defined in Arts. 231 and 243 of the *Peace Treaty of St. Germain-en-Laye*,[25] signed on 10 September 1919.

The Second Republic maintained consular relations with 61 countries. The consular network of the Polish state comprised a total of 645 offices of various types and ranks, including 261 Polish consular posts abroad. As Edward Pałyga observed: 'One can risk the claim that in the period of the Second Republic there was actually no international event concerning Poland that would not be reflected in one form or another in its consular relations'.[26] However, the twenty-year span of the Second Republic proved insufficient for the Polish consular practice to fully crystallise, or for the results of this consular work to adequately reflect the efforts of its staff. Nevertheless, the significance of this output became evident during World War II, when Polish diplomats undertook numerous critical tasks. These included facilitating the movement of troops leaving Poland's borders in September 1939, assisting war refugees, ensuring free transit for Polish citizens to safe destinations, and providing financial and organisational support to the Polish government in exile. They also contributed to the creation of Polish military units and worked to maintain international recognition of the Republic's legal and political subjectivity. Polish consuls played an important role in protecting Polish citizens abroad and assisted in the rescue of Jews by issuing documents to facilitate their escape from their countries of residence. This work and the amount of good it did during the dire circumstances of war and occupation cannot be overstated.

The process of establishing a consul in the territory of a foreign state created a legal framework that allowed the consul to act as a specialised organ of international interaction. Consular representation was established to facilitate this interaction, particularly in cases of active relations between two states, primarily based on trade. Its establishment was typically at the discretion of the sending state, although it could occasionally result from initiatives by the potential receiving state. Such initiatives were also undertaken by the authorities of the Second Republic. Following a request from the Ministry of Industry and Trade to establish consulates in Gdynia for Brazil, Ecuador, Colombia, and Peru, the Polish Ministry of Foreign Affairs launched a diplomatic effort. The governments of these countries 'in principle expressed their consent to the opening of honorary consulates in Gdynia'.[27]

25 The Treaty of Peace Between the Allied and Associated Powers on the One Hand and Austria on the Other, the Protocol on the Conditions for the Implementation of Certain Provisions of this Treaty, the Declaration Regarding Damages Resulting from the Sinking of Ships and Cargoes by Austrian Naval Forces During Hostilities, the Protocol of Signature, the Agreement Between the Allied and Associated Powers Concerning Participation in Expenses Related to the Liberation of Territories of the Former Austro-Hungarian Monarchy, and the Agreement Between the Allied and Associated Powers Regarding the Settlement of Reparations Concerning Italy, Signed at Saint-Germain-en-Laye on 10 September 1919 (Journal of Laws of 1925, No. 17, item 114).

26 Pałyga, 1970, p. 6.

27 Act of 29 September 1938, in Archives of the Ministry of Foreign Affairs.

During the Second Republic, it was common to appoint professional consuls who were Polish citizens, and who received remuneration for their consular service, engaging in no other professional activities apart from their role as consul. This approach mirrored the standards applied to consuls admitted in Poland. In contrast, the role of honorary consul followed a different framework, which varied depending on the legislation of the receiving state. Poland both received and established honorary consuls in various countries worldwide. As a rule, honorary consuls did not receive a salary for their services and typically treated the position as a secondary activity alongside their primary profession. Regarding citizenship, an honorary consul could be either Polish or a citizen of the receiving state. In the diplomatic service hierarchy, honorary consuls occupied a distinct position from professional consuls.

During the Second Republic, Polish professional consuls were appointed under the provisions of the Civil Service Act[28] and the Consular Organisation Act.[29] The Civil Service Act stipulated that an official relationship was established upon delivery of a letter of appointment, which specified the official's position, the date of appointment, the location of the office, and the salary grade. The consul's appointment decree was signed by the Minister of Foreign Affairs. Additionally, the individual assuming the post was required to take an oath.

The consul held a dual legal character. On one hand, he was an officer of the sending state operating within the territory of a foreign country, serving as a representative body of the sending state. This role included *jus avocandi* – the consul's authority to summon citizens of his state to fulfil administrative obligations owed to their country, as well as *jus protectionis* – the exclusive right to defend the interests of his state's citizens against the receiving state's authorities or protect their private interests. The mere appointment of a consul by the sending state did not in itself produce effects under international law. Many states formulated letters of commission, which formally confirmed the internal act of appointing a consul externally. These letters served as an expression of the sending state's will for the consul to be accepted in this capacity by the receiving state.[30] In the doctrine and practice of international law, it was customary to obtain the receiving state's consent to the proposed consular candidate before issuing letters of commission. The Second Republic adhered to this practice of prior consultation in most, though not all cases.[31] Letters of commission, issued as formal written acts, outlined the consul's official position, the nature of his duties, and the location of his post. They unilaterally authorised the consul to perform his functions in the receiving state and were issued to consuls general, consuls, and vice-consuls who headed consular representations. The same regulatory framework applied to appointing consular agents.

28 Civil Service Act of 17 February 1922 (Journal of Laws of 1922, No. 21, item 164).
29 Consular Organization Act of 11 November 1924 (Journal of Laws of 1924, No. 103, item 944).
30 Libera, 1960, p. 208.
31 Sarna, 1928, p. 31.

Once appointed, consuls were issued a *brevet* or *patent* – a document analogous to the letters of commission. These documents were subject to prior approval by the receiving state's Minister of Foreign Affairs or required notification to the receiving state's government. Letters of commission used in Polish diplomatic practice detailed the consul's identity, role, and destination and requested the receiving state's government to recognise and establish him in his position, granting appropriate titles and immunities. These ceremonial documents were typically written in Polish or French and transmitted through diplomatic channels. During the interwar period, Poland forwarded these letters to the diplomatic representative superior to the relevant consul, requesting an *exequatur*. The diplomatic representative, via a verbal note, would then present the letters to the receiving state's government to obtain the *exequatur*.

The principle of state sovereignty necessitates obtaining an *exequatur* – the receiving state's prior consent to the establishment of a consular representative, including his seat, rank, and consular district. The *exequatur* served as the receiving state's formal response to the letter of commission issued by the sending state. The process of appointing a consul concluded with the receiving state's free expression of will. However, a notable exception to the principle of free expression of will occurred in the establishment of consular relations between Poland and Lithuania. This situation arose from an ultimatum issued by Warsaw to Kaunas on 17 March, 1938. Within 48 hours, the Lithuanian government accepted the ultimatum and agreed to Poland's terms for the immediate normalisation of relations without any preconditions.

The use of consular law was firmly embedded in the international practices of the Second Republic. In its relations with 34 of the 61 countries with which Poland maintained consular and legation rights, consular representatives of the Republic were established prior to the creation of diplomatic missions. Over time, some of these Polish consular representations were transformed into posts with diplomatic prerogatives, and the consuls themselves either became diplomats or combined both functions, particularly during World War II, for pragmatic reasons.[32] As a result, the consular service of the Second Republic saw the development of a type of consulate with a diplomatic character – a model similar to that used by countries such as Great Britain. In many parts of the world, British consuls were referred to as 'political consuls' due to their possession of political prerogatives. This status likely stemmed from the legacy of the British Empire.

The most common form of recognition between states is the establishment of facts through actions that conclude mutual acknowledgment, where states recognise each other. This recognition may take the form of an explicit, unequivocal statement in a special format or occur implicitly. The most definitive form of mutual recognition of a state's international existence is the maintenance of official relations with that state, whether diplomatic, consular, or commercial. Such interactions constitute

32 Pałyga, 1970, p. 83.

what is known as tacit recognition. Since normal consular relations can only occur between states that recognise each other, the establishment of consular relations with a previously unrecognised state effectively entails recognition. In this context, the granting of an *exequatur* by the receiving state becomes particularly significant. The *exequatur* is an act with which international legal doctrine and practice associate specific legal consequences, including implications for recognition.

A state that does not maintain consular relations with another state may rely on the assistance of a third state. The consular offices of this third state can perform consular functions on behalf of the requesting state and its citizens. Upon proper notification to the receiving state and in the absence of objections, the consular offices of the assisting state may carry out these functions as requested. This arrangement was explicitly provided for in agreements between Poland and other states, such as Art. 23(5) of the Polish-French Commercial Convention concluded in Paris on 9 December 1924.[33] A similar situation arose in 1943 after the Soviet Union severed diplomatic relations with Poland following the disclosure of the Katyń Massacre.[34] The Polish government in London sought assistance from the British government to protect Polish interests and citizens in the USSR. However, the British government refused, as did the U.S. government. Ultimately, the Australian government agreed to provide this protection, which was announced in Moscow, London, and Canberra on 25 May 1943.[35]

The Second Republic also undertook the protection of foreign interests and citizens abroad. The first instance occurred in 1922, at the request of the French government, when Poland facilitated the repatriation of French citizens from Soviet Russia. In 1924, at the request of the Turkish government, Poland agreed to protect Turkish citizens through its consular offices in Yugoslavia. Similarly, Poland provided consular protection for Bulgarian citizens residing in the USSR.

An especially noteworthy aspect of Polish consular activity took place during World War II. Polish consular posts were tasked with providing legal, consular, and social protection to Czechoslovak citizens within their jurisdiction. This effort was part of a collaborative initiative with the Czechoslovak government in London, aimed at laying the groundwork for a post-war Polish-Czechoslovak confederation.[36]

In the context of Polish-Czechoslovak relations, it is worth noting some events prior to the outbreak of World War II. On 24 May 1939, the Polish government declared that it did not recognise Germany's annexation of Czechoslovakia. As a result,

33 Commercial Convention between Poland and France, signed in Paris on 9 December 1924 (Journal of Laws of 1925, No. 67, item 468).

34 The Katyń Massacre, committed by the NKVD, was the execution of approximately 22,000 Polish citizens, including over 10,000 officers, in spring 1940. Recognized by the Polish Sejm as a war crime and genocide.

35 Pałyga, 1970, pp. 123–125.

36 Political concept promoted by the Polish Government-in-Exile during World War II, supported by the government of Great Britain, referencing prewar plans for an 'Intermarium' bloc. Initially envisioned as a confederation including Poland, Czechoslovakia, and Hungary.

the Czechoslovak embassy in Warsaw, along with its consular department, continued to operate, and Czechoslovak consulates in Poland provided assistance to emigrants from the German-occupied territory. At the same time, on 15 March 1939, the Polish government recognised Slovakia as an independent state through an official communiqué. In the same communiqué, sent to Allied countries, Poland announced the appointment of a diplomatic representative to Bratislava, elevating the incumbent Polish consul to the role of *chargé d'affaires*. This move aimed to prevent Slovakia from becoming a German protectorate. Before the outbreak of World War II, Poland, Germany, and Hungary were the only countries to maintain diplomatic representations in Bratislava.

An interesting episode during World War II was the operation of the Kingdom of Italy's consular office in Warsaw. In late October 1939, the post suspended its activities, but under pressure from the Polish embassy in Rome, it was reopened. The office remained operational until 10 June 1940, when Italy entered the war. During its operation, the Italian consulate facilitated the issuance of visas to Poles, allowing them to travel to Italy, and even enabled currency exchanges for the Polish underground through a German bank.[37]

During the Second Republic, 204 consular offices from 56 foreign states operated on Polish territory. In the same period, Poland maintained 261 consular offices in 59 countries. By 1939, Poland had 231 consular posts in 47 countries, while 150 foreign consular posts operated within Poland. Comparatively, in 1928, Poland had only 112 consular posts abroad and 112 foreign consulates on its territory. The Polish consular network during the Second Republic was relatively underdeveloped. Countries such as Spain, Italy, and France maintained nearly ten times as many consular offices as Poland during the same period. Similarly, the number of foreign consular posts in Poland was far below average for a country of this size and population.[38]

2.4. Custom Versus Legal Norms in the Evolution of International Relations in the Second Republic

In the doctrine of international law, there is an ongoing debate regarding the primacy of international agreements over customary law in consular relations. Juliusz Makowski assigns a secondary role to customary law in this context. In his view, customary norms serve to fill gaps in treaty-based international law.[39] This perspective is also reflected in the Vienna Convention on Consular Relations,[40] whose preamble states that customary international law should govern matters not addressed by the convention.

37 Pałyga, 1970, pp. 168–170.
38 Bartoni, 1949, p. 33.
39 Makowski, 1957, p. 105.
40 Vienna Convention on Consular Relations, signed in Vienna on 24 April 1963 (Journal of Laws 1982, No. 13, item 98).

Zygmunt Sarna, on the other hand, argues for the primary importance of customary international law, asserting that treaties are only secondary. According to Sarna, the need to supplement existing customary norms related to consular relations is what gives rise to treaty provisions.[41] Leon Babiński echoes this view, stating that 'in principle, most consular norms are based on custom'.[42] Similarly, Kazimierz Libera emphasises the significant role of customary international law, viewing consular conventions as interpretations of customary principles rather than rigid definitions of the rights and obligations of states and their consuls.[43]

In the Second Republic's relations with other states, despite the large number of consular agreements concluded, customary legal norms played a crucial role. When consular agreements addressed consular law, their provisions primarily concretised pre-existing customary norms of international law. These agreements did not create new consular law but instead confirmed the intention to continue its application while specifying the conditions and methods for implementing existing norms.[44] The leadership of the Ministry of Foreign Affairs of the Second Republic sought to formalise consular conventions – either comprehensively or on specific issues – through bilateral agreements. However, in most cases, this proved neither possible nor necessary, even from the Polish perspective. By 1939, Poland had consular relations with 61 countries, of which 19 had formal agreements related to the maintenance of consulates. In the remaining 42 cases, consular relations were conducted solely on the basis of customary international law. Between the restoration of independence in 1918 and 1924, Poland maintained consular relations with 31 countries, only five of which were based on treaties.[45]

In light of the Polish Constitution of 17 March 1921,[46] the conclusion of a consular convention required confirmation through a ratification act. This process involved the Sejm granting its consent for the President of the Republic to ratify the agreement. The head of state's sanction marked the conclusion of what was often a months-long process that began with the signing of the convention by two plenipotentiaries representing Poland – typically the Polish diplomatic representative in the respective state and a high-ranking official from the Ministry of Foreign Affairs. On occasion, the conventions were signed personally by the ministers themselves, reflecting the high rank of the representative from the other party. The duration of the ratification process varied significantly. The quickest was with Bulgaria, finalised in just four months, while the longest, with Yugoslavia, took three years. However, two

41 Sarna, 1928, p. 36.
42 Babiński, 1949, p. 7.
43 Libera, 1960, p. 68.
44 Ibid.
45 Pałyga, 1970, pp. 15–16.
46 Constitution of the Republic of Poland of 17 March 1921, Art. 49, para. 2 (Journal of Laws of 1921 No. 44, item 267).

agreements – those with Turkey and Manchukuo – remained unratified by the Sejm before the outbreak of World War II.[47]

Most of the Second Republic's consular relations were not based on contractual norms of international law but largely governed by customary international law. These relations were shaped by the relatively brief but substantial history of interactions between Poland and the states with which it maintained consular ties, often as though mutual legal obligations already existed. Throughout the Second Republic's existence until September 1939, consular rights were actively exercised by it 465 times, including the creation of 261 Polish representations abroad. However, among these, consuls were appointed through formal agreements in relations with only 19 countries.[48]

In the post-World War II period, countries withdrawing recognition of the legitimate Polish government in London recognised the communist government in Warsaw. This was demonstrated by the maintenance of consular conventions with the 'Warsaw government' after the war by countries such as France and Belgium. Some states, especially from the area of influence of the Soviet Union, concluded new consular conventions in the 1950s and 1960s.[49]

3. Principles and Functions of Consular and Diplomatic Offices

3.1. The Emergence of Norms in International Consular Law

In the preliminary draft of Art. 1(1) of the Vienna Convention on Consular Relations, prepared by the UN International Law Commission in 1963, it was proposed that 'every state should have the right to establish consular relations with foreign states'.[50] However, Jaroslav Žourek, the Commission's rapporteur, argued otherwise, stating that 'a right does not always have to be matched by a correlative obligation'.[51] In drafting the Convention, the UN International Law Commission drew inspiration from its earlier draft on diplomatic relations, mirroring its structure and many formulations. The legal obligation to establish consular relations, as outlined in the draft, was to arise from actual economic or commercial relationships between states or the presence of a significant group of citizens of one state residing in the territory of another, reflecting an objectively existing trend. It is noteworthy that

47 Pałyga, 1970, pp. 30–31.
48 Ibid., p. 51.
49 Ibid., p. 33.
50 Kafkowski, 1969, p. 215.
51 *Yearbook of the International Law Commission*, 1958, p. 211.

the systematic refusal of a state to establish consular relations with others during peacetime could be viewed as a violation of fundamental principles of international law. For UN member states, this refusal would be incompatible with Art. 1(3) of the UN Charter,[52] which obliges states to cooperate internationally in economic, sociological, intellectual, and humanitarian fields.[53]

The old diplomacy, which lasted until 1914, was closed and secretive in nature, reserved for a narrow circle of professional diplomats. The new diplomacy, which emerged after World War I and was associated with the establishment of the League of Nations and later the United Nations, introduced greater openness and multilateralism, incorporating international and non-governmental organisations into the process. The newest – or 'neo-new' – diplomacy, which has been taking shape since around 2020, is even more open and digital, involving not only states and organisations but also citizens, the media, academic communities, and the private sector.

Defining diplomacy in a way that fully captures its essence is a challenging task. This difficulty arises from its rich history, multidimensional nature, and the varying interpretations of diplomacy in both colloquial terms and academic literature. In public discourse, diplomacy is often misunderstood and associated with tactful yet insincere and cunning behaviour, characterised by the ability to convey unpleasant truths in an engaging manner, or with conduct perceived as hypocritical and discourteous. The broad range of activities and topics encompassed by diplomacy further complicates efforts to define its roles and functions exhaustively. In earlier times, when diplomacy operated in a less dynamic and complex environment, Stanisław Nahlik stated that the primary duty of an envoy was to execute the instructions provided by their sovereign.[54]

The Vienna Convention on Diplomatic Relations made an attempt to systematise diplomacy by outlining the official activities of diplomatic missions, focused primarily on maintaining formal relations with other subjects of international law. Art. 3 of the Convention indicates that the functions of diplomatic representatives acting abroad include:

a) representing the sending State in the receiving State;
b) protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;
c) negotiating with the Government of the receiving State;
d) ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State;
e) promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations.

52 Act of 31 December 1945, on the ratification of the United Nations Charter signed in San Francisco on 26 June 1945 (Journal of Laws of 1946, No. 2, item 6).

53 *Yearbook of the International Law Commission*, 1958, p. 96.

54 Nahlik, 1981, p. 20.

The Vienna Convention on Diplomatic Relations also allows for the expansion of diplomatic missions' functions to include activities in the consular domain. Consequently, six primary diplomatic functions are defined: representation, negotiation, information gathering, promotion, protection, and consular.[55] Although each of these functions has distinct characteristics, they often overlap and, in many cases, depend on one another.

3.2. Principles of International Relations in the 21st Century

The growing number and increasing involvement of actors on the international stage have turned the modern diplomatic environment into a complex web of interactions between state and non-state entities. International organisations, non-governmental organisations, and the world's largest corporations have become active participants in global affairs. Simultaneously, globalisation processes have broadened the scope of global challenges and issues addressed by diplomacy. While its traditional focus was primarily on matters of war and peace – categorised as 'high politics' – modern diplomacy now encompasses a wide range of issues, including human rights, environmental protection, and economic development, often referred to as 'low politics'. These shifts have rendered the exclusively state-centric understanding of diplomacy increasingly obsolete.

Modern diplomacy, particularly the role of the diplomatic service, is undergoing a period of dynamic transformation shaped by both global changes and the evolving nature of the diplomatic profession. Unlike the relatively stable framework of the Cold War era, today's diplomatic service faces increasingly rapid and complex challenges. Several key trends highlight this shift from a period of relative stagnation to one characterised by rapid volatility.

Diplomacy has traditionally revolved around relations between states, with governments and their envoys serving as the primary actors. Over time, particularly after the end of the Cold War, diplomacy became increasingly diversified. A growing number of actors now influence international processes, reshaping the role of the diplomat. The modern diplomat not only represents their government but also engages in dialogue with a wide range of stakeholders, including representatives from the private sector, civil society, and other non-state entities. Additionally, the practice of 'public diplomacy' has emerged as a crucial tool, enabling states to shape their image and influence perceptions on the international stage.

The technological revolution, particularly the advent of the Internet and social media, has fundamentally transformed the practice of diplomacy. Many international affairs now unfold in virtual spaces, requiring diplomats to adapt and effectively utilise new communication tools. Platforms such as X (formerly Twitter) and Facebook enable the instantaneous transmission of information and the rapid

55 Sutor, 2019, pp. 124–142.

expression of positions. While this can accelerate negotiation processes and enhance transparency, it also carries the risk of escalating tensions.

Modern diplomacy has become more unpredictable than ever. Crises, government changes, rapid geopolitical shifts – such as the war in Ukraine, rising tensions in the Middle East and Taiwan, or changes in the global balance of power – are forcing diplomatic services to respond with greater flexibility and speed. Foreign policy goals are also evolving; instead of lengthy negotiation processes, diplomats are increasingly faced with urgent interventions requiring swift decision-making.

On one hand, modern diplomacy emphasises engagement in multilateral forums such as the UN, G7, G20, and regional organisations, where diplomats must collaborate with a diverse array of actors. On the other hand, certain aspects of diplomacy remain strongly bilateral, particularly in areas like trade, defence, and energy. Changing geopolitical realities, such as the U.S.–China rivalry, require diplomats to simultaneously engage in different types of activities – from multilateral negotiations to direct talks with strategic partners.

Modern diplomacy no longer relies solely on 'classic diplomats' known for conducting traditional negotiations. Today, diplomatic services increasingly include specialists in narrow fields such as cybersecurity, defence, and technology development. Countries now require highly specialised personnel to address emerging international challenges effectively. Historically, diplomacy was viewed as an intricate 'royal politics' game, with diplomats forming an elite group operating discreetly behind closed doors. However, modern demands for transparency, openness, and media engagement have transformed the profession. Diplomats are now expected to be more communicative, responsive to public opinion, and capable of reacting swiftly and effectively to rapidly changing situations.

Modern diplomatic services must possess a broad array of instruments to address contemporary challenges. In addition to traditional tools such as negotiation and mediation, economic measures and even military deterrence are increasingly employed. Furthermore, modern diplomacy is becoming heavily reliant on digital tools. Online diplomacy, the use of blockchain for secure data management, and the application of artificial intelligence for geopolitical analysis are now integral to its practice.

3.3. New Functions of Diplomacy

Diplomacy is often equated with foreign policy, but while the two are closely related, they are distinct. Diplomacy is a narrower concept, functioning as a tool for the implementation of foreign policy. The relationship between the two can be likened to that between tactics and strategy. Foreign policy involves outlining a plan and setting the state's priorities in international relations, whereas diplomacy is the mechanism for executing those priorities.[56]

56 Ibid., pp. 33–34.

The functions of diplomacy can be analysed not only through the activities of diplomats but also in terms of its role in supporting and shaping state foreign policy. In this context, four primary functions of diplomacy can be identified. First, diplomacy helps to define the tasks of foreign policy. This function is continuous, as external conditions frequently change, requiring the constant updating of these tasks. Second, diplomacy has the evaluative function, analysing the actions of foreign states and governments. Accurate evaluation is crucial because misjudging or misinterpreting the behaviour of other actors can lead to flawed assumptions and ineffective policy decisions. The third function is selection: diplomacy identifies common points of interest between states, establishing platforms for agreement and cooperation. At the same time, it seeks to eliminate or set aside issues that create significant differences between states. The fourth function – prescriptive – means that diplomacy determines the most effective methods and means to achieve the objectives of the state's foreign policy at every stage of its implementation.[57]

Diplomacy has undergone numerous transformations over the years, evolving in response to changes in the international environment. Its forms, methods, means, and actors have all adapted to shifting global conditions. The processes of globalisation, coupled with the increasing interdependence and transnational nature of phenomena in recent decades, have driven further changes, affecting every aspect of traditional diplomacy. As international relations have developed, states are no longer the sole actors conducting diplomacy. While they retain a special position in the international system, they now operate within a dynamic environment that includes a growing number and diversity of actors. This evolution has transformed modern diplomacy into a complex web of interactions, involving not only state entities but also transnational, sub-state, and non-state actors.[58]

Robyn Ehryn Williams presents the concept of the 'new-new diplomacy', which she defines as the third phase in the evolution of diplomatic relations, following the so-called 'old' and 'new' diplomacy. According to Williams, the contemporary world is entering a stage in which diplomacy is increasingly shaped by the technologies of the Fourth Industrial Revolution (4IR), encompassing artificial intelligence, the Internet of Things, big data, robotics, and communication technologies. Technological progress, however, does not replace diplomacy; rather, it complements and strengthens it, making it more flexible, open, and better adapted to the demands of a globalised world.[59] In the author's view, this is true – but it represents only a form of diplomacy that continues to evolve. Its material dimension, essence, or the very core of politics, however, remains unchanged.

One of the new participants in supranational international relations is international organisations, which have evolved beyond being mere forums for facilitating diplomacy among individual states. These organisations now develop their own

57 Bryła, 1998, pp. 66–67.
58 Surmacz, 2013, p. 236.
59 Williams, 2022, pp. 27–36.

diplomatic structures, possess international legal subjectivity, and enjoy active and passive rights of legation.[60] A notable example of such a transnational organisation is the European Union. Although its diplomatic service has existed for more than 50 years, the establishment of the European External Action Service (EEAS) marked a significant transformation in its operations. The EEAS formally began its activities in 2011 under the Lisbon Treaty, signed in 2007.[61] Thanks to the European Union's legal personality, its delegations function as EU diplomatic missions, resembling those of sovereign states. The processes of globalisation and the accompanying evolution of international relations have therefore not only led to the emergence of new actors in diplomacy but have also resulted in changes in the scope of diplomatic engagement. This expansion broadens the catalogue of issues that diplomacy and diplomats must address, reflecting the interconnected and multifaceted nature of modern international relations.

Traditional diplomacy primarily focused on matters of 'high politics', which encompassed issues of war and peace, such as resolving territorial disputes and establishing borders. However, the end of the Cold War, accompanied by the shift away from a bipolar international order and the transformative effects of globalisation, led to an expansion of diplomacy's scope. This shift brought increased attention to issues categorised as 'low politics', including global challenges such as environmental protection, human rights, and economic development. Addressing these issues often requires multilateral cooperation among states and the involvement of non-state actors.[62] However, since Russia's aggression against Ukraine, there has been a notable resurgence of 'high politics' in international relations.

Dynamic changes in the international environment have significantly influenced the operation of traditional diplomacy, both within and beyond the state. The emergence of new issues in the public domain has created the need to involve additional actors with specialised expertise in specific areas of diplomacy. Increasingly, ministries outside of foreign affairs conduct their own diplomatic activities through their specialised departments, with representatives – experts in cultural, scientific, or economic matters – joining diplomatic missions alongside attachés, who were the first specialists integrated into diplomatic services. This growing thematic complexity of diplomacy and the need for expert support in conducting intricate international negotiations have made it increasingly common to see representatives from other ministries in diplomatic missions.[63] For example, more than half of the personnel employed in American embassies today come from outside the State Department.[64]

Some countries have gone even further by creating new thematic ambassador roles to address specialised international concerns. Denmark, for instance, has appointed

60 Bierzanek and Symonides, 2005, p. 172.
61 Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union (2008), Official Journal of the European Union, vol. 51, C 115.
62 Surmacz, 2013, p. 241.
63 Panek, 2023, pp. 63–64.
64 Surmacz, 2013, p. 242.

an Ambassador for Technology tasked with representing the Danish government in the technology sector, building relationships with industry representatives, and delivering presentations at global forums and conferences on technology-related issues. The growing involvement of new players and the heightened demand for diplomatic expertise raise questions about the evolving role of professional diplomats. Many scholars of international relations argue that, despite the increasing participation of government and private-sector actors in diplomacy, professional diplomats remain critical. They play a vital role in executing a country's foreign policy and managing its international relationships. Moreover, the expansion of official visits, combined with the expertise of professional diplomats, reduces the cost of such engagements and enables faster responses to emerging threats, as seen in the context of the ongoing war in Ukraine.

The advent of new communication tools has significantly altered the hierarchy and distribution of power among various actors involved in diplomacy. In particular, social media has increased interaction between policymakers – both external and internal – and the public. Foreign policy decisions now attract greater attention and engage a growing number of people, making diplomacy more accessible, transparent, and interactive.

However, these advances also bring new challenges. The digital revolution in information and communication technologies has transformed not only how people communicate and act but also how they think and interpret reality. The shared understanding of fundamental beliefs about how the world operates has become increasingly fragmented. This rapid development of information and communication technologies, coupled with the rise of social networks, has given birth to a new type of diplomacy – variously referred to as virtual diplomacy, e-diplomacy, cyber diplomacy, or digital diplomacy. Its essence lies in maintaining social, economic, and political interactions through electronic means rather than face-to-face communication.[65] However, despite the advantages, such as increased reach and speed, modern technologies also have limitations. Unlike face-to-face interactions, digital communication often lacks the nuanced understanding of context and the ability to build trust – both of which are critical to effective diplomatic activity.

Modern technologies influence not only the way communication takes place but also the role of diplomats. The contemporary diplomat should possess digital competencies, understand the mechanisms of artificial intelligence, be able to analyse data, and respond in real time. AI, data analysis, and automation can streamline decision-making processes, support negotiations, and increase the effectiveness of actions, though they also require continuous skill development and adaptation to new tools.

Williams notes that the foundation of diplomatic law remains the 1961 Vienna Convention; however, its provisions no longer fully address the challenges posed by digitalisation, cybersecurity, and the development of artificial intelligence.

65 Kosienkowski and Piskorska (eds.), 2014, pp. 105–142.

The author therefore advocates for updating international legal frameworks and for engaging governments, scholars, and technology creators in the development of new principles for the responsible use of AI in international relations.[66]

Permanent diplomatic missions, such as embassies, nunciatures, or high commissions, remain the most vital instruments of diplomacy and, along with foreign ministries, form its organisational foundation. A permanent diplomatic mission is an organ of the sending state, established with the consent of the receiving state to perform diplomatic functions. Essentially, it serves as the 'office' of the head of the diplomatic mission, supported by a team of substantive officers and technical and administrative staff who are officials of the sending state. While the mission operates under the authority of the sending state, it holds no legal subjectivity under the domestic law of the receiving state. It enjoys diplomatic immunity and is protected from prosecution under the jurisdiction of the receiving state, ensuring the inviolability of their operations and personnel.

The parameters for organising and operating the international environment, often referred to as the Late Westphalian environment, have undergone significant changes. This modern environment combines foundational aspects of the traditional Westphalian order with new features shaped by the processes of globalisation and fragmentation.[67] According to Mark Pietraś, the Westphalian international order was characterised by the following features: nation-states as the primary form of political organisation, creating a centralised system of states; the principles of territoriality and sovereignty were core attributes of this order, granting states exclusive sovereign power over their territories while excluding external interference from other sovereigns; international law replaced religion as the binding force of the international community; and the balance of power mechanism became the main tool for regulating the functioning of the international system.[68] However, the Westphalian order proved insufficient for effectively managing the complexities of the modern international system. Its transformation has been driven by factors such as globalisation, fragmentation, and the technological revolution, which have fundamentally altered the ways in which information is shared and communication is conducted. These forces have not only modified the Westphalian system of international relations but also reshaped the mechanisms of international community control, including diplomacy.

In the modern international environment, states are no longer the sole actors in international relations. Alongside states, sub-state, supra-state, and non-state actors have emerged as significant players. Despite this diversification, states remain the most important actors in diplomacy, with their traditional diplomatic institutions and the implementation of foreign policy through established channels of official communication. The second group of actors consists of international organisations.

66 Williams, 2022, pp. 27–36.
67 Pietraś and Marzęda, 2008, pp. 317–332.
68 Pietraś, 2021, pp. 30–31.

Initially designed as forums to facilitate diplomacy among states, they have evolved into key players in diplomatic activities. With international legal subjectivity, they exercise the right of legation not only passively but also actively, engaging directly in international relations. A third category of actors includes sub-state entities such as regions and cities. Their international activities, often referred to as 'paradiplomacy' in the literature, involve active engagement in global affairs. These sub-state units establish extensive networks of international cooperation and have dedicated bodies to represent their interests abroad. The scope, form, and degree of institutionalisation of such activities largely depend on the political and legal competencies granted to these entities under national regulations. The fourth group comprises non-state actors, whose growing involvement in international relations is reshaping the nature of diplomacy. These actors contribute to the creation of a transnational level of diplomacy, which transcends the traditional state-centric model.

Cooperation among government officials or public servants from different countries to address mutual policy challenges is increasingly organised through horizontally structured intergovernmental regulatory networks. As Anne-Marie Slaughter aptly notes, such networks are a defining feature of the 21st-century international order, with their participants embodying a model of 'new diplomats'.[69] Alongside intergovernmental networks, professional networks comprising experts with recognised knowledge and experience in specific fields – known as 'epistemic communities' – also play a critical role.[70] The growing complexity of global governance has gradually shifted diplomatic activities toward actors with specialised expertise. Functioning within these networks often requires members to adopt international roles that transcend national boundaries. As Kanishka Jayasuriya observes, this denationalisation of diplomacy challenges the traditional 'Westphalian' concept of diplomacy as purely representing national interests.[71]

The evolution of diplomacy's subject and object structure has also changed its addressees. It now targets not only the governments of other countries but also their societies, underscoring the growing significance of public diplomacy. Public diplomacy extends beyond traditional state-to-state interactions and includes shaping public opinion in other countries, fostering interactions among social groups and their interests, reporting on foreign events, and analysing their impact on policy. It can be defined as 'a bilateral, dialogic form of international communication aimed at audiences abroad, conducted through both mass media and direct channels. Its purpose is to shape or promote a positive image of the country, including influencing public opinion to cultivate favourable attitudes toward the sender's country'.[72] This approach also leverages additional resources, such as the activities of non-governmental organisations and institutions, to enhance its reach and effectiveness.

69 Slaughter, 2004, pp. 36–64.
70 Haas, 1992, p. 3.
71 Jayasuriya, 2004, p. 15.
72 Ociepka, 2008, p. 12.

While states remain the primary actors on the international stage, technological advancements have allowed international organisations to expand their influence. Nevertheless, these organisations largely continue to serve as venues for states to make collective decisions. The second technological revolution, however, has significantly benefited transnational corporations. By reorganising their internal structures, these corporations have emerged as important participants in international relations, wielding substantial influence across global economic and political landscapes.[73]

Lester Bowles Pearson emphasised the role of diplomacy and international cooperation as fundamental tools for maintaining peace. He believed that diplomacy in the nuclear age should take on a new character – being more open, multilateral, and morally responsible. Pearson saw the task of diplomats as creating an atmosphere of mutual understanding and promoting humanitarian values that counteract the logic of fear and militarism. He regarded effective foreign policy as a necessity for supporting and understanding public opinion. As a proponent of an active role for Canada on the international stage, Pearson pointed out that smaller states can play a significant role in maintaining peace through mediation initiatives, participation in UN peacekeeping missions, and promoting international law. Diplomacy in the nuclear age must become a diplomacy of collective responsibility, rather than merely a struggle for national interests. In a world where war could mean the annihilation of all humanity, the most important task for diplomats is to prevent conflicts, build trust, and develop international cooperation.[74] In this regard, he was a precursor to deterrence policy, utilising diplomacy in situations threatening global conflict or even the extinction of humanity.

The rapid development of modern information and communication technologies (ICTs) has brought about fundamental changes in the way we inform and communicate. This transformation is not only a significant factor in the evolution of contemporary diplomacy but also a driving force behind a revolution in its practice.[75] Similar to the debates sparked during the era of Lord Palmerston, discussions today often include predictions about the decline of traditional diplomacy. However, more moderate perspectives argue that while the institution of diplomacy is inherently conservative and slow to adopt technological advancements, it remains flexible and has demonstrated a long history of adapting to changing realities.[76]

Three key aspects characterise the interactions between modern technologies and diplomacy. First, ICTs are reshaping the environment in which diplomacy operates. Second, they provide new tools for executing core diplomatic functions.[77] Third, they have become the subject of diplomatic activity, as states and international

73 Papp, Alberts and Tuyahov, 1997, pp. 28–29.
74 Pearson, 1965, pp. 12–34.
75 Moses and Knutsen, 2001, pp. 355–380.
76 Hocking, 2002, pp. 18–24.
77 Surmacz, 2014, pp. 17–43.

organisations address issues such as regulations governing the use of emerging technologies and industrial property rights. In the context of diplomacy, modern technologies primarily facilitate direct communication, enhance access to information, enable the dissemination of information, support virtual cooperation, and improve mobility and the speed of response.[78]

Joseph S. Nye Jr., the originator of the concept of soft power, offers reflections on the evolution of this idea in the era of the information revolution and the challenges posed by authoritarian states. Nye defines soft power as the ability to achieve desired outcomes through attraction and persuasion rather than coercion or payment. A state possesses soft power when it can make others want the same things it wants – when its culture, values, and policies are admired. The sources of soft power are culture, political values, and foreign policy, provided they are perceived as credible and morally justified.

Nye emphasises that in the age of the information revolution – characterised by the rapid decline in the costs of processing and transmitting data, widespread access to the Internet, and social media – the significance of soft power increases. In a world saturated with information, attention and credibility become the key resources, rather than mere possession of information. In this context, a state's reputation and the trust in its messaging matter more than ever. Propaganda, fake news, and manipulation may yield short-term effects, but in the long run, they undermine the credibility and trust that form the foundation of effective public diplomacy.

According to Nye, democratic states should not respond by imitating authoritarian methods but should instead defend their credibility, openness, and pluralism, which are the sources of their soft power. Honesty, free media, civil society, and the capacity for self-criticism are the most effective tools for democracies to build attractiveness. Nye points out that in the past, similar values helped the West win the Cold War, as ideas of freedom and openness attracted people behind the Iron Curtain. In a critical reflection on Nye, one could also emphasise the importance of respect for a nation's own identity, traditions, and culture. Building political and legal reality on the axiology of a given nation and state, while respecting minority rights, constitutes elements that contributed to the West's victory over the Soviets in the Cold War.

In conclusion, Nye asserts that soft power remains a key element of international politics, even as its instruments and context evolve. In the era of digital media and disinformation, a state's strength is determined not only by its military or economy but also by its ability to inspire, persuade, and earn trust. In a world of information overload, credibility becomes the true currency of power, and openness and transparency are the most effective defences against manipulation.[79]

The modern international environment has witnessed a significant increase in the flow of information, people, and goods. For diplomatic practice, this has led to a heightened emphasis on consular functions. New communication tools have made

78 Kurbalija, 1999, pp. 188–189.
79 Nye, 2019, pp. 7–20.

the diplomatic environment and processes more transparent. The public is now more informed about diplomatic activities, and electronic media serve as platforms for dialogue and feedback between diplomats, citizens, and the international community. The outcomes of these interactions increasingly influence foreign policy decisions.[80] However, greater transparency in diplomacy does not eliminate the need for secrecy or confidentiality. Many diplomatic activities, particularly those involving sensitive state issues, require discretion and compromise. Modern communication technologies have made information a critical source of power and influence, reshaping how states engage on the global stage. 'Soft power' – the ability of a state to influence others through the appeal of its culture, policies, and ideology rather than through coercion or payment[81] – has gained prominence in this new landscape. Traditional diplomacy conducted exclusively between state governments is no longer sufficient. Public diplomacy, as a tool of soft power, is becoming increasingly important.[82] It extends beyond traditional diplomatic channels, encompassing the formation of public opinion in other countries, the engagement of social groups and their interests, and the reporting of foreign events and their impact on policy.[83]

Jean-Robert Leguey-Feilleux presents diplomacy not as a set of rigid rules and protocols, but as a living field of international activity that evolves alongside the political, economic, and technological development of the world. The core functions of diplomacy – representation, negotiation, communication, and the protection of state interests – remain constant; it is the ways in which these functions are carried out that must adapt to contemporary challenges, such as globalisation, the increasing role of international organisations, the emergence of non-state actors, and the development of information technologies.

From the Westphalian system, in which nation-states were the primary actors in international relations, through the era of bilateral diplomacy and secret agreements, to the contemporary age of multilateral diplomacy – where organisations such as the UN, the European Union, and the WTO play a key role – the practice of diplomacy has continuously evolved. Processes such as decolonisation, the Cold War, and the establishment of numerous international institutions have led to a shift from traditional bilateral relations toward a more complex web of interdependence among states and organisations.[84]

Changes in the international order typically lead to corresponding transformations in the institutions operating within it. The primary drivers of these changes include globalisation, fragmentation, and the information revolution, which collectively prompt a redefinition of sovereignty as well as structural and functional adjustments within the international community. The emerging international order is

80 Arendarska, 2012, p. 47.
81 Nye, 2007, pp. 7–20.
82 Ociepka, 2008, pp. 69–108.
83 Data from: http://www.publicdiplomacy.org (Accessed: 29 December 2024).
84 Leguey-Feilleux, 2009, pp. 23–45.

marked by both continuity and change. It incorporates fundamental elements of the traditional Westphalian order while introducing new, qualitatively distinct parameters. This hybrid international order has, in turn, resulted in the hybridisation of the institutions that operate within it.[85]

4. Conclusion

Contemporary diplomacy has undergone a significant evolution. From a closed and secret practice reserved for a narrow circle of professionals, through the open and multilateral diplomacy that emerged after World War I, to the current digital and inclusive form that involves not only states but also non-governmental organisations, the media, the private sector, and citizens. Technological progress, including the development of artificial intelligence, data analysis, and automation, does not replace diplomacy but complements it, making it more flexible and open. At the same time, it requires modern diplomats to possess digital competencies and the ability to continuously develop skills and adapt to new tools.

The foundations of diplomatic law, such as the 1961 Vienna Convention, remain crucial; however, contemporary challenges related to digitalisation, cybersecurity, and artificial intelligence require updating international legal frameworks and close collaboration between states, scholars, and technology developers. Equally important is Joseph Nye's concept of soft power, according to which, in the digital and information era, credibility, reputation, and the ability to attract and persuade others become more decisive than military or economic power alone. Democracies should defend their values, such as pluralism, openness, and free media, rather than imitate authoritarian methods, as honesty, civil society, and the capacity for self-criticism are the most effective tools for building a state's attractiveness.

Modern diplomacy must consider not only traditional bilateral relations but also a complex web of interdependence involving international organisations and non-state actors. This reflects responses to globalisation, decolonisation, and the emergence of new international institutions. Despite dynamic technological and organisational changes, the core functions of diplomacy – representation, negotiation, communication, and the protection of state interests – remain unchanged. What must adapt are the ways these functions are carried out in a world where attention, trust, and credibility have become key resources, and where openness and transparency constitute the most effective defence against manipulation and disinformation.

The modern diplomatic service, despite its traditional roots, is becoming increasingly flexible, diverse, and oriented toward faster responses to evolving geopolitical and technological realities. To remain effective, diplomacy must continue adapting

85 Surmacz, 2015, p. 137.

to the challenges posed by globalisation, digitisation, and the growing influence of non-governmental organisations and non-state international actors. Diplomacy is no longer the exclusive domain of major states and international institutions; it has transformed into a more decentralised process, demanding new competencies and skills from diplomats.

The processes of globalisation, advancements in communication and information technologies, and the expanding role of multilateral diplomacy are fundamentally reshaping the significance, structures, and functions of permanent diplomatic missions in bilateral relations. These shifts have led many analysts and researchers to draw parallels with foreign ministries, questioning their relevance and even labelling them as outdated or unnecessary. Several key factors are cited in the decline of bilateral missions: a) the increased prominence of heads of state and government in diplomatic activities, bypassing permanent missions for resolving many issues; b) the growing autonomy of sectoral ministries in foreign policy and diplomacy; c) the evolution of diplomatic subject matter, with greater emphasis on 'low politics' issues such as economic and social concerns, leading to the rise of multilateral diplomacy; d) the heightened international activity of non-state actors; e) modern communication technologies, which also reduce the need for permanent missions as intermediaries; f) the declining prestige of foreign ministries.

These changes signify a shift from 'club diplomacy', characterised by a small number of players, hierarchical structures, traditional communication methods, and low transparency, to 'network diplomacy,' which involves a larger number of participants, flatter organisational structures, the adoption of new communication tools, and increased transparency. As a result, the primary task and challenge of 21st-century diplomacy is to effectively manage complexity.[86]

86 Cooper, Heine and Thakur, 2013, pp. 21–25.

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