



FUNDAMENTALS OF INTERNATIONAL DIPLOMACY

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OLAWUYI, SAN
Representative of the Honourable Minister of Foreign Affairs
Representative of the Honourable Minister of Justice & Attorney General
of the Federation
Distinguished Guests
Dear Participants,
Ladies and Gentlemen

I wish to profoundly thank and commend **Professor Abdulqadir Ibrahim Abikan**, PhD, Director General of the Nigerian Institute of Advanced Legal Studies (NIALS) for the initiative and thoughtfulness to introduce an Advanced Certificate Course in International Law and Diplomacy, aimed at providing in-depth examination of international law and its pivotal role in diplomacy and national development.

I feel honoured to be invited to this gathering of distinguished Nigerians who deliberately choose to consistently take steps to channel and advance the course of a better future for Nigeria.

I would like to divide my discussion this morning into five major parts. First, I will discuss the essence of international law. Second, I will discuss the role of diplomacy in national development. Third, I will discuss the fundamentals of international diplomacy. Fourth, I will discuss war as diplomacy by another means – a case study of the Republic of the Sudan. Fifth, I will close with areas of priorities for effective diplomacy and national development.

Nation States or State actors are by-products of international law. The existence of nation-states therefore; is the prime referent and unit of analysis in international relations. This is reinforced by the famous quote from Lord Denning (1961) in its ordinary sense, that “you cannot build something on nothing and expect it to stay there”. The essence of international law lies in its role as a framework for promoting order, stability, and cooperation among states and other international actors. Here are some key aspects that capture its essence:

- A. Regulation of State Behaviour: International law sets rules and norms that govern the interactions between states, including principles such as sovereignty, non-intervention, and the prohibition of the use of force.
- B. Promotion of Peace and Security: By establishing norms for conflict resolution and the peaceful settlement of disputes, international law aims to prevent wars and maintain international peace and security.
- C. Protection of Human Rights: International law includes conventions and treaties that protect the rights and dignity of individuals, ensuring that states respect fundamental human rights both domestically and internationally.
- D. Facilitation of International Cooperation: International law provides the legal framework for cooperation in areas such as trade, environmental protection, and humanitarian assistance, enabling states to work together on global challenges.
- E. Accountability and Justice: International law holds states and individuals accountable for violations, such as war crimes, genocide, and crimes against humanity, through mechanisms like international courts and tribunals.
- F. Adaptability and Evolution: International law is dynamic and evolves to address new challenges and issues, such as cyber security, climate change, and pandemics, reflecting the changing nature of global interactions.

In essence, international law serves as a crucial tool for managing the complexities of global relations, promoting cooperation, and addressing transnational challenges in a way that balances state sovereignty with collective interests.

In our contemporary world which ostensibly promotes peace and seek to minimise conflict, nation states are much more interdependent for their security assurance and primary economic needs such as land, labour, capital and entrepreneurship. This brings to the fore, the inevitability of international diplomacy in national development discuss. *International diplomacy therefore could be conceptualised as the art of promoting deliberate actions of a country and consequences beyond its borders as well as managing the perception and reciprocal actions of other nations.* It is the instrument by which a state actor prosecutes its foreign policy. The extent to which a state actor is able to effectively pursue its foreign policy objectives and to-wit; actively engage in international diplomacy, is often

gauged by its economic health, versatility of its Foreign Ministry and functionality of its Diplomatic Missions in other nations' Capital. International diplomacy therefore is the nexus through which state actors complement each other for mutual benefits.

From the foregoing, it could be inferred that *International diplomacy is the art and practice of conducting negotiations and relations between nations*. The following are some key fundamentals:

- A. **Communication:** Effective communication is crucial in diplomacy, involving clear, respectful, and strategic messaging. Ambiguity could result in lack of understanding, mischaracterisation, misconception and conflict. During the Ogoni crisis in Nigeria, a distinguished diplomat was assigned to communicate and engage with the world. When Yitzhak Rabin was assassinated in Israel in 1995 by elements that were strenuously opposed to his peace initiative, particularly the signing of the Oslo Accords, Shimon Peres, the Foreign Minister was assigned the role of acting Israeli Prime Minister.
- B. **Negotiation:** Diplomats must navigate complex negotiations, seeking mutually beneficial outcomes while protecting their country's national interests. Instruments upon which bilateral and multilateral engagements between state actors and sometimes non-state actors are premised are negotiated by diplomats.
- C. **Cultural Understanding and Exchange:** Diplomacy involves understanding and respecting different cultures and values, fostering people-to-people connections and promoting cultural exchange. Migration is a cross-cultural phenomenon. The extent to which it is tolerated is directly related to cultural understanding of the migrants and the depth of diplomatic engagement among the state actors.
- D. **Protocol and Etiquette:** Adhering to diplomatic protocol and etiquette helps maintain respect and professionalism. Given the contention that Protocol is the totality of good grace that makes interaction with others a pleasant duty, etiquette, comportment and dress code are essential ingredients. These principles of etiquette, comportment and dress code are associated with *good manners, carriage, poise, integrity and good dress sense* as the essentialities of acceptable protocol service. *These essentialities make the distinction*

between being sought after and merely tolerated, sets aside an accomplished host from a mediocre, differentiate between being likeable or detestable and being elegant or sloppy. Moderation, decency, politeness and table manners are highlighted as attributes to be imbibed in private, official and social relations. As it's often said, protocol is half of diplomacy.

- E. **Conflict Resolution:** Diplomats work to resolve conflicts peacefully, using techniques like mediation and arbitration. These age long means of resolving conflicts is still the most effective, even in the event of a full blown war between state actors or a civil war situation.
- F. **International Law:** Knowledge of international law and treaties is vital for navigating diplomatic relations. It provides the platform for international diplomacy and guide to behaviour of modern state and actors.
- G. **Building Relationships:** Diplomats cultivate and maintain relationships between countries, promoting trust, cooperation and friendly relations. Having friends in many countries gives you clear insight to contemporary issues and situations. It provides you with rare solutions and access when your country needs it.
- H. **Adaptability and flexibility:** Effective diplomacy requires flexibility, creativity and the ability to adapt to changing circumstances and priorities. Ability to survive in different and sometimes extreme circumstances such as natural disaster and war is the hallmark of a seasoned diplomat. When war broke out in Khartoum, Sudan, living conditions became very pathetic. What we had to endure in Port Sudan was unimaginable.
- I. **Crisis Management:** Diplomats pay crucial role in managing and resolving international crisis, preventing escalation and finding peaceful solutions. The ultimate goal of negotiation and mediation is effective resolution of identified problems. This requires that proposed solutions are clearly communicated and the sensibilities of all parties to conflicts are well addressed.

- J. **Representation:** Diplomats represent their nation's interests, values and policies, fostering understanding and cooperation. It is therefore important that a diplomatic agent is well informed of his country's political, economic, history and socio-cultural architecture, policies and programmes. He should have courage of conviction propelled by knowledge and passion for unconditional service to his country.

These fundamentals help diplomats navigate complex relationships, find common ground, and advance national interest while promoting peace, global cooperation, and understanding.

Diplomacy is expected to advance the best of polity, achieve the best of results and promote development of all nations. Often times however, there are conflicts and wars. The phrase, "War is diplomacy by another means", a variation of the famous quote of Carl von Clausewitz, "War is merely a continuation of policy by other means", is used to justify this notion. This idea highlights the complex relationship between war and diplomacy, where military action can be a tool to achieve desired outcomes when diplomatic efforts are insufficient.

The contemporary world is becoming more competitive where issues are more contestable and state actors are becoming overtly defined by their military prowess and capacity as negotiating strategy. This emerging concept is feeding countries appetite for weapons of mass destruction and race for stupendous increase in military budget at the expense of economic and socio-cultural well-being. Nonetheless, diplomacy, the international best practice, where by nations mediate and negotiate to avert crisis and war is most preferred.

The Republic of the Sudan is a classic example of the limit of the application of military pressure and war to mediation and negotiation of solutions to crisis. Modern Sudan has long been beset by conflict and instability since independence, with two lengthy north-south civil wars and a protracted war in the western region of Darfur. Since independence in 1956, the history of Sudan has been tarnished by internal conflict, including the First Sudanese Civil War (1955–1972), the Second Sudanese Civil War (1983–2005), the War in Darfur (2003–2020)—culminating in the secession of South Sudan on 9th July 2011 and the current Sudanese civil

war (2023 - present). The ultimate solution to the needless wars is – DIPLOMACY.

I will conclude with the affirmation that the dynamics of international diplomacy is shifting from persuasive to bullish diplomacy, where countries project ‘**strength**’ (military or soft power) as fundamental of international diplomacy, where state actors want friendship and cooperation on their own absolute terms, instead of friendship base on mutual respect and shared responsibility. This is in alignment with Theodore Roosevelt who once said, “*tread softly but carry a big stick*”.

With the protracted war in Ukraine, the war in the Middle East with its attendant deprivation, destitution, and destruction, the war in the Democratic Republic of Congo (DRC) and the Republic of the Sudan, the rise of the Multipolar World Order, economic prosperity and military advancement would continue to drive effective diplomacy, while International Law provides the framework. The extent to which state actors comply with the law, therefore, will continue to feed intellectual discuss.

I thank you for your kind attention.