

## Diplomatic Asylum

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The Article clarifies the concept of diplomatic asylum in the light of the Saulo incident which involved the Philippines and Indonesia. The incident, in fine, may be narrated as follows: Saulo, a huk leader wanted by the Philippine Government, and invoking Article 14 of the United Nations Universal Declaration of Human Rights, sought asylum at the Indonesian Embassy in Manila. This he did without the knowledge and consent of the Indonesian Ambassador. However, he later on voluntarily departed from the embassy with the blessings of the Indonesian Ambassador. The Author manifests that the confusion that resulted from the incident can be drawn from the failure to distinguish between territorial and diplomatic asylum. He refers to the former as that asylum granted to a person convicted or accused who has successfully escaped into another country or who being in another country refuses to go back to his own. Diplomatic asylum, on the other hand, is the concession of refuge by heads of missions, commanders of military camps, aircraft and warships to those accused of or condemned for political crimes. Territorial asylum is a right recognized in international law as it is embraced within the supremacy of the State within its territory, whereas diplomatic asylum is in derogation of that supremacy. By way of conclusion, it is claimed that where there is no treaty providing for diplomatic asylum, no State has a right to grant the same. In the Saulo incident, therefore, the Author describes the Indonesian Embassy as having no cause for granting the asylum. Instead, it was duty-bound to resort to any of these three things: (1) surrender Saulo to the Philippine authorities; (2) let Saulo leave the embassy voluntarily, or; (3) expel Saulo from the embassy.