

*Press Conf. 30 Aug.*

Mindszenty and his Right of Asylum

Question: The Foreign Ministry spokesman at one of his earlier Press conferences in reply to a question declared that the right of asylum granted to Mindszenty by the American Legation is highly debatable. How do you mean this?

Answer: With the exception of the territory of the Latin American States, the right of diplomatic asylum is an obsolete institution. Extra-territoriality does not mean that the territory of any foreign mission would fall outside the territory of the host country but this is a traditional expression implying immunity concerning the premises of the missions or personal immunity to which members of its staff are entitled. This immunity, however, merely serves the purpose of enabling the foreign missions to carry out their tasks undisturbed. The granting of the right of asylum at Legations is an abuse of diplomatic privilege and amounts to obvious interference in the internal affairs of the host country because (few words indistinct) exercises its punitive power. From this point of view it is quite immaterial whether it is a question of political or common crime because the prosecution of either falls under the exclusive competence of the State's internal (administration of justice). There exists a conception according to which (indistinct passage) if on account of disturbances human life is at stake. But even according to that conception the right of asylum cannot be maintained after the restoration of the legal order. In line with this practice stands also the US Foreign Service regulations issued in 1939. In Part Three of these regulations, in connection with diplomatic right of asylum, the following instruction can be found: "The granting of asylum by diplomatic and consular officials to private individuals or official personalities can be exercised solely on the basis of humanitarian considerations. Diplomatic and consular officials can grant asylum to uninvited people on the run whose life is endangered on account of mass disturbance or mob violence but

only for the duration of the actual danger. Reception must be denied to persons who seek asylum before the proceedings of the legal authorities of the local government. It was on the basis of the aforesaid that I declared at an earlier Press conference that Mindszenty's right of asylum at the American Legation is highly debatable. (Hungarian information service 30.8.57)