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The Vienna Convention on Diplomatic Relations (1961)

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Why is in news? Following Group of pro-Khalistan protesters attacked and damaged the Indian Consulate in San Francisco, Ministry of External affairs invoked The Vienna Convention on Diplomatic Relations (1961)

A Brief about Pro Khalistan Protest

A group of pro-Khalistani protesters recently attacked and damaged the Indian Consulate in San Francisco, prompting sharp condemnation from Indian Americans who demanded immediate action against those responsible for it.

The banned terrorist organisation, Sikhs for Justice, is conducting a so-called "Referendum 2020" amid a crackdown on pro-Khalistan leader Amritpal Singh in Punjab. Recent incident in UK came after similar radical actions by Khalistani supporters in Canada and Australia.

The Honorary Consulate of India in Australia's Brisbane city was forced to close down on Wednesday due to safety concerns after Khalistan supporters organised an unauthorised gathering and blocked the entry of the office, days after Australian Prime Minister Anthony Albanese assured India that his government will not tolerate "extreme actions."

Several Hindu temples in Melbourne were vandalised by Khalistan supporters in recent months. India has repeatedly raised the issue with Australian authorities. India has asked the Australian government to curb the anti-India activities of the Khalistani separatists and also attacks on the Hindu temples in the country.

Canada has also seen a rise in anti-India activities recently by Khalistani supporters who have vandalised some Hindu temples.

About Vienna Convention

The term "Vienna Convention" can refer to any of a number of treaties signed in Vienna, most of which are related to the harmonisation or formalisation of the procedures of international diplomacy.

The treaty being referred to by the MEA in this instance is the Vienna Convention on Diplomatic Relations (1961), which "provides a complete framework for the establishment, maintenance and termination of diplomatic relations on a basis of consent between independent sovereign States", as per an introductory note on the treaty in UN's Audio-visual Library of International Law.

The Vienna Convention on Diplomatic Relations entered into force on April 24, 1964 and is nearly universally ratified, with Palau and South Sudan being the exceptions.

The Convention codifies the longstanding custom of diplomatic immunity, in which diplomatic missions are granted privileges that enable diplomats to perform their functions without fear of coercion or harassment by the host country.

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It affirms the concept of “inviolability” of a diplomatic mission, which has been one of the enduring cornerstones of international diplomacy.

Obligations of a “receiving State”

As per the Vienna Convention, a “receiving State” refers to the host nation where a diplomatic mission is located.

In this case, the host nation is the UK and as per the Vienna Convention, it has some basic obligations towards the diplomatic missions it hosts on its sovereign territory.

Article 22 of the Convention deals with obligations with regards to the premises of the Mission.

Part 2 of this article states that “The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity”.

Basically, the security of any High Commission or Embassy is the responsibility of the host nation. While diplomatic missions can also employ their own security, ultimately, the host nation is accountable for security.

Reason for recent invocation

India registered its strong protest with the British government over the safety of its diplomatic mission and questioned the lack of sufficient security at the premises.

India finds unacceptable the indifference of the UK Government to the security of Indian diplomatic premises and personnel in the UK.

It is expected that the UK Government would take immediate steps to identify, arrest and prosecute each one of those involved in today’s incident, and put in place stringent measures to prevent the recurrence of such incidents

The Ministry of External Affairs issued a statement condemning the rise of hate crimes against Indians and anti-India activities in Canada, expressing their concern with stern language.