

## Time to reach out across the border



Islamabad's decision to send High Commissioner back to India just in time to host the Pakistan National Day reception in New Delhi, and New Delhi's decision to send the Minister of State for Agriculture and Farmers' Welfare to attend the reception indicate that good sense may have prevailed on both sides.

Since the 19th of this month, India and Pakistan have not fired at each other across the border in Jammu and Kashmir barring one exception, a welcome calm after several weeks of continuous ceasefire violations.

### **Background: a series of incidents of harassment of diplomatic personnel**

Harassment of some of the officials was reported who had gone for shopping to the Blue Area in Islamabad and two people aggressively followed them and hurled abuses.

Another officer and his family were aggressively followed by two men on a motorbike when he was going to a restaurant.

Indian High Commission in Islamabad has sent Note Verbale Verbal to the Ministry of Foreign Affairs of Pakistan protesting against the intimidation and harassment of its officials. Two incidents were reportedly highlighted in the note.

India has asked Pakistan government to investigate the incidents related to harassment of its officials in Indian High Commission in Islamabad.

### **What are the reasons behind the diplomatic stand-off between India and Pakistan?**

In gross violation of a UN Council resolution, UN-designated terrorists like Hafiz Saeed are freely operating with state support, and are being politically mainstreamed in Pakistan.

India criticized Pakistan for harbouring the United Nations designated terrorists like Hafiz Saeed.

In response, Islamabad raised the Kashmir issue at the UN Human Rights Council meeting in Geneva.

India is demanding for credible action by Pakistan to bring all those involved in the 2008 Mumbai attack and the 2016 Pathankot and Uri attacks to justice.

Pakistan has long been attempting to mask its territorial ambitions and use of terrorism as a state policy under the guise of concern for human rights.

Another issue is that Pakistan has refused to admit Indian diplomats to the Islamabad Club in retaliation for corresponding Indian clubs charging what it considers exorbitant amounts for membership.

Continuous tense atmosphere of ceasefire violations and the resultant political rhetoric is another issue.

Aggressive surveillance of each other's diplomatic personnel is nothing new in the India-Pakistan context.

All these issues have led to highly undesirable acts of harassing diplomatic personnel who are protected under the 1961 Vienna Convention.

### **What is 1961 Vienna Convention?**

The Vienna Convention on Diplomatic Relations of 1961 is an international treaty that defines a framework for diplomatic relations between independent countries.

It specifies the privileges of a diplomatic mission that enable diplomats to perform their function without fear of coercion or harassment by the host country.

This forms the legal basis for diplomatic immunity.

The host country must permit and protect free communication between the diplomats of the mission and their home country.

Diplomats must not be liable to any form of arrest or detention. They are immune from civil or criminal prosecution.

The family members of diplomats that are living in the host country enjoy most of the same protections as the diplomats themselves.

### **What are the measures taken to contain such harassments?**

The harassment happened may be because the local authorities were not properly informed about how to deal with the High Commission staff of the 'enemy' country.

Hence the two sides further decided to translate the code of conduct into Hindi and Urdu and make it available to local police stations and lower-ranking officials.

However, such thoughtful measures never stopped the continuous mistreatment of the 'rival' state's diplomats.

### **Way ahead**

The state of communication between India and Pakistan should be improved.

Constant firing across the J&K border has aggravated the issue even deeper.

Contacts between the respective High Commissions and the host governments have been reduced to 'demarches', 'summons', 'notes verbale' and stern warnings.

Given that the year ahead is critical for India and Pakistan and the bilateral relationship, the focus should be on enhancing and improving communication.

Some subtle messaging from the Pakistani side about its desire to normalise ties with India is a welcome move in the right direction.

Pakistan's army chief's recent and earlier statements that there is a desire on the part of the Pakistan army to normalise relations with India, something decision-makers in New Delhi should capitalise on.

Pakistan should also initiate tough action against anti-India terrorist groups based in Pakistan.