Research Paper Political Science

Importance of Diplomacy in The International Relations

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ABSTRACT

Ambassadors are diplomats of the highest rank, formally representing the head of state, with plenipotentiary powers. In modern usage, most ambassadors on foreign postings as head of mission carry the full title of Ambassador Extraordinary and Plenipotentiary. The only difference between an extraordinary ambassador and an ordinary ambassador is that while the former's mission is permanent, the latter serves only for a specific purpose. Ambassador-at-large is a diplomat of the highest rank and a minister who is accredited to represent his country. But unlike the resident ambassador or embassy, the ambassador-at-large is entrusted to operate in several usually neighboring countries, a region or sometimes a seat of international organizations such as the United Nation or European Union. In some cases, an ambassador-at-large may even be specifically assigned a role to advise and assist the state or Government in particular issues. Historically, presidents or prime ministers have designated special diplomatic envoys for specific assignments, primarily overseas but sometimes also within the country as ambassadors-at-large

KEYWORDS Diplomacy, Foreign Policy, Immunities, origin and Development

Introduction

An Ambassador is an official envoy especially a highest ranking diplomat who represents a State and is usually accredited to another sovereign State or to an international organization as the resident representative of his or her own government or sovereign or appointed for a special and often temporary diplomatic assignment. The word is also often used more liberally for persons who are known, without national appointment, to represent certain professions, activities and fields of endeavor. In its most common use, the term usually applies to the ranking government representative stationed in a foreign capital. The host country typically allows the ambassador control of specific territory called an embassy, whose territory, staff, and even vehicles are generally afforded diplomatic immunity in the host country.

The concept of Dipolmacy

The equivalent to an Ambassador exchanged among members of the Commonwealth of Nations are known as High Commissioners. The "Ambassadors" of the Holy See are known as Papal or Apostolic Nuncios. As formally defined and recognized at the congress of vienna (1815), ambassadors were originally regarded as personal representatives of their country's chief executive rather than of the whole country, and their rank entitled them to meet personally with the head of state of the host country. Since 1945 all nations have been recognized as equals, and ambassadors or their equivalents are sent to all countries with which diplomatic relations are maintained. Before the development of modern communications, ambassadors were entrusted with extensive powers; they have since been reduced to spokespeople for their foreign offices. The foreign government to which an ambassador is assigned must first approve the person. In some cases, the foreign government might reverse its approval by declaring the diplomat a persona non grata: an unacceptable person. This kind of declaration usually results in recalling the ambassador to her home nation. In accordance with the Congress of Vienna of 1815 and the 1961 Vienna Convention on Diplomatic Relations, the ambassador and embassy staff is granted diplomatic immunity and personal safety while living abroad. Another result of the increase in foreign travel is the growth of trade between nations. For most countries, the national economy is now part of the global economy. This means increased opportunities to sell and trade with other nations. When two nations are conducting a trade, it is usually advantageous to both parties to have an ambassador and perhaps a small staff living in the other land, where they act as an intermediary between cooperative businesses.[5]One of the cornerstones of foreign diplomatic missions is to work for peace. This task sometimes grows into a fight against world terrorism, the drug trade, international bribery and human trafficking. These activities are important and sensitive and are usually carried out in coordination with the Defense Ministry of the state and the Head of the Nation.

ORIGIN AND DEVELOPOMENT OF DIPLOMACY

The rise of the modern diplomatic system was a product of the Italian Renaissance (from around 1300 AD). The use of ambassadors became a political strategy in Italy during the 17th century. The political changes in Italy altered the role of ambassadors in diplomatic affairs. Because many of the states in Italy were small in size, they were particularly vulnerable to larger states. The ambassador system was used to disperse information and to protect the more vulnerable states. This practice then spread to Europe during the Italian Wars. The use and creation of ambassadors during the 15th century in Italy has had long-term effects on Europe and, in turn, the world's diplomatic and political progression. Europe still uses the same terms of ambassador rights as they had established in the 16th century, concerning the rights of the ambassadors in host countries as well as the proper diplomatic procedures. An ambassador was used as a representative of the state in which he is from to negotiate and disseminate information in order to keep peace and establish relationships with other states. This attempt was employed in the effort to maintain peaceful relations with nations and make alliances during difficult times. The use of ambassadors today is widespread. States and non-state actors use diplomatic representatives to deal with a host of problems that occur within the international system. Ambassadors now normally live overseas or within the country in which it is assigned to for long periods of time so that they are acquainted with the culture and local people. This way they are more politically effective and trusted, enabling them to accomplish goals that their host country desires.

DIPLOMATIC IMMUNITIES

Diplomatic is a form of legal immunity and a policy held be-

tween governments that ensures that diplomats are given safe passage and are considered not susceptible to lawsuit or prosecution under the host country's laws, although they can still be extradited. It was agreed as international law in the Vienna Convention on Diplomatic Relations (1961), though the concept and custom have a much longer history. Many principles of diplomatic immunity are now considered to be customary law. Diplomatic immunity as an institution developed to allow for the maintenance of government relations, including during periods of difficulties and even armed conflict. When receiving diplomats who formally represent the sovereign the receiving head of state grants certain privileges and immunities to ensure they may effectively carry out their duties, on the understanding that these are provided on a reciprocal basis. Originally, these privileges and immunities were granted on a bilateral, ad hoc basis, which led to misunderstandings and conflict, pressure on weaker states, and an inability for other states to judge which party was at fault.

An international agreement known as the Vienna Conventions codified the rules and agreements, providing standards and privileges to all states. It is possible for the official's home country to waive immunity; this tends to happen only when the individual has committed a serious crime, unconnected with their diplomatic role or has witnessed such a crime. However, many countries refuse to waive immunity as a matter of course; individuals have no authority to waive their own immunity. Alternatively, the home country may prosecute the individual. If immunity is waived by a government so that a diplomat can be prosecuted, it must be because there is a case to answer and it is in the public interest to prosecute them. A 2002 example of a Colombian diplomat in London being prosecuted for the manslaughter of a man who mugged his son was deemed in the public interest once diplomatic immunity was waived by the Colombian government. The concept of diplomatic immunity can be found in ancient Indian epics like Ramayana and Mahabharata where messengers and diplomats were given immunity from capital punishment. In Ramayana, when the demon king Ravana ordered the killing of Hanuman, Ravana's younger brother Vibhishana pointed out that messengers or diplomats should not be killed or arrested, as per ancient practices.

The British Parliament first guaranteed diplomatic immunity to foreign ambassadors in 1709, Modern diplomatic immunity evolved parallel to the development of modern diplomacy. In the 17th century, European diplomats realized that protection from prosecution was essential to doing their jobs and a set of rules evolved guaranteeing the rights of diplomats. These were still confined to Western Europe and were closely tied to the prerogatives of nobility. Thus, an emissary to the Ottoman Empire could expect to be arrested and imprisoned upon the outbreak of hostilities between their State and the empire. The French Revolution also disrupted this system, as the revolutionary State and Napoleon imprisoned a number of diplomats accused of working against France. More recently, the Iran hostage crisis is universally considered a violation of diplomatic immunity. Although the hostage-takers did not officially represent the state, host countries have an obligation to protect diplomatic property and personnel. On the other hand, in World War II, diplomatic immunity was upheld and the embassies of the belligerents evacuated through neutral countries. For the upper class of the 17th, 18th and 19th centuries, diplomatic immunity was an easy concept to understand. The first embassies were not permanent establishments but actual visits by high-ranking representatives, often close relatives, of the sovereign or even the sovereign in person. As permanent representations evolved, usually on a treaty basis between two powers, they were frequently staffed by relatives of the sovereign or high-ranking nobles.

Warfare was not between individuals but between their sovereigns, and the officers and officials of European governments and armies often changed employers. Truces and ceasefires were commonplace, along with fraternization between officers of enemy armies during them. When prisoners,the officers usually gave their parole and were only restricted to a city away from the theatre of war. Almost always, they were given leave to carry their personal sidearms. Even during French revolutionary wars, British scientists visited the French Academy. In such an atmosphere, it was easy to accept that some persons were immune to the laws. After all, they were still bound by strict requirements of honors and customs. In the 19th century, the Congress of Vienna reasserted the rights of diplomats; and they have been largely respected since then, as the European model has spread throughout the world. Currently, diplomatic relations, including diplomatic immunity, are governed internationally by the Vienna Convention on Diplomatic Relations, which has been ratified by almost every country in the world.

The United States has had a tendency to be generous when granting diplomatic immunity to visiting diplomats, because a large number of U.S. diplomats work in host countries less protective of individual rights. If the United States were to punish a visiting diplomat without sufficient grounds, U.S. representatives in other countries could receive harsher treatment. In the United States, if a person with immunity is alleged to have committed a crime or faces a civil lawsuit, the State Department asks the home country to waive immunity of the alleged offender so that the complaint can be moved to the courts. If immunity is not waived, prosecution cannot be undertaken. However, the State Department still has the discretion to ask the diplomat to withdraw from her or his duties. Often, the diplomat's visas are canceled; and the diplomat and her or his family may be barred from returning to some countries have made reservations to the Vienna Convention on Diplomatic Relations, but they are minor.

Conclusion

A number of countries limit the diplomatic immunity of persons who are citizens of the receiving country. As nations keep faith to their treaties with differing zeal, other rules may also apply, though in most cases this summary is a reasonably accurate approximation. The Convention does not cover the personnel of international organizations, whose privileges are decided upon on a case-by-case basis, usually in the treaties founding such organizations. The United Nations system has a relatively standardized form of limited immunities for staff traveling on U.N. laissez-passer; diplomatic immunity is often granted to the highest-ranking officials of these agencies. Consular officials formally have a more limited form of immunity, generally limited to their official duties. Diplomatic technical and administrative staff also has more limited immunity under the Vienna Convention; for this reason, some countries may accredit technical and administrative staff as attaché. Other categories of government officials that may travel frequently to other countries may not have diplomatic passports or diplomatic immunity, such as members of the military, high-ranking government officials, ministers, and others. Many countries provide non-diplomatic official passports to such personnel, and there may be different classes of such travel documents such as official passports, service passports, and others. De facto recognition of some form of immunity may be conveyed by states accepting officials traveling on such documents, or there may exist bilateral agreements to govern such cases formally, diplomatic immunity may be limited to officials accredited to a host country, or traveling to or from their host country. In practice, many countries may effectively recognize diplomatic immunity for those traveling on diplomatic passports, with admittance to the country constituting acceptance of the diplomatic status

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