

Breach of Diplomatic Norms & Practices by US Ambassador in Bangladesh

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Diplomacy is the art and practice of skillful handling of a situation without offending any one. Diplomacy is a mechanism of formal, regularized communication that allows states to peacefully conduct their business with each other.

Although the diplomatic norms and practices are ancient and have been recognized by every state, they have been codified in the 1961 Vienna Convention on Diplomatic Relations to remove confusion and doubt as to what diplomatic agents can or cannot do in a host country.

One of the important principles incorporated in the preamble of the Vienna Convention is the “sovereign equality of states” as enshrined in the UN Charter. Sovereignty has been explained in the Montevideo Convention in 1933. The main feature of sovereignty is that it provides states to deal with their external and internal affairs without outside interference for promoting their national interests and to defend its territorial integrity of states.

The term “sovereign equality of states” is not a cliché. It is the attribute of basic building blocks of international community underscored by the League of Nations and its successor, the UN.

All states have recognized and accepted equality of states. That means there shall be no interference in the internal or domestic affairs of a state. The UN Charter recognizes this core principle in its Article 2(7).

States, poor or rich, weak or strong, have to understand and appreciate the equality of states in so far as the sovereignty is concerned.

What diplomats can or cannot do:

There are certain diplomatic norms that are to be followed by every diplomat posted to a host country. A diplomatic agent includes the head of the mission sent to the host state. The functions of diplomatic agents are described in Article 3 of the 1961 Vienna Convention which, among others, includes the following:

- Promoting friendly relations between the sending state and the receiving state and developing their economic, cultural and scientific relations (note that the word “political” has been omitted).
- Ascertaining by all lawful means conditions and developments in the receiving state and reporting thereon to the government of the sending state.

The above paragraphs are relevant in the context of public conduct of some chiefs of diplomatic missions posted in Bangladesh. I assume that they are fully aware of the diplomatic norms and practices under the Vienna Convention. There are certain “no-go areas” for diplomats and one of them is interference in internal affairs of a state.

In this connection, may I refer to a reported statement of the US Ambassador after meeting with the Chairperson of the BNP at a local hotel on 25th May. The meeting was billed as the farewell call on the former Prime Minister by the outgoing Ambassador.

After the farewell call, the Ambassador reportedly stated to the waiting journalists as follows: “We touched on a lot of issues including election, reforms and the voter list. I think it would be difficult for the political parties to share ideas on these if the ban is not lifted. I call on the government to lift the ban on indoor politics.”

It may be that as an official representative of a friendly country, she publicly stated what she was advised by Washington.

In my view, it would have been proper and appropriate for the Ambassador to convey the message of Washington to the Non-party Care-taker Government (CTG) and not to journalists publicly.

The issues on which she has expressed her views are entirely internal matters of Bangladesh. The statement is perceived as a direct interference in the domestic matters of Bangladesh and is totally in breach of diplomatic norms in terms of the Vienna Convention.

I had the privilege of serving as an Ambassador/High Commissioner to both developed and developing countries for more than 11 years and never have I experienced any head of a diplomatic mission of friendly countries to flagrantly violate the basic diplomatic protocol. In one or two developing countries, any indirect comment on an internal matter led to their sudden departure from the host states.

Ambassadors posted in other developing countries do not publicly express views on internal matters. If they are advised by their governments, they do it discreetly with the representatives of the government of host countries.

Why some of the diplomats from friendly countries in Bangladesh do is not understood, unless they want to show their high profile for their promotion to their governments or they think they can get easily away with such breaches of diplomatic norms since their governments provide aid to the country.

Issues that matters to ordinary people:

The issue of the lifting of ban of indoor politics by political parties is an important one and many a times many Advisers of the CTG have come out with statements that the CTG will do so when it is appropriate.

The CTG may have many information and facts for which it is not withdrawing the ban of indoor politics. In the government's agenda, there are sequences of things that have to be addressed in order of priority. No one is privy to the order of agenda other than the decision-makers of the government.

Political parties and civil society of Bangladesh may demand many things from the CTG and the interim government in its own way responds to their demands within their means.

From media, it seems people are not in a hurry to have election until a right environment is created with correct voter list. Rather they want speedy trial of corrupt persons, adhering to due process of law. What their primary concern is the high prices of essential commodities in the country and the CTG is fully aware of this.

It seems demand of people is very clear from the CTG. Cleanse the corrupt elements and remove muscle power and black money through due process of law. Recover the illegal money from within and outside and government lands. Create an environment of stability and peace in which a fair and credible election of multi-parties can participate and voters may exercise their inherent right to elect a government.

The CTG is being assisted by the armed forces to meet its agenda for welfare of the people. On 23rd May, the army chief released a document highlighting the successes of the CTG within five months (DS/24 May)

Many say that what the CTG has done within such a short time, no government in the past, elected or unelected, could do during the last 36 years. In a democratic country, some may disagree with the assessment but facts are facts and they are open to see. They remain irrespective of the fact they are not acknowledged or ignored.

Political parties may demand the withdrawal of the ban and it is perfectly all right for doing so in a democratic country. The CTG may take time to lift the ban on indoor politics for reasons best known to it.

But suggestion from diplomats publicly for lifting the ban of indoor politics is not acceptable not only in diplomatic norms but also tends to offend many citizens in the country. Instead of promoting friendly relations between peoples of two countries, such statements do the opposite.

Bangladesh is a responsible member of international community. People achieved independence by supreme sacrifices. People are rightfully very sensitive to undue interference in their internal affairs by other states. It is a self-respecting nation, although poor. The role of many governments in the difficult times in 1971 has not been forgotten by many people in the country.

What Bangladesh needs is market access of its commodities to industrialized nations, import of oil at concessionary prices and targeted aid without conditions from friendly

countries to eliminate poverty. We would appreciate statements from diplomatic agents on these issues and not publicly on internal affairs. Let the CTG do its job for which it has been installed on 12th January by the elected President of the country.

It is noted that the mind-set based on the concept “the strong do what they have power to do and the weak accept what they have to accept” of earlier times has disappeared during the later half of the 20th century. Diplomats must note that.