

Diplomatic Immunity in the 21st Century: An Analysis of its Application

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Diplomats enjoy diplomatic privileges under the patronage of the 1961 Vienna Convention on Diplomatic Relations (VCDR). Articles 20 to 39 of the VCDR contain privileges that diplomats and their families are entitled to, especially in a receiving state. These privileges are collectively known as diplomatic immunity due to the clauses that free Foreign Service personnel from jurisdiction of a receiving state. While diplomatic immunity is entrusted with protecting the diplomats and their families in a receiving state, recently it has become a factor that sparks controversy due to misappropriation. Several cases point out the unjustifiable acts committed by diplomats who suffered minimum or no consequences at all. Immunity has caused disputes at both national and international levels. Although it is a necessity in the diplomatic field to safeguard the diplomats through these privileges, public distrust has become prominent, which has in turn affected the integrity of the discipline. Therefore, a qualitative study was conducted on the modern usage of diplomatic immunity, using both primary and secondary sources. The research examined the impact it has had on the international order and diplomatic relations in the 21st century, which led to the understanding that the exploitation of these privileges has become much common in recent times. Thus, the author has arrived at the conclusion that some alterations to the clauses of the six-decade old Convention would help minimize the said concerns.

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