



Protecting Power

Why in News?

An American drone has killed Iranian military and intelligence commander Major General Qassem Soleimani in Baghdad (capital of Iraq). The Iranian government has registered its protest against the killing with the Embassy of Switzerland in Tehran.

- Switzerland represents the interests of the US in Iran (capital of Iran). This is because the US itself does not have an embassy there. In an arrangement such as this, **Switzerland is the “Protecting Power” of the United States’ interests in Iran.**
- Iran’s interests in the United States, on the other hand, are represented by the **Pakistan Embassy in Washington.**

How is the Above Arrangement Possible?

- The instrument of Protecting Powers is provided for under the 1961 and 1963 Vienna Conventions on Diplomatic Relations.
- The 1961 Vienna Convention states that if diplomatic relations are broken off between two States, or if a mission is permanently or temporarily recalled, the sending State may entrust the protection of its interests and those of its nationals to a third State acceptable to the receiving State. **E.g.:**
 - In this case, where Switzerland is the “Protecting Power” of the United States’ interests in Iran, sending state would be US, third state would be Switzerland; and receiving state would be Iran.
- The 1963 Convention reiterates that a sending State may with the prior consent of the receiving State, and at the request of a third State not represented in the receiving State, undertake the temporary protection of the interests of the third State and of its nationals.”
- The Vienna Convention on Diplomatic Relations, 1961 provides a complete framework for the establishment, maintenance and termination of diplomatic relations on the basis of consent between independent sovereign States.

Vienna Convention on Diplomatic Relations, 1961

- The Convention was adopted on 14 April 1961 by the United Nations Conference on Diplomatic Intercourse and Immunities held at the Neue Hofburg in Vienna, Austria, from 2 March to 14 April 1961. India has ratified the convention.
- It sets out the special rules - privileges and immunities - which enable diplomatic missions to act without fear of coercion or harassment through enforcement of local laws and to communicate securely with their sending Governments.
- It makes provision for withdrawal of a mission - which may take place on grounds of economy or physical security - and for breach of diplomatic relations which may occur in response to abuse of immunity or severe deterioration in relations between sending and receiving States. In either of these cases - or where permanent missions have not been established - a framework is provided for the interests of each sending State to be protected in the receiving State by a third State.

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