

India-China relations: Visa issue

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The practice of issuing stapled visa instead of proper visa by the Chinese embassy to Indian citizens from Arunachal Pradesh in last few years, and earlier in respect of Indian citizens from Jammu and Kashmir, has been an irksome issue in the Sino-Indian relations. It may be recalled that in 2010, when Lt Gen. BS Jaswal, the GoC-in-C Northern Command, was issued a stapled visa by the Chinese Embassy, allegedly on the ground that he commanded a disputed territory, to visit China to participate in a defence exchange programme, it created deep resentment in India. The government responded strongly by freezing defence exchanges with China. Beijing later signaled overtures to defreeze the military exchanges. Subsequently, an eight-member delegation led by Maj Gen Gurmeet Singh of the Northern Command visited China in 2011.

Subsequently, the issue of stapled visa was discussed between the two countries during the visit of Chinese Premier Wen Jiabao in December 2010. A welcome change of attitude was seen when the Chinese embassy issued proper visas to journalists from Jammu & Kashmir accompanying the Prime Minister on his visit to China to participate in the BRICS summit in Sanya in April 2011. Ever since, there has been no instance of stapled visa being issued to the residents of Jammu and Kashmir. However, the Chinese embassy continues with the practice of issuing stapled visas to Indians from Arunachal Pradesh.

This differentiated approach can be understood in the context of the Chinese claims over the bordering state of Arunachal Pradesh, which they call 'South Tibet'. India's claim over Arunachal Pradesh is based on the McMahon line drawn at the Simla Convention of 1914. Consequent upon its independence in 1947, India inherited the McMahon line in the eastern sector. India not only exercises administrative and political control over the territory, but also exercises effective sovereignty over Arunachal. China, on the other hand, does not recognize the McMahon line. The Chinese inference is that if its visa is embossed on the Indian passport, it may tantamount to recognizing India's sovereignty over Arunachal Pradesh. The Indian position is that if the holder of a stapled visa with Indian passport

is allowed to travel to China, it may be construed as conceding to Chinese claim over Arunachal Pradesh, and hence dilute India's stand towards Chinese claims.

There is, however, a view that by issuing stapled visas to the Indian citizens from Arunachal, instead of the earlier policy of denying them a visa altogether, the Chinese government has "softened" its position and has virtually conceded that Arunachal Pradesh is a "dispute".¹ India, clearly does not regard Arunachal as disputed. In fact, the Indian stance on the issue is that by following a two-track visa policy, China has disputed the legality of country's international border, thereby impinging adversely on its sovereignty as well as territorial integrity.

Given that the visa issue has caused intermittent irritants, it is time to resolve it thoughtfully and imaginatively through the CBMs signed between the two countries in 1993, 1996 and in 2005. The 'Political Parameters and Guiding Principles' agreed between the two countries in 2005 envisages that *"in reaching a boundary settlement, the two sides shall safeguard due interests of their settled populations in the border areas"*. If the spirit of these provisions is understood in a broader sense, then it is only reasonable to expect that Beijing should be sensitive to the interests of the residents of Arunachal Pradesh in granting them a visa.

There has been some speculation as to whether China has hardened its position with regard to territorial dispute with India after the assertion by its foreign minister Yang Yi that China would defend every inch of territory that belonged to it.² The Chinese assertion received traction as this was made few days after the BJP's Prime Ministerial candidate Narendra Modi's remark in Pasighat in Arunachal Pradesh stating that "no power on earth can take away even an inch from India" and urged China to give up its expansionist attitude.³ China, however, sought to play down the remarks. Chinese Foreign Ministry spokesman Hua Chunying when asked about Modi's comments, said that China was dedicated to promoting friendly relations with its neighbours and to resolving disputes through talks.⁴

¹ "Let's accept stapled visas: Arunachal leader", *The Hindu*, 18th, May, 2013, <http://www.thehindu.com/news/national/lets-accept-stapled-visas-arunachal-leader/article4725123.ece>

² "China vows to defend "every inch of territory", *Xinhuanet*, 8th March, 2014, http://news.xinhuanet.com/english/special/2014-03/08/c_133170657.htm

³ "In Arunachal, Modi warns China against 'expansionist attitude'", *Indian Express*, 23rd February, 2014, <http://indianexpress.com/article/india/politics/narendra-modi-dares-china-asks-it-to-give-up-expansionist-plans/>

⁴ "China plays down Modi's border remarks", *Reuters*, <http://in.reuters.com/article/2014/02/24/china-india-modi-idINDEEA1N09R20140224>

Recently when China started issuing new electronic passports containing watermarks of a map of the People's Republic of China, which depicts Arunachal Pradesh and Aksai Chin as part of China, Indian Embassy and its Consulate General in China started stamping a round seal of the map of India showing India's correct boundaries on visas stamped on such passports. Thus the issue has been quietly understood by both sides without any acrimony reflecting a great degree of pragmatism by both sides.

It augurs well that the issue of stapled visa is now being discussed by the two countries at the highest level. Prime Minister Manmohan Singh discussed the issue with the Chinese government during his last visit to China in October 2013. In response to a question in this regard, the National Security Adviser Shivshanker Menon at an interaction in the Institute for Defence Studies and Analyses, said that the issue was discussed at the 17th round of Special Representatives Talks recently concluded in New Delhi and shared his optimism that he has "hopeful" of a solution to the problem.

Strategic trust between the two countries cannot function in a vacuum. Since China has now become an important location for international sports events, sportspersons from Arunachal Pradesh, who want to participate in such events are not able to do so because of the Chinese practice of issuing stapled visas. This category of sportspersons should be issued regular Chinese visa to enable them to participate. The two sides should find a mutually agreed formula in the 'year of friendly exchange', perhaps with some kind of a disclaimer without prejudice to final border settlement. This will certainly give an impetus to people-to-people contacts and exchanges between the two countries.

Views expressed are of the author and do not necessarily reflect the views of the IDSA or of the Government of India.