

Analysis on the Consular Dimension of Sino-Indian Relations*

XIA Liping

China Foreign Affairs University, Beijing, China

This article explains reasons from the consular perspective why people to people exchange between China and India is not so active. Review of evolution of bilateral consular relations reveals that the basis of cross border personnel exchanges is weak with the closing of consulates of both countries in each other's territory for nearly three decades. Relatively, small number of Chinese and Indian consular posts in each other's territory means inconvenience for citizens to apply for visa for visiting the other and seeking consular assistance and protection. Inflexible visa policy of both countries toward citizens of the other party also accounts for the none-activeness. Considering the important role played by civilian exchange in advancing bilateral relations, China and India should establish more consular posts in each other's territory and further relax visa requirements.

Keywords: China, India, consular relations, people to people exchange, visa

Introduction

Relations between China and India have great significance as they are major countries of global influence. Despite twists and turns, Sino-Indian relations have made progresses in recent years. There are frequent exchanges of high-level visits. India became a full member of Shanghai Cooperation Organization, setting up a new platform for cooperation. Bilateral trade between China and India rose 20.3% to 84.4 billion USD in 2017, the highest on record since the two countries started bilateral trade relations several decades ago.¹ However, people to people exchange between China and India is not so active although they are neighbors and countries with huge population. In 2015, the number of personnel exchanges between the two countries is about 889 thousand, including 730 thousand from India to China and 160 thousand from China to India,² while the total number of Chinese citizens traveling outside Mainland China reached 117 million in 2015³ and the number of Indian nationals' departures from India in 2015 was 20.38 million.⁴ That means Chinese citizens traveling to India accounted for 0.013% of the total Chinese outbound travelers and Indians traveling to China were about 3.581% of the total Indian outbound travelers. In 2016, Chinese citizens' arrivals in India reached 251,315,

* **Acknowledgement:** This article is part of a Research Project funded by China National Social Science Foundation entitled *Improvement of China's Consular Service under the Initiative of OBOR* (16BGJ015).

XIA Liping, Ph.D., professor, Department of Diplomatic Studies, China Foreign Affairs University, Beijing, China; Member of the Academic Board, Research Center for Beijing International Exchanges and Foreign Affairs Administration

¹ "Ministry of Commerce holds regular press conference (26 April 2018)", available online at <http://www.mofcom.gov.cn/xwfbh/20180426.shtml>, Ministry of Commerce of China.

² China's Relations with India (latest update: January 2017), Ministry of Foreign Affairs of China, http://www.fmprc.gov.cn/web/gjhdq_676201/gj_676203/yz_676205/1206_677220/sbgx_677224/.

³ "Chinese citizens made 117 million outbound trips, spending \$104.5 billion in 2015", <http://www.chinanews.com/cj/2016/10-19/8036363.shtml>.

⁴ "Indian Tourism Statistics at a Glance 2017" (p. 19). PDF version can be downloaded from the website of Ministry of Tourism, <http://www.tourism.gov.in/market-research-and-statistics>;
<http://tourism.gov.in/sites/default/files/Other/english%20India%20Tourism%20Statics%20020917.pdf>.

about 2.85% of all foreign arrivals in India.⁵ What are the reasons leading to these phenomena?

In a globalized world, with increasing interaction between peoples across borders, consular affairs, as an inalienable part of diplomatic work, are becoming more and more important. Some scholars compare consular service as Cinderella in the limelight.⁶ Consular dimension also provides a good perspective to explore bilateral relations. Although a lot of research has been made on the relationships between China and India, there has been little study on the consular dimension. This article tries to study Sino-Indian relations from the consular perspective, to be exactly, by reviewing the development of bilateral consular relations, the number of consular posts of China and India in each other's territory and examining two countries' visa policy toward each other's citizen, aiming to find out the reasons accounting for the small scale of personnel exchange and suggesting ways of improvement.

Slow and Tortuous Development of Consular Relations

The evolution of consular relations between China and India can be divided into three phases as follows:

(1) 1950s-1960s

People's Republic of China (P. R. China) was founded in October, 1949. Among all non-socialist countries, India is the second to recognize the new communist regime of China and the first to establish diplomatic relations with P. R. China. After the two countries started their diplomatic relations in April 1950, China set up two consulates in India (Kolkata, 1950 and Bombay, 1953) and Indian also set up two in China (Shanghai, 1950 and Lhasa, 1952). Although relations between the two countries are quite good, Chinese government declined the request from India of establishing a consulate in Kashi (in Xinjiang Uygur Autonomous Region) in 1953 (Department of Consular Affairs, Ministry of Foreign Affairs of China, *China's Consular Affairs*, World Affairs Press, 2014, p. 23). After 1962 border clash, the two countries closed their consulates on each other's territory.

(2) 1970s-1990s

Relations between China and India restored gradually after they resented ambassadors mutually in 1976. Indian Prime Minister Rajiv Gandhi's visit to China in 1988 opened a new chapter in bilateral relations. Talks on reopening consulates started after 1985 and agreements were reached in 1991. Chinese consulate in Bombay reopened in 1992 and Indian consulate in Shanghai in 1993. China and India also signed bilateral consular agreement in 1991. Indian Consulate General in Hong Kong remained open after Hong Kong's return to China in 1997 (Department of Consular Affairs, Ministry of Foreign Affairs of China, *China's Consular Affairs*, World Affairs Press, 2014, pp. 182-183).

(3) After 2000

From 2008 to 2016, China and India had three rounds of consular consultative talks, mainly focusing on the relaxation of India's visa policy toward Chinese and streamlining the visa application process. Besides this, agreements on setting up new consulates were reached in November 2011, with China setting up a consulate in Kolkata and India in Guangzhou (Department of Consular Affairs, Ministry of Foreign Affairs of China,

⁵ "Indian Tourism Statistics at a Glance 2017" (p. 6). PDF version can be downloaded from the website of Ministry of Tourism, <http://www.tourism.gov.in/market-research-and-statistics;>
<http://tourism.gov.in/sites/default/files/Other/english%20India%20Tourism%20Statistics%202017.pdf>.

⁶ Heijmans, Maaike and Jan Melissen, Netherlands Institute of International Relations, "*Clingendael*": *Foreign Ministries and the Rising Challenge of Consular Affairs: Cinderella in the Limelight*, <http://www.diplomacy.edu/Conferences/MFA/papers/heijmansmelissen.pdf>.

China's Consular Affairs, World Affairs Press, 2014, pp. 267-268). In 2015, two sides reached another agreement under which India allowed China to set up a new consulate in Chennai (Department of Policy Planning, Ministry of Foreign Affairs of China, *China's Foreign Affairs*, 2016, p. 341). As to the end of 2016, China had two consulates in India (Bombay and Kolkata) and India had four consulates in China (Shanghai, Guangzhou, Chengdu, and Hong Kong) (Department of Policy Planning, Ministry of Foreign Affairs of China, *China's Foreign Affairs*, 2017, p. 372; p. 382; p. 388).

In brief, China established normal consular relations with India soon after it was founded in 1949. As a result of 1962 border war, consular relations were cut off, making people to people exchange very difficult and even impossible. With the resuming of mutual high-level visits at the end of 1980s, consulates were restored in 1990s, and bilateral personnel exchange increased gradually. However, Rome is not built in one day. By comparing the general situation of India's consular posts abroad and that of China and the two countries' visa policy toward each other's citizen, we may find more reasons accounting for the small scale of people to people exchange between these two neighbors with large populations.

Small Number of Consular Posts in Each Other's Territory

Consular posts played an important role in promoting bilateral exchanges. Consular functions under the Vienna Convention on Consular Relations include providing protection and assistance in the receiving State to nationals, both individuals and bodies corporate of the sending State within the limits permitted by international law; furthering the development of commercial, economic, cultural, and scientific relations between the sending State and the receiving State; issuing passports and travel documents to nationals of the sending State, and visas or appropriate documents to persons wishing to travel to the sending State, and etc.⁷

Table 1 displays that India is not one of the top 14 countries in which China has established the most number of consular posts. Among BRICS (Brazil, Russia, India, China and South Africa), China has five Consulates General in Russia, three in both Brazil and South Africa. Although China and India had reached agreement on setting up a new Consulate General in Chennai, it is still on the paper at the present. Table 2 shows that China is among the top 10 countries in which India has established the most number of consular posts. Afghanistan, one of India's neighbors, much smaller in area and population, has even more Indian consular posts than China. It is obvious that the number of consular posts of China and India in each other's territory does not match the reality that China and India are close neighbors with enormous populations, and they are going to build the strategic cooperative partnership. Moreover, practically this means that it is inconvenient for citizens of both countries to apply for visa before their travel to the other country and to seek consular assistance and protection when they are in the other country. Let alone the important part played by consular posts in promoting bilateral relations, especially bilateral exchanges at the local and grass-roots level.

Table 1

Chinese Consular Posts Abroad (Top 14, as to the End of 2016)

Hosting country	Total number of consular posts	Number of consulates general	Number of other types of consular posts
Japan	6	6	0
Russia	5	5	0
United States	5	5	0

⁷ Article 5, Consular functions, Vienna Convention on Consular Relations.

Australia	5	5	0
France	5	4	1 consulate
Canada	4	4	0
Germany	4	4	0

(table 1 continued)

Hosting country	Total number of consular posts	Number of consulates general	Number of other types of consular posts
Thailand	4	3	1 consular office
Brazil	3	0	0
Indonesia	3	3	0
Malaysia	3	3	0
South Korea	3	3	0
South Africa	3	3	0
United Kingdom	3	3	0

Note. Source: Department of Policy Planning, Ministry of Foreign Affairs of China, *China's Foreign Affairs*, 2017, pp. 370-380.

Table 2

Indian Consular Posts Abroad (Top 10, as to August 30, 2017)

Country	Total number of consular posts	Number of consulates general	Number of other types of consular posts
United States of America	5	5	0
Afghanistan	4	4	0
United Kingdom	4	2	2 honorary consuls
China	3	3	0
Australia	3	3	0
Germany	3	3	0
Indonesia	2	2	0
Iran	2	2	0
Burma	2	2	0
Sri Lanka	2	2	0
United Kingdom	3	3	0

Note. Source: Ministry of External Affairs of India, <http://www.mea.gov.in/indian-missions-abroad-new.htm>

Inflexible Visa Policy

China and India apply relatively strict visa policy on each other's citizen. For tourists, all Indians (except transits) traveling to Mainland China and all Chinese (except transits) traveling to India must apply for visa in advance and there is no treatment of visa-free or visa-on-arrival. The author will take the most common category of visa, tourist visa as an example to discuss the inflexibility of the visa policy.

Visa requirements are different for Indian tourists to Hong Kong, Macao, and Mainland China. Indian tourists in Hong Kong and Macao enjoy 14 days and 30 days visa-free treatment respectively.⁸ For Indian tourists to Mainland China, they can only enjoy 24-hour transit visa-free treatment. For tourist visa, Indian applicants must submit the following documents: (1) documents showing the itinerary including air ticket booking record (round trip) and proof of a hotel reservation, etc., or an invitation letter issued by a relevant entity or individual in China. The invitation letter should contain the following information: (a) information on

⁸ About Macao's the visa-free treatment to Indian tourists, see website of the Police Bureau of Macao, http://www.fsm.gov.mo/psp/cht/psp_top5_2_1.html; about Hong Kong's the visa-free treatment to Indian tourists, see website of Hong Kong Immigration Service, https://www.immd.gov.hk/hks/message_from_us/ind_par.html.

the applicant (full name, gender, date of birth, etc.); (b) information on the planned visit (arrival and departure dates, place(s) to be visited, etc.); and (c) information on the inviting entity or individual (name, contact telephone number, address, official stamp, signature of the legal representative or the inviting individual); (2) personal written statement (covering letter with details as follows: place to visit, name, address, and contact number of the inviting/contact company/person), certification letter from the working unit of the applicant (with details as follows: name and contact number of the working unit, the applicant's income statement), or original copy of recent six-month bank statement of the applicant; (3) if an applicant repeatedly applies for tourist visa to China, the following information shall be covered in the personal statement: reasons for revisit, the places the applicant plans to visit this time, and places he/she visited before; and (4) if the applicants travel in China on a group basis, the invitation letter issued by the travel agency is required (Chinese Embassy in New Delhi, 2013).

At present, China gives visa-free treatment to foreigners in the following two cases. One is that tourists holding passports of Japan, Singapore, and Brunei can visit Mainland China visa-free with 15 days' duration of stay since 2003; the other is that foreigners holding the passports of the following 53 countries entering China from the airports and ports in Shanghai, Jiangsu, and Zhejiang provinces (started from January 30, 2016), Beijing, Tianjin, and Hebei provinces (started from December 28, 2017), and some ports in Liaoning province (started from January 1, 2018) can enjoy 144-hour visa-free transit treatment. These 53 countries include Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Russia, United Kingdom, Ireland, Cyprus, Bulgaria, Romania, Ukraine, Serbia, Croatia, Bosnia and Herzegovina, Montenegro, Macedonia, Albania, Monaco, Belarus, USA, Canada, Brazil, Mexico, Argentina, Chile, Australia, New Zealand, Korea, Japan, Singapore, Brunei, UAE, and Qatar (China State Immigration Administration, 2018). India is not on this list.⁹

During President Xi Jinping's visit to India in September 2014, in a joint statement, the two sides announced the launch of the "China-India Cultural Exchange Program" to further promote cultural and personal exchanges between the two countries, including the holding of the "Indian Tourism year" in China in 2015 and "China Tourism year" in India in 2016. When Prime Minister Modi visited China in May 2015, he announced that India would implement an "e-tourism visa" to China (Chinese Embassy in New Delhi, 2015). Tourists holding ordinary Chinese passport (including Hong Kong passport and Macao passport) are eligible for e-tourism visa since July 30, 2015. For e-tourism single entry visa, Chinese applicants need to submit the following documents: (1) visa application form (no column to be left unfilled) duly signed along with photograph pasted at the designated space; (2) copy of the passport; (3) copy of the Chinese ID card (both sides); (4) copy of the air ticket for return/onward journey; (5) undertaking from the applicant regarding financial standing stating that he/she has sufficient funds for the visit; and (6) detailed itinerary duly signed by the applicant. Entry regulations for e-tourist visa holder include that their personal biometric information will be collected at the Indian port of entry. Ports of entry are limited to nine airports, such as Bangalore, Chennai, Kachin, Delhi, Goa, Hyderabad, Calcutta, Mumbai, and Trivandrum. Exit is not restricted to certain ports. Chinese can only apply for this single entry visa no more than twice a year (Ministry of Foreign Affairs of

⁹ China State Immigration Administration. (2018). Foreigners from some countries can enjoy 144-hours visa-free transit treatment. Retrieved from <http://www.mps.gov.cn/n2254996/n2254999/c5977739/content.html>.

China, 2015).

As to re-entry tourist visa, Chinese citizens are listed in the same category as nationals of Afghanistan, China, Iran, Pakistan, Iraq, Sudan, foreigners of Pakistan origin, and Stateless persons. The application procedure is more complex. According to the regulation, there should be a gap of at least two months between two visits to India on a tourist visa on re-entry of nationals of this category. In case of requirement to visit India within two months, special permission should be sought from the concerned Indian Embassy or Consulate. Such re-entry within the stipulated gap of two months may be permitted only in emergent situations like death or serious illness in the family, non-availability of connecting flights to return to his or her country of origin or travel to another country, or any other exigent situation which can be duly justified with proper documentation to the satisfaction of the Indian Embassy or Consulate. Where permission is accorded in such cases, registration with the local Foreigners Registration Office would be required within 14 days of arrival in India.¹⁰

Besides Chinese, Indian e-visa facility is available for nationals of more than 160 countries.¹¹

As it shows above, Indian's visa requirement for Chinese tourists is relatively simpler than that of China's for Indian tourists. However, only three years ago did India begin applying e-tourist visa to Chinese citizens. For those Chinese visitors who want to visit India more than twice a year, it is nearly impossible. Indian tourists planning to visit China still need to submit various kinds of documents. In order to encourage more people to people interaction, further efforts should be made by the governments of China and India to relax visa regulations toward each other.

Conclusion

All in all, communication between peoples is the basis of relations between nations. For the sake of encouraging people to people exchange and advancing the development of bilateral relations, improvements in consular cooperation can be made in the following specific areas: first, streamline China's visa application process for Indian tourists and relax the requirements for Chinese citizens applying for Indian tourist re-entry visas; second, more consular consultative talks should be held as part of the efforts to promote exchanges between peoples, such as exploring the possibility of establishing more consular posts on each other's territory.

Nowadays, when further development of China and Indian relations is often beset by high political issues including boundary disputes, influence of global powers and strive for the dominance of the geopolitical structure, and etc., low political issues, such as expanding people to people exchange, can help to lay a good foundation for the future bilateral relations. In this sense, consular cooperation is necessary and vital.

References

- Department of Consular Affairs, Ministry of Foreign Affairs of China. (2014). *China's consular affairs*. World Affairs Press.
- Department of Policy Planning, Ministry of Foreign Affairs of China. (2017). *China's foreign affairs 2017*. World Affairs Press.
- India applies e-tourism visa to Chinese citizens. Retrieved from <http://cs.mfa.gov.cn/gyls/lsgz/fwxx/t1286895.shtml>
- Ministry of Tourism of India. *Tourism statistics at a glance 2017*. Retrieved from <http://tourism.gov.in/sites/default/files/Other/english%20India%20Tourism%20Statics%20020917.pdf>
- Heijmans, Maaïke and Jan Melissen, Netherlands Institute of International Relations. "*Clingendael*": *Foreign Ministries and the Rising Challenge of Consular Affairs: Cinderella in the Limelight*. Retrieved from <http://www.diplomacy.edu/Conferences/MFA/papers/heijmansmelissen.pdf>

¹⁰ Tourist visa, Indian Embassy in Beijing, <http://indianembassybeijing.in/tourist-visa.php>.

¹¹ List of countries can be found on the website of Indian Embassy in Beijing, E-visa, <https://indianvisaonline.gov.in/evisa/tvoa.html>.