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# The 1961 vienna convention implementations on eradicating structural discrimination of diplomatic corps towards the protection of female diplomats rights

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## ABSTRACT

The role of female diplomats on the international stage has increased significantly over the last two decades. However, the role of female diplomats remains limited in some areas, such as human rights, international peace, and climate change. They also play a limited role as negotiators, facilitators, and policy designers. This condition leads to the structural discrimination faced by female diplomats. The 1961 Vienna Convention on Diplomatic Relations (VCDR) was formulated to grant all diplomats, including female diplomats, the protection of diplomatic functions and the official status of diplomats. This research adopts a normative-empirical approach to analyze how the implementation of the 1961 VCDR eradicates the structural discrimination of the diplomatic corps towards the protection of the rights of female diplomats. The research findings show that women's involvement in diplomacy still faces a significant gap in terms of numbers and levels assigned. Female diplomats also face the risk of gender violation and harassment. The 1961 VCDR was formulated as a gender-neutral foundation for diplomatic protection, which means it lacks specific provisions on gender-based discrimination or violence. Consequently, addressing issues such as unequal postings and promotions heavily relies on national policies, labor laws, and international human rights instruments such as CEDAW, rather than the 1961 VCDR directly. The empowerment of female diplomats requires a multi-faceted approach involving both normative efforts and structural reforms.

**Keywords:** female diplomats; gender equality; glass ceiling; structural discrimination; gender-based violence and harassment; diplomatic protection.

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## 1. INTRODUCTION

In recent years, the landscape of public policy has undergone a significant paradigm shift, increasingly prioritizing gender equality as a cornerstone of sustainable development and of social justice. The pursuit of gender parity is not merely a matter of social justice but also a pragmatic necessity for sustainable peace and security. Since the adoption of UN Security Council Resolution 1325 in 2000, the Women, Peace, and Security (WPS) agenda has become an integral part of the normative international policy framework on peacebuilding, and gender equality is one of the UN's 2030 Sustainable Development Goals (SDGs) (Aggestam & True, 2020). This circumstance creates an urgency for international actors to integrate gender perspectives into their foreign policy to overcome the systemic barriers that impede women's global participation in political and economic spheres. One of the initiatives is to enhance female participation in diplomatic ranks.

The role of female diplomats on the international stage has increased significantly over the past few decades. This reflects the global norm shift towards gender equality in politics, laws, and international relations. Women's participation in diplomatic corps is no longer a brand-new phenomenon but has become a crucial part of the representation of states in many global forums. Female Diplomats contribute to traditional diplomacy and international issues such as Human Rights, Sustainable development, and global peace, all of which require an inclusive gender perspective (Bimha, 2024).

Nevertheless, female diplomats continue to face various forms of structural discrimination in their professional environments. Structural discrimination in the diplomatic corps refers to institutional rules, practices, and organizational culture that systematically place female diplomats at a disadvantage compared to their male counterparts, even though the international legal framework guarantees equal dignity for all diplomats, regardless of gender (United Nations, n.d.). Various studies and international initiatives have consistently demonstrated that the obstacles women face in diplomacy are not merely individual but are embedded in recruitment, procedures, promotion patterns, foreign assignment postings, and the social norms surrounding the diplomatic profession.

The Vienna Convention on Diplomatic Relations (VCDR) 1961 is the primary instrument in International Law that governs the status, rights, and obligations of all diplomats in both sending and receiving states. The Convention affirms basic principles such as inviolability, juridical immunity, and non-discriminatory treatment received by diplomatic missions and agents, which can be conceptually seen as the umbrella of protection for all diplomats, including female diplomats. However, the VCDR 1961 was drafted in a period when the participation of women in diplomacy was still very limited, so the issue of gender equality is not explicitly mentioned in the text of the convention (Towns & Niklasson, 2017).

However, the development of the international agenda on gender equality and women's empowerment demands a reinterpretation and retesting of the role of existing legal instruments, including the VCDR 1961, in responding to new forms of discrimination experienced by female diplomats. Institutions such as the United Nations and UN Women Highlight that discrimination against women in diplomacy is not only a matter of numerical representation, but also includes gender stereotypes, gender-based violence, and bias in access to strategic positions and decision-making processes (United Nations, n.d.).

Global data indicate that female diplomats remain underrepresented in senior positions within the diplomatic corps. An index published by #SHEcurity found that while women account for nearly half of the total diplomatic staff, their proportion as ambassadors is only about one-quarter or even lower in many countries (Neumann & Shevchuk, 2022). Other reports, such as the *Women in Diplomacy Index* in 2023, reinforce the figure that women are often concentrated at junior and middle levels, while the positions of head mission and strategic posts in influential positions remain dominated by men.

Representation imbalance is related to what is known as the “glass ceiling” phenomenon. In the diplomatic bureaucracy, this phenomenon describes an invisible limit that hinders the promotion of women and the tendency to place women, in this case female diplomats, in high-risk or less prestigious positions (Stephenson, 2022). This phenomenon forms a bias in promotion and placement processes that are not fully transparent, masculine informal networks, as well as the “Old Boys’ Network” culture in the diplomatic corps, strengthening structural marginalization against female diplomats and often limiting their

career opportunities of female diplomats. Not only the positions, but also the salary gap between male and female diplomats has not been completely resolved (Orakzai, 2022).

Outside formal career aspects, female diplomats also face structural barriers in the form of caregiving workloads and domestic responsibilities that are still socially more attached to women. The rotation of foreign assignments, which is often assumed to force family relocation, the lack of support for spouses regarding spousal employment, the limitations of childcare facilities, and the demand to be always ready in the diplomatic profession, often push female diplomats to experience emotional, mental, and physical exhaustion and the decision to withdraw from the long-term diplomatic career path.

In addition, women in the diplomatic corps are often targets of gender-based violence and harassment, both directly in the workplace and through online attacks targeting the reputations and personal integrity of female diplomats (Golovchenko et al., 2023). This worsens the vulnerability of female diplomats, especially when they are assigned to countries with fragile political situations. Another factor that may be affected is when female diplomats are faced with a social norm that is strongly steeped in patriarchal culture, while simultaneously testing the capacity of the protection mechanisms available under national and international legal frameworks.

The VCDR 1961 itself focuses on the protection of diplomatic functions and the official status of diplomats, such as immunity from criminal and civil jurisdiction, protection from detention, and respect for personal dignity. However, the Convention does not specifically regulate the obligation of sending or receiving states to prevent or deal with gender-based discrimination and violence against female diplomats in the work environment or in social and political interactions related to their duties (Langhorne, 2010). This raises an important question regarding the extent to which the general principles of the VCDR 1961, such as the obligation of the receiving state to treat diplomats with respect and protect them from disturbance, can be interpreted and applied to include the effective protection of the rights of female diplomats. In other words, there is a need to review whether the VCDR 1961 is adequate as a normative umbrella against structural discrimination or whether it requires complements from human rights instruments and internal Ministry of Foreign Affairs policies that are more gender-sensitive (Lenine & Sanca, 2022).

Various initiatives at the regional level, such as the Women in Leadership and Diplomacy forums in the ASEAN and European regions, highlight that structural changes in the diplomatic corps require a combination of legal reform, institutional policy, and organizational culture transformation (ASEAN Women, 2025). Frequently proposed recommendations include improving bias-free, merit-based recruitment and promotion systems; gender representation quotas or targets; mentoring and networking programs for female diplomats; and safe and effective reporting mechanisms against discrimination and harassment.

At the global level, the United Nations' Commemoration of the International Day of Women in Diplomacy is also used as a momentum to raise the issue of women's underrepresentation and demand that countries review their foreign policies from a gender equality perspective. This initiative emphasizes that the substantive involvement of women in diplomacy is not only a matter of justice but also contributes to the quality of international negotiation processes, the sustainability of peace, and a more inclusive response to global challenges (United Nations, 2025).

Given this condition, research on structural discrimination in the diplomatic corps and the implementation of the VCDR 1961 becomes both theoretically and practically relevant. Theoretically, this research can fill the gap in studies connecting classic diplomatic law with the development of contemporary human rights norms and gender equality, especially in reviewing the VCDR provisions through a gender lens. Practically, this research has the potential to provide input for the formulation of national policies in the Ministry of Foreign Affairs, as well as recommendations at both the international and national levels to strengthen the protection of female diplomats' rights.

For developing countries, including those in Southeast Asia, this issue is increasingly important due to the increasing participation of women in the diplomatic corps along with affirmative policies and bureaucratic reforms. However, global data show that although the number of female diplomats at the junior level continues to increase, the gap in ambassador and head of mission positions remains wide,

signifying an unresolved structural problem. Analyzing the VCDR 1961 'effectiveness in this context can help these countries balance international obligations with the national gender equality agenda.

Finally, the focus on the protection of female diplomats' rights is also in line with broader international commitments, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Women, Peace, and Security agenda, which encourage the integration of a gender perspective in all areas of foreign policy. By examining how the VCDR 1961 is implemented and interpreted in practice, this study aims to identify normative and institutional gaps that contribute to structural discrimination and formulate recommendations to strengthen the protection and advancement of female diplomats' rights.

This research addresses a theoretical gap in Diplomatic and Consular Law scholarship, which has rarely interpreted the VCDR 1961 through a feminist lens to systematically examine how its gender-neutral norms on immunity and inviolability fail to adequately address structural discrimination in the diplomatic corps. It also fills a contextual gap by examining the implementation of the VCDR 1961 to protect female diplomats, especially from developing countries and the Global South, where women's participation has increased but the protection mechanisms against gender-based violence remain inadequate.

## **2. METHOD**

This study employs a normative-empirical method. This method combines normative legal studies with empirical studies to examine how positive law is applied in action or in real legal events, measures its effectiveness, and understands human behavior related to the law. This method integrates doctrinal normative legal analysis of the 1961 Vienna Convention on Diplomatic Relations (VCDR) and supporting instruments such as CEDAW with empirical studies to explore the application of positive law in real diplomatic practices, measure its effectiveness in eradicating structural discrimination against female diplomats, and understand related behaviors such as glass ceilings, gender-based violence, and promotion inequalities. This research only relies on secondary resources obtained from VCDR provisions, mainly on Article 29-41 regarding inviolability and dignity and their implementation in the diplomatic corps, CEDAW Report, reputable books journals, and indices. Data collection will be done by involving library or document review of the 1961 VCDE, books journals, and reports.

## **3. RESULT AND DISCUSSION**

Women's role in diplomacy began in 1930 when a French Woman joined the French Foreign Ministry. Since then, the representation of women in diplomacy were increasing as women have played crucial roles within the United Nations from drafting charters to heading important committees. It is reflected by between 1992 and 2019, women compromised only 13% of negotiators, 6% of mediators and 6% of signatories in peace processes worldwide (Zenginoglu, 2025). By reflecting on the last two decades, the involvement of women in diplomacy has sharply increased, in line with the affirmative policies and the growing global attention to the gender equality agenda. As reported by #SHEcurity in 2022, indicating that in several countries, women are approaching or have reached parity in Ministry of Foreign Affairs staff (Neumann & Shevchuk, 2022). This situation gives a meaning that quantitatively, women are no longer a minority in the diplomatic service overall.

Women's contribution to diplomacy are becoming more prominent in areas that are require an inclusive perspective, such as human rights, sustainable development, climate change issues and conflict mediation. Studies on gender- sensitive diplomacy suggest that women's involvement is often associated with negotiation approaches that are more inclusive, consensus- oriented and sensitive to the impact of policies on vulnerable groups (Krause et al., 2018). As shown in the global forum, such as United Nations Forum on Women, Peace and Security (WPS), Female diplomats are highly involved in peace processes and humanitarian negotiations, where they will act as negotiators, facilitators and also policy designers.

The United Nations also institutionalized the International Day of Women in Diplomacy to acknowledge women's contribution while highlighting the persisting representation gap between Male diplomats and Female Diplomats. This initiatives emphasizes that the presences of women in diplomacy

is not only an issue of justice or representation, but also related to the quality of international negotiation outcomes, the sustainability of peace and the legitimacy of multilateral institutions (United Nations Development Programme, 2025). In other words, the absence of women in decision-making positions is viewed as a substantive loss for the quality of global governance, not just a symbolic issue.

However, the improvement of female diplomats' involvement in diplomacy over 2 decades is only seen at the junior and middle levels, and not yet at the top positions. The Women in Diplomacy Index between 2022 until 2024 notes that women, on average, account for only about 21- 23% of total ambassadors among the world's 40 largest economies (Chehab, 2024). This means that although nearly half of the diplomatic staff in some countries are women, their proportion in the position of head of mission is still about quarter or less. This condition shows that women have become important actors in the execution of daily diplomacy, but have not yet obtained an equal share in symbolic and strategic representation as the official face of the country abroad.

Recent research, for example by the Gender in Diplomacy (GenDip) program at the University of Gothenburg, has developed a global database on the gender composition of world ambassadors that allows for the analysis of long-term trends (Niklasson & Towns, 2022). The released data shows the general pattern, which the number of female ambassadors is increasing, but the pace of change is slow and highly variable between countries and some Western European nations tend to be closer to balance, while many countries in other regions still have a proportion of female ambassadors below 15% (Towns, 2023).

As for the example, In Indonesia for over the last 10 years, the Ministry of Foreign Affairs has implemented the gender equality on their foreign policy by promoting the female diplomats' involvement in conflict resolutions. However, the role of female diplomats in Indonesia are still limited to external oriented policies, such as peace issues and women's empowerment. The limitation of the involvement of female diplomats in Indonesia also shown by the number from the data of Ministry of Foreign Affairs that Indonesian female diplomats that only reach 39% of the total diplomats or equal to 722 female diplomats over 1.843 total Indonesian diplomats (Prajuli & Serera, 2024).

Despite many nations normatively recognizing the principle of gender equality, the practice within the diplomatic corps indicates the presence of structural discrimination that hinders women's career advancement. Structural discrimination encompasses rules, procedures and workplace culture that appear neutral but in practice, result in unequal outcomes between male and female diplomats (Muthoka & Mkpe, 2025). This includes recruitment patterns, foreign assignment postings, performance appraisals and promotion standards that are not fully transparent and are often biased towards a masculine career model that is linear and free from domestic responsibilities. Consequently, female diplomats who must negotiate both professional and family roles are often positioned as less ideal than their male colleagues, even when their qualifications and competencies are comparable or even higher.

This structural discrimination also related to the glass ceiling phenomenon, as the most tangible manifestation of this condition. Formally, there are no explicit rules prohibiting women from becoming ambassadors or directors- general, but promotion and placement patterns consistently show that women stop at the middle layer. They perform many substantive functions of daily diplomacy, but when it comes to strategic positions, such as head of mission in a key partner country, or top positions in the ministry, men will remain becoming the majority. The phenomenon of glass ceiling in diplomatic corps has become the real manifestation of structural discrimination against female diplomats. It is believed that behind this situation, operates masculine informal networks, known as *the old boys' network* which relies on personal proximity, exclusive association, and a standard of leadership that is coded as masculine, thus severely limiting women's access to this inner circle of influence (Stephenson, 2023).

The glass ceiling phenomenon are related to the *Gendered- organization* theory that emphasizing on how the organization aren't neutral but are inherently structured by gender, creating inequality through seemingly objective rules, career paths and cultural norms that favour masculine traits and often relegating women to lower status or different roles, despite the rise of diverse work arrangements (Rodriguez & Guenther, 2022). On the diplomatic corps, this theory may reflect on how the diplomatic corps structure are built upon a hierarchy that assumes when the female diplomats finally reach to top positions, it often occurs in situations of crisis or when the institution is unstable and less prestigious. It can take the form

of appointing a female diplomat as head of mission when the diplomatic budget is being cut, when the foreign ministry's influence is declining compared to security agencies or when bilateral relations are strained. This position could place the female diplomats into two options, on one hand, this can be seen as the proof of a commitment to gender equality. But in the other hand, the female diplomats are placed in positions at a higher risk of failure. If the situation does not improve, failure can easily be personalized to the female leader, thereby reinforcing the stereotype that female diplomats are less suitable to lead in a difficult terrain (Park, 2023).

At the level of daily life, the double burden becomes a subtle mechanism that locks female diplomats into vulnerable positions. Frequent foreign assignments, rapid rotations between posts and the demand to be always available for official events require diplomats of any gender to be extremely flexible. However, most of countries still place women as the primary caregivers for domestic affairs and children, so this work patterns giving the actual consequences that more heavily felt by female diplomats. When the institutions fail to provide support such as policies for spouses and childcare facilities, female diplomats are forced to make difficult decisions, between maintaining a career at the risk of sacrificing family stability or prioritizing family with the consequence of career stagnation or early retirement.

Another dimension that deepens vulnerability is gender- based violence and harassment. Female diplomats not only work in an environment that demanding high professionalism. The female diplomats are often facing sexist comments, physical and verbal harassment and attacks in the digital space targeting their body, morality and personal reputation. In certain patriarchal or unstable socio- political contexts, these threats can be direct and endanger safety. However, bureaucratic, hierarchical or victim blaming reporting mechanisms mean that many cases never surface, let alone are addressed comprehensively (Mackenzie, 2023).

The Vienna Convention on Diplomatic Relations (VCDR) 1961 stands as a major pillar of International Law governing the status, right and obligations of diplomats, particularly concerning immunity, inviolability and the receiving state's obligation to protect them. The 1961 VCDR contains the principle that "*the person of a diplomatic agent shall be inviolable*" and the receiving state is obliged "*to take all appropriate steps to prevent any attacks on his person, freedom or dignity*", which *de jure* applies to all diplomats without distinction of sex. From a formal perspective, this means, female and male diplomats have equal legal standing regarding physical protection, freedom of movement and immunity from criminal and civil jurisdiction in the receiving state.

However, the 1961 VCDR was historically drafted during the 1960s, an era when diplomacy was still heavily male- dominated and gender equality had not yet become an explicit agenda in international law negotiations (Johns, 2024). This context explains why the 1961 did not include specific references to gender- based discrimination, does not recognize the term of sexual violence and contains no explicit obligation for either sending or receiving states to mainstream a gender perspective in the management of diplomatic missions. This condition has become a problem when the 1961 VCDR is confronted with contemporary realities, the increasing number of female diplomats and the evolving of international human rights standards that are more stringent regarding discrimination and gender-based violence.

The Article 29 of the 1961 VCDR stipulates that the person of a diplomatic agent shall be inviolable, shall not be liable to any forms of arrest or detention, and the receiving state shall take all appropriate steps to prevent any attack on his person, freedom, or dignity. In contemporary implementation, this principle allows the sending state to demand maximum. In contemporary implementation, this principle allows the sending state to demand maximum protection for female diplomats facing threats, intimidation, or violence. For example, when a female diplomat is the target of physical threat or a hate campaign in the public sphere, the receiving state is obliged to provide security, prosecute the perpetrators and ensure a safe working environment.

Article 30 and 31 of the 1961 VCDR guarantee the inviolability of the diplomats' private residence and immunity from criminal and most civil and administrative jurisdiction of the receiving state. Its implementation does not distinguish between sexes, placing female diplomats who experience violence or harassment from receiving state actors, such as security forces or local officials in a strong legal position to demand protection and remedy, as any action against them touches upon the violation of immunity and

inviolability. This principle provides a basis for the sending state to lodge a diplomatic protest, request additional protection guarantees, or even recall and relocate the diplomat who is the victim or target.

In addition to individual rights, the 1961 VCDR also imposes a specific obligation on the receiving state to protect the honour of the diplomatic mission as a whole. In practice, this can be translated as an obligation to prevent demonstrations, attacks, or hate campaigns that specifically target female diplomats with misogynistic or sexist narratives that degrade their dignity and the institution they represent. As for the example, the receiving state should establish secure zones around the mission office, controlling hates speech that potentially leading to gender- violence and ensure that officials do not exacerbate the situation through discriminatory behaviour.

However, when addressing structural discrimination within the diplomatic corps, the 1961 VCDR has its own limit. This agreement, by design, does not regulate internal employment relations within the Ministry of Foreign Affairs or the national diplomatic service (Niklasson & Towns, 2022). The implementation of structural discrimination eradication at this level, however, only heavily relies on Labor Law, HR policy and national regulations separate from the 1961 VCDR. The CEDAW committee, through General Recommendation No. 23, for instance, has noted discriminatory practices in the posting of female diplomats to less important embassies and restrictions related to marital status, and encourages each state to address these through national policies (Vijeyarasa, 2022).

To overcome the VCDR's leniency towards gender issues, several countries and international organization are developing an integrative approach by reference CEDAW and its general recommendations, including General Recommendation No. 23 and No. 40 on Women's representation in decision- making (Orta, 2023). In practice, this is done by harmonizing anti- discrimination obligations under CEDAW with the structure and governance of the diplomatic corps. For the example, ensuring the recruitment and promotion procedures are gender- neutral, expanding women's access to ambassadorial and strategic positions, and providing facilities that support work- life balance. While these steps do not directly stem for the 1961 VCDR, their implementation reinforces the meaning of dignity and non- discriminatory treatment principle in diplomatic practice.

In the context of protection against gender- based violence, the implementation of 1961 VCDR is increasingly linked to human rights due diligence standards. Reports and guidelines on the protection of women human rights defenders indicate that violence experienced by women due to their public role, including as the diplomats, often involves sexual harassment, physical violence and gender- based attacks in the digital space (Special Rapporteur on the situation of human rights defenders, 2023). A receiving state that fails to take adequate preventive and enforcement measures against such attack's risks being deemed in violation of both general human rights obligations and its specific obligation under Article 29 of the 1961 VCDR to prevent attacks on the diplomats' person and dignity.

On the other hand, the implementation of the 1961 VCDR must also consider the risk of abuse of diplomatic immunity, for example, when a male diplomat commits violence against local staff or even against female colleagues. Literature on the abuse of diplomatic immunity shows that the 1961 VCDR provides mechanisms such as the request for a waiver of immunity by the sending state or the declaration of *persona non grata* by the receiving state. Within the framework of protecting women's right, a sending state committed to gender equality should use these instruments responsibility (Zafar et al., 2025). For example, by note shielding perpetrators of gender- based violence behind immunity, but by being willing to waive immunity to allow for law enforcement, or by prosecuting the perpetrators using its own national jurisdiction.

More progressive implementation is also evident through the development of internal guidelines and codes of conduct within foreign ministries and international organizations that explicitly link standards for diplomatic conduct, protection from harassment and reporting procedures to obligations under the VCDR. These guidelines typically state that the obligation to respect the diplomat's dignity is not only the responsibility of the receiving state but also an internal obligation among staff, making gender- based harassment or violence between diplomats or in superior- subordinate relationships a serious violation. Although the 1961 VCDR does not give detail about this matter, the framework of immunity and

diplomatic dignity is used as the ethical and legal basis to build a workplace free from violence and discrimination (Zafar et al., 2025).

Some studies and reports also encourage the use of the 1961 VCDR as the basis for advocacy diplomacy to support women human rights defenders and other female actors in the receiving state (Orakzai, 2022). By leveraging the status and protection granted by the 1961 VCDR, diplomats, including the female diplomats, can have more freely establish contact, provide support and advocate for the protection of women's groups targeted by violence, while still respecting the principle of non-intervention. In this case, the 1961 VCDR's implementation not only protect female diplomats as individuals but also allows them to use their diplomatic position to champion the broader gender equality and anti- discrimination agenda.

At the international normative level, the emergence of CEDAW general comments and academic critiques of the 1961 VCDR's non- gender spurs discussion about the need for soft law or interpretive guidance that explicitly links the 1961 VCDR's protection obligations to the prevention of gender- based violence and discrimination. Such guidelines could be adopted through United Nation General Assembly resolutions, European Union policy documents, or other regional frameworks on women in diplomacy and security. While not changing the 1961 VCDR text, consistent and repeated interpretive practice by states can lead to the formation of new customary international law recognizing more specific obligations related to the protection of female diplomats.

Overall, the implementation of the 1961 VCDR regarding the eradication of structural discrimination and the protection of female diplomats' right is indirect but potentially strong as the convention provides a gender-neutral framework of immunity and protection obligation, while the details of eradicating structural discrimination and gender-based violence are filled through national policy, human rights regimes like CEDAW, and the progressive interpretation of the 1961 VCDR norms. Its effectiveness heavily depends on the political will of both sending and receiving states to read the 1961 VCDR not just as a technical text about immunity, but as an instrument that must be harmonized with the global commitment to gender equality and women's right.

Referring to this condition, the empowerment of the rights of Female diplomats' rights needs not only normative approach but also structural and operational. In connection with the 1961 VCDR, legal efforts move through the path of interpretation and normative complementation. The principle of protection for the person, freedom and dignity of diplomats as stated in article 29 can be interpreted to include protection from gender- based violence and harassment, whether perpetrated by state or non-state actors in the receiving states (Zafar et al., 2025). Thus, an attack against a female diplomat because of her gender is not merely a general human rights violation, but also a violation of specific obligations under the 1961 VCDR. This interpretation strengthens the sending state's position to demand more concrete corrective and preventive action from the receiving state.

At the same time, the sending state also bears the responsibility not to misuse diplomatic immunity as a shield for perpetrators of gender- based violence within its own diplomatic corps. The commitment to grant waiver of immunity in certain cases, or at a minimum to strictly prosecute perpetrators in the national jurisdiction, is part of a consistent effort to build a culture of zero tolerance for violence and harassment. Here, the 1961 VCDR not only protects diplomats from the receiving state but also serves as an ethical framework that requires the sending state to uphold the integrity and dignity of its own institution.

At the level of national law, regulatory reform of the diplomatic corps that explicitly prohibits gender- based discrimination and violence marks a shift from a moral approach to a right-based approach. Safe and independent complaint mechanisms are crucial for overcoming the culture of silence that often surrounds harassment cases, especially in hierarchical work environments like the ministry of foreign affairs. First, The Ministry of Foreign Affairs must actively implement the regulations that expands the definition of Family in Article 37 of the 1961 VCDR to ensure that the spouses of female diplomats face no administrative hurdles. This mechanism aims to dismantle the structural barriers where female diplomats are often forced to choose between their careers and family stability due to the legal difficulties their partners face in host countries. Second, the ministry should actively conducted gender audits of

strategic postings committee to address the eradication of structural discrimination. Third, the protection of female diplomats' right must be guaranteed through the establishment of Standard Operating Procedure (SOPs) for handling harassment within the context of diplomatic immunity based on the 1961 VCDR and CEDAW.

#### **4. CONCLUSION**

The involvement of women in diplomacy has seen as a trajectory of slow but steady growth since the first recorded entry of a French women into the French Ministry in 1930. This representation has become increasingly critical, with women playing vital roles in international forums, particularly within the United Nations. The data indicates that women only comprised a small percentage of negotiators, mediators and signatories in global peace process, nearing parity in overall Ministry of Foreign Affairs staff in several nations. This surge reflects global attention to the gender equality agenda and confirms that women are no longer a minority in the diplomatic service overall, increasingly contributing to areas inclusive perspectives such as human rights, sustainable development, climate change and conflict mediation, thereby enhancing the quality and sustainability of international negotiation outcomes.

Despite this quantitative progress, a significant gap, often referred to the glass ceiling phenomenon and Gendered Organization Theory, persists at the top leadership levels. The involvement of female diplomats remains concentrated at the junior and middle ranks, failing to translate into equal representation in symbolic and strategic positions. This under-representation at the Head of Mission level, even in countries where nearly half of the diplomatic staff are female, is a tangible manifestation of structural discrimination. This discrimination is often subtle, rooted in seemingly neutral rules, procedures and workplace culture that favour a traditional masculine, linear career model, often disadvantaging women who juggle professional demands with domestic and family responsibilities.

The structural hurdles are compounded by challenges in daily practice, including the double burden of work and primary caregiving, which forces female diplomats to make difficult career, family trade-offs due to lack of institutional support like spousal policies or childcare facilities. Furthermore, female diplomats face an added layer of vulnerability from gender- based violence and harassment. This environment of structural discrimination and vulnerability is often shielded by a culture of silence, as hierarchical and victim- blaming reporting mechanisms prevent many cases from being addressed comprehensively. The combination of the glass ceiling, the double burden and persistent harassment slow the pace of change in achieving gender parity in influential diplomatic positions.

The framework governing diplomatic protection, the 1961 Vienna Convention on Diplomatic Relations (VCDR), offers a gender-neutral foundation for protection, stipulating the inviolability and dignity of all diplomatic agents as stated in Article 29. This legally obligates the receiving state to protect female diplomats from threats, harassment and attacks, particularly those that are gender-based. However, based on the historical context, the 1961 VCDR were drafted in a male- dominated era, which means it lacks of specific provision on gender- based discrimination or violence within the diplomatic corps itself, limiting its ability to address internal structural issues. Consequently, addressing issues like unequal postings and promotions heavily relies on national policies, labour law, and international human rights instruments like CEDAW, rather than the 1961 VCDR directly.

Ultimately, the empowerment of female diplomats requires a multi-faceted approach involving both normative efforts and structural reforms. While the VCDR provides a strong legal basis for protection from external threats, its effectiveness in tackling internal discrimination and violence hinges on a progressive interpretation that aligns the principle of dignity with contemporary human rights standards, viewing gender- based attacks as a violation of the 1961 VCDR itself. Crucially, sending states must commit to zero- tolerance policies, including being willing to waive diplomatic immunity or prosecute perpetrators of gender- based violences within their own ranks, thus preventing the misuse of the 1961 VCDR as a shield. By harmonizing the 1961 VCDR's protection framework with national policies guided by instruments like CEDAW, the global community can move towards a truly equitable and high- quality global governance system.

This research relies solely on secondary data from reports, indices and legal text, which lack direct interviews with female diplomats that would capture nuanced personal experiences of discriminations. It employs a normative-empirical approach without systematic longitudinal tracking or cross-country comparisons, limiting causal analysis of institutional variations in VCDR implementation. The primary focus on international frameworks like VCDR and CEDAW addresses socio-cultural national factors only superficially, overlooking localized nuances in countries like Indonesia. Future qualitative research should conduct in-depth interviews and FGDs with female diplomats to explore subtle mechanism such as glass-ceiling and gender-based violence, directly addressing the absence of micro-level insight. Comparative studies across regions such as by comparing the system in Western Europe vs. Southeast Asia to test the implementation of VCDR CEDAW and each states national policy interactions and varying outcomes, overcoming the lack of systematic cross-country analysis.

### **Ethical Approval**

Not Applicable

### **Informed Consent Statement**

Not Applicable

### **Authors' Contributions**

AYS contributed to research conceptualization, formulation of the normative-empirical framework, analysis of the 1961 Vienna Convention on Diplomatic Relations, and overall manuscript drafting. AA contributed to data collection, analysis of gender discrimination issues in diplomacy, and integration of international human rights instruments into the discussion. RA contributed to empirical data interpretation, comparative analysis of national policies, and refinement of the legal arguments. ER contributed to literature review, critical discussion, and manuscript revision.

### **Disclosure Statement**

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The data used in this research are publicly available to be accessed. The data used in this research could be accessed through

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