International Relations · GS - II

Discuss the significance of the principle of non-refoulement in protecting human rights. How can states balance national sovereignty with their international obligations while dealing with extradition and deportation cases?

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 04/11/2026	GS - II	International Relations

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Principle of non-refoulement, 1951 Refugee Convention, prohibition of torture, extradition versus deportation, national sovereignty, due process, international human rights obligations, judicial review.

Model Answer

Introduction

The principle of non-refoulement protects individuals from being returned to territories where they face specified risks of persecution or serious harm. It is central to international refugee protection and complements broader human rights safeguards.

Significance of Non-Refoulement

Article 33 of the 1951 Refugee Convention protects refugees against return to territories where their life or freedom would be threatened on specified grounds. The Convention against Torture separately prohibits transfers where substantial grounds indicate a danger of torture. These protections are particularly important for vulnerable minorities and asylum seekers.

Balancing Sovereignty and Human Rights

States retain authority to regulate immigration, prosecute offences and consider extradition requests. However, decisions must follow domestic law, applicable treaties and due process. Independent judicial scrutiny, individual risk assessments and access to legal representation can prevent unlawful transfers.

Extradition and Deportation

Extradition generally follows formal legal procedures, whereas deportation operates under immigration law. Neither process should be used to circumvent applicable human rights protections.

Conclusion

Effective cooperation between states must respect sovereignty without compromising binding human rights obligations. Transparent legal procedures and independent review are essential to prevent arbitrary or dangerous returns.

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