Polity & Governance · GS - II

“Balancing national sovereignty with international human rights scrutiny is an important challenge for democratic countries.” Discuss in the context of India's engagement with UN human rights mechanisms.

EXAM YEAR	PAPER	SUBJECT
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MARKS	WORD LIMIT
10	~150 words

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Answer Hint

National sovereignty, UN Special Rapporteurs, Fundamental Rights, freedom of speech and assembly, international accountability, constructive engagement, democratic institutions.

Model Answer

Introduction

Democratic countries must protect their sovereignty while remaining accountable to international human rights standards. India's response to remarks by UN Special Rapporteur Mary Lawlor highlights this balance.

Main Body

National Sovereignty and International Scrutiny

India maintains that human rights issues should be assessed through verified information and an understanding of its constitutional framework. It has criticised the Rapporteur's remarks as biased and insufficiently informed.

Constitutional Protection of Rights

The Indian Constitution guarantees freedom of speech and expression under Article 19(1)(a) and peaceful assembly under Article 19(1)(b). These rights are subject to reasonable restrictions. An independent judiciary provides remedies against violations of fundamental rights.

Role of International Mechanisms

UN Special Rapporteurs promote human rights through investigations, communications and recommendations. Their scrutiny can improve accountability, but allegations should be assessed objectively and supported by credible evidence. Constructive engagement helps address concerns without undermining national institutions.

Conclusion

India can safeguard its sovereignty and democratic institutions while engaging constructively with international human rights mechanisms. Evidence-based dialogue, judicial independence and effective protection of constitutional rights are essential for maintaining public trust and international credibility.

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