International Relations · GS - II

Examine the legal, diplomatic and security challenges involved in the extradition or return of a former head of government facing serious criminal charges in another country. How can India balance bilateral relations with human-rights and due-process considerations?

EXAM YEAR	PAPER	SUBJECT
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MARKS	WORD LIMIT
10	~150 words

Answer Hint

Extradition treaties, sovereignty, rule of law, fair-trial guarantees, death penalty assurances, non-refoulement, diplomatic relations, regional stability, judicial independence, consular and legal safeguards.

Model Answer

Introduction

The return of a former head of government facing criminal proceedings abroad involves complex questions of extradition law, human rights and bilateral diplomacy.

Legal and Diplomatic Challenges

Extradition requires compliance with domestic law, applicable treaties and procedural safeguards. Issues such as double criminality, political-offence exceptions, fair-trial guarantees and the possibility of capital punishment may influence decisions. A credible judicial process must ensure legal representation, access to evidence and the right to appeal.

Such cases can also affect bilateral relations, particularly when political transitions and domestic security concerns are involved. Unilateral or politically influenced arrangements may undermine public confidence and regional stability.

India's Approach

India should rely on established legal procedures, treaty obligations and judicial scrutiny. Diplomatic engagement should seek credible assurances regarding physical safety, fair trial and appellate remedies. Decisions must respect sovereignty while avoiding complicity in human-rights violations.

Conclusion

A balanced approach combining legal compliance, human-rights protection and diplomatic consultation is essential for maintaining regional trust and the rule of law.

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