International Relations · GS - II

Examine the legal and diplomatic challenges arising when domestic courts exercise jurisdiction over alleged conduct involving officials of another sovereign state.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 21/11/2026	GS - II	International Relations

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Extraterritorial jurisdiction, sovereign immunity, service of summons, Hague Convention, state sovereignty, due process, international judicial cooperation, diplomatic relations.

Model Answer

Introduction

Cross-border legal disputes involving serving or former government officials raise complex questions of jurisdiction, sovereign immunity and international cooperation. The reported US civil proceedings involving Indian officials in the Pannun case illustrate these challenges.

Major Legal and Diplomatic Issues

1. **Extraterritorial jurisdiction:** Domestic courts may claim jurisdiction over conduct occurring outside their territory when legal conditions and statutory provisions permit it. However, such jurisdiction can generate disputes between states.

2. **Service of summons:** The Hague Service Convention provides a mechanism for transmitting judicial documents across borders. Service facilitates legal proceedings but does not itself establish jurisdiction or prove allegations.

3. **Sovereign immunity:** International law recognises immunity for states and certain categories of officials. The distinction between official and private conduct, personal and functional immunity, and applicable exceptions can

become legally significant.

4. **Due process:** Defendants must receive fair notice and an opportunity to contest jurisdiction and allegations. Procedural safeguards are essential for judicial legitimacy.

5. **Diplomatic consequences:** Legal proceedings involving national security officials can affect bilateral relations, intelligence cooperation and mutual trust.

Way Forward

- Follow established international procedures for service of legal documents.
- Respect applicable international law and sovereign immunity principles.
- Use diplomatic channels to address jurisdictional disagreements.
- Encourage evidence-based investigations and judicial cooperation.
- Avoid allowing unresolved legal disputes to undermine broader bilateral engagement.

Conclusion

International judicial cooperation must balance access to justice with sovereign equality and due process. Respect for international legal procedures is essential to managing cross-border disputes without unnecessarily escalating diplomatic tensions.

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