Ethics & Morality · GS - IV

“Refugees should not be turned back to the country where they would face persecution or human rights violation.” Examine the statement with reference to the ethical dimension being violated by a nation claiming to be democratic with an open society.

EXAM YEAR	PAPER	SUBJECT
2021	GS - IV	Ethics & Morality

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Refugee protection, non-refoulement, human dignity, compassion, universal human rights, right to life, democratic values, international obligations, national security, India's refugee policy, due process

Model Answer

Introduction

The principle of *non-refoulement* prohibits returning a person to a place where they face a real risk of persecution, torture or other serious harm. It is central to refugee protection and reflects humanitarian and ethical responsibilities.

Ethical Dimensions Violated by Refoulement

- **Human dignity:** Returning vulnerable individuals to persecution disregards their intrinsic worth.
- **Non-maleficence:** A state knowingly exposes people to serious harm instead of preventing it.
- **Compassion and humanity:** Refugees fleeing violence require humane treatment rather than automatic rejection.
- **Justice and equality:** Discriminatory treatment based on ethnicity, religion or nationality violates fairness.

- **Democratic values:** A democracy that professes liberty and human rights undermines its credibility when it denies basic protection.
- **International responsibility:** Refugee protection requires cooperation and adherence to applicable legal obligations.

Illustration

Returning an individual to a country where credible evidence indicates a risk of torture would raise serious ethical and human-rights concerns. A fair process should assess the individual's circumstances before removal.

Balancing Sovereignty and Security

States may regulate entry and address genuine security threats. However, screening should be lawful, individualised and subject to due process. Security concerns should not justify exposing people to persecution or torture.

India is not a party to the 1951 Refugee Convention, but constitutional protections, applicable international obligations and humanitarian principles remain relevant to its treatment of vulnerable persons.

Conclusion

A democratic state must balance border management with human dignity. Refugee decisions should be guided by compassion, non-refoulement principles, fair procedures and respect for fundamental rights.

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