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# **INDIAN FOREIGN POLICY AND HUMAN RIGHTS ISSUES**

AUTHORED BY - DR. ROHIT KUMAR SHUKLA<sup>1</sup> & MR. PRIYANSHU SRIVASTAV<sup>2</sup>

## **Abstract**

India's foreign policy is a complicated combination of economic ambitions, moral diplomacy, and strategic objectives. This study examines how human rights function in India's foreign policy by examining the country's diplomatic strategy, legislative commitments, and historical development. Although India has supported human rights on international fora like the UN and the Non-Aligned Movement, its position has frequently been determined by national security considerations and geopolitical realities. The study looks at how India responds to foreign crises including the Rohingya crisis, the Russia-Ukraine conflict, and China's human rights record. It also looks at how India interacts with multilateral organizations like BRICS and SAARC.

Additionally, the study explores the difficulties India has in striking a balance between its support of human rights and its strategic independence. India's diplomatic ties have been impacted by foreign monitoring of domestic human rights issues, including as the Citizenship Amendment Act (CAA), the Kashmir dispute, and limitations on press freedom. The report also evaluates how India interacts with human rights NGOs, how legal limitations affect civil society, and the wider ramifications for India's reputation abroad.

The study's conclusion assesses India's potential contribution to the development of a human rights agenda for the twenty-first century, highlighting the necessity of a persistent and aggressive diplomatic strategy. In order to build international credibility and promote a balance between national interests and moral diplomacy, India must make sure that its human rights pledges are in line with its foreign policy agenda as it strives to become a worldwide leader.

**Keywords:** Indian Foreign Policy, Human Rights, UN Charter, International Relations, BRICS, SAARC, Challenges.

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## 1. Introduction

A foreign policy of a state is a reflection of its values, interests, and goals in international relations. All states attempt to create relations through foreign policy. Governments apply this policy in an attempt to influence or direct other states' actions. Foreign policy, thus, is both change and continuity in relations. It is a positive effort to alter others' behavior and a negative sanction to alter them when it does not work. States, thus, formulate their foreign policy in the act of creating relations. A state's actions, however, are guided by a calculation of costs, benefits, risks, and capabilities.

India hoped for non-alignment during the Cold War to free itself from Eastern and Western hegemony. Under the leadership of Jawaharlal Nehru as Prime Minister, the policy of Non-Alignment was followed to make India independent in global affairs and to promote disarmament, peace, and cooperation among newly emerging nations.

India's external affairs are undergoing trial by testing times with global choices and relationships. In seeking to construct grander alliances with countries in the eastern part of the continent, India has lately embarked on an ambitious strategy featuring the Look East Policy and its neighborhood-first stance through SAARC.

The Ukraine crisis presents new questions against the backdrop of India's foreign policy and how it affects global alignments. The options and partners available to India in the international system are putting its foreign policy to the test. In order to establish wider economic and geopolitical alliances with other East Asian nations, India has implemented a more comprehensive foreign policy in recent decades, which includes the Look East Policy and the SAARC-embodied neighborhood first approach.

However, new questions concerning India's foreign policy are brought up by the current state of affairs in Ukraine and the severe divisions it has produced in the international community.

- 1) During the era of nation-building, challenges of war, reformation of an international organization, and the formation of new nations resulting from decolonization.
- 2) India grappled with the struggle of partition and with the challenge of poverty reduction.
- 3) India resolved to honor the sovereignty of all the Nations to attain security by upholding peace in its foreign relations conduct.

- 4) Domestic as well as external factors affected India's foreign policy such as inadequate resources and financial reliance on more influential nations.
- 5) India developed its policy in the context of cold war evolution.

### **Importance of Human Rights in Global Diplomacy**

**Human rights are essential in global diplomacy, impacting international relations, peace, and stability. Here are the key reasons for their significance:**

#### **Ethical Foundations**

Human rights provide an international standard on which all people of all nationalities, ethnicities, and religion are to be treated. People who practice human rights are deemed more moral and legitimate as a nation. Human rights diplomacy embodies justice, equality, and respect for all.

#### **Encourage peace and stability.**

Respect for human rights is the foundation of enduring peace. When governments respect the rights of their citizens, they experience lesser internal strife because of discrimination, torture, or arbitrary imprisonment. Promoting human rights by diplomatic means can minimize violent conflict and enable peaceful resolution between countries.

#### **Impact on Bilateral and Multilateral Relations**

Human rights are highly significant in diplomacy. Countries that infringe on them are sanctioned, their trade is restricted, or they are boycotted. Countries that uphold human rights are aided internationally through cooperation and trade. Human rights are thus significant in determining international alliances.

#### **Global Responsibility**

United Nations human rights mechanisms create global accountability. States are held to international law, and the violators are held to account by organs such as the ICC. Mechanisms of diplomacy utilize tools for holding states to account for abuse, with the abuse being responded to an action taken.

### **Objectives and the Scope of the Research**

The objective is to inform students about the history and functioning of India's foreign policy. Foreign policy in a nation changes over time, based on the factors concerned, and India is no



different. The past history of the foreign policy must be understood. Analysis of its principal objectives helps in assessing trends and activities of international relations, although these are not always well-defined. Understanding the reasons for foreign policy actions requires knowledge about the overall pattern and norms governing them, putting the spotlight on state matters and long-term schemes. Indian foreign policy attempts to protect its strategic, economic, and geopolitical interests as well as promote world peace, security, and cooperation, based on important objectives:

#### National Security

India's foreign policies are centered round the defense of its sovereignty and territorial integrity along with the combating of threats thereby fostering regional defense cooperation with significant allies.

#### Economic Development & Growth

India aims to increase economic growth through attracting foreign trade, investment, and technology transfer. It does this through strategic collaborations and interactions with multilateral organizations such as the WTO and BRICS.

#### Promoting Humanitarian Values and Social Justice

India's foreign policy is to promote universal human rights, justice, and democracy. India is engaged in international human rights activities, such as the UDHR, and promotes sustainable development objectives.

#### Cultural Diplomacy & Soft Power

India showcases its cultural heritage and diversity by highlighting non-violence (Ahimsa) in the form of "Yoga Diplomacy." This reinforces international relations and its international image.

#### Thesis Statement

"India's foreign policy seeks to balance security, economic growth, and stability, and the preservation of human rights. But there are international human rights concerns and geopolitical interests at stake, and this is difficult to achieve, with contradictions." This statement highlights India's dual foreign policy, balancing global human rights with various tensions. Human rights must ensure equality. Democracy should guarantee equal treatment without discrimination. This is a human rights violation. In a nation that values such rights,

everyone should be safeguarded for a life of dignity. Hiring such people on board is essential in an effort to tackle poverty because they know their needs that have arisen due to the violation of their rights. India's foreign policy is based on national security, economic growth, regional stability, and human rights. Domestic concerns, particularly in Kashmir and among the minorities, sully its global reputation and complicate its strategic interests.

## **2. Overview of Indian Foreign Policy**

### **a. Historical Context**

The distinct features of a country's internal and external settings greatly influence its foreign policy. Furthermore, a nation's foreign policy is greatly influenced by a variety of elements, including historical background, inherited legacies, individual personalities, ideologies, and structural frameworks. This idea applies to India's foreign policy strategy as well. The various goals and principles of its foreign policy have been shaped by a number of factors. Since historical background has had a significant impact on policy development over time, it is imperative to examine its influence on India's foreign policy. In this context, Nehru correctly pointed out that it shouldn't be presumed that India became a state overnight; rather, its long history, current events, and the freedom movement have collectively shaped its guiding principles.

### **b. Major Pillars of India's Foreign Policy**

India's foreign policy is founded on strong pillars that express its national interests and international aspirations. Non-alignment maintains India's sovereignty in handling the superpowers. Panchsheel principles maintain respect for sovereignty and non-interference. Economic diplomacy creates commerce, foreign investment, and energy security. Act east and Neighborhood First create connectivity with the neighborhood and the ASEAN nations. India's membership of UN, WTO, BRICS, and G20 indicates the strength of multilateralism. National security and counter-terrorism also define its global outreach. These pillars give substance to India's diplomatic strategy and attain a fine balance between what is domestic and what is global.

Indian remote approach is guided by a few key columns that shape its worldwide engagement. Key independence remains a foundation, guaranteeing India keeps up autonomy in decision-making whereas locks in with numerous worldwide powers. Non-alignment and multi-alignment have advanced, permitting India to adjust relations with major powers just like the

U.S., Russia, and China whereas fortifying ties with territorial partners. Neighborhood to begin with Approach emphasizes cultivating solid connections with South Asian neighbors through financial participation, network, and security collaboration. Act East Arrangement points at developing financial and key organizations with ASEAN and East Asian nations. Worldwide administration and multilateralism play a crucial part, as India actively participates in universal educate just like the UN, BRICS, G20, and WTO. Financial strategy is another column, centering on exchange assentions, remote venture, and innovation associations to boost India's worldwide financial nearness. Also, India prioritizes diaspora engagement, leveraging its worldwide Indian community for social and financial ties. In conclusion, climate alter and maintainable improvement have gotten to be progressively critical, with India pushing for clean vitality, climate equity, and green innovations on the worldwide arrange. These columns collectively shape India's outside arrangement approach, reflecting its desires as a rising worldwide control.

#### c. Non-alignment

"Indian exceptionalism" is a common term used to describe non-alignment. India's "grand strategy" has been to safeguard its interests as a nation. In his article Decoded: India's Role in a Multipolar World, Martand Jha makes this claim. Since the Indian elites never made an effort to clarify the specifics of the non-alignment policy, the term "non-alignment" remained extremely ambiguous. Although India has never officially renounced its non-alignment, its status as a non-aligned nation has always been in doubt. India and the USSR had a quasi-alignment during the Cold War, but following the war, India and the USA developed a stronger strategic partnership to the point where their armed forces are highly compatible.

#### d. Strategic Autonomy

Strategic autonomy is a key pillar of India's foreign policy, reflecting its commitment to independent decision-making in global affairs. Rooted in the principles of non-alignment, it enables India to pursue its national interests without being constrained by rigid alliances or external pressures. This approach allows India to engage with multiple global powers while maintaining its sovereignty in policymaking. Strategic autonomy is evident in India's balanced relations with the United States, Russia, and China, as well as its independent stance on global issues like climate change, trade, and security. It also manifests in India's participation in diverse groupings such as BRICS, the Quad, and the SCO, ensuring flexibility in diplomatic engagements. By upholding strategic autonomy, India safeguards its national security,

economic interests, and global influence while adapting to the evolving geopolitical landscape.

#### e. Bilateral and Multilateral Relations

Bilateralism is rooted in preferentialism and modifies its objectives and priorities on an ad hoc basis. The UN Charter collective security system is obviously the result of multilateralism, but the collective defense system (collective self-defense) is rooted in preferentialism by the great powers (e.g., the United States of America) and thus is a form of bilateralism. Another common example of bilateralism is the Asia-Pacific region, where the United States developed a so-called hub-and-spoke type of alliances network (Hemmer & Katzenstein, 2002). Similarly, the North Atlantic Treaty Organization (NATO) might be regarded as the result of bilateralism; however, according to some researchers, it is rooted in multilateralism among the Western democracies where the same rules and norms are applied to all on an equal basis (Weber, 1991). Since the Asian alliances with the United States are de facto bilateral treaties, and the terms of arrangements differ significantly from country to country, the Asia-Pacific hub-and-spokes relationship can be regarded as the result of bilateralism.

In brief, multilateralism is a rule- and norm-based system maintained predominantly by U.S. leadership and allies. Bilateralism is two states adhering to standards, usually under the hegemony of a more powerful state, and unilateralism is when a powerful state acts unilaterally, ignoring customary international norms.

### **Key Foreign Policy Makers and Institutions:**

#### a. Role of the Ministry of External Affairs (MEA)

The Ministry of External Affairs operates more than 200 diplomatic missions around the world through which it represents the Government of India on the international stage. In addition, the Ministry is responsible for India's representation at the United Nations and other international organizations. The Ministry is also responsible for the repatriation of Indian citizens in danger abroad and in the extradition of fugitives who have fled India. The Ministry of External Affairs may also advise other ministries and state governments in their interactions with foreign entities and brief them on pertinent international developments.

#### b. Influences of Indian Leaders (e.g., Nehru, Indira Gandhi)

India's foreign policy has been shaped by its key leaders and institutions, each leaving a distinct imprint on the country's diplomatic approach. Below is an overview of the influence of major Indian leaders on foreign policy:

i. Jawaharlal Nehru (1947–1964)

Non-Aligned Movement (NAM): Nehru was a pioneer of NAM, **pushing** for India to **stay free** from Cold War **control coalitions** (USA and USSR). **Kashmir and Relations with Pakistan:** Nehru's handling of the Kashmir conflict led to international intervention (UN), shaping Indo-Pakistani relations for decades. **United Nations and Global Diplomacy:** Advocated for decolonization and was instrumental in positioning India as a leader of the Global South.

ii. Indira Gandhi (1966–1977, 1980–1984)

Closer Ties with USSR: Strengthened Indo-Soviet relations with the 1971 Treaty of Peace, Friendship, and Cooperation. **Nuclear Test (1974):** Conducted India's first nuclear test under "Smiling Buddha," establishing India as a nuclear-capable state. **Non-Aligned but Pragmatic:** Though a NAM supporter, she aligned with the Soviet Union to counterbalance the US-China-Pakistan axis.

**Evolution of India's Foreign Policy Post-Independence:**

India became independent of colonial authority on August 15, 1947. Determining its position on the international scene was difficult for the recently independent country. Under the inspiring direction of Prime Minister Jawaharlal Nehru, India developed a foreign policy in the immediate years following its independence that attempted to strike a balance between its goals as a recently independent nation and the realities of a bipolar world ruled by the US and the USSR. India opted for the policy of non-alignment, which enabled it to uphold its independence and sovereignty in global affairs while simultaneously supporting the rights and ambitions of recently liberated countries in Asia and Africa.

Over the decades, India's foreign policy evolved, responding to regional challenges, global shifts, and domestic priorities. The wars with Pakistan and China in the 1960s and 1970s tested India's strategic capabilities and underscored the need for a more robust defense policy. The economic liberalization of the 1990s marked a turning point, as India opened its doors to the world, seeking to integrate more deeply into the global economy and redefine its role on the world stage.

From the idealistic non-alignment in the early years to the pragmatic multi-alignment of today, the evolution of India's foreign policy since 1947 is significant to study as India celebrates its 78th Independence Day. This reflection on India's diplomatic journey underscores the nation's growth from a post-colonial state into a key global player. It highlights the strategic shifts,



landmark decisions, and evolving global relationships that have shaped India's current international stature.

### The Evolution of India's Foreign Policy Since 1947:

#### Nehruvian Vision (1947-1964)

Under Prime Minister Jawaharlal Nehru, India established a visionary foreign policy based on peaceful coexistence, anti-colonialism, and anti-imperialism after attaining independence in 1947. The Non-Aligned Movement (NAM), which sought to place India and other recently independent countries outside of the Cold War conflicts between the US and the USSR, served as the inspiration for Nehru's strategy.

Nehru was a key player in the 1955 Bandung Conference, which formally created the NAM. The movement promoted independence and non-alignment while taking a united stance against superpower conflicts. In a 1956 speech to the Indian Parliament, Nehru outlined this policy: "We propose, as far as practicable, to keep aloof from the power blocs... In order to be free to use our own discretion, our foreign policy is independent and non-aligned."

#### Post-Nehru Era (1964-1990)

Nehru's successor, Indira Gandhi, significantly altered India's foreign policy. Bangladesh was created as a result of India's resounding victory over Pakistan in the 1971 Bangladesh Liberation War, which she oversaw and which solidified India's position as a regional power.

Gandhi further solidified India's strategic alliance with the Soviet Union in 1971 by signing the Indo-Soviet Treaty of Peace, Friendship, and Cooperation. According to historian S. Gopal, "Indira Gandhi's foreign policy was defined by assertiveness and strategic depth, crucial in a period of regional turbulence."

### **Rajiv Gandhi's Diplomacy**

When Rajiv Gandhi came to power in 1984, his goal was to modernize India's military and economy. His visit to the United States in 1985 eased Cold War tensions and improved economic and technological collaboration, signaling a thaw in Indo-U.S. relations throughout his tenure.

India was instrumental in the establishment of the South Asian Association for Regional

Cooperation (SAARC) in 1985. SAARC sought to promote cooperation among South Asian countries in spite of regional tensions.

In addition to advocating for world peace, Rajiv Gandhi demonstrated India's commitment to nuclear disarmament by presenting a detailed disarmament plan to the 1988 UN General Assembly.

## **21st Century and Beyond:**

### **The Vajpayee and Singh Era**

Major developments were seen in the early 2000s under Prime Ministers Manmohan Singh and Atal Bihari Vajpayee. Vajpayee's 2001 visit to Japan was focused on consolidating Southeast Asian relations under the "Look East" policy. His government set the stage for heightened Indo-U.S. relations, symbolized by President Clinton's first-ever visit to India in 2000. The 1998 Pokhran-IIT nuclear tests under Vajpayee's government signaled a new strategic alignment for India, demonstrating its nuclear weapon and technology status in the midst of international condemnation.

Between 2004 and 2014, Manmohan Singh strengthened India's foreign ties, particularly with the U.S. The U.S.-India Civil Nuclear Agreement of 2008 was a turning point in India's nuclear alignment. Singh reoriented the "Look East" policy to "Act East" with a focus on the Asia-Pacific. India also signed a number of FTAs with ASEAN members during the time.

### **Modi's Era (2014-Present)**

India's foreign policy has adopted a more forceful and strategic approach since Prime Minister Narendra Modi took office in 2014. In 2011, U.S. Secretary of State Hillary Clinton called on India to take a more active role in the Asia-Pacific area by "acting east" rather than "looking east." After hearing this plea, External Affairs Minister Sushma Swaraj declared in 2014 that India was prepared to "Act East," a position that Prime Minister Modi reiterated when he visited Naypyidaw, Myanmar.

By highlighting strategic alliances with Japan and Australia and supporting the Quad alliance with the United States, Japan, and Australia, PM Modi's "Act East" program expands engagement with the Asia-Pacific region. The Quad Alliance's 2021 summit will focus joint cooperation on maritime and security problems in an effort to guarantee a free and open Indo-

Pacific.

Additionally, PM Modi has established India as a frontrunner in international climate measures. India's proactive approach to climate change is demonstrated by the International Solar Alliance (ISA), which was established in 2015, and the ambitious climate targets that were declared at the 2021 COP26 meeting. India's commitment to global climate action is demonstrated by PM Modi's pledge to achieve net-zero emissions by 2070 and to increase the share of non-fossil fuel energy to 50% by 2030.

### 3. Human Rights in the International Framework

#### a. Role of the United Nations (UN) in Human Rights

It Proclaims, “We the Peoples of the United Nations, determined...to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal of men and women and of nations large and small...have resolved to combine our efforts to accomplish these aims”

The Purpose set forth in the Preamble among others is “To cooperate... in Promoting respect for humans rights and fundamental for all- To Achieve International Co-operation in solving international Problems of an economic, social, culture, OR humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language OR religion”.

Apart from the UN Charter, a major breakthrough in the development of an International human rights regime was achieved when the UN General Assembly adopted **the Universal Declaration of Human Rights on 10 December, 1948**. Since then, 10 December is observed as the World Human Rights Day

#### **It IIIIJBZBK**

When the UN first met, there were 51 Member States who ratified the United Nations Charter. In 1948, the assembly adopted the Universal Declaration of Human Rights, which elaborated on the Charter's principles and established universal human rights. This was a high priority for the UN following the Holocaust and other atrocities during the war. The UDHR has since become a guiding document for various human rights treaties and instruments. Currently, the UN has 193 members and is headquartered in New York City.

General Assembly proclaimed that “this UNIVERSAL DECLARATION OF HUMAN RIGHTS as a Common standards of achievement for all peoples and all nations, to the end that every Individuals and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.”

#### b India's Role in Global Human Rights Advocacy

Given the country's pride in its democratic traditions, it is surprising that India is reluctant to advance human rights both domestically and internationally. Ironically, India's voice against decolonization and in favor of justice, human dignity, and freedom was quite clear in the world after gaining independence from Britain in 1947. However, India has become increasingly reclusive over time, and as a result, its voice is rarely heard on human rights concerns, either domestically or internationally.

Given India's prior support for decolonization and efforts to eliminate racial discrimination at the U.N., this position is disheartening. For instance, India played a key role in establishing the first U.N. inquiry into atrocities carried out by the South African apartheid regime in 1976. Noninterference in domestic affairs was the rule in those days, but India worked hard to make a principled exception for South Africa. An architect of the Non-Aligned Movement was Prime Minister Jawaharlal Nehru. Undoubtedly, there is disagreement over how far India kept its distance from the US and the USSR. However, it is evident that many of the personnel in India's Foreign Ministry still suffer from "Cold War Syndrome" in regards to human rights. Indeed, the world has changed since the West first used the phrases "rights" and "freedom" to disparage the Soviet bloc.

India's intention to deny civil society a place at the U.N. and at home will have an impact on the entire world. Unfortunately, however, there has been no response from Indian civic society. Until it does, it's unlikely that human rights issues in the rest of the world will be reflected on India's priority list.

#### 4. Human Rights in Indian foreign Policy

Human rights have always been a contentious topic in international relations, and history demonstrates that the importance of human rights in foreign policy discussions has tended to vary depending on the particular paradigm under consideration. Although many nation states formally embrace the concept of human rights, it is interpreted differently depending on their own convenience; some states assert that economic rights come first, while others declare their commitment to civil and political rights, even when they violate these rights in the name of national security. This type of inconsistency in the promotion and implementation of human rights-oriented foreign policy may be caused by the contradictions that predominate in the options available to the decision-making elite.

Indian foreign policy for human rights is closely linked to its interpretation of national self-determination and peaceful coexistence. However, it is essential to comprehend India's position on two levels—the normative and pragmatic levels—in order to comprehend how human rights are interpreted in Indian foreign policy.

The inclusion of common article, i.e., article 1 of the two covenants that proclaiming the right to self-determination of all people, and their exclusive sovereignty over their natural resources, has been an achievement of India along with other Third World countries.

##### a. India's Constitutional Commitment to Human Rights

The Constitution of independent India was enacted on January 26th. The influence of the Universal Declaration of Human Rights on the formulation of Part III of the Constitution is evident. India has committed to the Universal Declaration of Human Rights, along with the subsequent International Covenants on Economic, Social and Cultural Rights, as well as Civil and Political Rights, which were adopted by the United Nations General Assembly. The Fundamental Rights outlined in Part III of the Constitution are derived from the principle of natural rights. These Fundamental Rights represent the contemporary terminology for what has historically been referred to as Natural Rights.

The foundation of the commitment to social reform and the conscience of the Constitution are the Fundamental Rights and the DPSP. As a result, they should be harmoniously constituted, and the Court should try its best to address any apparent inconsistencies. In order to achieve a welfare state, the fundamental rights and directive principles work in concert with one another.



They are the chariot's two wheels as well as two sides of the same coin. Since they complement one another, rights and principles should be built in a way that makes sense. A key component of the Constitution's fundamental framework is the harmony and balance between the two.

#### b. India's Engagement with Human Rights in Foreign Relations

India's engagement with human rights in foreign relations is shaped by its historical experiences, constitutional values, and strategic interests. As the world's largest democracy, India has often advocated for human rights on the global stage while balancing its commitments with principles of sovereignty, non-interference, and national interest.

India's historical dedication to justice, equality, and dignity—principles written in its Constitution and firmly founded in its freedom struggle—led to its involvement in international human rights agreements. India has been actively involved in the development and advancement of a fair international human rights framework ever since gaining its independence. Being a signatory to several international treaties and a founding member of the UN, India's participation in international human rights initiatives demonstrates its desire to support an inclusive and just global order.

#### c. Support for International Human Rights Laws

With a focus on justice, equality, and dignity, India has continuously backed international human rights rules in its dealings with other countries. India has shown a strong commitment to international human rights standards as a founding member of the UN and a signatory to important human rights treaties like the International Covenant on Civil and Political Rights (ICCPR), the Universal Declaration of Human Rights (UDHR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). It actively participates in the United Nations Human Rights Council (UNHRC) and backs international initiatives to advance human rights while arguing for a fair strategy that honors cultural diversity and national sovereignty. Additionally, India supports human rights initiatives through diplomatic discussions, peacekeeping operations, and developmental assistance reinforcing its commitment to upholding international human rights laws while safeguarding its national interests.

States are required to abide by the requirements outlined in international human rights legislation. States take on responsibilities and duties under international law to uphold, defend, and fulfill human rights when they ratify international treaties. States are required by the

commitment to respect to abstain from obstructing or restricting the exercise of human rights. States have an obligation to safeguard people and groups from violations of human rights. States are required to take proactive steps to enable the enjoyment of fundamental human rights as part of the commitment to fulfill.

Governments commit to implementing domestic policies and laws that are consistent with their commitments and responsibilities under international human rights treaties by ratifying them. Mechanisms and procedures for individual complaints or communications are available at the regional and international levels to help ensure that international human rights standards are in fact respected, implemented, and enforced at the local level in cases where domestic legal proceedings are unable to address violations of human rights.

#### d. Advocacy in Multilateral Forums (E.g.: UN, BRICS, and SAARC)

Advocacy in multilateral forums like the UN, BRICS, and SAARC plays a crucial role in shaping global and regional policies, fostering cooperation, and addressing common challenges. These platforms provide nations with opportunities to voice concerns, promote development agendas, and influence international norms. The UN facilitates discussions on global peace, human rights, and sustainable development, while BRICS—comprising Brazil, Russia, India, China, and South Africa—advocates for economic cooperation and a multipolar world order. SAARC, focused on South Asian regional integration, promotes economic collaboration and social progress. Effective advocacy in these forums requires diplomatic engagement, coalition-building, and strategic negotiations to advance national and collective interests. Countries leverage these platforms to push for reforms, address security issues, and advocate for climate action, trade policies, and equitable development. As global challenges evolve, multilateral advocacy remains essential for fostering international solidarity and ensuring inclusive and sustainable growth.

Global and regional policy are greatly influenced by advocacy in multilateral fora like the South Asian Association for Regional Cooperation (SAARC), the BRICS, and the United Nations (UN). These forums give countries, groups, and civil society a chance to express their concerns, advance common goals, and work out solutions to urgent problems.

International peace, human rights, climate action, and sustainable development are the main areas of advocacy at the UN. UN bodies like the General Assembly and Security Council are

used by nations and non-state actors to have an impact on global governance. The BRICS (Brazil, Russia, India, China, and South Africa) group promotes economic cooperation, a multipolar world order, and changes to international financial institutions. It acts as a check on systems that are dominated by the West. In the meanwhile, SAARC encourages South Asian regional cooperation, tackling issues like poverty, trade, and Security Challenges. However, Political Tensions often hinder its effectiveness. Strategic negotiations, coalition building, and diplomatic involvement are necessary for effective advocacy in various platforms. While civil society and non-governmental organizations (NGOs) support underrepresented voices, nations use these platforms to fight for just policies. In the end, multilateral advocacy encourages communication, collaboration, and group efforts to address regional and global issues.

#### e. India's Relations with Human Rights NGOs

India and human rights NGOs have a complicated relationship that is characterized by both collaboration and conflict. The nation recognizes the contribution these groups make to the advancement of accountability, democracy, and social justice. NGOs like Human Rights Watch and Amnesty International have been aggressively covering topics including minority rights, freedom of speech, and Indian police enforcement tactics. But occasionally, particularly when their findings criticize official activities, the Indian government has treated these groups with suspicion. Tensions have arisen as a result of restrictions imposed by regulations such as the Foreign Contribution (Regulation) Act (FCRA) that have restricted foreign funding for specific NGOs. India maintains its sovereignty and opposes what it perceives to be outside meddling even as it interacts with human rights organizations at international fora. As a result of this dynamic, the connection is both cooperative and, at times, confrontational.

- i. **Advocacy and Collaboration:** On topics including labor rights, gender equality, and children's rights, India works with a number of human rights NGOs, including Human Rights Watch and Amnesty International. These NGOs support social improvements and policy debates.
- ii. **Government Regulations:** Under the Foreign Contribution (Regulation) Act (FCRA), India has put in place stringent rules that restrict foreign funding for non-governmental organizations. The operations of numerous domestic and international human rights organizations have been impacted by this.
- iii. **Tensions and Criticism:** Human rights NGOs frequently attack India on matters such as civil liberties, minority rights, and press freedom. Relations might become strained when the government perceives such criticism as meddling in domestic affairs.

- iv. **Judicial and Legal Engagement:** In order to promote the preservation of human rights, NGOs actively interact with the judiciary by bringing Public Interest Litigations (PILs). Sometimes, Indian courts have decided in favor of petitions brought by NGOs, which has resulted in changes to policy.
- v. **Development and Social Welfare:** In spite of conflicts, NGOs are essential to development initiatives, collaborating with the government to address problems like poverty, healthcare, and education.

## 5. Challenges to Human Rights in Indian Foreign Policy

### a. Regional Conflicts and Human Rights Violations

India's neighborly relations, particularly with China and Pakistan, are directly affected by the Kashmir conflict, which remains a major regional dispute. India and Pakistan have both asserted ownership of Kashmir since the division of British India in 1947, and they have engaged in a number of wars and ongoing violence. Human rights violations have been reported as a consequence of the situation in Jammu and Kashmir, such as civilian fatalities, restrictions on the freedom of movement, and restrictions on communications. While Pakistan still promotes international intervention and supports Kashmiri separatist groups, India maintains that its actions in the region are meant to stop terrorism and safeguard national security. Another prominent player in the region, China, controls Aksai China land claimed by India as disputed and has had border clashes, particularly in Ladakh.

India's relationship with China was also further strained in 2020 due to the Galwan Valley clash, which led to military and economic countermeasures. Aside from these two powerful neighbors, India and Nepal have also experienced instability in their relationship, primarily due to border disputes and increasing connections between Nepal and China. However, apart from periodic skirmishes, India has made efforts to maintain diplomatic relations with Nepal due to the shared culture and history of the two countries. While India's wider regional policy tries to balance its security interests against diplomatic efforts at maintaining stability, South Asian peace and cooperation remain undermined by as yet unresolved disputes over territory and allegations of human rights abuses.

### b. Human Rights Violations in Domestic Policy Impacting Foreign Relations

India's relations with the international community have been affected by global scrutiny of its internal policies, especially those of human rights nature. The much-debated National Register of Citizens (NRC) and the Citizenship Amendment Act (CAA) are discriminatory against

Muslims, critics argue, and pose danger to India's secular nature and are thus debated hotly. The measures elicited nationwide protests and were condemned by international human rights groups, other nations, and the United Nations, who expressed fears that they would lead to a large number of individuals losing their citizenship. India's foreign relations have been marred by this criticism, particularly with Muslim-majority countries and Western democracies that give high importance to human rights in their foreign policy. In addition, human rights issues in the Northeast, including allegations of excessive use by security forces, arbitrary detentions, and internet shutdowns, have attracted international attention.

The Armed Forces (Special Powers) Act (AFSPA), which provides security forces with wide-ranging powers in states such as Manipur and Nagaland, has come under considerable criticism for being responsible for enforced disappearances and extrajudicial killings. These problems have been highlighted in reports by organizations such as Human Rights Watch and Amnesty International, which have sometimes strained India's relationships with international allies that strongly emphasize civil rights and democracy. Even though India maintains that these steps are internal matters for national security and sovereignty, incessant foreign opposition could impact trade treaties, diplomatic talks, and India's image as the world's greatest democracy.

## 6. Case Studies of Indian Foreign Policy and Human Rights

### i. India and Myanmar Juggling Human Rights Issues with Strategic Interests

**Background:** India and Myanmar have close diplomatic, security, and economic connections in addition to sharing a lengthy border. But Myanmar's military crackdowns, especially targeting the Rohingya minority, have drawn criticism.

**Foreign Policy Reaction:** India has interacted with the government of Myanmar and regional organizations while adhering to a non-interference policy. Due to geopolitical concerns, such as China's increasing influence, it did not publicly criticize Myanmar's leadership, but it did offer humanitarian relief to the displaced Rohingyas.

**Human Rights Aspect:** In spite of global concerns, India has come under fire for deporting Rohingya refugees. It has, meanwhile, also backed democratic initiatives in Myanmar, such as denouncing the military takeover in 2021.

### ii. Tamil Rights vs. Diplomatic Relations between India and Sri Lanka

**Background:** India has long been involved in the ethnic strife in Sri Lanka, particularly with regard to Tamil rights.

**Foreign Policy Reaction:** India used the Indian Peace Keeping Force (IPKF) to militarily



intervene in the 1980s, but it later withdrew because of internal resistance. Through diplomatic channels, India has persisted in supporting Tamil rights and encouraging Sri Lanka to enact the 13th Amendment, which grants autonomy to regions with a Tamil majority.

**Aspect of Human Rights:** India has voiced concerns with Sri Lanka's treatment of Tamils, but it has refrained from taking major diplomatic action in order to preserve close political and economic connections with Colombo.

### iii. India's Reaction to Human Rights Violations and the Russia-Ukraine War

**Background:** India and Russia have a long history of close relations, but the conflict in Ukraine prompted questions about human rights.

**Foreign Policy Reaction:** India has called for engagement and diplomacy but has abstained from UN resolutions against Russia. Despite criticism from the West, it has maintained commercial links, particularly in the energy and defense sectors.

**Human Rights Aspect:** In keeping with its pragmatic foreign policy stance, India has refrained from publicly denouncing Russia's abuses of human rights in Ukraine. Nonetheless, it has given Ukraine humanitarian assistance.

### iv. India and Afghanistan:

**Background:** Promoting Human Rights While Working with the Taliban Human rights abuses, particularly those pertaining to women's rights, became an issue after the Taliban regained control in 2021.

**Foreign Policy Reaction:** After initially putting itself at a remove, India later became diplomatically involved and concentrated on providing humanitarian relief. Although it has not formally acknowledged the Taliban rule, it restored its embassy in Kabul in 2022.

**Human Rights Aspect:** India places a high priority on regional strategic stability despite voicing worries about the Taliban's abuse of women and minorities.

India's foreign policy strikes a balance between promoting human rights and strategic goals. It maintains a non-interventionist and practical stance while advocating for human rights ideals in international fora while avoiding direct conflict with nations over their domestic practices.

## 7. The Future of India's Foreign Policy and Human Rights

A complex interaction of geopolitical, economic, and strategic factors will probably influence India's foreign policy going forward and how it handles human rights. It is anticipated that

India's foreign policy will strike a balance between its historical commitment to non-alignment and the reality of a world that is becoming more and more Multipolar. India's economic aspirations, security worries, and regional stability will all have an impact on its interactions with major countries such as the US, China, Russia, and the EU. With its growing influence in global institutions like the United Nations, BRICS, and the G20, India may push for reforms that align with its vision of a Multipolar world order.

Its record on human rights, both at home and abroad, will continue to be closely watched, nevertheless. Although India has long supported democracy, sovereignty, and non-interference, the international community will be closely monitoring its position on human rights issues in neighboring nations like Afghanistan and Myanmar as well as how it handles internal issues in areas like the Northeast and Jammu & Kashmir. It will be essential to strike a balance between ethical diplomacy and economic relationships, especially as India negotiates ties with authoritarian governments that are important trading partners. Furthermore, India might come under additional pressure to conform to international human rights norms as it looks to forge closer ties with Western democracies. Therefore, how well India can balance its strategic objectives with its democratic values—making sure that economic expansion and geopolitical aspirations don't come at the expense of fundamental freedoms and human rights—will determine the course of its foreign policy going forward.

This is not to say that India's policies should be based on human rights. India's strategic interests, which change depending on the situation, should serve as the foundation for its policies. Therefore, India's use of the human rights plank in Syria and its unwillingness to endorse it in Myanmar are both strategically justified. In the Myanmar issue, India had a crucial interest in gaining Myanmar's help to combat numerous insurgent groups from Northeast India that had established bases across the India-Myanmar border, as well as in countering Chinese influence in Myanmar. Although India may have sympathized with the democracy campaigners in Myanmar, it was unable to allow human rights and democracy-promotion concerns to control its policies.

In a similar vein, India's backing for the UNSC resolution denouncing the ruthless Syrian dictatorship was motivated by its vital interests, both in Washington and among the Gulf Arab states, rather than human rights concerns.

## Emerging Challenges in Global Human Rights

The challenges of upholding human rights in the contemporary world are numerous. As the organ of the human rights programme called upon to research, reflect, and recommend, it falls within your competence to help us think through the paths to universal human rights protection in the future. As you commence a new session I should like to place a few thoughts before you on the new challenges in the promotion and protection of human rights, for that is your charge: you are the Sub-Commission for the Promotion and Protection of Human Rights.

**I. Assistance for Those Affected by Serious Human Rights Violations:** The Difficulty of Protection Regardless of our opinions about tomorrow, anyone who is vulnerable to torture, arbitrary or summary execution, forced disappearance, or violence against women needs protection now. Protecting human rights is an urgent and urgent task.

These phenomena are examined by the Commission on Human Rights' numerous special rapporteurs, representatives, and other experts, known as the special processes, who report to the Commission once a year. Every year, this Sub-Commission analyzes a topic related to human rights issues.

## II. The Difficulty of Prevention

Preventing egregious human rights violations is the finest kind of protection. A report on the difficulties in prevention was presented to the Commission a few years ago by the Office of the High Commissioner. We asked the Commission to discuss preventive measures on a national, regional, and global level. How have you contributed to the preventive challenge?

## III. The Poverty Challenge

All of God's children, regardless of wealth or poverty or skin color, are entitled to human rights. Due to widespread poverty, millions of people now endure deprivation, humiliation, and waste. There are numerous internal and international factors behind this. In many cases, the primary cause is the quality of governance. Another underlying factor is how well the global economic system is performing. In certain cases, differences in ethnicity, beliefs, and values may be contributing factors. The human rights approach to reducing poverty is founded on the straightforward idea that if a community works to uphold the Universal Declaration's principles and seeks democratic governance under the rule of law,

#### **IV. Education as a route from poverty:** The challenges of Promoting and Protecting the Rights of Children

##### India's Role in Shaping a Human Rights Agenda for the 21st Century

To become a legitimate organization that can carry out its purpose impartially and independently, the UN Human Rights Council needs to undergo substantial transformation. It is necessary to develop a feasible and realistic plan for an International Human Rights Tribunal as well as the steps necessary to put it into operation. Furthermore, a new Bill of Rights that applies mainly to UN activity and to safeguard individual rights should be created as UN powers are greatly expanded (as suggested in this book through a thorough assessment of the Charter).

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law, whereas it is essential to promote the development of friendly relations between nations Justice is, if anything, the most important factor in the whole war debate. There would be far less strife in a fair world. In a society, inequality and injustice are prime drivers of social unrest; on a global scale, they are powerful catalysts for conflict.

India's support of inclusive development, democratic government, and international peace makes it a key player in determining the 21st-century human rights agenda. India, the largest democracy in the world, is a strong advocate for social justice, gender equality, and freedom of speech both at home and abroad, especially in the UN Human Rights Council. It emphasizes a comprehensive strategy that incorporates social and economic rights in addition to civil liberties, striking a balance between national sovereignty and international human rights standards. India supports a progressive and culturally inclusive human rights framework by advocating for fair digital rights, climate justice, and equitable access to healthcare through its leadership in the Global South.

### **8. Conclusion**

India's foreign policy, guided by history, democratic norms, and prudence, is a mix of pragmatism and moral diplomacy. It is guided by human rights as per its constitution and international relations but is difficult to practice these rights in international relations and has to balance strategy and ethics.

India's foreign policy is an extension of its regional power and global status. India participates in forums like the UN, BRICS, and SAARC but is uncertain in its role in human rights. India has been a pioneer of decolonization, racial equality, and social justice historically, but its modern human rights policy is geared to align with geopolitical interests. The tension between national interest and human rights can be seen in its selective support of international laws. India supports resolutions on Syria but is circumspect in the case of Myanmar's Rohingya crisis due to strategy. India also abstained from criticizing Russia in Ukraine while keeping close ties.

India has serious human rights issues impacting foreign relations. Topics such as Kashmir, the Citizenship Amendment Act (CAA), the National Register of Citizens (NRC), and freedom of the press have garnered international criticism. These policies at times put pressure on relations with nations that have human rights as a priority. India, however, has sovereignty and non-interference and is resilient to external pressure on these issues. India's foreign policy illustrates its focus on human rights through engagement with global agencies. While India collaborates with NGOs on social campaigns, tensions arise due to the limitations on foreign funding for advocacy groups. This cautious strategy indicates India's approach to navigating its human rights agenda.

India's external affairs must transition to a multipolar world order where economic priorities, strategic freedom, and human rights are convergent. It demands a diplomatic paradigm shift arising out of the new multipolar world. It offers a platform for global leadership in climate equity, digital freedoms, and resources access to contribute to the making of the universal human rights agenda. India's human rights position will be crucial in determining its relationship with Western democracies and emerging powers alike. While solidifying its alliances with the United States, the European Union, and key Asian allies, India will be increasingly under pressure to fall in line with global human rights standards. At the same time, its engagement with authoritarian regimes for trade, energy security, and defense partnerships is a challenge to its adherence to democratic values.

In aggregate, India's foreign policy is pragmatic in managing human rights by balancing moral commitment with strategic compulsions. Its capacity to advance human rights as well as protect national interests will define its world leadership in the 21st century. An active human rights policy, supported by diplomatic practice, will enable India to enhance its credibility and



influence globally. With its rise as a power, its human rights policy will have to adjust to its democratic vision and geopolitical interests. By pursuing inclusivity, accountability, and transparency in global relations, India can lead to a world where diplomacy and human dignity prevail.

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