

DEVALUATION OF HUMAN RIGHTS AT THE GLOBAL LEVEL- Deepak Kumar Chaurasia ¹**Abstract**

This paper talks about the concept of Human rights and the declining value of human rights in South Asian countries. It widely mentions some of the events that occurred in India and China which clearly indicates the human rights violation. It covers the illegal detention of people of Jammu and Kashmir, who were detained under the “lawless law” that is “Jammu and Kashmir Public safety act”. The freedom of media, which is self-evident with the indexing of India at 142nd position by world press freedom, the ever-increasing number of attacks and physical assault on Journalists. The censorship of the internet in China, which shows the ulterior motives of the Chinese government, they do not allow their citizens to express their approval or dissent on any policy or government’s working. They have developed their own domestic social media apps like Weibo, which can be used to propagate any propaganda. The targeting of the minority community is a normalized concept for China, they targeted the Uyghurs and other Turkic Muslims. China tried to showcase its supremacy by dominating its rule on Hong Kong under the “National security law”. At last, an analysis of violation practiced by India and China, in accordance with “The Universal Declaration of Human Rights”

Introduction

The way we are progressing and heading towards modernization, the daily instances which clearly depict the degrading value of human rights, puts a question mark on our modernization. Is it the way we are changing, in a negative context? Is this the thing we call as development by dumping the human rights?

¹ Student at Chandigarh University

Human rights are the basic rights that are required for every individual's overall development. Human rights include rights such as, the right to life, the right that No one to be subjected to torture, ensures equality before the law, which means that everyone is equal before the law, right to privacy, the right to move or travel anywhere without any restrictions. It also ensures the freedom of expression; one can express his own opinions and thoughts about any issue. It also covers the Right to education, which itself states that every person has this human right to get the education, etc.²

These rights work as a safeguard mechanism from exploitation, government arbitrariness, etc. The spike of human rights violations expanded rapidly in the wake of the covid pandemic. People were beaten to death, solely on the pretext that they went out to purchase the basic diet for survival.

At the global level, many countries including the so-called developed countries violated human rights without qualms. For example, China, the world's largest populated country, a country where human rights have no existence. The citizens are not even allowed to express their opinions, if any activist tries to raise his voice against the atrocities of the government, he/she is then subjected to a torturous death. The Chinese government tries to set an example, that if any person tries to raise his/her voice, the same dire consequences will be faced by him/her.³

Apart from China, there are several other countries, which came into the limelight, on the issue of human rights violation. Human rights itself implies the meaning rights which are necessary for the human being, but still there are many countries which in the name of national security and peace suppress and violate the human rights of the citizens.

The Present Situation of Human Rights Violation – South Asian Countries

India

India is the world's second-largest populated country and the world's largest democracy. So, it becomes imperative to study the present situation of human rights in India. The covid

² United Nations Universal Declaration of Human Rights, available at: <https://www.youthforhumanrights.org/what-are-human-rights/universal-declaration-of-human-rights/articles-1-15.html> (visited on 14 June 2021)

³ Limits on Freedom of Expression: China, available at: <https://www.loc.gov/law/help/freedom-expression/china.php> (last accessed on 14 June 2021)

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pandemic worked as a booster for human rights violations. The country witnessed many cases, which explicitly speak about the violations of Human rights.

- Media and press liberty

The condition of media and press is not so good, India stands at 142nd position out of 180 countries, and the position is self-evident about the liberty provided to the press and media. The report was published by World Press Freedom. Journalists are vulnerable to physical assault and mental harassment, arbitrary beatings by the police personnel, abduction, and sedition charges - which are the new legal tools of the government to curb the voices raised against their policies and workings.⁴

- Illegal Detention

The people of Jammu and Kashmir were illegally detained for two years, without any trial without any valid ground for detention. The detention was made under the Jammu and Kashmir Public safety act, which is a “lawless” law, often termed as the “draconian law”⁵

- Arbitrary use of Power by Public Servants

In the wake of lockdown, police personnel in the name of maintaining the law and order misused their power. They punished people rigorously, made their beating video, on the pretext to set an example, if anyone tries to flout the rules, the same consequences will be faced by him. They were acting as a one-man army, no one was there to question them. It simply created an atmosphere of terror; citizens were scared to step out of their homes to buy essentials. The local vendors, who were already suffering a lot of financial crunches during the lockdown period, were harassed by these police officers.

China

China is often criticized at the international level on the grounds of human rights violation. It sounds contradictory that the Chinese Constitution that is the “People’s Republic of China” declares that the citizens of China enjoy freedom of speech, assembly defined under Article 35.⁶ But the reality is far away from these on paper writings. The people of China are

⁴ India ranks 142nd on global press freedom index, available at: <https://economictimes.indiatimes.com/news/politics-and-nation/india-ranks-142nd-on-global-press-freedom-index/articleshow/75279460.cms?from=mdr> (last accessed on 15 June 2021)

⁵ A ‘Lawless Law’ Detentions under the J&K Public Safety Act, Amnesty International March 2011 - https://www.amnestyusa.org/files/asa200012011en_11.pdf (last accessed on 15 June 2021)

⁶ Article 35. Freedom of speech, press, assembly, The Constitution of the People's Republic of China

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prohibited from expressing their opinions, to raise their voice against the injustice and draconian activities of the government.

- Restrictions on Internet

The banning of the social media apps such as Facebook, Instagram, etc. itself speaks about the ulterior motives of the Chinese Government. Citizens are not even allowed to express their satisfaction or dissatisfaction over Government's policies or workings. They have developed their own domestic social media app such as Weibo, Youku, etc. where the users receive the filtered news, these apps are a good medium to promote propaganda.⁷

- Arbitrary Detention

The Chinese Government considered Uyghurs and other Turkic Muslims as fringe in the Chinese Society and tried to eliminate their distinctive identity. Xinjiang Authorities have built massive detention centres since 2017, which was discovered by Buzzfeed through satellite imagery and the Xinjiang authorities arbitrarily detained many of the Uyghurs Muslims while some of them were forced to do forced labor. They tried to brush aside the Uyghurs Muslim.

- Privacy Issues

Recently Indians banned several Chinese apps because the app sends the user's data to China. In the era of digitalization, data is considered to be the new oil to commit the crime or promote terrorism

- The Burning issue of Hong Kong Annexation

Recently in the year 2019, China imposed a draconian law known as "National security law" 2019. Many people commented on this scenario as the "end of Hong Kong". This matter was in news for so many days. People despite the covid pandemic were protesting on roads in Hong Kong against these blacks' laws. The tussle between the police and protestors resulted in a disastrous event, police officers started firing live bullets, and protestors in response to that started attacking the officers.⁸

⁷ Social media in China: What you need to know, available at: <https://www.bbc.com/news/av/world-asia-china-19399773>(last accessed on 15 June 2021)

⁸ Human rights watch, world Report 2021(China), available at:<https://www.hrw.org/world-report/2021/country-chapters/china-and-tibet> (last accessed on 15 June 2021)

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Conclusion

Violating Human rights became a new normal for the countries. A country without human rights can lead to an imaginable situation such as the killing of any community on a large scale, exploitation, inhumane treatment, no freedom to speak for our own. It will create an era of dictatorship, where no one asks or question the workings of the dominant authority.

The Universal Declaration of Human Rights which outlines Human Rights contains total 30 Articles. It covers the concept of Human rights in a well-structured and drafted manner. It contains the provision such as Article 9 which defines that No one shall be subjected to arbitrary arrest, detention, or exile. This article of Human Rights has been violated by China when they arbitrarily detain Uyghurs and other Turkic Muslims in the region of Xinjiang.

China also violated Article 3 of the Universal Declaration of Human Rights which states that every person has the right to life, liberty, and security of person, which China denied to the Uyghurs and other Turkic Muslims. Even they forced some of the Uyghurs Muslims to do forced labor, which violates Article 4 of the Universal Declaration of Human Rights which defines that no person shall be held in slavery or slave trade.

If we talk about the other Asian countries India is not at back in violating Human Rights, even what they did in Jammu and Kashmir was also a clear violation of Article 9 of the Universal Declaration of Human Rights. When the Covid 19 lockdown was imposed, the way police personnel used their power by beating a person to death and increasing cases of torture in police custody violates Article 5 of the Universal Declaration of Human Rights according to which no person should be subjected to torture or inhumane treatment.⁹ Human Rights are meant for the people if it is respected then only the purpose of these rights will be fulfilled.

⁹ Universal Declaration of Human Rights, available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (last accessed on 15 June 2021)

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