

Human Rights Watch 2009 World Report: Sincere Solidarity is Warranted!

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“A government’s respect for human rights must be measured not only by how it treats its own people but also by how it protects rights in its relations with other countries.”

–**Kenneth Roth, Executive Director, Human Rights Watch(1)**

The 564-page annual review of human rights practices around the globe, summarizes major human rights issues in more than 90 countries(1). The report documents ongoing human rights abuses by states and non-state armed groups across the globe, including attacks on civilians in conflicts in Afghanistan, Colombia, the Democratic Republic of Congo, Georgia, Israel and the Occupied Palestinian Territories, Somalia, Sri Lanka, and Sudan, and political repression in countries such as Burma, China, Cuba, Iran, North Korea, Saudi Arabia, Uzbekistan, and Zimbabwe. It also highlights violations by governments trying to curb terrorism, including France, United Kingdom, and United States. The report also addresses abuses against women, children, refugees, workers, gays, lesbians, bisexuals and transgender people, among others(1).

THE ‘SPOILERS’ AND THE ‘SUPPORTERS’

An introductory commentary singles out few countries as major offenders of human rights and groups them as “spoilers(2)”. They include countries such as Algeria, Egypt, and Pakistan, supported by China, Russia, India, and South Africa. The report accuses these nations of double standards and displaying hypocrisy while addressing human right issues. While saying they support human rights in principle, these nations cite sovereignty to avoid scrutiny of their records. This section of the report

does not spare even the United States: “US has been unable to respond effectively, even where it seeks to uphold human rights, because of its recent record of abuses, mostly committed in the name of countering terrorism, and because it has forsaken effective multilateral diplomacy in preference for an arrogant exceptionalism.”

On the other hand, Human Rights Watch commends some governments that have bucked the trend and spoken out in support of human rights. Those that stand out include Argentina, Chile, Costa Rica, Mexico, and Uruguay in Latin America, and Botswana, Ghana, Liberia, and Zambia in Africa. In Asia, Japan and South Korea tend to be sympathetic to rights but are generally reluctant to take strong public positions. However, the report points out that smaller and middle-sized governments do not have sufficient clout to counter the efforts of the spoilers without help from the major Western democracies.

INDIAN PERSPECTIVE - THE THREAT FROM WITHIN AND CLOSE QUARTERS

The issues involved with human rights are most relevant to our region. Of late, Indian subcontinent has come under serious threat from a resurgent ‘Taliban’ – unarguably the world’s most serious offender of human rights in areas of its dominance. Their declaration of creating a new civilian order or the ‘talibanization’ of whole society based on their

own primitive philosophy and faulty interpretation of religious sermons poses some real dangers to the existence of modern democratic societies.

The report is quite critical of Indian performance on human rights front. "As the world's most populous democracy, India might be expected to be at the forefront of global efforts to promote human rights. In the past, India sometimes took a leadership role in defending rights, such as by opposing apartheid in South Africa and supporting the 1988 democracy movement in Burma. However, its current foreign policy often would make a confirmed dictator proud", the report comments. The Indian government has failed to protect vulnerable communities including dalits, tribal groups, and religious minorities. There are many incidents when human rights are abused and atrocities are committed on unsuspecting innocent civilians on the pretext of tackling terrorism and insurgency or militancy. These episodes are more pronounced in few states like J&K, Gujarat, Chattisgarh, Manipur and Orissa. It has also been blamed that "as an emerging and globalizing economy, India increasingly prioritizes its economic and strategic interests over the promotion of human rights".

Despite a scheme launched four years ago to provide universal education, millions of children in India still have no access to education and work long hours, many as bonded laborers. Many children continue to be trafficked for marriage, sex work, or employment. Others languish in substandard orphanages or detention centers.

Our record of providing speedy unbiased justice and free access to legal defense has come under serious threat in many states. The state governments at times resort to draconian laws to curb rising militancy. The trial of noted human right activist and a pediatrician, Dr Vinayak Sen in Chhattisgarh is a lucid illustration of how governments abuse power and violate human rights in the name of protecting their civilians from insurgent armed groups. He was detained in May 2007 under the Chhattisgarh Special Public Security Act and accused of having links to the Naxalites, however, his trial could begin only in May 2008. The state government failed to produce a

chargesheet and denied him even his basic right of defending himself.

THE SHORTCOMINGS

This report does not include a chapter on every country nor does it discuss every issue of importance. There are many serious human rights violations that Human Rights Watch simply lacks the capacity to address. This report along with UN bodies such as the Security Council, the Human Rights Council, and related organizations do serve the purpose of bringing human right abuses to the fore. However, these are 'toothless' organizations when it comes to investigating and providing fair justice to the 'sufferer'. Their efforts, by and large, are mere academic exercises of citational value.

THE WAY OUT!

The successful defense of human rights will require serious self-examination and a willingness on the part of the world's democracies to change course. The report suggests the following initiatives for reclaiming of human rights: (i) *Advocacy by example*: governments hoping to defend human rights elsewhere must commit themselves to respect those rights in their own conduct; (ii) *Action*: offenders must be held to account; (iii) *Get together*: build a broad global coalition in support of human rights; and (iv) *Redefining the role of USA*: the new US administration must abandon its predecessor's policy of hyper-sovereignty. In addition, efforts should be made to promote human rights consistently without favoritism for allies, and to reach out to potential new allies with an openness to addressing their human rights concerns. None of this is impossible.

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REFERENCES

1. Human Rights Watch 2009 World Report. Available from: http://www.hrw.org/sites/default/files/reports/wr2009_web.pdf. Accessed on February 28, 2009.
2. Taking back the initiative from human rights spoilers. World Report 2009. Introduction by Kenneth Roth. Available from: <http://www.hrw.org/en/node/79269>. Accessed on February 28, 2009.