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# Human Rights Violation in India and the World

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## ABSTRACT

*The present piece of work deals with violation of human rights in India and some other countries which are not well known and left untouched. The object of this work is to unveil major aspects of pandemic effect and necessitous situation of people around the world. In order to carry out profound research various journals, articles, reports, newspapers and human rights activities have been made source of study. Also, judgments and books of human rights have been referred for general understanding.*

*There can be no greater tragedy than human rights violation. Human rights are a dynamic approach which answer the various problems of the world. There are many parts of the world including India which are juggling with the human rights issues. This piece of work highlights some of the major human rights issues and also suggests a way forward to deal with the same.*

**Keywords:** Human rights; UDHR; Domestic Law.

## I. INTRODUCTION

Every human being is born free and possesses basic inherent rights which are essential for living with dignity and respect. These rights are guaranteed under domestic laws of the country and various conventions, covenants, treaties, general principles and other sources of international law. Every State should enact laws under the purview of human rights and must work in implementing it. Whole world undergoes violation of many human rights either due to arbitrariness of government or lack of resources or many other reasons. The United Nations Organization targets to assure peace and security, to develop friendly relations and to implement human rights among the nations. But there are many countries where human rights violation takes place at an extreme level and due to Covid-19 pandemic there have been drastic rise in it.

### (A) Research Methodology

#### 1. Objective of the research

The objective of the research is to reveal major human rights issues in India. Also, to throw

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light on some obscure countries where violation took place at large scale.

## 2. Coverage and Scope

The present piece of work is extended to India and several parts of the world.

## 3. Research method

In the present work explanatory research methodology has been adopted to explain the causes and consequences of a well-defined problem.

## II. HUMAN RIGHTS VIOLATION IN INDIA

### (A) Health is wealth or wealth is health?

It has been almost one and half year since the outbreak of Covid-19 pandemic and recently the Country has entered in second wave of this pandemic. The ration of death and people suffering from this malady is on its peak. India is a developing country having large number of population belonging to penury and due to worst conditions instead of providing medical facilities to poorer class many people are using this pandemic as a source of monetary gain. The charges of medical assistance by hospital are so high that it is not possible for a lower middle-class man to afford it and on top of it many are selling medicines at much higher price than the actual rate. The Human Rights and Fundamental Rights are the inherent rights of all the citizens, but nowadays wealthy man is buying right to health while the economic weaker section is deprived from it.

The best definition of health can be drawn from preamble of WHO which elucidates health as “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity”<sup>4</sup>. The instant right was recognized by the United Nations in various International Conventions and Covenants<sup>5</sup>. Further, the Apex Court in many judgments<sup>6</sup> has safeguarded right to health within the ambit of right to life under Constitution of India<sup>7</sup>.

#### a. Physical Health

##### i. I Can't Breathe

One of the major symptoms of Covid-19 virus is dropping of oxygen level. In India, the patients are in extreme need of oxygen and nowadays social media is bombarded with stories and status

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<sup>4</sup>Constitution of the World Health Organisation, 1, 1, 2006, [https://www.who.int/governance/eb/who\\_constitution\\_en.pdf](https://www.who.int/governance/eb/who_constitution_en.pdf).

<sup>5</sup>Article 25, Universal Declaration of Human Rights, 1948; Article 12, International Covenant on Economic Social and Cultural Rights.

<sup>6</sup>Bandhua Mukti Morcha v. Union of India & Ors, 1984 AIR 802, 1984 SCR (2) 67, State of Punjab & Ors v Mohinder Singh Chawla, Civil Appeal No., 16890/81 OF 1996, Paschim Bangal Khet Mazdoor Samity vs State of West Bengal, 1996 SCC (4) 37, JT 1996 (6) 43.

<sup>7</sup>Article 21, Constitution of India, 1950.

of requirement of oxygen and other medicines.<sup>8</sup> As per the facts, Government<sup>9</sup> is producing enough oxygen<sup>10</sup> but the ratio of death due to shortage of oxygen is increasing day by day.<sup>11</sup> India's capacity of oxygen production is about 7,217 Metric Tonnes (MT) per day and its medical oxygen requirement has increased rapidly in last few days<sup>12</sup>. 178+ COVID patients died in India because of oxygen shortage.<sup>13</sup> The reason why citizens of the country are not getting enough oxygen despite of complete production is that many anti-social people<sup>14</sup> are selling oxygen at much higher price<sup>15</sup>, complications in oxygen chain as the most oxygen production concentrators are placed in Eastern India and the major parts affected by the pandemic is in Western India, also cylinders were looted during the transportation.<sup>16</sup>

### **ii. Not Here Then Where?**

Another major issue raised due to this pandemic is availability of beds in hospitals. People are wandering everywhere in search of treatment for their loved ones but instead of getting medical assistance they are not allowed to enter the premises of hospitals due to non-availability beds.<sup>17</sup> Some hospitals had kept dead bodies wrapped in plastic near the patient's bed.<sup>18</sup> Such types of incidents are violating right to health of people at exceptionally large level.

### **iii. Not positive is a blessing or disguise?**

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<sup>8</sup>Sowmya Ramasuvramaniam, How social media platforms have become 'COVID-19 helplines' to combat second wave in India, May 13, 2021, 15:54 IST, <https://www.thehindu.com/sci-tech/technology/internet/social-media-platforms-become-covid-19-helplines/article34385237.ece>.

<sup>9</sup>Pragati Shukla, Non-Covid patients suffer amid long waiting lists in Lucknow hospitals, lucknow, April 20, 2021, 11:34 IST, <https://timesofindia.indiatimes.com/city/lucknow/non-covid-patients-suffer-amid-long-waiting-lists-in-city-hospitals/articleshow/82152577.cms>.

<sup>10</sup>PTI, No shortage of oxygen in country; use it judiciously: Government, May 03, 2021, 06:53 PM IST, <https://economictimes.indiatimes.com/news/india/no-shortage-of-oxygen-in-country-use-it-judiciously-government/articleshow/82372541.cms>.

<sup>11</sup>The Economic Times, May 23, 2021, <https://economictimes.indiatimes.com/topic/death-due-to-oxygen-shortage>.

<sup>12</sup>Tabassum Barnagarwala, The oxygen chain: Why India is falling short of the life-saving gas, Mumbai, April 25, 2021, 06:02:17 PM, <https://indianexpress.com/article/india/the-covid-crisis-falling-sho2rt-india-covid-oxygen-supply-7287681/>.

<sup>13</sup>THE WIRE STAFF, 178+ COVID Patients Died in India Because of Oxygen Shortage in Recent Weeks, May 07, 2021, New Delhi, <https://science.thewire.in/health/178-covid-patients-died-in-india-because-of-oxygen-shortage-in-recent-weeks/>.

<sup>14</sup>Rajesh Kumar Thakur, Badly hit by COVID crisis, black-marketing of medical oxygen runs rampant in Bihar, Patna, May 4, 2021, 8.44 A.M, <https://www.newindianexpress.com/nation/2021/may/04/badly-hit-by-covid-crisis-black-marketing-of-medical-oxygen-runs-rampant-in-bihar-2298238.html>.

<sup>15</sup>SPECIAL CORRESPONDENT, Man arrested for black-marketing oxygen cylinder, Mysuru, May 05, 2021, 19:02 IST, <https://www.thehindu.com/news/national/karnataka/man-arrested-for-black-marketing-oxygen-cylinder/article34491066.ece>.

<sup>16</sup>R Srinivasan, Oxygen crisis highlights India's logistics problem, April 29, 2021, <https://www.thehindubusinessline.com/opinion/columns/r-srinivasan/oxygen-crisis-highlights-indias-logistics-problem/article34432597.ece>.

<sup>17</sup>Namita Bajpai et al., Running out of hospital beds, crematoriums as COVID-19 cases, deaths climb across India, Lucknow/Chandigarh/Raipur, April 13, 2021, <https://www.newindianexpress.com/nation/2021/apr/13/running-out-of-hospital-bedscrematoriums-as-covid-19-cases-deaths-climb-across-india-2289401.html>.

<sup>18</sup>Cheena Kapoor, India: Hospitals reject COVID-19 patient due to lack of beds, New Delhi, May 11, 2020, <https://www.aa.com.tr/en/asia-pacific/india-hospitals-reject-covid-19-patient-due-to-lack-of-beds/1836603>.

Due to complete focus on Covid-19 patients, some patients of other diseases are not getting treated. Many doctors are busy in dealing with Covid-19 patients that those who are having other problems like asthma, tuberculosis, who needs surgery etc. are suffering a lot of problems in getting medical facilities. Many Private Hospitals are declining their admission, some are demanding RT-PCR Negative reports and it becomes very difficult for them to get proper medical treatment which is violating right to health of not only Covid-19 patients but also of others.

### **(B) Mental Health**

Pandemic is not just limited to medical phenomenon but it also affects individuals and society and causes disturbance, stress, stigma, anxiety etc.<sup>19</sup> Rapid human-to-human transmission of the SARS-CoV-2 resulted in the enforcement of regional lockdowns to prohibit and control the further spread of the disease. Isolation, social distancing, and closure of educational institutes, workplaces, and entertainment venues forced people to stay in their homes. However, the restrictive measures have severely affected the mental health of individuals, directly or indirectly.<sup>20</sup>

The pandemic has placed different effects on individuals. Some has been prone to depression while others have also faced some serious mental ailments. The adults were forced to shut their businesses, jobs, and other livelihood areas in order to break the chain of COVID. This has made them closer to stress and to the state of unhappiness. It has posed serious threats on children too. Children were not able to play outside and had to sit at home. This has also led them to involve more in digital world. Kids can experience anxiety, distress, obesity, social isolation, and an abusive environment that can have short- or long-term effects on their mental health.<sup>21</sup> The pandemic has also resulted in difficulties with concentration and attention.

Generally, people recently released from quarantine can experience stigmatization and isolation. Different age groups respond to this social behaviour differently, which can have both short and long-term effects.<sup>22</sup>

#### **a. Dead man would not know**

Salmond has rightly pointed out that *“There are three things in respect of which the worries of*

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<sup>19</sup>Moukaddam N, Shah A., Psychiatrists beware! The impact of COVID-19 and pandemics on mental health, *Psychiatric Times* 2020, <https://www.psychiatrictimes.com/psychiatrists-beware-impact-coronavirus-pandemics-mental-health>.

<sup>20</sup>WHO warning on lockdown mental health *Euobserver*, 2020, <https://euobserver.com/coronavirus/147903>.

<sup>21</sup>Bilal Javed et al., The coronavirus (COVID-19) pandemic's impact on mental health, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7361582/>

<sup>22</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7361582/>

*living person extend even after their death. Those are his body, his reputation and his property.”*

The human dignity is hampered when dead bodies of Covid victims are allegedly carried for cremation in garbage van in Chhattisgarh's Rajnandgaon<sup>23</sup> or any other likely districts of India.

The incidents reported like around six-seven corpses were spotted in Ramnagar in Varanasi in the morning and three of them were half-burnt when they washed up on the banks in Varanasi. They were possibly pulled off pyres and thrown into the river<sup>24</sup> which is extensively hampering the right of decent burial.

The Supreme Court in various judgments<sup>25</sup> held that right to dignity<sup>26</sup> is also available to dead person which include right to decent burial and cremation according to his religious sentiments<sup>27</sup>. The right to dignity has been recognized by the United Nations in many Conventions and Covenants<sup>28</sup>. The Holy Country of beautiful traditions and customs and innumerable culture is facing painful and devastating circumstances which no one can imagine. Money can't buy happiness, but money can take your happiness, instead of understanding people's condition and charging low price for cremation of the deceased many caretakers are taking advantage of helplessness and demanding a lot of money for resting their soul in peace<sup>29</sup>. In every religion the decent burial or cremation of the deceased is considered as the sacred ceremony and religious obligation of the heirs, but many hospitals are preventing family members of the deceased to provide access to dead bodies unless their heavy bills are paid by them. However, the appropriate authority has issued warning against those hospitals<sup>30</sup>. People are holding dead bodies on their shoulders while some are being intimidated to return after hours as there is not sufficient space for cremation<sup>31</sup>. Another heart-breaking incident was recorded at Chausa Village in Bihar where more than 30 dead bodies were seen floating in Holy Ganga

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<sup>23</sup>The new Indian Express, Bodies of Covid Victim taken for Cremation in garbage Van in Chattisgarh Rajnandgaon, May 30, 2021, <https://www.newindianexpress.com/nation/2021/apr/15/bodies-of-covid-victims-taken-for-cremation-in-garbage-van-in-chhattisgarhs-rajnandgaon-2290351.html>.

<sup>24</sup>Alok Pandey, Now Half-Burnt Bodies Found Floating in Ganga Near Varanasi, May 13, 2021, 07:22 PM, <https://www.ndtv.com/india-news/now-half-burnt-bodies-found-floating-in-ganga-near-varanasi-2441160>

<sup>25</sup>Common Cause (A Regd. Society) vs Union Of India, 2018, WRIT PETITION (CIVIL) NO. 215 of 2005.

<sup>26</sup>SUO motto vs State of Tamil Nadu, W.P. No. 7492 of 2020.

<sup>27</sup>Ashray Adhikar Abhiyan v. Union of India, AIR 2002 SC 554.

<sup>28</sup>Article 1 and 3, Universal Declarations of Human Rights; Article 10, International Covenant on Civil and Political Rights.

<sup>29</sup>Piyush Rai, Uttar Pradesh: From Rs 3000 to Rs 30,000. cost of cremation singes kin of dead, Varanasi/Meerut, April 19, 2021, 10.50 IST, <https://timesofindia.indiatimes.com/city/meerut/from-rs-3k-to-rs-30k-cost-of-cremation-singes-kin-of-dead/articleshow/82133002.cms>.

<sup>30</sup>Kerela: Hospitals can't detain body over bill', TNN, Thiruvananthapuram, May 10, 2021, 08:01 IST, <https://timesofindia.indiatimes.com/city/thiruvananthapuram/kerala-hospitals-cant-detain-dead-body-over-bill/articleshow/82513231.cms>.

<sup>31</sup>PTI, At Delhi crematoriums, corpses wait in 20 hour queues to burn, New Delhi, April 27, 2021, 05:35 PM IST. <https://www.hindustantimes.com/cities/delhi-news/at-delhi-crematoriums-corpses-wait-in-20-hour-queues-to-burn-101619522536735.html>.

River.<sup>32</sup>

**b. Where is my living?**

Due to Covid 19 pandemic people are left with minimum or no work. The workers whose life was dependent on the job which they were doing on the daily basis is completely snatched by the pandemic. The health, social, financial, and educational disruption caused by the pandemic is devastating. Billions of businesses have been shut down and millions of them are facing existential dreads. The enterprises, industries and various other large-small scale businesses have not only caused dramatic loss to the owners but also to the last worker whose life was dependent on that business. It has been devastating year for those who have died due to hunger or poverty than due to the deadly virus. “It’s also an existential crisis for artists amid pandemic.”<sup>33</sup>

The continued sharp decline in working hours globally due to the COVID-19 outbreak means that 1.6 billion workers in the informal economy that is nearly half of the global workforce stand in immediate danger of having their livelihoods destroyed, warns the International Labour Organization.<sup>34</sup>

“Nearly half of the world’s 3.3 billion global workforce are at risk of losing their livelihoods. Informal economy workers are particularly vulnerable because the majority lack social protection and access to quality health care and have lost access to productive assets. Without the means to earn an income during lockdowns many are unable to feed themselves and their families. For most, no income means no food or less food and less nutritious food.

Border closures, trade restrictions and confinement measures have been preventing farmers from accessing markets including for buying inputs and selling their produce, agricultural workers from harvesting crops. Thus, disrupting domestic and international food supply chains and reducing access to healthy, safe, and diverse diets. The pandemic has decimated jobs and placed millions of livelihoods at risk. The food security and nutrition of millions of women and men are under threat along with those in low-income countries, particularly the most

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<sup>32</sup>Amarnath Tewary, Bodies of suspected COVID victims spotted in Ganga, Patna, May 10, 2021, 21:21 IST, <https://www.thehindu.com/news/national/other-states/bodies-of-suspected-covid-victims-spotted-in-ganga/article34527558.ece>.

<sup>33</sup>Kumar Rajesh, TNN, Bihar: It's existential crisis for artists amid pandemic, Gaya/Bhagalpur, May 23, 2021, 09:49 IST, <https://timesofindia.indiatimes.com/city/patna/its-existential-crisis-for-artists-amid-pandemic/articleshow/82866734.cms>.

<sup>34</sup>ILO: AS JOB LOSSES ESCALATE, NEARLY HALF OF GLOBAL WORKFORCE AT RISK OF LOSING LIVELIHOODS, APRIL 29, 2020, [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_743036/lang--en/index.html](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_743036/lang--en/index.html).

marginalized populations, which include small-scale farmers and indigenous peoples.<sup>35</sup>

### **c. Home: a safe place or hell?**

There has been rapid rise in the cases of domestic violence in the country amidst the Covid-19 outbreak. As the pandemic has caused the situation of lockdown which has eventually resulted in the worrisome situation of keeping the abuser and victim together. The National Commission for Women received 23,722 complaints of crimes committed against women in 2020, the highest in the last six years.<sup>36</sup> The situation is pathetic because it is not only a criminal wrong but also is a violation of human rights.<sup>37</sup> “A Hindustan Times analysis of cases recorded across the country reveals two important aspects of the issue. One, some states have reported a decline in the number of domestic violence complaints, others have reported a spike in the calls being received by helplines. This indicates that the incidence of domestic violence during the lockdown depends upon the ability of victims to make complaints while they share domestic spaces with perpetrators.”<sup>38</sup> It is evident from the current scenario amidst Covid 19 outbreak that it is more difficult to lodge a complaint by visiting the concerned police station. So, it gives a broad picture that one in three women worldwide experience physical or sexual violence mostly by an intimate partner.<sup>39</sup> The violation of human right does not take place only at this stage but also when the victim is unable to access the health care facilities. As, Health services that address issues such as clinical management of rape, first-line support and basic mental health services for survivors are overwhelmed by the urgent need to counteract the effect of the pandemic. This can have particularly dramatic outcomes in countries with limited health services and financial resources, as well as in humanitarian settings.<sup>40</sup>

### **d. What? Is that really true?**

Truth! It is one of the most powerful words which alone can shake the entire world. The Right

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<sup>35</sup>Impact of COVID-19 on People’s Livelihood , their Health and our Food System, October 13,2020, <https://www.who.int/news/item/13-10-2020-impact-of-covid-19-on-people's-livelihoods-their-health-and-our-food-systems#:~:text=The%20economic%20and%20social%20disruption,the%20end%20of%20the%20year.>

<sup>36</sup>PTI , NCW received 23,722 complaints in 2020, its highest in past six years, New Delhi , January 3, 2021 , 16:21 IST, [https://www.business-standard.com/article/current-affairs/ncw-received-23-722-complaints-in-2020-its-highest-in-past-six-years-121010300364\\_1.html](https://www.business-standard.com/article/current-affairs/ncw-received-23-722-complaints-in-2020-its-highest-in-past-six-years-121010300364_1.html).

<sup>37</sup>The Shadow Pandemic: Violence against Women during COVID-19, May 31, 2021, <https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response/violence-against-women-during-covid-19>.

<sup>38</sup>Dhamini Ratnam, Domestic Violence during Covid-19 lockdown emerges as serious concern, New Delhi, April 26, 2021, 08:58 PM IST, <https://www.hindustantimes.com/india-news/domestic-violence-during-covid-19-lockdown-emerges-as-serious-concern/story-mMRq3NnnFvOehgLOOPpe8J.html>.

<sup>39</sup>Ibid.,38.

<sup>40</sup>Labels of domestic violence increase globally, including in the Region, as COVID 19 pandemic escalates , May 20, 2021, <http://www.emro.who.int/violence-injuries-disabilities/violence-news/levels-of-domestic-violence-increase-as-covid-19-pandemic-escalates.html>.



to Truth and Right to Information are inherent human rights of every individual guaranteed under Freedom of Speech and Expression.<sup>41</sup> Victims and their families have the imprescriptibly right to know the truth about the circumstances in which human rights violations took place.<sup>42</sup> In addition to individual victims and their families, communities and society at large also have the right to know the truth about human rights violations.<sup>43</sup>

During current pandemic where truthful information is highly needed for dealing against Covid-19, many are spreading misinformation.<sup>44</sup> The entire world is suffering from this problem and such misinformation is also causing death of the patients<sup>45</sup>. According to American General of Tropical Medicine and Hygiene<sup>46</sup> in 2020, most of the rumors, stigma and conspiracy theories were identified from India, USA, China, Spain, Indonesia and Brazil. Also, about 5800 people were admitted in hospital due to false information on social media.<sup>47</sup> Many types of misinformation are being transmitted<sup>48</sup> through WhatsApp, Instagram, Facebook etc.<sup>49</sup> and many are preventing people from getting vaccinated.<sup>50</sup>

In spite of being secular the country usually suffers from many religious conflicts<sup>51</sup> which sometimes lead to major issues<sup>52</sup>. The country where people of different religions live with unity and feeling of brotherhood is observing hate and enmity among each other. One of the

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<sup>41</sup>Article 19, Universal Declaration of Human Rights; Article 19, International Covenant on Civil and Political Right; State of U.P. v Raj Narain, 1975 AIR 865.

<sup>42</sup>UN Commission on Human Rights, Report of the Independent Expert Diane Orentlicher, "Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity," February 8, 2005, E/CN.4/2005/102/Add.1 [hereinafter UN Updated Set of Principles], Principle 4.

<sup>43</sup>Ibid.,41.

<sup>44</sup>Surabhi Agarwal, Government asks platforms to curb Covid-19 misinformation, May 08, 2021, 09:56 AM IST, <https://economictimes.indiatimes.com/news/india/government-asks-platforms-to-curb-covid-19-misinformation/articleshow/82473609.cms>.

<sup>45</sup>Alistair Coleman, 'Hundreds dead' because of Covid-19 misinformation, August 12, 2020, <https://www.bbc.com/news/world-53755067>.

<sup>46</sup>Md Saiful Islam et al., COVID-19 - Related Infodemic and Its Impact on Public Health: A Global Media Analysis,gjtg <https://www.ajtmh.org/view/journals/tpmd/103/4/article-p1621.xml>.

<sup>47</sup>Ibid.,45.

<sup>48</sup>KP Saikiran et al, Over 200 fake news cases filed in 5 months , Thiruvananthapuram , Oct 5, 2021 , 04:00 IST ,<https://timesofindia.indiatimes.com/city/thiruvananthapuram/over-200-fake-news-cases-filed-in-5-months/articleshow/78480765.cms>.

<sup>49</sup>The Associated Press , Lemon juice doesn't prevent COVID-19, misinformation abounds on social media in India, May 14, 2021, 15:32:56 IST, <https://www.firstpost.com/india/lemon-juice-doesnt-prevent-covid-19-misinformation-abounds-on-social-media-in-india-9620501.html>.

<sup>50</sup>AP, Coronavirus: Misinformation surges amid India's Covid-19 calamity, New Delhi, May 14, 2021, 08:58 PM IST, <https://www.hindustantimes.com/lifestyle/health/coronavirus-misinformation-surges-amid-india-s-covid-19-calamity-101620989020239.html>.

<sup>51</sup>Times Now Digital, No place for violence, says VHP; claims crimes against Hindus in Muslim-majority areas of India increasing, New Delhi, May 29, 2020, 21:04 IST, <https://www.timesnownews.com/india/article/no-place-for-violence-says-vhp-claims-crimes-against-hindus-in-muslim-majority-areas-of-india-increasing/598894>.

<sup>52</sup>Vasudha Venugopal, Notheast Delhi violence: Police biased, didn't stop riots, says Delhi Minority Panel, New Delhi, July 17, 2020, 08:30 AM IST, <https://economictimes.indiatimes.com/news/politics-and-nation/police-biased-didnt-stop-riots-delhi-minority-panel/articleshow/77007065.cms>.

major causes of provoking this enmity<sup>53</sup> is spreading of misinformation<sup>54</sup> on various platforms.<sup>55</sup>

#### **e. Everyone deserve love**

Love has no limitations and it is a basic psychological need of every person. Everyone deserves to be loved and lack of love among each other gives rise to numerous problems, enmity which sometimes lead to war. The meaning of love is not only limited to couples or spouses but extent to every relation whether the relation is of blood or of social or of working environment etc.

This right to be loved is a basic Human Right which has been recognized by the United Nations.<sup>56</sup>

The Country where child is considered as a form of God suffers many heart-breaking incidents which are difficult to feel.<sup>57</sup> Children require much care and protection along with love<sup>58</sup> and understanding<sup>59</sup> but many children does not get proper attention<sup>60</sup> which leads to dreadful consequences<sup>61</sup>. Children need love and attention not only from parents but also from teachers<sup>62</sup> in schools and from their other family members.<sup>63</sup>

Article 14, 15 and 16 of the Constitution of India states that there shall not be any discrimination based on caste, sex, race, religion, and place of birth. Unfortunately, such kinds of discrimination still take place due to lack of love. Northeast citizens of the country usually suffer

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<sup>53</sup> PTI, SC notice to Centre on plea seeking law to regulate social media to curb fake news, hate speech, New Delhi, February 1, 2021, 13:02 IST, <https://www.thehindu.com/news/national/sc-notice-to-centre-on-plea-seeking-law-to-regulate-social-media-to-curb-fake-news-hate-speech/article33714860.ece>.

<sup>54</sup>Gaurav Gogoi, It is time to regulate hate speech on social media | Opinion, March 09,2020, 06:47 PM IST, <https://www.hindustantimes.com/analysis/it-is-time-to-regulate-hate-speech-on-social-media/story-x2JfnAcZ4mh404CM2wQLpO.html>.

<sup>55</sup> Sumit Usha, ANI UP Misquotes Noida Police; Adds Tablighi Jamaat To Tweet , April 8, 2020 , 12:15 PM ,<https://www.boomlive.in/fake-news/ani-up-misquotes-noida-police-adds-tablighi-jamaat-to-tweet-7593>

<sup>56</sup>Article 3 Universal Declaration of Human Rights, Article 23,26 of International Covenants on Civil and Political Rights.

<sup>57</sup>PTI, 109 Children sexually abused every day in India in 2018: NCRB, New Delhi, January 12, 2020, 18:54 IST, <https://www.indiatoday.in/india/story/109-children-sexually-abused-every-day-india-2018-1636160-2020-01-12>.

<sup>58</sup>Why does a child need love and affection?, April 05,2017,<https://www.skills.edu/why-does-a-child-need-love-affection/>.

<sup>59</sup>S. Mathew Liao, The right of children to be loved, November 24, 2005, <http://www.smatthewliao.com/wp-content/uploads/2008/06/liaorctbl.html>.

<sup>60</sup>Valencia Higuera, What is Uninvolved Parenting, September 20, 2019, <https://www.healthline.com/health/parenting/uninvolved-parenting>.

<sup>61</sup>Georgia Coles, Neglected Children: 7 Consequences Families May Face Due to Lack of Attention, December 14, 2017, <https://fabiosa.com/lbmkt-5282-pmgs-neglected-children-7-consequences-families-may-face-due-to-lack-of-attention/>.

<sup>62</sup>Experience Early Learning, A Teacher's Role, View of the Child and Role of Families, September 16, 2017, <https://www.mothersgoosetime.com/topic/a-teachers-role-view-of-the-child-and-role-of-families/>

<sup>63</sup>Sandi Schwartz, How a parent's affection shapes a child's happiness for life, October 13, 2020 <https://www.mother.ly/child/how-a-parents-affection-shapes-a-childs-happiness-for-life>.

this lack of love<sup>64</sup> which affects their life at large level<sup>65</sup>. Many people are facing caste discrimination<sup>66</sup> which does not only affect their economic life but also their mental wellbeing<sup>67</sup>. The woman has absolute right to be loved and to reject someone's love and should not be compelled against her choice<sup>68</sup>. Although Transgender Community of the country has been considered as the third gender<sup>69</sup> and Section 377 of IPC has been struck down<sup>70</sup> but still they have not received social acceptance and love<sup>71</sup> they deserve.

Dilapidated clothes, bare feet, eyes seeking solace. The dirty hands, little wet eyes, seeking the attention of every individual who can fulfil the hunger of stomach and of heart. Begging for the food, money, and attention. Hearing a strong insensitive NO in every second of life. Laying on the hard, hot, and stoned road every other night, thinking about a random smile which came to their way today or yesterday or day before the sun was bright. This is the story of four lakh beggars<sup>72</sup> of India. Before being a beggar, the person was a human being.

Respect and love for one's parents is deeply rooted in Indian History since time immemorial. Children and younger ones deem it their moral and ethical responsibility to respect the elderly people in the society. The Indian culture has grown on the arms of elders and blessings of ancestors. But Time has flown where these lines had a literal meaning. In the society which is going through a social change<sup>73</sup> the above situation seems like a foreign concept. Also, the statistics of old age people who are happy is not sound in India.<sup>74</sup>

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<sup>64</sup>PTI, Discrimination against north-east people a reality: Survey, New Delhi, December 06, 2014, 08:29 PM IST <https://economictimes.indiatimes.com/news/politics-and-nation/discrimination-against-north-east-people-a-reality-survey/articleshow/45396816.cms?from=mdr>.

<sup>65</sup>Vijaita Singh, Northeast citizens faced racial discrimination amid COVID-19 outbreak, says govt. study, New Delhi, April 12, 2021, 19:55 IST, <https://www.thehindu.com/news/national/other-states/northeast-citizens-faced-racial-discrimination-amid-covid-19-outbreak-says-govt-study/article34303162.ece>.

<sup>66</sup>Special Correspondent, Caste-based discrimination a concern: Vice President, Varkala, December, 2019, 19:46 IST, <https://www.thehindu.com/news/national/kerala/caste-based-discrimination-a-concern-vice-president/article30434395.ece>.

<sup>67</sup>Ankita Chakravarti, Explosive report reveals caste discrimination in Silicon Valley, 30 Dalit engineers call out Indian bosses, New Delhi, October 28, 2020, 11:27 IST <https://www.indiatoday.in/technology/news/story/explosive-report-reveals-caste-discrimination-in-silicon-valley-30-dalit-engineers-call-out-indian-bosses-1735792-2020-10-28>.

<sup>68</sup>Bhadra Sinha, Woman has a right to love and live, man must not ignore civility: SC, New Delhi, April 28, 017, 08:40 PM IST, <https://www.hindustantimes.com/india-news/woman-has-a-right-to-love-and-live-man-must-not-ignore-civility-sc/story-qmSfPwBzvZdrY4sUhnJlsM.html>.

<sup>69</sup>National Legal Services Authority v. Union of India and Ors., W.P. (civil) No. 400 OF 2012.

<sup>70</sup>Navtej Singh Johar and Ors. v. Union of India, W.P. (criminal) No. 76 of 2016.

<sup>71</sup>PTI, Plea in SC raises issue of discrimination against transgenders, New Delhi, March 02, 2021, 15:15 IST, <https://www.thehindu.com/news/national/plea-in-sc-raises-issue-of-discrimination-against-transgenders/article33970912.ece>.

<sup>72</sup>Express Web Desk, Over 4 lakh beggars in India: Bengal ranks top, 2 vagrants in Lakshadweep says Govt, New Delhi, March 21, 2018, 01:27:35 AM, <https://indianexpress.com/article/india/over-4-lakh-beggars-in-india-bengal-ranks-top-2-vagrants-in-lakshadweep-says-govt-5105044/>.

<sup>73</sup>Understanding Social Change, June 3, 2021 <https://open.lib.umn.edu/sociology/chapter/20-1-understanding-social-change/>.

<sup>74</sup>Sweta Goswami, The ugly truth about old age in India, New Delhi, October 18, 2016, 14:14 IST

The increasing number of old age homes<sup>75</sup> has set off alarm bells in the department of social justice and a big question mark on the human rights of the old age people.

The shivering hands only want the love and attention of the ones whom they have raised for life. But the starvation of love tells a different story. It does not only violate constitutional rights<sup>76</sup> but also basic human rights.

The phrase “No Job is too small” seems an abstract concept in today’s society. The statistics of unhappy workforce is constantly rising in India.<sup>77</sup> The workers have also felt harassed and humiliated at their workplace for some reason or the other. Sometimes the non-recognition of work leads to mental trauma.<sup>78</sup>

According to research from Psych-Tests the belief that one is undeserving of love can have a significantly negative impact on a person’s well-being.”<sup>79</sup>

### **III. HUMAN RIGHTS VIOLATION AROUND THE WORLD**

#### **(A) Israel-Palestine**

United Nations was set up in 1945 after the devastating effect of World War- II. The Central Object of establishing United Nations was to maintain peace and security<sup>80</sup>. It is the primary responsibility of United Nation Peace-making to maintain peace and resolve conflicts between nations to prevent war.<sup>81</sup> But the present scenario of Israel-Palestine is an attack on its objective.

During the war many demonstrators including women, children and medical workers dies and many civilians of both the countries gets injured.<sup>82</sup> Due to many political reasons the people of Gaza do not have access to drinking water, they suffer electricity shortage and other environmental damages.<sup>83</sup> The UN Human Rights Chief urged both the countries to respect

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<https://www.thehindu.com/news/cities/Delhi/The-ugly-truth-about-old-age-in-India/article14423922.ece>.

<sup>75</sup>G. Mahadevan, Old-age homes reflect sorry statistics, Thiruvananthapuram, September 20, 2015, 05:45 IST <https://www.thehindu.com/news/cities/Thiruvananthapuram/oldage-homes-reflect-sorry-statistics/article7670066.ece>.

<sup>76</sup>Article 21 of the Constitution of India 1950.

<sup>77</sup>Gauri Kohli, why happiness at work could be big business in India, October 21, 2020, <https://www.bbc.com/worklife/article/20201009-why-happiness-at-work-is-big-business-in-india>.

<sup>78</sup>Pallab K. Maulik, Workplace stress: A neglected aspect of mental health wellbeing, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5819024/>.

<sup>79</sup>Montreal (PRWEB), "I Don't Deserve Love" Study Reveals the Destructive Impact Of A Lack Of Self-Worth, July 08, 2018, <https://www.prweb.com/releases/2018/07/prweb15610907.htm>.

<sup>80</sup>Maintain International Peace and Security, May 29, 2021, <https://www.un.org/en/our-work/maintain-international-peace-and-security>.

<sup>81</sup>WHAT IS PEACEKEEPING, May 27, 2021, <https://peacekeeping.un.org/en/what-is-peacekeeping>.

<sup>82</sup>Israel and Palestine Events of 2018, June 03, 2021, <https://www.hrw.org/world-report/2019/country-chapters/israel/palestine#>.

<sup>83</sup>Israel's Exploitation of Palestine Resources is Human Rights Violation, Says UN Special Rapporteur for the Situation of Human Rights in the OPT- Press Release, Geneva, March 18, 2019 <https://www.un.org/unispal/document/israels-exploitation-of-palestinian-resources-is-human-rights-violation-says-un-special-rapporteur-for-the-situation-of-human-rights-in-the-opt-press-release/>.

international laws as Palestine families received threats of forced eviction. Also, in Israel racial hatred and violence led to vicious attack in Occupied Palestinian Territory<sup>84</sup>. Some authorities have carried out vast inhumane acts including restriction on movement, requisition of land, denial of building permits in some parts of the west bank, denial of residency rights and restriction on forming assembly and association.<sup>85</sup> There exists discrimination in areas of planning, budget allocation, political participation etc. Some were detained without charge or trial, some were ill-treated, some were victim of gender-based violation etc.<sup>86</sup>

Many civilians of Israel were injured and died due to rockets and mortars launched by Palestine Militants groups.<sup>87</sup> The situation is getting worst day by day especially for children and women<sup>88</sup> and it has become necessary to establish peace and security in both the countries. There are many suggestions<sup>89</sup> to settle their dispute and United Nations must work instantly to solve conflicts and establish peace and harmony between the nations<sup>90</sup>.

### **(B) Myanmar**

Rohingya<sup>91</sup> Muslims represent the largest percentage of Muslims in Myanmar, with the majority living in Rakhine State. Although they claim connection to Rakhine State but their claims are rejected and are given no value in the country. Rohingya were not even included in the list of recognized ethnic groups<sup>92</sup> and most Rohingya are even stateless<sup>93</sup>. Some of which end up to forced displacement<sup>94</sup>. In 2014, the Government of Myanmar conducted the first census in 30

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<sup>84</sup>UN Human Rights chief appeals for de-escalation in Israel-Palestine crisis, May 15, 2021 <https://news.un.org/en/story/2021/05/1092012>.

<sup>85</sup>A Threshold Crossed, May 03 2021, <https://www.hrw.org/report/2021/04/27/threshold-crossed/israeli-authorities-and-crimes-apartheid-and-persecution>.

<sup>86</sup>Israel and occupied palestine territories 2020, May 04, 2021, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/israel-and-occupied-palestinian-territories/report-israel-and-occupied-palestinian-territories/>.

<sup>87</sup>Israel Human Rights Report, May 20, 2021, <https://www.state.gov/wp-content/uploads/2020/03/ISRAEL-2019-HUMAN-RIGHTS-REPORT.pdf>.

<sup>88</sup>GAZA CHILDREN LIVING IN 'HELL ON EARTH' SECRETARY-GENERAL TELLS GENERAL ASSEMBLY, AS CALLS FOR END TO VIOLENCE CRESCENDO, NEWS OF ISRAEL-HAMAS CEASEFIRE BREAKS, MAY 20, 2021, [HTTPS://WWW.UN.ORG/PRESS/EN/2021/GA12325.DOC.HTML](https://www.un.org/press/en/2021/GA12325.DOC.HTML).

<sup>89</sup>Mark Muhannad Ayyash, The path to peace in Israel-Palestine is through decolonisation, February 17, 2021, <https://www.aljazeera.com/opinions/2021/2/17/the-path-to-peace-in-israel-palestine-is-through-decolonisation>.

<sup>90</sup>UN underlines need for dialogue to resolve Israel-Palestine conflict, February 11 2020, <https://news.un.org/en/story/2020/02/1057181>.

<sup>91</sup>The Hindu Net Dest, For Rohingya, there is no place called home, September 04, 2017, 15:42 IST <https://www.thehindu.com/news/international/for-rohingyas-there-is-no-place-called-home/article19620567.ece>.

<sup>92</sup>The current Myanmar Government recognises '135 national races' of Myanmar, and has published a list of them. According to this list "Rakhine comprises (7) ethnic groups": Rakhine and six smaller ethnic minority groups of Northern Rakhine State: Kamein, Kwe Myi, Daingnet, Maramagi, Mro and Thet, but it does not recognise the Rohingyas. Political Situation of Myanmar and its Role in the Region, Col. Hla Min, Office of Strategic Studies, Ministry of Defence, Union of Myanmar, February 2001, p. 95-99.

<sup>93</sup>Myanmar the Rohingya Minority: Fundamental Rights denied, May 11, 2021, <https://www.amnesty.org/download/Documents/92000/asa160052004en.pdf>.

<sup>94</sup>The Displaced and Stateless of Myanmar in the Asia-Pacific Region, January 2021, <https://reporting.unhcr.org/sites/default/files/The%20Displaced%20and%20Stateless%20of%20Myanmar%20in%20the%20Asia-Pacific%20Region%20-%20January%202021.pdf>.



years. A directive prohibiting Rohingya from identifying as such led to their de facto exclusion from the official count.<sup>95</sup> The Human Rights of Rohingya is roughed up in Myanmar.

Thousands of Rohingya women, men and children were murdered, summarily executed; shot and killed while they were running away. Some of them are even burned to death inside their home. The Rohingya women and girls were raped in their villages and as they fled to Bangladesh.<sup>96</sup> Arbitrary and unlawful killings, disappearances, related to internal conflict also occurred in Myanmar. Security forces reportedly subjected detainees to harsh interrogation techniques designed to intimidate and disorient, including severe beatings and deprivation of food, water, and sleep. For instance, a young man incommunicado and subjected to electric shocks by soldiers according to the United Nations.

The arbitrary arrest is not prohibited. As a result of which the people are arrested from ethnic minority groups, they are prisoned and detained. Also, Prison conditions in Rakhine State were overburdened with ethnic-Rakhine subjected to torture and abuse by state prison and security officials.<sup>97</sup>

So, the ethnic minority is prone to torture, ill treatment, sexual abuses etc. The issue has shaken the roots of humankind as well as that of human rights.

### **(C) Syria**

At present the country is not well known for its rich artistic and cultural heritage including historic buildings and archaeological sites but getting attention of people around the world because of immense violation of human rights and dangerous attacks.

In 2019, thousands of civilians lost their lives by offensives initiated by Regime and Non Regime Forces to capture northwest Syria. This includes unlawful or arbitrary killings, forced disappearances, sexual violence, harsh prison conditions, denial of medical care, arbitrary detention, interference with privacy, ground attack on civilians, schools and hospitals and many other heart-breaking incidences.<sup>98</sup> Syrians have suffered chemical weapons attack, starvation, restrictions on humanitarian aid which is consistently delayed and denied.<sup>99</sup> There are about 6.6

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<sup>95</sup>Situation of human rights of Rohingya Muslims and other minorities in Myanmar, June 20, 2016, <https://www.refworld.org/pdfid/5768f0e94.pdf>.

<sup>96</sup>Myanmar: Human rights must be top priority for emergency ASEAN summit, April 23, 2021, 13:19 UTC <https://www.amnesty.org/en/latest/news/2021/04/myanmar-human-rights-must-be-top-priority-asean/#:~:text=The%20need%20to%20end%20impunity,and%20bystanders%20across%20the%20country.>

<sup>97</sup>Burma: 2019 Human Rights report, June 1, 2021, <https://www.state.gov/wp-content/uploads/2020/02/BURMA-2019-HUMAN-RIGHTS-REPORT.pdf>.

<sup>98</sup>2020 Country Reports on Human Rights Practices: Syria, May 27, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/syria/>.

<sup>99</sup>"Military solutions" in Syria have led to a decade of death, denial, and destruction- UN Syria Commission of Inquiry report, Geneva, February 18, 2021,

million refugees in Syria and mostly are from neighbouring countries.<sup>100</sup> Recently, Human Rights Watch prompted Denmark, Finland, Norway and Sweden<sup>101</sup> to repatriate their 164 nationals living in North East Syria including 114 children.<sup>102</sup> Many people are forced from their homes every day, many aid workers were attacked, health care workers were injured and many children are suffering from psychological disorder and lack of food which are violating human rights<sup>103</sup> of Syrians at massive level<sup>104</sup>. Further, due to outbreak of Covid-19 Pandemic, the lives of its citizens are in danger<sup>105</sup>.

Numerous major human rights like right to life, right to equality, freedom of movement, freedom of speech and expression, right to health<sup>106</sup> etc. are not available to Syrians which needs redressal.

In 2019 WHO supported health in Syria by detecting diseases, supplying medical facilities, making mental health services, training health workers etc.<sup>107</sup> The UN Security Council must impose arm embargo on Syria<sup>108</sup> and other preventive measures to eradicate problems of Human Rights Violation.

#### **(D) Libya**

Human rights violations in Libya have been world shattering. The history of Libya is filled with cut throating abuses of Human Rights like failed HIV trial where hundreds of children were infected with tainted HIV blood<sup>109</sup>, The Abu Salim massacre<sup>110</sup> in which around 1200 prisoners

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<https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=26756&LangID=E>.

<sup>100</sup>Syrian refugee crisis: Facts, FAQs, and how to help, Nordic Countries: Repatriate Nationals from Northeast Syria, May 26, 2021, 01:00 AM EDT, <https://www.worldvision.org/refugees-news-stories/syrian-refugee-crisis-facts#:~:text=There%20are%20about%206.6%20million,Syrian%20refugee%20crisis%20are%20children>.

<sup>101</sup>Nordic Countries: repatriate national from north east Syria, May 26, 2021, 01:00 AM EDT, <https://www.hrw.org/news/2021/05/26/nordic-countries-repatriate-nationals-northeast-syria>.

<sup>102</sup>HRW urges Nordic countries to repatriate nationals from Syria, May 26, 2021, <https://www.aljazeera.com/news/2021/5/26/hrw-urges-nordic-countries-to-repatriate-nationals-from-syria>.

<sup>103</sup>AP, Human rights violated in Syria under Moscow's watch: Russian activists, April 02, 2021, 06:28 PM IST, <https://www.hindustantimes.com/world-news/human-rights-violated-in-syria-under-moscow-s-watch-russian-activists-101617367606881.html>.

<sup>104</sup>9 things to know about the tragedy happening in Syria, March 13, 2020, <https://www.rescue.org/article/9-things-know-about-tragedy-happening-syria>.

<sup>105</sup>8 ways WHO supports health in Syria, May 12, 2021, <https://covid19.who.int/region/emro/country/sy>.

<sup>106</sup> Article 3,10,13,19 and 25, Universal Declaration of Human Rights; Article 6,12 and 19, International Covenant on Civil and Political Rights; Article 12, International Covenant on Economic, Social and Cultural Rights.

<sup>107</sup>8 ways WHO supports health in Syria, March 14, 2019, <https://www.who.int/news-room/feature-stories/detail/how-does-who-work-amidst-conflict>.

<sup>108</sup>Amanda Barrow, SUMMARY OF UN EFFORTS IN SYRIA, <https://www.peacewomen.org/e-news/article/summary-un-efforts-syria>.

<sup>109</sup>Carl Kovac el at, Doctors face murder charges in Libya, May 26 2021, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1119524/>.

<sup>110</sup>Libya: June 1996 Killings at Abu Salim Prison, June 27, 2006, 01:50 PM EDT, <https://www.hrw.org/news/2006/06/27/libya-june-1996-killings-abu-salim-prison>

were killed<sup>111</sup> etc.

The human rights situation was pathetic in the country during Gaddafi rule<sup>112</sup>. He publicly bragged about sending hit squads to assassinate exiled dissidents. He had also developed a strong personality cult in the long run of his brutal rule.

There were prolonged arbitrary detention and other unlawful killings, rape, sexual violence, forced labour etc. The Refugees and migrants in Libya are trapped in the vicious circle of human rights violations. For years, various human rights organisations, international reports and UN bodies has cited systematic abuse of human rights in Libya.<sup>113</sup>

Freedom to association and expression has been violated in Libya. Article 206 of Libyan Penal Code prescribes punishment of death for the establishment of any group, organization or association. The journalists often face arbitrary detention in the country.<sup>114</sup> The women and girls are subjected to sexual violence from state and non-state actors. The women also face gender abused and threats online. Also, “Articles 407 and 408 of the Penal Code criminalize sexual relations between consenting adults. Al-Radaa Forces continued to detain men for their perceived sexual orientation or gender identity and tortured and otherwise ill-treated them.”<sup>115</sup>

The members of militias and armed groups who are responsible for crimes under international law and other serious human rights violations enjoyed near total impunity.<sup>116</sup> Libya provides death penalties for wide range of offences.<sup>117</sup> Although several initiatives<sup>118</sup> are being taken in the country to tackle the situation of human rights violations but there is still a long way to go.

### **(E) Cambodia**

*Men are gold, women are cloth.*

This a well-established saying in Cambodia. It brushes up about the depressed situation of

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<sup>111</sup>Libya: Free All Unjustly Detained Prisoners, October 16, 2009, 07:30 PM EDT, <https://www.hrw.org/news/2009/10/16/libya-free-all-unjustly-detained-prisoners>

<sup>112</sup>Tarik Kafala, Gaddafi's quixotic and brutal rule, October 20 2011, <https://www.bbc.com/news/world-africa-12532929>

<sup>113</sup> LIBYA: 'BETWEEN LIFE AND DEATH': REFUGEES AND MIGRANTS TRAPPED IN LIBYA'S CYCLE OF ABUSE, September 2020, <https://www.amnesty.org/en/documents/mde19/3084/2020/en/>.

<sup>114</sup> Submitted by Lawyers for Justice in Libya (LFJL), Stakeholder Report to the United Nations Human Rights Council Universal Periodic Review – Libya, LFJL, 2,3,4,5, 2014.

<sup>115</sup> LIBYA 2020, May 29, 2021, <https://www.amnesty.org/en/countries/middle-east-and-north-africa/libya/report-libya/>.

<sup>116</sup>AMNESTY INTERNATIONAL REPORT 2020/2021, June 04, 2021, <https://reliefweb.int/sites/reliefweb.int/files/resources/POL1032022021ENGLISH.PDF>.

<sup>117</sup> Libya: Words to Deeds: The Urgent Need for Human Rights Reform: VII. The Death Penalty , May 14, 2021, <https://www.hrw.org/reports/2006/libya0106/7.htm>

<sup>118</sup>Priorities for Legislative Reform, May 13 , 2021, <https://www.hrw.org/report/2014/01/21/priorities-legislative-reform/human-rights-roadmap-new-libya>.



women in the country. Women in the country are subjected to domestic violence, rape<sup>119</sup>, assault and sexual violence. Impunity is cited as the main reason of rape. “The regional UN Multi-Country Study on Men and Violence survey found that 32.8 per cent of men in Cambodia reported perpetrating physical and/or sexual violence against an intimate partner in their lifetime, and one in five men reported raping a woman or girl, one of the highest recorded rates in the Asia–Pacific region”.<sup>120</sup> The women often face gender-based discrimination. They are also subjected to other right abuses.

There have also been various cases of human trafficking. Specially, parents sell their daughters for sex slavery for cash and payments of debts. The child sex trade is also very common in the country. “UNICEF estimates that children account for a third of the 40,000-100,000 people in the country's sex industry.”<sup>121</sup>

The judicial system is unsatisfactory in the country. The courts are not sound in human and economic resources. The courts lack human and financial resources. As a result of which they are subjected to political influence and corrupt practices. This affects the independence of judiciary. The prisoners and detainees are often subjected to physical abuse which includes pistol whipping, electric shocks, suffocation techniques, caning and kicking.<sup>122</sup>

Security forces are reported to commit killings and torture. The illegal lands and forced evictions rests with politically and economically rich people.<sup>123</sup> Right to freedom of speech and expression is often prone to administrative control at times. The journalists and media houses which are critical of the government are being stopped from equal access to the print-digital media. The illegal logging, widespread pillage, corruption, discrimination, and confiscation of land of farmers and other people is rampant in the country.<sup>124</sup>

## **(F) Sudan**

Sudan is a country in North East Africa and it got its independence on January 1, 1956. Since independence, Sudan has been ruled by a number of unstable governments and military

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<sup>119</sup>Simon Henderson, UN Report Says 1 in 5 Cambodian Men Have Raped, September 11, 2013, <https://english.cambodiadaily.com/news/un-report-says-1-in-5-cambodian-men-have-raped-42122/>

<sup>120</sup>Maurice Eisenbruch, Violence Against Women in Cambodia: Towards a Culturally Responsive Theory of Change, May 24, 2021, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5976693/>.

<sup>121</sup>Tim Hume et al, The women who SOLD THEIR DAUGHTERS, May 22 2021, <http://edition.cnn.com/interactive/2013/12/world/cambodia-child-sex-trade/>.

<sup>122</sup>Country Reports on Human Rights Practices for 2012, Cambodia, May 21, 2021, <https://2009-2017.state.gov/j/drl/rls/hrrpt/2012humanrightsreport/index.htm?year=2012&dliid=204192>.

<sup>123</sup>Cambodia, May 21, 2021, <https://www.hrw.org/asia/cambodia>.

<sup>124</sup>Kassie Neou, HUMAN RIGHTS IN ACTION- DEVELOPING PARTNERSHIPS BETWEEN GOVERNMENT AND CIVIL SOCIETY- OUR UNIQUE NON-CONFRONTATIONAL APPROACH IN CAMBODIA, [http://hdr.undp.org/sites/default/files/kassie\\_neou.cambodia.pdf](http://hdr.undp.org/sites/default/files/kassie_neou.cambodia.pdf).

authorities.

Sudan experienced torture, discrimination on the basis of ethnicity, genocide, slavery. Most of which were reported between 1989-2019 under the leadership of dictator Omar al-Bashir<sup>125</sup>. Overall, the regime's actions initiated ethnic cleansing and killed approx. 300,000 people.<sup>126</sup> “Around 2.7 million people live either as Internationally Displaced Persons or as refugees in neighbouring countries”.<sup>127</sup>

Sudan also faces multiple challenges based on gender inequalities. Sudan has even failed to ratify the protocol to the African charter on human and people's rights on the rights of women in Africa.<sup>128</sup> Although several restrictions on women which included right to dress according to their wish<sup>129</sup>, freedom of movement, right to speech and expression, right to work etc are repealed and female genital mutilation has been criminalised<sup>130</sup> but still the country owes a revolution of women empowerment.

Sudan also reports to be the country of one of the largest numbers of child soldiers. The little children are admitted in armed forces. Mainly boys are trained for army and girls for being the wives.<sup>131</sup> There are at least 19000 child soldiers in the country.<sup>132</sup> UNICEF<sup>133</sup> has also appealed for US \$4.2 million to support the release of around 2,100 children associated with armed forces and for fulfilling further commitments related to the same.<sup>134</sup>

The repression of human rights defenders, religious persecution and infringement of rights of

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<sup>125</sup>CNN Editorial Research, Omar al-Bashir Fast Facts, December 17, 2020, 16:20 GMT , <https://edition.cnn.com/2012/12/10/world/africa/omar-al-bashir---fast-facts/index.html>.

<sup>126</sup>Fresh clashes in Darfur kill dozens of civilians UN-African Union mission reports, [https://web.archive.org/web/20160810020505if\\_/http://www.un.org/apps/news/story.asp?NewsID=35847#.V6qL3qj7TIU](https://web.archive.org/web/20160810020505if_/http://www.un.org/apps/news/story.asp?NewsID=35847#.V6qL3qj7TIU).

<sup>127</sup>Ibid.,124.

[https://web.archive.org/web/20160810020505if\\_/http://www.un.org/apps/news/story.asp?NewsID=35847#.V6qL3qj7TIU](https://web.archive.org/web/20160810020505if_/http://www.un.org/apps/news/story.asp?NewsID=35847#.V6qL3qj7TIU).

<sup>128</sup>African Union, List of Countries which have Signed, Ratified/Acceded to the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, 1, 2019, <https://au.int/sites/default/files/treaties/37077-sl-PROTOCOL%20TO%20THE%20AFRICAN%20CHARTER%20ON%20HUMAN%20AND%20PEOPLE%27S%20RIGHTS%20ON%20THE%20RIGHTS%20OF%20WOMEN%20IN%20AFRICA.pdf>.

<sup>129</sup>Kaamil Ahmed, Thank you, our glorious revolution': activists react as Sudan ditches Islamist laws, July 16, 2020, 06:30 BST, <https://www.theguardian.com/global-development/2020/jul/16/thank-you-our-glorious-revolution-activists-react-as-sudan-ditches-islamist-laws>.

<sup>130</sup>Sudan ratifies law criminalising female genital mutilation, July 10, 2020,

<https://www.aljazeera.com/news/2020/7/10/sudan-ratifies-law-criminalising-female-genital-mutilation>.

<sup>131</sup>Andreea Campeanu el at, Child soldiers of South Sudan, Yambio, October 30, 2018, <https://www.aljazeera.com/gallery/2018/10/30/child-soldiers-of-south-sudan>.

<sup>132</sup>More than 300 child soldiers released by armed groups in South Sudan- UN mission, February 07, 2018, <https://news.un.org/en/story/2018/02/1002191>.

<sup>133</sup>United Nations Children Fund.

<sup>134</sup>15 child soldiers released in South Sudan, Juba, February 26, 2020, <https://www.unicef.org/press-releases/15-child-soldiers-released-south-sudan>.

press<sup>135</sup> has also been widely condemned. Although OHCHR<sup>136</sup> is working consistently in Sudan<sup>137</sup> but to develop the condition of human rights in Sudan massive support from all over the world is required.

### **(G)Burundi**

There are numerous significant human rights issues like unlawful or arbitrary killings, extrajudicial killings, cruel and inhuman degrading treatment or punishment on behalf of government, restriction on free expression, press and internet, unjustified arrest of journalists, censorship, site blocking, interference with right to peaceful assembly, trafficking in persons etc.<sup>138</sup> During election in 2020, authorities blocked social media and messaging apps<sup>139</sup>, restricted independent reporting and committed many widespread abuses.<sup>140</sup> There were photos circulated online showing dead people.<sup>141</sup> Over 6,000 patients suffer from ulcer wounds in the province of Muyinga and around 1.7 million people are suffering from food insecurity and are in need of humanitarian access.<sup>142</sup> Burundi criminalizes same sex relationship and marriage with imprisonment up to two years.<sup>143</sup> Several Human Rights violation took place during elections<sup>144</sup> including sexual violence, summary execution and torture<sup>145</sup>. Children and adolescent are targeted and harmed especially when their family members are the real target.<sup>146</sup> Around 1,200 people were murdered and approximately 400,000 displaced during the ensuing unrest between April 2015 and May 2017.<sup>147</sup> The condition of the refugees and asylum seekers is worst as many were forcibly disappeared from camps and many were tortured.<sup>148</sup> Media and independent civil society were attacked and many were killed, disappeared, jailed and

<sup>135</sup>Sudan's human rights crisis: High time to take article 2 of the Covenant seriously, 58,59, 2014, [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/SDN/INT\\_CCPR\\_CSS\\_SDN\\_17479\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/SDN/INT_CCPR_CSS_SDN_17479_E.pdf)

<sup>136</sup>The Office of the High Commissioner for the Human Rights.

<sup>137</sup>OHCHR in SUDAN, <https://www.ohchr.org/EN/Countries/AfricaRegion/Pages/UN-Human-Rights-in-Sudan.aspx>.

<sup>138</sup>BURUNDI 2020 HUMAN RIGHTS REPORT, <https://www.state.gov/wp-content/uploads/2021/03/BURUNDI-2020-HUMAN-RIGHTS-REPORT.pdf>.

<sup>139</sup>Maria Xynou el at, Burundi blocks social media amid 2020 general election, May 21, 2020, <https://ooni.org/post/2020-burundi-blocks-social-media-amid-election/>.

<sup>140</sup>Burundi: Rampant Abuses Against Opposition, Nairobi, June 12, 2019, 02:41 PM EDT, <https://www.hrw.org/news/2019/06/12/burundi-rampant-abuses-against-opposition>.

<sup>141</sup>Twitter, June 3, 2021, <https://twitter.com/pnininahazwe/status/1235202762578825218>.

<sup>142</sup>BURUNDI Situation Report, June 4, 2021, <https://reports.unocha.org/en/country/burundi>.

<sup>143</sup>Burundi Events of 2020, May 22, 2021, <https://www.hrw.org/world-report/2021/country-chapters/burundi>.

<sup>144</sup>Biographies of the members of the Commission of Inquiry on Burundi, May 01, 2021, <https://www.ohchr.org/EN/HRBodies/HRC/CoIBurundi/Pages/Commissioners.aspx#diene>.

<sup>145</sup>Human rights violations continue in Burundi under new Government: UN report, September 17, 2020, <https://news.un.org/en/story/2020/09/1072642>.

<sup>146</sup>UN NEWS, HUMAN RIGHTS VIOLATIONS CONTINUE IN BURUNDI UNDER NEW GOVERNMENT: UN REPORT, MAY 22, 2021, [HTTPS://NEWS.UN.ORG/EN/STORY/2020/09/1072642](https://news.un.org/en/story/2020/09/1072642).

<sup>147</sup>Human rights abuses persist in Burundi despite new gov't: UN, September 17, 2020, <https://www.aljazeera.com/news/2020/9/17/human-rights-abuses-persist-in-burundi-despite-new-govt-un>

<sup>148</sup>Burundi refugees forcibly disappeared, tortured in Tanzania: HRW, November 30, 2020, <https://www.aljazeera.com/news/2020/11/30/burundian-refugees-were-disappeared-tortured-in-tanzania-hrw>.

threatened.<sup>149</sup> Such kind of actions immensely violates many human rights<sup>150</sup> of people of Burundi.

UNICEF has organized drawing session including children in conflict with law and children living on street<sup>151</sup>, provided school kits<sup>152</sup> and opportunity to develop employability skills in adolescent<sup>153</sup> and<sup>154</sup> many<sup>155</sup> other things<sup>156</sup>. The government must work in field of ending impunity for human rights violation, progressing women's rights, creating safe environment for refugees, working towards truth and justice etc.<sup>157</sup>

### **(H)Eritria**

The Constitution of Eritrea was drafted in 1997 but not yet implemented. There have not been elections in the country since its independence in 1993. There were arbitrary deprivation of life and unlawful killings, force disappearances, torture, cruel treatment, denial of fair public trial, restriction to criticize government, restriction on academic and cultural events etc.<sup>158</sup> Many Eritreans were mustered out in military or civil services on low pay scale under derogatory conditions and sometimes subjected to inhuman and degrading punishments.<sup>159</sup> According to Committee to Protect Journalists, Eritrea was the most censored country and independent journalism<sup>160</sup> is highly affected<sup>161</sup>. In early months of 2020 around 9,436 refugees fled to

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<sup>149</sup>April 2015-June 2020: A Chronology of Repression of Media and Civil Society in Burundi, May 26, 2021, 12:00 AM EDT, <https://www.hrw.org/news/2021/05/26/april-2015-june-2020-chronology-repression-media-and-civil-society-burundi>.

<sup>150</sup>BURUNDI 2020, June 01, 2021, <https://www.amnesty.org/en/countries/africa/burundi/report-burundi/>.

<sup>151</sup> Donaig Le Du, World Children's Day: Burundian children reimagine the World, November 18, 2020, <https://www.unicef.org/burundi/stories/world-childrens-day-burundian-children-reimagine-world>

<sup>152</sup>Zineb Boujrada, Burundian Adoscents Find Innovative Solutions to COVID-19, September 15, 2020 <https://www.unicef.org/burundi/stories/back-school-burundi-2020>.

<sup>153</sup>Zineb Boujrada, Burundian Adoscents Find Innovative Solutions to COVID-19, September 15, 2020, <https://www.unicef.org/burundi/stories/burundian-adolescents-find-innovative-solutions-covid-19>.

<sup>154</sup>UNICEF in Burundi and Savonor S.A., the main soap and oil manufacturer in the country, unite to make soap affordable for the population in an effort to prevent COVID-19, Bujumbura, July 10, 2020, <https://www.unicef.org/burundi/press-releases/unicef-burundi-and-savonor-sa-main-soap-and-oil-manufacturer-country-unite-make-0>.

<sup>155</sup>Frank Otchere, Overcoming the adolescent financing gap: The Burundi investment case, December 9, 2020, <https://www.unicef.org/burundi/stories/overcoming-adolescent-financing-gap>.

<sup>156</sup>Etienne Niyongabo, Building skills and a better future, July 23, 2020, <https://www.unicef.org/burundi/stories/building-skills-and-better-future>.

<sup>157</sup>Explainer: 10 things Burundi's new government can do to improve human rights, August 11, 2020, 03:01 UTC, <https://www.amnesty.org/en/latest/news/2020/08/explainer-10-things-burundis-new-government-can-do-to-improve-human-rights/>

<sup>158</sup>U.S. DEPARTMENT OF STATE, 2020 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: ERITREA, JUNE 09, 2021, [HTTPS://WWW.STATE.GOV/REPORTS/2020-COUNTRY-REPORTS-ON-HUMAN-RIGHTS-PRACTICES/ERITREA/](https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/eritrea/).

<sup>159</sup> Eritrea Events of 2019, May 13, 2021, <https://www.hrw.org/world-report/2020/country-chapters/eritrea>.

<sup>160</sup>Laetitia Bader, Eritrea Should End 18 Years of Darkness, September 18, 2019, 07:21 AM EDT, <https://www.hrw.org/news/2019/09/18/eritrea-should-end-18-years-darkness>.

<sup>161</sup>10 Most Censored Countries, <https://cpj.org/reports/2019/09/10-most-censored-eritrea-north-korea-turkmenistan-journalist/>.

Ethiopia alone including 32.86% children<sup>162</sup>. Due to Covid-19 pandemic the conditions of the country are getting affected with increasing number of covid-19 cases<sup>163</sup> and citizens need much care and protection. However, authorities<sup>164</sup> increased pervasive controls and restrictions<sup>165</sup>. Many Eritreans detainees were overcrowded and suffered a lot of unsanitary conditions like denial of toilet access, unable to shower etc.<sup>166</sup> The Right to travel abroad is restricted, there exist forced labour, prison authorities did not provide enough food and water and many detainees were not allowed to communicate with their family and lawyer.<sup>167</sup>

The Special Rapporteur had reiterated her concern regarding severe conditions imposed by Eritrean Authorities on civil liberties mainly including restrictions on religious communities, retrenchment of freedom of association, expression and press, treatment of afar communities.<sup>168</sup>

Eritrea has committed to improve conditions pertaining to land water and environment towards meeting sustainable development goals by 2030.<sup>169</sup> Trained community health volunteers are working to detect malnutrition and referring the same to health facilities for treatment.<sup>170</sup> Several other steps have been taken<sup>171</sup> to improve situations<sup>172</sup> and are needed to be implemented.

### **(I) Equatorial Guinea**

The Country is one of the smallest countries of Africa which got its independence from Spanish Rule in year 1968. The Constitution was approved in 1991 and the President is both the head of government and head of state and confers overall control on political system<sup>173</sup>. The Country suffers from many human rights issues like unlawful killings, degrading treatment or punishment by government, problems with independence of judiciary, interference with

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<sup>162</sup>Eritrean Refugees in Ethiopia: Tigray and afar Regions situational, May 14,2021, <https://reliefweb.int/sites/reliefweb.int/files/resources/76622.pdf>.

<sup>163</sup> World Health Organisation, May 22, 2021, <https://covid19.who.int/region/afro/country/er>.

<sup>164</sup> Eritrea Events of 2020, <https://www.hrw.org/world-report/2021/country-chapters/eritrea>

<sup>165</sup> GIEWS- Global Information and Early Warning System, August 28, 2020, <http://www.fao.org/giews/countrybrief/country.jsp?code=ERI>.

<sup>166</sup> Eritrea: Detainees in overcrowded and unsanitary conditions defenceless against COVID-19, May 21, 2020, 13:00 UTC, <https://www.amnesty.org/en/latest/news/2020/05/eritrea-detainees-in-overcrowded-and-unsanitary-conditions-defenceless-against-covid19/>.

<sup>167</sup> ERITREA 2019, May 12, 2021, <https://www.amnesty.org/en/countries/africa/eritrea/report-eritrea/#endnote-2>.

<sup>168</sup> Human rights situation in Eritrea, May 11, 2020, <https://undocs.org/a/hrc/44/23>.

<sup>169</sup> Eritrea commits to providing access to clean water and sanitation for all, May 26, 2021, <https://www.unicef.org/esa/stories/eritrea-commits-providing-access-clean-water-and-sanitation-all>.

<sup>170</sup> Rabindra Giri, Community health volunteers lead the drive against malnutrition in Eritrea, February 25, 2020, <https://www.unicef.org/esa/stories/community-health-volunteers-lead-drive-against-malnutrition-eritrea>.

<sup>171</sup> Rabindra Giri, Former circumcisers and religious leaders galvanize communities to end FGM in Eritrea by 2030, February 12, 2020, <https://www.unicef.org/esa/stories/former-circumcisers-and-religious-leaders-galvanize-communities-end-fgm-eritrea-2030>.

<sup>172</sup> UNICEF air charter brings life-saving vaccines for children of Eritrea, October 10, 2019, <https://www.unicef.org/esa/stories/unicef-air-charter-brings-life-saving-vaccines-children-eritrea>.

<sup>173</sup> Equatorial Guinea, May 10, 2021, <https://www.cia.gov/the-world-factbook/countries/equatorial-guinea/>

privacy, restriction on free expression, press and internet, restriction on freedom of peaceful assembly, inability to change government through free and peaceful election etc<sup>174</sup>. Some authorities place restriction on development of NGO's seeking to register their organization, however the government accepted recommendation to reform law for NGO registration but failed to do so<sup>175</sup> which violates various human rights of its citizens and needs to be addressed.

#### IV. SUGGESTIONS

- The Central and State Government should establish an ad hoc committee consisting of Chairman and other necessary member at block level and district level to collect health related data and ensure necessary measures according to need.
- The Government should exempt transportation tax for supply of oxygen and shall also be strict in order to avoid black marketing of essential commodities.
- The Social institutions like schools, colleges, hotels etc should be used for medical assistance to avoid lack of bed facilities in hospitals.
- There should be high medical facilities in rural areas so that patients of rural areas do not move to urban places for treatment.
- There should be separate part or wards for both Covid and Non Covid patients to avoid deprivation of medical assistance to Non Covid patient. For the same purpose schools, colleges etc may be converted to separate wards to treat non COVID patients. So that, they can safely and easily access the medical treatment.
- Online webinars and counselling sessions must be organized. The focus of the same shall be on suggesting measures on ways to deal negativity, anxieties, stress etc. and to improve mental conditions.
- The Government should bear cost of cremation or burial and there should be appointment of officer at each level to ensure decent funeral according to religious sentiments.
- The Government should ensure proper legal assistance to all the victims of domestic violence and legislature should strengthen the laws related to it.
- There should be establishment of separate shelter home for victims of domestic violence

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<sup>174</sup>EQUATORIAL GUINEA 2020 HUMAN RIGHTS REPORT, March 30, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/equatorial-guinea/>

<sup>175</sup>EQUATORIAL GUINEA 2020, <https://www.amnesty.org/en/countries/africa/equatorial-guinea/report-equatorial-guinea/>.

who find hard to live with their family members.

- The employer should increase wages and provide special bonuses for lower income group.
- There should be enactment of strict laws against the spreading of misinformation and the government should impose strict directions to journalist and social media influencer to comply with ethical code of journalism.
- There should be organization of multiple public campaigns, games, competitions etc, at various levels to develop feeling of love and brotherhood among each other.
- The United Nations must take strict actions against those countries where violation is taking place at immense level and should provide all the facilities at ground level, also must work to resolve dispute between the countries for avoiding war and disaster.
- The United Nations, UNICEF, UNESCO, Amnesty International and various organisations of national level must cooperate and work together along with youth of the countries to bring a positive change in the field of human rights.

## **V. CONCLUSION**

Human rights are of no use until and unless they are not redressed or implemented judicially. The infringement of the same not only violates the laws, rules or regulations but also hurts humanity. No doubt Human rights is a universal concept, but its formulation will depend upon the socio-economic condition of the countries. Though Human Rights have a universal figure, its scope and periphery differ because of different socio-economic and political structure of various countries. In the coming decades we can expect the void to be filled in various parts of the world. The human rights have served and will serve the basic requirements of the human beings.

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