

POVERTY AND SOCIAL-POLITICAL-ECONOMIC SCENARIO A HINDRANCE FOR EXECUTION OF HUMAN RIGHT: IN SPECIAL REFERENCE TO SAARC COUNTRIES

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ABSTRACT

Human rights are considered as universal, indivisible, interrelated, interdependent and coordinative in nature according to Vienna declaration and program of action in 1993. Human rights are universal because every human being is intitled to these rights just by borne as a human. However, because of circumstances these rights are violated several times in the article I have tried to mention different aspects, which are responsible for these problems. Different approaches are adopted for the social protection and human rights grounded in legal and institutional frameworks international and regionally. The article highlight the problems of the practical use of such programs and practices, which have been certain designation in international scenario but are not able to in under developed countries perpetuate. The objective of the article is to manifest the human rights approaches to social protection which can help south Asia to come forward from the challenges which are back draws in the development their peoples social satisfaction and social welfare. This article deals with the problem of human right with development of a nation and this paper also deals with world scenario of excogitation of human right in twenty first century. There are several different social, humanitarian problem south Asian region is dealing with, and the unstable and weak politics is the main reason for the violation of human rights in this region. I have tried to keep mentioned the aspects, which originate in one country but have effect on other states of the reign too.

However, most of the SAARC countries have already signed several Conventions on the Narcotics, Trafficking, Women and Child welfare, Food security, fundamental freedoms and especially on Human Rights. In this paper, I would also discuss the efforts of UNO and SAARC and their several organizations working in the south Asian region to address the problems related to the region. In the drawback of the failure of implementation of the human right in the region or violation of human right, this paper takes about the program played by SAARC organization and SAFHR. It also focuses on the several controversial treaties, which are formulated and accepted by some of the countries, but they are not good in international prospective. However, ingrained in the modern geopolitics and international relation it is acknowledge that the first tradition has been hegemonic, dominating the intellectual debate while relegating the anti-colonial and anti slavery stream to the margins or silence. I have also tried to mention all the problems and aspect, which are responsible for the slack and wearisome development of the south Asian region.

KEYWORDS-UNDERDEVELOPED, DEVELOPED and DEVELOPING COUNTRY, SOCIO-ECONOMIC RIGHTS, UNITED NATIONS, SAARC, SAFHR, POVERTY

INTRODUCTION

In today's world scenario, one of the biggest challenges for the South-Asian countries is population. It has one-fifth of the world's total population, the countries of south Asia unnerving challenges resulting from poverty, under-development, unstable government and conflict, within among themselves. Their low economic production, unemployment and population coerce is not helped by historic exploitation by other contrary legacies. Consequently, governments in the sub region lack effective initiative and political commitments needed to meet their obligation to respect, protect and fulfill human rights and fundamental freedoms

Human rights permeates multiples spheres of life in the modern period, in the fields of constitutional regional and international laws, also in the fields of national regional and international politics and relations, as well as local, national, regional and global scenarios. In the past centuries the two large European and anti-colonial streams of rights have interacted, contradicted and enriched each other since the beginning of modernity, and continue to do it till today, under the names of natural rights, environmental rights and justice, constitutional or fundamental rights, and human rights.

The anti-colonial drive of the discourse of human rights comes from the utopian and emancipator thoughts; it has accompanied by a long-standing deployment of rights for domination and colonization. This has already acknowledged in the 16th and 17th centuries, when natural rights were appropriate to justify plunder, war of conquest, torture and genocide, as in the cases of the Francisco de Vitoria, Juan de Sepulveda and Hugo Grotius. In a similar way, the history of human rights in modernity can be mentioned or constructed through a dialogical way of thinking, while at the same time being aware of the contradictory ways in which they has been deployed in history. More recently George W. Bush and Tony Blair, appealed human rights for the justify of neo-colonial invasions, mass casualties, development of more technical weapons , weapons of mass destruction and in the 21st century the War on Terror.

In last few years, one of the most disputative issues was Human Rights. After World War II, world-leading powers came with the ideas of United Nations. In 1948, 48 nations agreed on the concept of the Universal Declaration of Human Rights. A year later December 10 is declared as World Human Right Days.

The implementation of human right is of the major challenge for the whole world and it is much difficult for the underdeveloped regions like south Asia. As **South Asia** comprises the sub-Himalayan country. South Asia is consist of eight countries- Afghanistan, Bhutan, India, Maldives, Nepal, Bangladesh, Pakistan and Srilanka. All these countries are member of SAARC (south Asian association for regional cooperation). Geographically south Asian country spreads from Himalayas to the Indian Ocean and from the straits of Malacca to the Persian Gulf. Afghanistan, Nepal and Bhutan are land lock countries. All the countries of the region are culturally and ethically very rich and shares common history. The region has common features pertaining to society, literature, politics, religions, cultural etc.

South Asia covers about 5.2 million km² (2 million mi²), which is 11.71% of the Asian continent or 3.5% of the total world's land surface area. The population of South Asia is about 1.891 billion or about one fourth of the world's total population. South Asia can mark as both the most populous and the most densely populated of any geographical region in the world. Overall, it accounts for about 39.49% of Asia's population, over 24% of the world's population.

South Asian region is suffering with lots of problem and contradictions. This region has a long history of conflicts, civil wars, wars, coups, external aggression, religious extremism, and insurgency-witnessed of several partitions. Along with these aspects, the society is divided on the basis of religion, sects, caste, ethnicity, gender, geography-region, language, race, economic status and social status. With all these problems, practice of untouchability or caste discrimination, lower status accorded to women, religious fanaticism and communal discrimination in the region is one of the biggest problems in the region.

This resulted lack of mutual trust and cooperation and have an inflated sense of sovereignty, which over powers the spirit of regionalism and these countries founded individualistic approaches to policies which leads lack of regional initiatives. Some of the other major social issue that led to the violation of human right of the people. Most of the nation states of this region were founded to have an individualistic approach to government, which leads to lack of regional identity and common initiatives, and reason behind to the mistrust and weak relation among them. The mixed up identities of these countries led a major problem of migration and refugees the region, about forty million people have moved across national boundaries in between India, Pakistan, Bangladesh, Srilanka and Nepal since 1947. India alone is hosting more than 200,000 refugees according to UNHCR (United Nation High Commissioner for Refugees). India is hosting refugees from Bangladesh, Srilanka, Bhutan, Nepal, and Pakistan and from the Myanmar. The problem of migration is Due to the cultural spill over these nations, large numbers of peoples were suffering from the religious clashes and collides in their countries and difference in the culture, ethnicity and language some of the refugees social group as-Burmese Indian, Lankan Tamilians, Bangladeshi Chakmas Nepali refugees from Bhutan, and Rais, Limbers, Gurungs, Newars from Nepal. Which are very dependent on the neighbor countries for the transportation and other related things.

In addition to migration and refugees, terrorist, smuggling, drugs peddling, human trafficking and weapon trafficking in very large amount in the region. Afghanistan and Pakistan border region has one of the biggest networks of weapons trafficking. This is responsible for large number of terrorist activities and camps in the region. The golden crescent is the name given to one of as two principal areas of illicit opium production, located at the crossroad of Iran, Afghanistan and Pakistan. According to the UNODC (united nations office on drugs and crime) this region is reported to be one of the largest heroin producer, it has estimated that, for the past 10 years show significant changes in the primary source areas. Afghanistan became the world's primary opium producer, with a yield of 1,782 metric tons. Afghanistan is producing about 90% of the world's total non-pharmaceutical-grade opium. In addition to opiates, Afghanistan is also the world's largest producer of hashish.

Some other problem, which is common, is the underdeveloped and developing country is internal political crises, political instability and undisciplined politics. There is lack of a specific law, which will help in maintain the equal right of every individual. The main reason for the instability and precariousity in the region is not having a stable and democratic government, which is responsible for the social and political problem. Because of the backdrop of the established law, the government acts like dictator or the government is take over by kind of non-state actors, terrorist organizations or the leaders of Muslim organization, and converted into the military rules, Taliban rules, shariyat rules and dictatorship. South Asia has a history of monarchical rule however, this entire region has shifted from old monarchical and adopted a parliamentary and democratic form of government. Nevertheless,

the political and social condition of the region is unstable yet. Hence, the sub region is suffering from the absence of law and constitutionalism and from a culture of impunity.

In addition to these problems, the major issues of the region are unstable and weak political system. South Asian country and people has to face many other problem as forceful displacement extra-judicial detention and force disappearances, illegal annexation of lands from the inhabitants, Torture, death penalty, penalties in public appearance, domestic violence against women, differentiating in right of different peoples, differentiating in the basis of gender and castes. There are differentiations in human right, property right and political right of the different peoples, in other words.

One of the important and biggest problems, which are almost present in all the states of the south Asian countries, is the human rights violation of women's. The severity of discrimination against women is a cultural trait and ethnic practices in these countries. Forced marriages and child marriages are some of the important and long prevalent custom in some of the countries in this region. Daughters are been used as currency many times to debts, to facilitate advantageous, if expensive, marriages for children's, or to settle inter-family quarrels. Having basic and minimum education is very different for the female of the region. Dowry is another important problem of the region some of the countries of the region is of Islamic religious setup and Talibani rule adopted by these countries. Taliban follows its extreme interpretation and promulgation of shariat law (Islamic law), and other forceful law are imposed on the women's. Some of the basic laws for women according to Shariat law are they have required to remain covered from head to toe in garment even they are not allowed to open their faces, this garment is known as the Burqa. Women's are not allowed to go alone anywhere, they always needs to have a male and they are not allowed to take education and they cannot do any job outside the home.

These countries also facing several humanitarian challenges like child labor, slavery, discrimination against women's and many others. Many of the countries are secular in nature like India, Srilanka, Bhutan and others. In addition, they are also multicultural in nature but they led to several violence and violation. The countries of this region had adopted the secular status and nestles- Hinduism, Islamism, Buddhism, Jainism, Christianity, Judaism and Sikhism. However, religious and communal extremism is one of the major problems of the region. Extremist approaches of some religious fanatics- created challenges several time to the secular fabric of the countries of the region.

Because of the presence of the different ethnic group in a country and the different separatist movement based on these ethnic separatist groups with ethnic issues has created lots of damages and impairment the social and political maturation of the countries, this effected the development and growth of the country a lot. The ethnic differences is not just creating problem inside the countries but also responsible for several conflicts between two countries. There are several examples of this type of ethnic conflict in the region as conflict between India and Pakistan, Pakistan and Afghanistan, India and Srilanka.

Another biggest problem of the region is corruption, in this region, most of the countries were young and newly independent and corruption is the major problem and concern for these countries. Every single sector while it is governmental or nongovernmental are slugged in the corruption which slacking the growth and development of the nation. Most of the countries of this region are of democratic setup and India is one of the most established democracies in the world. They already were working on the establishment of the forums for the implementation of the human rights in the

country. However, that not means that their societies are clear of any human rights violations. Even today dowry and domestic violence for dowry, son preference, fatal death, restriction on public appearance and public life of women's, female foeticide and infanticide are forcefully posing, law female sex ratio, rapes, molestation, honor killing are some of the important social issues female are facing in the region of both urban and rural areas. Due to the presence of religious extremism, some religious based discrimination like pardah, child marriage, polygamy, Sati custom Are also in the practices rather than this is clear violation of human right. Islamic rule opposed the role of women outside the household and prohibited their presence in public places even in their social even and religious Places. Some of the countries of this region has problem of human trafficking specially the girl trafficking and putting them into the prostitution and sex work. This is against the women right and children right because 20 % of the prostitution workers were younger than age of 15 years.

The global shapers communities of the world economic forum is a global network of "hubs" development and led by the young people or development of a nation or world is depend open the young people, who are unusual in their potential, their achievement and their drive to make a positive contribution to their communities and nation. However, countries of south Asian region have the highest young population and have the fastest growing population in the world. However, at the same time the region also has 40% of the world's poor according to the World Bank, 399 million people in the region live under \$1.25 per day, living in extreme poverty. On a part the back of a long period of robust economic growth but I the other hand the increase in the poverty in the region has arisen out of an increasing disparity and inequality in the distribution of economy between ruler and urban areas.

The governments were trying to ensure the growth and development of their states in positively increasing way, which is a difficult task to establish. As with this amount of growing populations the demand for services, employment opportunities, education and they have failed to fulfill minimum basic needs of the including water and sanitation, electricity and transport. According to the recent global competitiveness report, 2016- highlights the infrastructure, this region spotted as the second weakest developed and investment in the region. Another reasons for the basic development problems of the region is that, this region is the least economically integrated region in the world, which accounting only 5 % of the overall trade. (According to the world economic forums).

The South Asia forum for Human Right (SAFHR) is a South Asia-centric organization based on human rights of the region. SAFHR was created in 1990 as a non-governmental organization to recognize the problems and needs of South Asian region and works for a regional perspective on south Asian human rights issues. SAFHR aimed to do the forum, which helps to processed for dialog between regional human rights organizations activities and other programs. The theme of the forum is to "promote respect for universal standards of human rights with emphasis on universally and independence of human right". SAFHR is engaged in several programmers as it was working on number of education programs, including peace studies course and workshops on refuge and minority rights. The forum has its individual library of over thousands of books focusing on the different issues in the region related to the humanitarian problem, human right, migration problem and other stuffs.

The SAFHR council consists of partners and representatives of about 40 partners, some of the regional organizations are-

- Some of the important South Asian regional organizations are-
- Pakistan human rights commission Lahore
- Pakistan peace coalition (Karachi)
- National peace council (Colombo)
- Consortium of humanitarian agencies (Colombo)
- Him-rights(Kathmandu)
- Human rights organization(Kathmandu)
- South Asia human rights documentation centre (new Delhi)
- Legal aids centre (Dhaka)
- Hotline Bangladesh (Dhaka)
- Association of human rights activists (Bhutan)
- Young lawyers for human rights (Kathmandu)
- Forum for protection of human rights(Kathmandu)
- Human rights organization of Bhutan community trust fund (Colombo)
- Indian centre for human rights & law (Mumbai)

Some of the important international organizations are:

- Friedrich-Neumann-Stiftung (new Delhi)
- Forum on early warning and early response (London)
- Asian human rights commission (Hong Kong)
- Asia human rights alert net
- Co-existence initiative (new York)
- Network Harvard university- woman waging peace (Cambridge)
- Minority rights group international (London)
- CERAS (Montreal)

The South Asian Association for Regional Cooperation (SAARC), was established in 1985 .the main purpose of the establishment of the forum is to promote sub regional cooperation among the South Asian nations. One of the important purposes of the creation of SAARC is to focus on the problems of the establishment and maintenance of the human right in the region. Hence, there has been no convention focusing specially on human rights and fundamental freedoms. But SAARC was not able to reach its aim because it is an inter-government organization, and it has numbers of programs to run and that way is cannot focused on human rights issues in wide range.

SAARC organization members have already signed several conventions on narcotics, trafficking in woman and children for prostitution and the promotion of the child welfare. There also have been number of agreement on food security and various social issues. Regional mechanism for human rights has already been established in the Americas, European Union Africa and Arab states. However, in South Asia has not any such organization or has no mechanism of human rights of its own authority.

South Asian region is majorly facing some serious challenges in consolidating democracy by strengthening and promoting the human rights mechanism as similar to the other developed nation. This mechanism would certainly help states to effectively promote and protect human rights, and fundamental freedoms within their jurisdiction. It can support the promotion and respect for

international human rights laws throughout the south Asia, and facilitate the commonly understandable universal human rights and issues, norms, values and perspectives among citizens related to the human rights of the SAARC countries. But the circumstance of this region is not able to adopt this mechanism as all the countries of the region is underdeveloped and they are not in situation or they doesn't have the means to establish and implement any type of laws and rules. In addition, they did not have the political stability and social will to adopt such type of protocol and mechanism.

South Asian region consist of one-fifth of the total population of the world, which is one of the biggest region for the poverty and instability in the country. In addition, it is very difficult for any to survive with this number of large population and engage in any type of development process with managing needs of this kind of very large population. With this, south Asian region is also facing formidable challenges of terrorism, naxalism, religions extremism, political instability, drug and human trafficking ,conflicts within and among themselves, internal displacement and many move problem, which resulted this region becomes one of the most unstable and militarized area of the world.

Numerous problems are commonly affect most of the SAARC nations but only few of them have national institutions and forums for the establishment and implementation of the rule and acts related to human right. Despite, absences of the human right institutions, there are several deteriorating human right situations. In the South Asian subregion, some of the nations have adopted anti-terrorism measures, which is not able to establish any law.

The Asian human rights commission (AHRC) was establish in 1984. AHRC is an independent, non-governmental body founded by the prominent group of jurists and human rights activists different Asian and non-Asian regions. Its general seeks to promote greater awareness and realization of human is the Asian region. Various approaches has been adopted to establish adequate social protection system in 2015 UNCHR summit on sustainable development with key theme "ending poverty in all its forms everywhere by 2030".

SAARC also has marked foot on the end for poverty alleviation in the region in 2015. The future of SAARC charter on human rights is as similar to the inter-American system is great breaking through for south Asia. All the SAARC countries has ratified the Centre for Civil and Political Rights (CCPR) works to promote the participation of NGOs in the works and protection of human rights, Committee on Economic, Social and Cultural Rights (CESCR)is an UN body of 18 experts who will meets usually twice in a year in Geneva. Members are elected for 4 years from the state parties accordance with the ECOSOC and Convention on the Elimination of All Forms of Discrimination Against Women(CEDAW) is an international bill presented for rights of women's, rectified by 189 countries and many other committee and forums which are working for the human right.

However, one controversial treaty, the international convention on the protection of the human rights of the migrant workers and members of the families- has not been ratified by any of SAARC country. As Migration is one of the biggest problems of the south Asian region. Only Srilanka and Bangladesh have ratified it.

CONCLUSION

The very diversity of south Asian region demands a gradual implementation of conceptual steps that could build towards a distinct regional identity. With Globalization, there was modification in the concept of human rights. Now whole nations were divided into three major categories-DEVELOPED, DEVELOPING & UNDERDEVELOPED COUNTRIES. The nations have debated on luxury over necessity. As seen in the recent trends the major problem Human rights occurred in developing and under developed countries due to lack of stable government, socio-economic problems whereas developed countries have privileged of being leading nations human right commission. Without security there will be no development and vice versa it with goes for Human rights. Ultimately, both development and human rights movements share the same enthusiasm and motivation to promote the freedom and well-being and dignity of individuals. How terrorism and violent extremism are major threat to the global human rights. Human rights include a variety of aspect from civil and political rights to socio-economic rights, which differ nation to nation. Developed countries always able to fulfill their goals for human rights but this cannot be true for other two categories.

It needs to have some different approach for the Future developments of human rights theory, and need to strengthen their capacity to resist the violence of states and imperialism in the times of globalization resides, and other possibilities. In addition, there is also need to search the possibility of reimagining and making human rights more legitimate in local contexts by cultivating an intercultural dialogue between contemporary worlds. In addition, try to establish common law and rule of human right for all over the world including Western, Hindu, Muslim, Buddhist and indigenous and tribal cultures all over the world.

REFERENCE

- Susan miller : On international human rights day, freedom is still Elusive In mush of the world and U.S. USA TODAY published, dec 2017
- Patrick Davies : why human rights matter
- Sheri Fresonke Harper : what is the meaning of human rights and its Relevance in todays world? Universal educations publications, aug 2014
- Christian Hainzl :human rights and development 2005
- Anup Shah : human rights in various regions Author and page information, oct 2010
- Nausheen Wasi : Pakistan institutional affairs Pakistan's interests In central Asia Pakistan horizon, vol.55, no.4, oct2002
- Sudheesh Ramapurath : social protection as a human right in South Asia; Chemmencheri South Asia research network employment and Social Protection for inclusive growth SARNET working paper no.6, 2016
- Gyan Basnet : Human right system for SAARC: problem and Prospective

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- Shveta Dhaliwal : Human rights advocacy for South Asian
Mechanism: Problems and prospective
Rajiv Gandhi national university of law, Punjab, 2011
- subho basu :Nepal: from Hindu monocracy to secular democracy
Religion and political in south Asia, routledge, London
2006

