



Original Article

**International Journal of Educational Research and Technology**

P-ISSN 0976-4089; E-ISSN 2277-1557

IJERT: Volume 5 [3] September 2014: 68-70

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ISO 9001: 2008 Certified Organization

Website: [www.soeagra.com/ijert.html](http://www.soeagra.com/ijert.html)

## Comparison of Human Right Issue in United Arab Emirates and India

**Ravi S. Dharpawar**

Chintamani Mahavidyalaya, Ghugus, Distric: Chandrapur , Maharashtra

### ABSTRACT

*The modern concept of human right developed in the after math Second World War. The phrase "human rights" is relatively modern ,its intellectual foundations can be traced through philosophy and time honoured concepts of natural low and liberty .Respect and realization of human rights requires evolving a culture that is more sensitive to the basic needs of every human being .It respects the need for ensuring to everyone justice, social, economic and political ,and provides fair and equal opportunities for growth and development to every individual and group of people .It protects everyone from being subjected to the whims of state and its arbitrary exercise of power and use of force by its agencies. Human rights are right inherent to all human being ,irrespective of a person's nationality ,place of residence ,sex, national or ethnic orgin ,color, religion, language, or other status .Everybody is equally entitled to human rights without discrimination. These rights are all interrelated, interdependent and indivisible.*

*Keywords: Human Right, UAE*

Received 09.05.2014

Revised 10.07.2014

Accepted 01.08.2014

### How to cite this article

Ravi S. D. Comparison of Human Right Issue in United Arab Emirates and India .Inter. J. Edu. Res. Technol. 5 [3] 2014; 68-70.DOI: 10.15515/ijert.0976-4089.5.3.6870

### HUMAN RIGHT IN THE UNITED ARAB EMIRATES

Human right are legally protected by the Constitution of the United Arab Emirates, Which confers equality ,liberty, rule of low ,presumption of innocence in legal procedures ,inviolability of the home ,freedom of movement, freedom of opinion and speech ,freedom of communication ,freedom of religion ,freedom of council and association ,freedom to be elected to office and others on to all citizens ,within the limit of the low .The UAE is held to be one of the most liberal countries in the middle East, particularly when compared to its neighbour ,Saudi Arabia. The UAE has one of the strongest human rights records in the region, a fact recognized in November 2012 when the UAE was elected to the UN Human rights council for a three year term. Much more is required ,however, to bring the records up to international levels.

The UAE from a traditional, relatively homogeneous society in the mid -20<sup>th</sup> century to a modern ,multicultural one at the beginning of the 21<sup>st</sup> century, the concurrent lows has been challenging and in consequence, problems exist mainly in regard to human rights of non locals ,who make up around 80 % of the population, with main issues including companies and employers noncompliance with labour lows ,which for som are novel.

The U.S. Department of state annual report on human right practices, the UAE is violating a number of fundamental practices. Specifically, the UAE does not have democratically elected institution and citizens do not have the right to change their government or to form political parties .In certain instances ,the government of the UAE had abused people in custody and has denied their citizens the right to a speedy trial and access to counsel during official investigations. The government restricts freedom of speech and freedom of the press, and the local media practices self-censorship by avoiding directly criticizing the government or royal family's .freedom of association and freedom of religion are curtailed. Despite being elected to the UN Council ,the UAE has not signed most international human -right and labor -right treaties, including the International Covenant on Civil and Political right ,the International Covenant on Economic, Social and Cultural Right ,the Convention on the Families, and the Convention against Torture. Journalists from overseas frequently record and document human rights abuses that occur within the UAE.

## HUMAN RIGHTS IN INDIA

Human right in India is an issue complicated by country's large size, its tremendous diversity, its status as a developing country and a sovereign, secular, democratic republic. The Constitution of India provides for fundamental rights, which include freedom of religion. Clauses also provide for freedom of Speech, as well as separation of executive and judiciary and freedom of movement within the country and abroad.

According to the United States Library of Congress, although human rights problems do exist in India, the country is generally not regarded as a human rights concern, unlike other countries in South Asia such as neighbouring Pakistan. Based on these considerations, the 2010 report of Freedom in the World by Freedom House gave India a political rights rating of 2, and a civil liberties rating of 3, earning it the highest possible rating of free. In its report on human rights in India during 2010, Human Rights Watch stated India had 'significant human rights problems'. They identified lack of accountability for security forces and impunity for abusive policing including "police brutality, extrajudicial killings, and torture" as major problems. In 2011, Margaret Sekaggya, the U.N. Special Reporter on the situation of human rights defenders, have been killed, tortured, ill-treated, disappeared, threatened, arbitrarily arrested and detained, falsely charged and under surveillance because of their legitimate work in upholding human rights and fundamental freedom.

### Comparison

The democracy uprisings in the Arab world hold a lesson for New Delhi, says Menakshi Ganguly, the need for a foreign policy stance that matches India's global ambitions. A classic diplomatic blunder at the United Nations on 11 February 2011 saw India's foreign minister, SM Krishna, mistakenly begin to read out the official statement of his counterpart from Portugal. It took a full three minutes for the error to be recognized, which may indicate how platitudinous and formulaic many such texts are.

No wonder the incident led to some gleeful snickering in India and abroad. But the fact that the minister was clearly unfamiliar with his own prepared speech, which began with a quote from Mahatma Gandhi was hardly the best start to India's two-year membership of the UN Security Council. There is moreover a serious side to this otherwise trivial error. A rising India has become accustomed to making strident claims about its role in the world and this episode has encouraged many to look more closely at India's actual stance on foreign affairs.

### A larger role

India was subsequently done well by joining the UN Security Council consensus on Libya, embodied the resolution critical of the Tripoli regime that was passed on 26 February 2011. But if New Delhi wishes to be considered a significant global player, it needs also to express a more active and engaged foreign-policy position in the domestic arena. India's response to the eruption of protests in the Alexandria and Cairo is a case in point. The government initially had little to say apart from voicing concern for its nationals residing in Egypt. As the remarkable demonstrations spread across the middle East, the eventual statement of prime minister Manmohan Singh was notably cautious. If the people of Egypt want to move towards the processes of democratization, they have our good wishes. And that's true of all countries, he said "we do not believe it is our business to advise other countries, we welcome the dawn of democracy everywhere".

The danger of such bland propositions is that they can convey indifference to the plight of subjugated people who are desperately seeking and support for seeking the same right as those living in democracies, India included. The implication of the prime minister's words is that New Delhi endorses the status quo, supports governments no matter how they treat their own people, and might sympathise with the desire of others for human rights or to break free from an abusive or dictatorial regime- but does not believe it has any necessary role to play in advancing this outcome.

This is simply not acceptable, particularly now that India is serving on the Security Council and seeking a permanent seat. The council after all, has a mandate to protect people from gross human rights violations whether protecting civilians in armed conflicts, stopping the use of child soldiers, ending the practice of rape as a weapon of war or monitoring violations in countries with peacekeeping mission. It is expected to play an active role in preventing abuses from escalating into civil war, crimes against humanity or genocide.

India does not really need lessons for this job. It can simply recall episodes from its own past. These include its support of people's movements for democracy in Bangladesh and Nepal, its championing of the rights of the Tamil minority in Sri Lanka, its prominent position in the campaign against apartheid in South Africa, and its opposition to the military dictatorship in Burma. With these precedents in mind, India should once more stake out a position as a world leader in defending the rights and aspirations of downtrodden people.

### **A local responsibility**

An obvious place to start is in India's own neighbourhood .In Burma the military –backed Union Solidarity and Development party predictably won more than 77% of the votes in the rigged national elections of November 2010. India has a strong record of supporting democracy in Burma ,something its obsession with competition from China for

Influence and energy resources has led it to repudiate .It need to take a stand on principle here and neither support this sham election nor pretend that in itself the release of Aung San Su Kyi (welcome though that is) fundamentally changes anything .As many state endorse a long –overdue UN commission of inquiry in to serious international crimes in Burma ,it is time for India to choose side between the Burmese people and the generals.

India will have to make a comparable decision over Sri Lanka ,and whether to back a repressive government or the victims of alleged war crimes .The civil war which ended with the defeat of the Tamil Tigers in early 2010 was marked by massive atrocities from both sides which caused unimaginable civilian suffering .Since evidence could implicate very senior Sri Lanka officials, the chance for domestic accountability is zero .That reality led UN secretary general Ban Ki-moon to set up a UN panel of experts to make recommendations for international action. The panel's report is due in March2011.India should call on Ban to make the report public and openly support the recommendations.

### **A LOUDER VOICE**

But India's role at the council will also require wider elsewhere. India can led action against the rebel Lord's Resistance Army (LRA),which has moved out of its Ugandan base to wreak havoc in three other African nation. Indian troops are part of the United Nations peacekeeping mission in the region but India ,with its own experience in tacking abusive rebel operations ,should press the council to expand capabilities to protect civilians in areas affected by LRA attacks .India's ability to as a force for good in such situations ,however is handicapped by its reluctance to "advise" other countries largely because India doesn't want to be advised itself . The way out of this bind is for India to be more confident , and accepting of the fact that being a more important power also means being on the receiving end of criticism.

India's foreign policy should support aspirations for freedom and respect for basic human rights and it should be on the frontlines with other state acting to achieve those goals. As the tumult in North Africa and the Middle East continues ,India will have to more than send "good wishes" India's voice new and the role that it plays or fails to play, will become part of the chronicle of the period. The Indian government should be careful not to be end up on the wrong side of history.

### **CONCLUSION**

The Arab uprising have fundamentally challenged the Western idea of the separation of church and state ,and Arab democracy demands a redefinition of secularism that allows religious values. But not rules and regulations, to take root in society . Discussants will continue to have to confront this new reality as the conversation continues regarding democratization in the Arab world .In an era when the gap between the demand for and the supply of global governance is growing it is increasingly urgent that established and emerging democracies find common ground on norms and delivery of global public goods especially on democracy and human rights issues .There cause for optimism ,Rising democracies like India ,Brazil, south Africa, Indonesia and Turkey are embracing democracy and human rights at home and to varying degrees promoting them in their neighbourhoods .But they are not yet stepping up to address the gap on these and other issues in global governance internationally.

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