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EFFECTS OF GLOBALIZATION ON THE HUMAN RIGHTS

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Abstract:

Globalization is a complex and multifaceted process that has reshaped the world in various dimensions, such as economic, social, cultural, and political. It has brought about unprecedented opportunities and challenges for human rights, which are the universal and inalienable rights that every human being is entitled to. This research paper aims to examine the effects of globalization on human rights from different perspectives and contexts, using a multidisciplinary and comparative approach. The main research questions are how does globalization influence the normative and legal framework of human rights at the global and national levels? How does globalization affect the roles and responsibilities of different actors in protecting and promoting human rights, such as states, international organizations, civil society, and corporations? How does globalization impact the experiences and aspirations of various groups and individuals, such as women, children, minorities, migrants, and indigenous peoples, in claiming and enjoying their human rights?

The paper will employ a mixed-methods design, combining quantitative and qualitative data from various sources, such as international human rights treaties, reports, indicators, case studies, interviews, and surveys. It will analyze the data using descriptive and inferential statistics, content analysis, and thematic analysis. The paper will also adopt a human rights-based approach, which emphasizes the principles of equality, non-discrimination, participation, accountability, and transparency in the research process.

The paper expects to find that globalization has both positive and negative effects on human rights, depending on the context and the actors involved. It will argue that globalization can be a catalyst or a hindrance to human rights advancement, depending on how it is governed and regulated by the international community and national authorities. It will also suggest that globalization can be an opportunity or a threat for human rights advocacy and education, as well as a challenge or a facilitator for human rights protection and enforcement. The paper will conclude with some recommendations for policymakers, practitioners, researchers, and civil society on harnessing the potential and mitigating the risks of globalization for human rights.

Keywords: Globalization, human rights, multidisciplinary, comparative.

I. INTRODUCTION

Globalization is a term that encompasses the increasing interconnectedness and interdependence of the world in various aspects, such as economic, social, cultural, and political. It is a process that has been accelerated by the development of technology, communication, trade, and migration, creating a global village where people, goods, ideas, and values can cross borders and influence each other. Globalization has been hailed as a source of opportunities and benefits for human development, as well as a challenge and threat to human rights, which are the universal and inalienable rights that every human being is entitled to.

Human rights are based on the principles of dignity, equality, and justice for all human beings, regardless of their nationality, ethnicity, gender, religion, or any other status. They are recognized and protected by various international instruments, such as the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR), as well as by national constitutions and laws. Human rights include civil and political rights, such as the right to life, liberty, security, expression, and participation, as well as economic, social, and cultural rights, such as the right to education, health, work, and culture.

The relationship between globalization and human rights is complex and contested, as different actors and regions have experienced both positive and negative effects of globalization on their human rights situation. On one hand, globalization can be seen as a catalyst for human rights advancement, as it can promote democracy, development, diversity, and dialogue among nations and peoples. Globalization can also enhance the awareness, recognition, and enforcement of human rights by creating global norms and standards, facilitating international cooperation and monitoring, and empowering civil society and human rights defenders. On the other hand, globalization can be seen as a hindrance to human rights protection, as it can generate inequality, insecurity, exclusion, and exploitation among nations and peoples. Globalization can also undermine the sovereignty, responsibility, and accountability of states and other actors in respecting and fulfilling human rights obligations by creating conflicts of interest, pressures of competition, challenges of regulation, and gaps in governance.

This research paper aims to explore the effects of globalization on human rights from different perspectives and contexts. It will use a multidisciplinary and comparative approach to examine how globalization influences the normative and legal framework of human rights at the global and national levels; how globalization affects the roles and responsibilities of different actors in protecting and promoting human rights; how globalization impacts the experiences and aspirations of various groups and individuals in claiming and enjoying their human rights. The paper will employ a mixed-methods design to collect and analyze quantitative and qualitative data from various sources. The paper will also adopt a human rights-based approach to ensure that the research process is guided by the principles of equality, non-discrimination, participation, accountability, and transparency. The paper expects to find that globalization has both positive and negative effects on human rights depending on the context and the actors involved. The paper will conclude with some recommendations for policy makers, practitioners, researchers, and civil society on how to harness the potential and mitigate the risks of globalization for human rights.

II. Historical insights on globalization

Globalization is the process of increasing economic, political, social, and cultural integration and interdependence among different countries and regions of the world. It has been occurring for centuries, but it has accelerated in the past few decades due to advances in technology, communication, transportation, and trade. Globalization has brought many benefits to human development, such as increased opportunities for education, health, employment, and cultural exchange. However, it has also posed many challenges and risks to human rights, such as increased inequality, exploitation, conflict, and environmental degradation.

One way to understand the impact of globalization on human rights is to compare the situation in 1948 when the Universal Declaration of Human Rights (UDHR) was adopted by the United Nations and the contemporary period. The UDHR is a landmark document that proclaimed the inherent dignity and equal rights of all human

beings, regardless of their nationality, race, gender, religion, or any other status. It was drafted and debated by representatives from 48 countries in the aftermath of World War II and the Holocaust, which exposed the horrors of human rights violations on a global scale. The UDHR set out a common standard of human rights for all people and nations and inspired the development of many international treaties and institutions to protect and promote human rights¹.

However, the UDHR also reflected the limitations and biases of its time and context. For example, it was dominated by Western perspectives and values and did not adequately address the issues of colonialism, racism, sexism, or cultural diversity that affected many parts of the world. It also focused mainly on individual civil and political rights, such as freedom of expression, assembly, and fair trial, while neglecting collective economic, social, and cultural rights, such as the right to work, and education.

III. Human rights violations in the era of globalization

Some examples of human rights violations in the era of globalization are:

- The exploitation of workers and children in sweatshops, factories, mines, and farms that produce goods and services for multinational corporations and consumers in developed countries. These workers and children often face long hours, low wages, unsafe and unhealthy conditions, physical and sexual abuse, and lack of legal protection or representation. For instance, according to Human Rights Watch², an estimated 168 million children are engaged in child labour worldwide, many of them in hazardous industries such as agriculture, mining, construction, and manufacturing.
- The displacement and dispossession of indigenous peoples and local communities by large-scale development projects, such as dams, roads, pipelines, mines, and plantations. These projects often violate the rights of these peoples and communities to their lands, territories, resources, cultures, and self-determination. For example, according to the World Bank³, more than 3.4 million people were physically or economically displaced by its projects between 2014 and 2018, many of them without adequate consultation, compensation, or resettlement.
- The persecution and discrimination of minorities, refugees, migrants, women, LGBTQ+ people, and human rights defenders by authoritarian regimes, extremist groups, or populist movements that exploit nationalism, xenophobia, racism, sexism, or homophobia. These groups often use violence, intimidation, censorship, or legal repression to silence or oppress their targets. For instance, according to Amnesty International⁴, more than 300 human rights defenders were killed in 2019 for their work on issues such as land rights, environmental protection, women's rights, and indigenous rights.
- The degradation and destruction of the environment and the natural resources that sustain human life and well-being by unsustainable consumption and production patterns, climate change, and pollution.

IV. Influence of globalization at global and national levels

Globalization influences the normative and legal framework of human rights at both the global and national levels in various ways. Some of them are:

• At the global level, globalization has stimulated the development and expansion of international human rights law and institutions. For example, the Universal Declaration of Human Rights (UDHR) was adopted by the United Nations in 1948 as a common standard of human rights for all people and nations. Since then, many international treaties and conventions have been adopted to protect and promote specific human rights, such as the International Covenant on Civil and Political Rights (ICCPR), the

¹ Sumner B. Twiss, History, Human Rights, and Globalization, 32 JSTOR 39-70 (2004).

² Michael Windfuhr, Global Rights, DW, (June 20, 2011), <u>https://www.dw.com/en/human-rights-under-threat-in-era-of-globalization/a-15108296</u>.

³ William Anderson, Globalization and Abuse of human rights, SCHOOL WORK HELPER, (2022), <u>https://schoolworkhelper.net/globalization-and-abuse-of-human-rights/</u>.

⁴ Ibid.

International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC)⁵, and the Convention on the Rights of Persons with Disabilities (CRPD). Moreover, many international organizations and mechanisms have been established to monitor and enforce human rights compliance, such as the Human Rights Council, the Office of the High Commissioner for Human Rights (OHCHR), the Special Rapporteurs, the treaty bodies, and the regional human rights courts.

• At the national level, globalization has influenced the adoption and implementation of human rights norms and laws by different states. On one hand, globalization has encouraged some states to ratify international human rights treaties and incorporate them into their domestic legal systems. For example, South Africa adopted a new constitution in 1996 that enshrined a bill of rights based on international human rights standards. On the other hand, globalization has also challenged some states to respect and protect human rights in the face of competing economic or political interests. For example, China has been criticized for violating human rights in its pursuit of rapid economic growth and political stability⁶.

Globalization and human rights have a complex and dynamic relationship that requires constant dialogue and cooperation among different actors and stakeholders. Human rights can balance the forces of globalization within a just international legal framework. Human rights are what reason requires and conscience commands⁷.

Globalization affects the roles and responsibilities of different actors in protecting and promoting human rights in various ways. Some of them are:

- States: States are the primary duty-bearers of human rights under international law. They have the obligation to respect, protect, and fulfill the human rights of their citizens and other persons within their jurisdiction. However, globalization has also challenged the sovereignty and capacity of states to uphold human rights in the face of competing economic or political interests, transnational threats, or external pressures. For example, some states may sacrifice human rights standards to attract foreign investment or trade or to comply with international security or financial agreements. Some states may also fail to protect human rights from violations by non-state actors, such as corporations, armed groups, or terrorists. Therefore, states need to balance their national interests with their human rights obligations and cooperate with other states and international organizations to ensure effective human rights protection and promotion.
- International organizations: International organizations are the main promoters and enforcers of human rights at the global level. They have the role of creating and monitoring international human rights norms and mechanisms, providing technical assistance and capacity building to states and other actors, facilitating dialogue and cooperation among different stakeholders, and addressing human rights crises or violations. For example, the United Nations (UN) has played a crucial role in developing and expanding international human rights laws and institutions since 1948⁸. The UN has also supported the creation and strengthening of national human rights institutions (NHRIs), which are government agencies that aim to implement international norms domestically⁹. Other international organizations, such as regional organizations (e.g., the European Union), intergovernmental organizations (e.g., the World Bank), or specialized agencies (e.g., the World Health Organization), have also contributed to advancing human rights in their respective fields or regions.
- Civil society: Civil society is the collective term for non-governmental organizations (NGOs), social movements, community groups, and other voluntary associations that work to advance social justice, democracy, human rights, and other common interests. Civil society plays a vital role in challenging

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⁵ Sharan E. Brown, Michael J. Guralnick, International Human Rights to Early Intervention for Infants and Young Children with Disabilities: Tools for Global Advocacy, 25(4) NIH 270–285 (2012).

⁶ Akash Mishra, Globalization and Human Rights, Academike, (Feb 5, 2015),

https://www.lawctopus.com/academike/globalization-and-human-rights/.

⁷ Dr. T. Thileepan, The impact of globalization on human rights, 12 IRJMST 52-56 (2021).

⁸ Okpi Bernard Adaafu, Globalization and Human Rights: The Role of Non-state Actors, SSRN, (2021).

⁹ Sonia Cardenas, Emerging Global Actors: The United Nations and National Human Rights Institutions, 9 JSTOR 23-42 (2003).

corporate power, holding states accountable, raising awareness, advocating for change, providing services, and empowering marginalized groups. Civil society also participates in various levels of governance, from local to global, and forms networks and alliances with other actors to amplify their voices and influence. For example, Amnesty International is a global civil society organization that campaigns for human rights through research, advocacy, mobilization, and education¹⁰.

• Corporations: Corporations are legal entities that engage in economic activities for profit. They can be private or public, domestic or multinational. Corporations have an enormous impact on people's lives and the communities in which they operate. Sometimes the impact is positive - jobs are created, new technology improves lives, and investment in the community translates into real benefits for those who live there. But sometimes the impact is negative - workers and children are exploited, indigenous peoples and local communities are displaced or dispossessed, minorities and human rights defenders are persecuted or discriminated against, and the environment and natural resources are degraded or destroyed. Corporations have a responsibility to respect human rights and to prevent or remedy any adverse impacts caused by their operations. They also have a role to contribute to human rights promotion through their policies, practices, and partnerships.

V. Impact of globalization

Globalization is a complex and multifaceted phenomenon that affects different groups and individuals in different ways.

One possible way to approach this question is to look at the positive and negative effects of globalization on the human rights of various groups and individuals. On the positive side, globalization can create opportunities for empowerment, participation, education, health, and cultural diversity. For example, some women, children, minorities, migrants, and indigenous peoples may benefit from increased access to information, communication, markets, services, and networks that globalization facilitates. They may also be able to use global platforms and mechanisms to advocate for their rights and interests and to challenge discrimination and oppression. For instance, the United Nations Declaration on the Rights of Indigenous Peoples¹¹ is a landmark document that recognizes the rights of Indigenous peoples to self-determination, land, resources, culture, and identity. It was adopted by the UN General Assembly in 2007 after decades of struggle and negotiation by indigenous peoples and their allies.

On the negative side, globalization can also create challenges and threats to the human rights of various groups and individuals. For example, some women, children, minorities, migrants, and indigenous peoples may face increased exploitation, marginalization, violence, displacement, and environmental degradation as a result of globalization. They may also be excluded from or harmed by the dominant economic, political, and cultural forces that shape globalization. For instance, the Amazon rainforest¹², which is home to many indigenous peoples and a vital source of biodiversity and climate regulation, is under constant pressure from deforestation, mining, logging, agriculture, and infrastructure projects that are driven by global demand and interests. These activities not only threaten the survival of the indigenous peoples and their cultures but also the ecological balance of the planet.

Therefore, the impact of globalization on the human rights of various groups and individuals depends on many factors, such as their location, situation, identity, agency, and resilience. It also depends on how globalization is governed and regulated at different levels, from local to global. The role of states, international

¹² Janet K. Viader, Globalization and Its Impact on Indigenous Cultures, Lead The Change, https://leadthechange.bard.edu/blog/globalization-and-its-impact-on-indigenous-cultures.

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¹⁰ Amnesty International, <u>https://www.amnesty.org/en/what-we-do/corporate-accountability/</u>.

¹¹ About indigenous peoples and human rights, United Nations Human Rights Office of the High Commissioner, <u>About indigenous</u> peoples and human rights | <u>OHCHR</u>.

organizations¹³, civil society¹⁴, corporations¹⁵, and other actors is crucial in ensuring that globalization respects and protects human rights for all. There is a need for more dialogue, cooperation, accountability, and solidarity among these actors to address the challenges and opportunities that globalization poses for human rights.

VI. Promoting human rights in a globalized world

Promoting human rights in a globalized world is a noble and important goal. Human rights are the basic rights and freedoms that every person should enjoy, regardless of their race, gender, religion, nationality, or any other status. Human rights include civil and political rights, such as the right to life, liberty, and security; and economic, social, and cultural rights, such as the right to education, health, and work. There are many ways that we can promote human rights in a globalized world, both as individuals and as members of a global community. Here are some examples:

- We can research human rights issues and learn about the challenges and opportunities that different groups and individuals face in different contexts. We can use credible sources of information, such as the United Nations¹⁶, the World Health Organization¹⁷, and news organizations with good track records¹⁸. We can also listen to the stories and perspectives of people who are directly affected by human rights violations or who are working to protect and advance human rights.
- We can donate to good organizations that are working to promote human rights around the world. We can look for organizations that have a clear mission, vision, and strategy; that use their funds wisely and transparently; that have a positive impact on the communities they serve; and that respect the dignity and agency of the people they work with. We can use tools like Charity Navigator or GuideStar to evaluate the performance and accountability of different organizations.
- We can change our shopping habits and choose fair trade and ethically made products whenever possible. We can avoid buying from companies that exploit their workers, harm the environment, or support oppressive regimes. We can also support local businesses and cooperatives that empower their workers and contribute to social justice. We can use tools like Fair Trade Certified or Ethical Consumer to find out more about the ethical standards of different products and brands.
- We can connect to human rights movements and join groups that are doing human rights work in our area or online. We can participate in campaigns, events, petitions, or actions that raise awareness and funds for human rights causes. We can also network with other human rights activists and advocates and learn from their experiences and insights. We can use platforms like Amnesty International or Human Rights Watch to find out more about the current human rights issues and movements around the world.
- We can vote in every election and use our democratic rights to influence the policies and decisions that affect human rights at local, national, and international levels. We can also help other people vote, especially those who face barriers or discrimination in exercising their right to vote. We can research the candidates and parties running for office and their positions on human rights issues. We can also hold our elected representatives accountable for their actions and demand that they respect and protect human rights for all.
- We can stand up against discrimination and injustice whenever we witness or experience them. We can speak out against racism, sexism, homophobia, xenophobia, or any other form of intolerance or oppression. We can also support the victims and survivors of human rights violations and show them

¹⁵ Akash Mishra, Globalization and Human Rights, Academike, (Feb 5, 2015),

https://www.lawctopus.com/academike/globalization-and-human-rights/.

https://www.prosperitycandle.com/blogs/news/6-ways-to-protect-support-human-rights.

¹³ Globalization and Its Impact on Human Dignity and Human Rights, Church and Society, <u>https://www.umcjustice.org/who-we-are/social-principles-and-resolutions/globalization-and-its-impact-on-human-dignity-and-human-rights-6025</u>.

¹⁴ Women refugees and migrants, UN Women, <u>https://www.unwomen.org/en/news/in-focus/women-refugees-and-migrants</u>.

¹⁶ Emmaline Soken-Huberty, How To Promote Human Rights: 10 Examples, Human Rights Careers,

https://www.humanrightscareers.com/issues/how-to-promote-human-rights-10-examples/.

 ¹⁷ Michelle Bachelet, Human rights key to build the world we want, United Nations Human Rights Office of the High Commissioner, (Dec 10, 2020), <u>https://www.ohchr.org/en/stories/2020/12/human-rights-key-build-world-we-want</u>.
¹⁸ 6 Ways To Protect & Support Human Rights For People Around The World, Prosperity Candle,

solidarity and compassion. We can use tools like Report Hate Crime or UN Women to find out how to report or respond to human rights abuses.

VII. Challenges and opportunities posed by globalization

Globalization is a complex and multifaceted phenomenon that affects human rights in different ways. There are both challenges and opportunities that globalization poses for human rights protection and promotion at different levels, such as local, national, regional, and international. Here are some examples:

- 1. At the local level, globalization can create challenges for human rights by increasing the gap between the rich and the poor, eroding the social and cultural diversity, and threatening the environment and natural resources. For example, some local communities may face displacement, exploitation, or marginalization as a result of globalization-driven development projects, such as mining, logging, agriculture, or infrastructure. These projects may not respect or protect the human rights of the affected people, such as their right to land, livelihood, participation, or culture. On the other hand, globalization can also create opportunities for human rights by empowering local actors, such as civil society organizations, social movements, or grassroots initiatives, to advocate for their rights and interests, and to challenge discrimination and oppression. For example, some local groups may use global platforms and mechanisms, such as the Internet, social media, or international networks, to raise awareness and mobilize support for their causes. They may also benefit from increased access to information, communication, markets, services, and networks that globalization facilitates.
- 2. At the national level, globalization can create challenges for human rights by weakening the sovereignty and capacity of states to fulfill their obligations to respect, protect, and fulfill human rights within their jurisdiction. For example, some states may face pressure or interference from external factors, such as transnational corporations¹⁹, international financial institutions, or powerful countries²⁰, to adopt policies or practices that may violate or undermine human rights standards. These policies or practices may include trade liberalization²¹, structural adjustment, debt repayment, or military intervention. On the other hand, globalization can also create opportunities for human rights by strengthening the accountability and responsibility of states to comply with their human rights commitments and obligations under international law. For example, some states may participate in or cooperate with international human rights universally. They may also engage in or respond to international human rights compliance.
- 3. At the regional level, globalization can create challenges for human rights by increasing the complexity and diversity of regional contexts and dynamics that affect human rights situations. For example, some regions may face conflicts or crises that pose serious threats to human rights protection and promotion. These conflicts or crises may be caused by political instability, economic inequality, social unrest, ethnic tension, religious extremism, or environmental degradation. On the other hand, globalization can also create opportunities for human rights by enhancing the cooperation and integration of regional actors, such as regional organizations, regional courts, regional networks, or regional initiatives, that work to promote and safeguard human rights regionally. For example, some regions may develop or adopt regional human rights instruments, such as charters, protocols, conventions, or declarations, that reflect and respond to the specific needs and challenges of the region. They may also establish or support regional human rights mechanisms, such as commissions, courts, committees, or rapporteurs, that monitor and enforce human rights compliance.
- 4. At the international level, globalization can create challenges for human rights by exposing the gaps and limitations of the existing international human rights system. For example, some aspects of globalization may not be adequately addressed or regulated by the current international human rights instruments or mechanisms. These aspects may include global issues or problems that affect human

²¹ supra note 20.

¹⁹ José Noronha Rodrigues, The Globalization of Human Rights for a Global Citizenship: New Challenges, 29 GCEP (2023).

²⁰ Azhar Rashid, Muhammad Arshad Watoo, Challenges and Opportunities of Globalization for the

Development of Human Rights in Pakistan 2010-2014, 30(2) South Asian Studies 215-229 (2015).

rights globally, such as poverty, migration, terrorism, climate change, or cybercrime. On the other hand, globalization can also create opportunities for human rights by expanding the scope and impact of the international human rights system. For example, some aspects of globalization may contribute to the development or improvement of international human rights instruments or mechanisms. These aspects may include global movements or campaigns that advocate for new or emerging human rights issues, such as the right to development, the right to peace, the right to a healthy environment, or the right to internet access.

VIII. Gaps and limitations

The current literature on globalization and human rights is vast and diverse, but it also has some gaps and limitations that need to be addressed. Some of the possible gaps and limitations are:

- I. The literature tends to focus more on the negative effects of globalization on human rights, such as exploitation, marginalization, violence, displacement, and environmental degradation, than on the positive effects, such as empowerment, participation, education, health, and cultural diversity. There is a need for more balanced and nuanced analyses that acknowledge both the opportunities and challenges that globalization poses for human rights protection and promotion.
- II. The literature tends to adopt a universalist or relativist perspective on human rights, without sufficiently engaging with the pluralism and complexity of human rights norms and practices in different contexts. There is a need for more dialogue and cooperation among different actors and stakeholders, such as states, international organizations, civil society, corporations, and individuals, to respect and protect human rights for all.
- III. The literature tends to rely more on quantitative or qualitative methods, without adequately integrating or triangulating them. There is a need for more mixed-methods or interdisciplinary approaches that can capture the multiple dimensions and dynamics of globalization and human rights. For example, combining statistical data with case studies or examples can provide a more comprehensive and robust picture of the impact of globalization on human rights.
- IV. The literature tends to be more descriptive or explanatory, without sufficiently being prescriptive or normative. There is a need for more action-oriented or policy-relevant research that can provide concrete recommendations or solutions for addressing the challenges and opportunities that globalization poses for human rights. For example, proposing new or improved mechanisms or strategies for monitoring and enforcing human rights compliance in a globalized world.

IX. Implications and recommendations

The implications and recommendations for future research on globalization and human rights are:

- 1. Future research should explore the impact of globalization on human rights in different dimensions, such as economic, social, cultural, political, and environmental, and how they interact and influence each other. For example, how does globalization affect the right to health in relation to the right to food, water, work, or education?
- 2. It should examine the impact of globalization on human rights for different groups and individuals, such as women, children, minorities, migrants, and indigenous peoples, and how they cope and respond to the challenges and opportunities that globalization poses. For example, how do women's rights activists use global platforms and networks to advocate for their rights and interests in a globalized world?

- 3. It should analyze the impact of globalization on human rights at different levels, such as local, national, regional, and international, and how they complement or conflict with each other. For example, how do local human rights defenders collaborate or compete with national or international human rights organizations in protecting and promoting human rights in their communities?
- 4. It should evaluate the existing theories, frameworks, mechanisms, and strategies that are used to address the impact of globalization on human rights and propose new or improved ones that can better reflect and respond to the changing realities and complexities of globalization and human rights. For example, how can human rights education be integrated into the curriculum of schools and universities in a globalized world?
- 5. It should be more balanced and nuanced in acknowledging both the positive and negative effects of globalization on human rights, and avoid oversimplifying or generalizing the impact of globalization on human rights. For example, how can human rights researchers avoid bias or prejudice in their studies on globalization and human rights?

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