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Introduction : Human Rights As A Development Right

Kalinga Seneviratne

In September 2020, President Rodrigo Duterte of the Philippines, addressing the United Nations General Assembly, stressed that his country will continue to protect its people from illegal drugs, criminality, and terrorism, and he denounced interest groups that have “weaponized” human rights and have attempted to discredit a popularly elected Government.

“These detractors pass themselves off as human rights advocates while preying on the most vulnerable humans; even using children as soldiers or human shields in encounters ... they hide their misdeeds under the blanket of human rights but the blood oozes through,” noted President Duterte, adding that any human rights concerns must be approached with genuine dialogue and “must be done in full respect of the principles of objectivity, non-interference, (and) non-selectivity”. President Duterte’s speech argued that human rights need to be considered as a collective right, and not merely an individual right, which could be used as a weapon against governments.

The current discourse on human rights is based on the 1948 Universal Declaration of Human Rights (UDHR) that was adopted by the United Nations at a time when most of its members were European. It uses the concept of human dignity, based on the idea that human dignity that has been lost as a result of totalitarian rule and war, needs to be given back to the human persons as the dignity given to it by God. This is based

on Christian theology.

There is also the 1976 International Covenant on Civil and Political Rights (ICCPR) adopted by the United Nations, where newly independent Asian countries, in particular, played a major role in drafting it. The ICCPR took the individual focus of the UDHR a step further by bringing in collective rights.

The basic ethical concept of Chinese social-political relations is the fulfilment of the duty to one's neighbour, rather than the claiming of rights. The idea of mutual obligations is regarded as the fundamental teaching of Confucianism, while Buddhism sees the proposition that human rights are grounded in human nature and human nature is the ultimate source of human rights. Rights are actually extensions of human qualities such as security, liberty and life. To end suffering, every person should follow the path of purity, of righteousness and of virtue, and it this includes economic, social and cultural rights.

In this issue of *Asian Review*, we take a broader perspective of human rights, bringing into the discourse the collective rights of the human race, which involves economic, social, and cultural rights. In other words, we focus on the development rights of peoples rather than individuals.

New Push for Development Rights

The United Nations Declaration on the Right to Development was adopted by the General Assembly on 4 December 1986, with a record vote of 146 in favour, 1 against (United States) and 8 abstentions (Denmark, Finland, the Federal Republic of Germany, Iceland, Israel, Japan, Sweden and the United Kingdom). The right to development has since been reaffirmed in several international declarations such as the 1992 Rio Declaration on Environment and Development, the 1993 Vienna Declaration

and Programme of Action (which by consensus reaffirmed the right to development as an integral part of fundamental human rights), the United Nations Millennium Declaration, the 2005 World Summit Outcome, and the 2010 outcome document of the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals.

In June 2021, in her opening remarks to the 47th session of the United Nations Human Rights Council (UNHRC) Commissioner Michelle Bachelet pointed out that “extreme poverty, inequalities, and injustice are rising (and) democratic and civic space is being eroded” due to the Covid-19 crisis, and that economic and social rights, and the right to development, are universal rights. “They are not ordinary services with a market-set price-tag, but essential factors in building more peaceful and equal societies,” she noted.

At the same sessions, China moved to redefine human rights, claiming that the West has weaponized it. The western bloc voted against a resolution on development rights that was titled ‘Contribution of Development to the Enjoyment of All Human Rights’. This resolution said, among other things, that the aim of development is constantly to improve the well-being of the entire population and all individuals ... and the important role of inclusive and sustainable development in promoting and protecting human rights and stressing the importance of development cooperation. It emphasized people-centric development policies to over-ride the impact of the Covid-19 pandemic. The resolution asked the UN Human Rights Commissioner’s office to organize a series of seminars in the next couple of years to address the issue of development rights.

The resolution was carried by 31 votes to 14 against. Among the 31 countries that supported it were China, Russia, India, Indonesia, Brazil, Argentina, Pakistan, Philippines, Mexico, Bolivia, Cuba, Fiji, Venezuela, and Uruguay – a broad cross-section of the international community. And voting against were mainly European countries such as Austria, Bulgaria, the Czech Republic, Denmark, France, Germany, Italy, Netherlands, Poland, and the

UK, along with the Republic of Korea and Japan. A resolution calling for international cooperation to contain, mitigate and defeat Covid-19 and to lift unjustified obstacles for the export of Covid-19 vaccines; and another resolution calling for international solidarity to realize the Sustainable Development Goals were carried by the same vote margin with same countries voting for and against. The Swiss Broadcasting Corporation's international news site "swissinfo" noted that China is now on a mission to redefine human rights on a global level.

Different Perspectives on Human Rights

In this issue of *Asia Review*, we explore different perspectives on human rights that focus more on development rights concepts rather than on individual rights.

Malaysian Islamic and social justice scholar Dr. Chandra Mazzafar notes that there has never been a situation where humankind as a whole is faced with a multitude of challenges all at the same time in different spheres of life. "This is partly because we are all being drawn — whatever our cultures and ideologies — into the same pattern of modernization which is supposed to signify progress," he argues, and advocates that the struggle for alternative societies or social systems needs to draw on "deep roots within various spiritual traditions".

Thai communications scholar Dr. Palphol Rodloytuk draws on Buddhist philosophy and Engaged Buddhism in exploring human rights. He argues that religions, Buddhism included, have provided pragmatic responses to address human rights, which includes communication rights and the right to livelihoods. His paper utilizes the Buddhist pragmatism framework to connect to the issue of human rights, including communication rights from historical, social, cultural, and development aspects.

Singapore-based socio-economics analyst Jayasri Priyalal, looks at Authoritarianism and People-Centric Development in the Asian context, drawing on unique development models that enabled inclusive growth in the ancient Asian Empires and looks

at how the rulers ensure continuity and connectivity by critically analyzing the development model of the Peoples Republic of China.

Indian communication scholar Dr. Padma Rani focuses on the migrant worker phenomena to analyze the modern interpretation of human rights from both an individual and a collective rights focus. Labour migration could be a win-win situation, where migrants contribute to growth and development in their place of destination, while the place of origin benefits from their remittances and the skills acquired. Though migration covers a fundamental human right to work and move in freedom, its flow and management creates serious human rights concerns. The paper deals with the provisions for the protection of migrant workers, examining it with cases from different regions.

Vietnamese communication scholar Dr. Van Vu examines how the people of Vietnam cooperated willingly with the government in COVID-19 control measures, even though it limited their right to assembly, privacy, and freedom of movement. The findings found that the respondents have trust in the government as an important agency in pandemic management, even though their human rights may have been violated.

It is hoped that this issue of Asian Review will provide you – the readers – with a broader perspective of human rights and its applications, and it will assist in contributing to a redefinition of human rights in the 21st century.

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