

Protection of Rights of All Migrants during COVID-19 Lockdown: A Study.

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Abstract

Human Rights are rights regularly protected as natural legal rights in municipal and international law. A person inherently entitled simply because she or he is a human being. Those appreciable everywhere and every time in the sense of being universal. This human rights are applies regardless of their age, origin, location, language, religion, caste or other status. The idea of human rights suggests that if the public discourse of peace time global society can be said to have a common moral language, it is that of human rights. At this pandemic stage migration taken place worldwide. Migration is process, a migrant as a person who is at a different place from his or her residence.

Human Rights Watch investigates rights violations arising when countries try to contain or divert the migrants, refugees, and asylum seekers at or within their borders, by placing adults and children in overcrowded and filthy detention centers, sometimes indefinitely. Large numbers of migrants fleeing criminality, poverty and environmental disaster will be without the protections of refugee status. This research paper focusing on migrants during the covid-19 lockdown.

Key Words: - Human Rights, Migrants, Migration, Articles.

Introduction:

Humans have migrated throughout history. People migrate for different reasons, such as reuniting their families. Seeking better economic opportunities and escaping human rights abuses, including armed conflict, persecution, torture and especially situation like pandemic like COVID-19. Migrants are generally entitled to the same human rights protection as all individual, although states may limit migrants rights in some way, such with regard to voting and political participation. Many human rights treaties explicitly prohibit discrimination on the basis of national origin and require states to ensure that migrants human rights are equally protected.

What are Human Rights

Human rights are rights inherent to all human beings, regardless of gender, nationality, place of residency, sex, ethnicity, religion, color or and other categorization. Thus, human rights are non-discriminatory, meaning that all human beings are entitled to them and cannot be excluded from them. Of course, while all human beings are entitled to human rights, not all human beings experience them equally throughout the world. Many governments and individuals ignore human rights and grossly exploit other human beings.

Universal Declaration of Human Rights

We can see the basic root of human Rights in France Revolution. The Philosophers expositional the essential rights for live dignity live. In 18th century, France had many revolutionary thinkers like Jean Jacques Rousseau, Montesquieu etc. Their ideas helped the people to get their rights as well as Freedom from Monarchy. Philosophers encouraged the people to fight against the privileges of the elite class of society. They infused in people the idea of Liberty, Equality, and Fraternity. According to the Roussueau, “Man was born free yet he is everywhere in chains”.

In the end, remarkable cause of French Revolution is that Declaration of Human Rights. Then after almost 150 years Milestone step made by UNO. The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. The Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations.

UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Human rights are the close relation with the migration. Lakh together workers migrates to safer place where there is lively circumstance, where there is safe guards to protect their lives from Covid -19.

who are migrants?

A person who moves away from his or her place of usual residence whether within a country or across an international border, temporarily or permanently and for a variety of reasons. The term includes a number of well defined legal categories of people, such as migrant workers. Persons whose particular types of movements are legally defined such smuggled migrants. As well as those whose status or means of movement are not specifically defined under international law, such as international students.

The Census defines a migrant as a person who is at a different place from his or her residence. At the time of the Census enumeration. However, the vast majority of these "migrants" are women who have moved out of their village or town to get married. Economic migrants make up less than a tenth of all migrants at just over 45 million. If the government was expecting that India has just 45 million economic migrants, the number walking on roads, highways, and train tracks would have caught it off guard.

MIGRATION STATISTICS

Less paid workers more affected by and vulnerable to the spread of COVID-19 in most of the countries. Migrants play important role in response to the COVID-19 by working different sectors. In the middle of April 2020, at least 10% of the population in 10 of the 15 countries with highest number of COVID-19 cases accounted. Compared to the global share of international migrants making up 3.5

percent of the total population, international migrants are over represented in these countries. When WHO declared COVID-19 a pandemic, the total number of movement restrictions implemented around the world has increased to more than 48000. Increasing of border restrictions also have an impact on the mobility of migrants and the role of humanitarian organizations.

Here by discussing data on migrants that can inform how they are potentially both affected by the impact of and part of the response to Covid -19. As information related to the Covid -19 pandemic is constantly evolving, figures and other data will be updated on a regular basis. Here is the map for key indicators on migration and demography.

As we seen in the table about 12 % of all international migrants are 65 years and older. In most of the 15 countries with highest number of confirmed cases, persons aged 65 years and older represent a lower share in the international migrant stock compared to their share in the general population.

France, Canada and Brazil are the only countries where this is an exception. In the 15 countries with the highest number of confirmed cases, between 62 percent and 86% of migrants are estimated to be of working age. Migrants are in the working age and are part of the response by working in critical sectors.

As per the data provided by UN DESA,2019,WHO 2020

Country	COVID-19 confirmed cases per 100,000 population, 22 April 2020	Migrants as share of population (%), mid-2019	Share of working age migrants (20-64 years) in migrant stock (%), mid-2019	Share of persons 65 years and older in migrant stock (%), mid-2019	Share of persons 65 years and older in population (%), 2018
Spain	446	13.1	81.1	9.3	19
Belgium	366.7	17.2	75.2	13.3	19
Switzerland	326.62	29.9	78.5	13.4	19
Italy	304.4	10.4	85.6	5.8	23
United States of America	248.2	15.4	76.2	15.1	16
France	237.8	12.8	68.8	21.9	20
The United Kingdom	202.5	14.1	79.4	11	18
Netherlands	199.2	13.4	78.3	13.5	19
Germany	178.8	15.7	79.5	13.2	21
Turkey	117	7	71.4	6.2	8
Iran (Islamic Republic)	105.1	3.2	76.2	3.7	6

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Russian Federation	43	8	78.3	14.8	15
Brazil	21.73	0.4	62.6	21.4	9
China	6	0.1	68	8.8	11
Canada	Not available	21.3	67.6	23.2	17
Global average		3.5	74.2	11.8	8.8

Migration Rate by Sex

Women comprise less than half, 130 million means 47.9% of the global international migrant stock in mid- 2019. More female migrants are migrating independently for work, education and as heads of households. Despite of these advances, female migrants may still face stronger discrimination and are more vulnerable to mistreatment compared to male migrants.

In India this is the huge migration After India Pakistan divide at 1947. Undivided India population in 1947, approximately 390 million. After partition, there were 330 million people in India, 30 million in West Pakistan, and 30 million people in East Pakistan (Now in Bangladesh). Once the boundaries were established, about 14.5 million people crossed the borders to what they hoped was relative safety of religious majority. About 11.2 million (77.4% of the displaced persons) were in the west, the majority from the Punjab of it.

In the year 1930, when great depression was taken place worldwide; those years witnessed the first significant reversal in the flow of people between rural and urban areas. Thousands of city-dwellers fled the jobless cities and moved to the country looking for work. As relief efforts floundered, many state and local officials threw up barriers to migration, making it difficult for newcomers to receive relief or find work. Some state legislatures made it a crime to bring poor migrants into the state and allowed local officials to deport migrants to neighboring states.

Human Rights and Migrants

WHO has primary responsibility for promoting the health of refugees and migrants, with a current focus on prevention and responses during the COVID-19 pandemic? Refugees and migrants face the same health risks as host populations, but due to various barriers – geography, facilities, discrimination, language and costs – they may lack access to the health services required to control and treat illness.

Some state Governments in India stopped the returning of workers to their home town it is clearly violation of Human rights. In Article 13, everyone has the right to freedom of movement and residence within the borders of each state. And everyone has the right to leave any country, including his own, and to return to his country. This article clearly states that every labor or worker has right to move its mean free movement in out of the country. Nobody can stop them.

In Article 23, everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.

Article 25, Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. Forced labor and human trafficking are violations of human rights because these acts strip human beings of their inherent rights. In fact, the *Universal Declaration of Human Rights* explicitly references.

Human Rights Watch investigates rights violations arising when countries try to contain or divert the migrants, refugees, and asylum seekers at or within their borders, by placing adults and children in overcrowded and filthy detention centers, sometimes indefinitely. Large numbers of migrants fleeing criminality, poverty and environmental disaster will be without the protections of refugee status. Ultimately, all migrants should be treated with dignity. As we know during this Covid -19 period lots of workers suffered. They live their lives in the shadow of fear and insecurity. Governments should provide privileges to the migrants to have dignity life.

Conclusion

Migration is continues process, it is unstoppable factor of global life until the different push and pull factors associated with migration, including economic disparities between sending and receiving states are eliminated. The policy of Human Rights is intended to clear, user friendly guidance to organisation, policy makers, litigants, adjudicators and others on how to assess, handle resolve competing rights claims.

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