
HUMAN RIGHTS AND GLOBALIZATION: BALANCING THE IMPACT OF GLOBALIZATION ON HUMAN RIGHTS AND PEOPLE'S IDENTITY

BY SAM S SIRYON¹

ABSTRACT

Every person of the world has this natural, inherent and inalienable rights which they are born with owing to the fact that they are humans. These rights are not conferred on people but rather they are naturally inherited rights, which means that they available to all humans and cannot be taken away unjustly, they remain with a person regardless of his or her status, region, class or age. These rights have no boundaries and cannot be curtailed by any authorities unless there is a just cause. On the other hand, a more complex concept of globalization emerges as people flow from one country to another in pursuance of food, shelter, trade, education or other needs, thus, why the movement of people from their original country to another country to which they becomes aliens or foreigners, their rights being enjoyed in their home country cannot be fully enjoyed n another man's country as they are no longer citizens but foreigners and thus, their rights as foreigners are limited and restricted to some extent.

***Globalization and Human rights** are two distinct but interconnected concepts which relates to humans and their associations with others. Both have much broader contexts which directly deals with human and their external relations. While globalization involves the rapid and free movement and exchange of people, goods, capital, cultures and technology across the globe, human rights deals with those fundamental basic rights that every individual possesses and enjoys by virtue of their humanity and existence, which cannot be infringed upon by the state because they are not guaranteed by any state.*

This paper seeks to answer the following questions; What is the nexus between the both concepts? How are human rights guaranteed and protected in the context of globalization and migration? What instruments are used in protecting Human Rights in enforcing the protection of human rights under globalization?

¹ Author is a law student at School of Legal Studies, Apeejay Stya University, Gurgaon.

The aim of this paper is to analyze the interconnectedness between human rights and globalization by assessing the organizations, instruments and/or mechanisms used by International Organizations and State Authorities in protecting people's rights in the context of globalization.

Keywords:

This paper, while examining the impact of globalization on Human rights across national and international borders will focus keenly on globalization impact on Labor rights, employment, trade and commerce, the various statutory and international mechanisms which regulates labor and globalization simultaneously as well as the roles of International Labor Organizations ILO, World Trade Organizations and other bodies in promoting and protecting human and people's rights under globalization especially trade and commerce.

Introduction:

It is difficult to ascertain the actual impact of globalization on human rights because it is a more critical and multifaceted concept which may have both negative and positive impact of the rights of people across a world of global trade. This is a more complex process involving an increasing global interconnectedness that impacts the full enjoyment of human rights both positively and negatively. While it cannot be argued that globalization spread human rights awareness and encourage democratic values, it should not be ignored of the challenges that it brings, including exploitation, cultural erosion, and intensified inequality which demands greater international cooperation to ensure accountability for all global actors.

Globalization is a dual-effect concept, on one hand, it promotes and encourages the spread of democratic ideas, economic growth and human rights awareness. With the rise of international human rights organizations and global campaigns raising awareness on human rights abuses as well as the dissemination of information across borders, globalization has had an inarguably positive impact on human rights. On the other hand, globalization erodes cultural heritage, affects employment and might sometimes adversely affect political sovereignty, thus, making globalization a neutral concept with dual effect on human existence.

Globalization and Culture: Impact Assessment

Culture has been defined as the way of life of a particular group of people, this includes shared values, beliefs, artifacts and customs which are made of both material and non-material components. Globalization has the potential to lead to cultural homogenization (uniformity) wherein, local traditions and languages becomes overshadowed by dominant global cultures especially those from the west².

In addition to cultural homogenization caused by globalization, the potential to fuel cultural erosion of mostly traditional practices and languages is another significant impact on culture. As global entertainment and consumer cultures which a more typical example could be the rapid spread of English language in International business deals, education and employment which automatically erodes traditional languages and cultural heritages.

Globalization has the potential to promote western cultures and negatively erode ancient traditions and heritages, also in promoting western cultures, it encourages discoveries and opportunities while adhering to western system. Thus, the overall impact of globalization on cultural identity is that, it presents and propagates the western cultures and systems as opportunities while consequentially exhausting traditions and local cultures.

Globalization and Employment: Assessing opportunities and failures

By connecting with the international markets, facilitating remote works and enabling cross-border collaboration, globalization creates a more geographically diverse and globally accessible job opportunities. Globalization expands talent pools and offers increased earning potential through international companies and it inspires economic growth by providing access to new markets and increase productivity.

Globalization provides wider access to opportunities by breaking down geographical barriers thereby allowing businesses to hire talent from a global pool, and provides individual access to jobs in international companies and emerging markets. One major benefit of globalization is that it provides access to new job markets in different locations, although one may work for the same

² Yang Tai| The Role of Globalization in Shaping Cultural Exchange| Journal of Global Economics| Department of Sociology, University of Taiwan, China| Published September 30, 2024
<https://www.hilarispublisher.com/open-access/the-impact-of-globalization-on-local-cultures-and-traditions-110501.html#:~:text=The%20impact%20of%20globalization%20on%20local%20cultures%20and%20traditions%20is.and%20adapt%20their%20cultural%20identities.>

company, employees can be move across different offices in different countries over a certain period of time. This experience gives an employee access to different clients and exposes them to diverse operational practices and strategies while gaining business insights. Furthermore, it helps build the employee's personal brand on a global scale and makes them more desirable candidate for future roles³.

Between developed nations and lower-wage countries, globalization adversely impact employment by causing job displacement through offshoring and automation, thereby creating wage inequality as high-skilled workers benefit more than low-skilled workers. This leads to poor working conditions and jobs insecurity most especially in developing nations which subsequently accelerates the erosion of collective bargaining rights making workers to become more vulnerable.

Research Methodology:

This is an exploratory research paper which adopts both analytical and descriptive methods to explain the concept of Globalization and Human rights, including its interconnectedness, impacts and valuation as well as the threat and opportunities associated with globalization on the sovereignty of a State. This paper employs primary sources like International treaties, conventions and statutory legislation to evaluate the protection ad enforcement of human rights in the global market. It also uses secondary sources like academic and legal journals, articles and websites to support the explanation on Globalization and the Society.

Literature Review:

While acknowledging the opportunities that comes thereof, we must consider the chilling effect this has on a State and its sovereignty. Globalization has significant impact on sovereignty, which is both positive and negative also which involves diminishing and reshaping a state through economic, political and cultural forces. Economically, it reduces state control through integration into global markets and the influence of international organizations like the World Trade Organization WTO. Politically, it involves the transfer of power to supranational bodies thereby

³ Globalization and employment nexus| Moderating role of Human capital| PMC | Indeed Editorial Team | Updated March 28, 2025| Last visited October 9, 2025
https://ca.indeed.com/career-advice/career-development/globalization#:~:text=Globalization%20can%20have%20many%20positive%20impacts%20on,includ:%20*%20Improving%20wages%20*%20Healthy%20competition

challenging the state's ability to control cross-border flows while culturally, it leads to homogenization which sometimes causes backlash that strengthens national identity.

Dani Rodrik (2011) discusses the “globalization Trilemma” which suggests that states cannot simultaneously achieve full economic integration, national sovereignty and democratic governance. Rodrik in his paper, suggests the need for states to choose between deep integration into the global economy or retain their economic sovereignty⁴. This could mean that, the triggering effect of considering economic autonomy by the state is uncertain as they have to first consider the benefits and privileges that are associated with economic integration in the global market.

Globalization and Human Rights: Evaluating the interconnectedness, promotions and challenges.

Globalization, as earlier stated, has dual effect on human rights which is dependent on the trend and context. It may hinder the enjoyment of human rights or enhance it. Adversely, globalization impacts human rights by promoting the exploitation of labor through social dumping, widen economic opportunities, and impacts vulnerable groups like migrants and the poor. From a converse perspective, globalization promotes human rights by expanding the reach of international norms, fostering global cooperation and increasing awareness and advocacy for human rights through cross-border communications and institutions. The most vulnerable groups affected by globalization are the migrant women and the indigenous groups who are victims of human rights violation. These violations include violation of people's right to a safe and healthy working environment.

Globalization has had consequences on levels and conditions of employment and on social rights of workers. Global competition which is accompanied by relocations and offshoring of companies and workers, push companies to move from production to countries where salaries and social protection of workers are lower and cheaper. Thus, trade unions and workers in wealthier countries are forced to accept less favorable conditions. This is commonly known as ‘social dumping’⁵.

⁴ The Globalization Paradox: Why global markets, states and democracy cannot coexist. Oxford: New York: Oxford University Press 2011, 346p.

<https://www.coleurope.eu/globalization-paradox#:~:text=For%20a%20century%2C%20economists%20have,Dani%20RODRIK.>

⁵ Globalization: Societal Implications| Research Starters| EBSCO Research| Last visited October 10, 2025

Globalization Impact on Labor Rights and Employment:

Relative to the subject matter on Labor rights, globalization again appears as a neutral concept with both positive and negative impact on labor. On one hand, it seems to create job opportunities, employment and attractive labor benefits in some sectors and countries while fostering business competitions. And on the other hand, it presents descending pressure on wages and creates the vulnerability to exploit from low-skilled and migrant workers. Globalization is a major contributor to job insecurity in a way that, the moving of jobs from high-wage to low-wage countries can lead to job losses and consequentially jobs insecurity for workers most in developed nations.

It also contributes to exploitation of labor by the increasing influx and mobility of labor can make workers especially those undocumented, more vulnerable to exploitation, as they have no options other than accepting lower wages and harsh working conditions only to secure employment.

In India, there has been no specific legislation which deals with global exploitation of labor rights. But such issues are battled through national laws, constitutional provisions and international commitments against forced labor and human trafficking. These laws require significant and rigorous enforcement especially the International Commitments in the shambolic sectors of employment.

Constitutional provisions like *Article 23 of the Indian constitution* strictly prohibits all forms of forced labor practices including trafficking in persons and beggar labors. While placing a strict ban on Forced labor and Human trafficking, this fundamental right is applicable to both citizens and non-citizens and can be enforced by the state and private individuals⁶.

Simultaneously, *Article 24* also deals with the issue of employment and the converse impact globalization might cause in the employment of children below the age of 14, which the constitution prohibits from being employed to work in factories and mines or any hazardous employment⁷.

<https://www.ebsco.com/research-starters/social-sciences-and-humanities/globalization-societal-implications>

⁶ Constitution of India| Article 23 Prohibition of traffic in Human beings and Forced labor

⁷ Constitution of India| Article 24 Prohibition of employment of children in factories and any other hazardous employment.

Other National laws which governs labor rights and the freedom from exploitation includes the *Bonded Labor System (Abolition) Act, 1976* which aims at abolishing the bonded labor system in India⁸. *The Industrial Disputes Act, 1947* specifically aimed at settling industrial disputes and prohibiting unfair labor practices as it regulates the layoffs, retrenchment and closure of establishment under the industries⁹.

Controlling Agencies and Institutions: Labor and Globalization;

There are several regulatory bodies which deals with global labor and the most prominent of all is the *International Labor Organization ILO*. Tackling global labor is a complex problem which involves the collaborations and contributions of *Multinational Corporations (MNCs)*, National Government and *Non-governmental Organizations* NGOs.

The *International Labor Organization ILO*, as a specialized UN agency for labor is the central body in shaping global labor standards through a unique tripartite structure involving governments, employers and workers. The Mission of the ILO is to propagate and promote social justice and internationally recognized human and labor rights as it advocates for decent work for all¹⁰.

In ensuring the regulation and enforcement of labor standards, the ILO employs several methods to influence labor practices, some of these includes *ratification* wherein member states can ratify conventions which makes them legally binding in that country itself. Furthermore, the Supervisory system allows the ILO to monitor compliance through such system of expert committees and reporting requirements. It also publicizes violations of labor standards while relying on international pressure and reputational risk to encourage strong compliance which is a strategy known as “Shame mobilization”.

Multinational Corporations MNCs are undoubtedly highly influential in regulating labor through their own internal policies and supply chain demands. Larger companies adopt internal Codes of Conducts (CoCs) that outline labor and ethical standards for their own operations and their global suppliers.

⁸ Bonded Labor System (Abolition) Act, 1976 | Act of Parliament

⁹ Industrial Disputes Act, 1947 | Act of Parliament

¹⁰ International Labor Organization| International Labor Standard| Last Visited October 12, 2025
<https://www.ilo.org/international-labour-standards>

The *World Trade Organization WTO* which collaborates alongside the International Labor Organization ILO on researching and providing technical assistance to address the issue of trade and employment. The two organizations have distinct responsibilities as affirmed in the *1996 Singaporean Ministerial Declaration*¹¹ affirming the WTO core labor standards.

Suggestions and Conclusion:

Globalization's impact on human rights involve a critical analysis of labor, migration and trade rights which collectively governs the exchange and interactions in the global market and is considered a neutral paradox which is dependent on a state's acceptance and enforcement mechanisms. Why regulating globalization, it is important to take cognizance of the opportunities which are associated with it as well as the international prestige and global partnerships which comes along. In the regulation process, it is advisory to ensure that both State and Non-state actors work in collaboration with each other and enforce the adherence to International Labor Standards and national statutory regulations.

The regulations are not the sole responsibility of the State only, it involves collective efforts and support from NGOs and even Civilian Organizations. Additionally, while trying to balance globalization the protection of Human rights, it is necessary to adopt strong international cooperation, establish a clear legal framework and be accountable for both the state and corporate actors. Global trade and its interconnectedness with human rights has created some strains human rights particularly in developing countries, thus, making deliberate strategies necessary to mitigate risks and enforce global labor standards.

¹¹ Singapore Ministerial Declaration adopted 13 December 1996, World Trade Organization. Ministerial Conference (1st: 1996: Singapore) UNCTAD. Trade and Development Board (14th executive session: 1997: Geneva)
<https://digitallibrary.un.org/record/238735?ln=en>

References:

Globalization and employment nexus| Moderating role of Human capital| PMC | Indeed Editorial Team | Updated March 28, 2025| Last visited October 9, 2025

https://ca.indeed.com/career-advice/career-development/globalization#:~:text=Globalization%20can%20have%20many%20positive%20impacts%20on,include:%20*%20Improving%20wages%20*%20Healthy%20competition

The Globalization Paradox: Why global markets, states and democracy cannot coexist. Oxford: New York: Oxford University Press 2011, 346p.

<https://www.coleurope.eu/globalization-paradox#:~:text=For%20a%20century%2C%20economists%20have,Dani%20RODRIK>

Globalization: Societal Implications| Research Starters| EBSCO Research| Last visited October 10, 2025

<https://www.ebsco.com/research-starters/social-sciences-and-humanities/globalization-societal-implications>

Industrial Disputes Act, 1947 | Act of Parliament

International Labor Organization| International Labor Standard| Last Visited October 12, 2025

<https://www.ilo.org/international-labour-standards>

Yang Tai| The Role of Globalization in Shaping Cultural Exchange| Journal of Global Economics| Department of Sociology, University of Taiwan, China| Published September 30, 2024

<https://www.hilarispublisher.com/open-access/the-impact-of-globalization-on-local-cultures-and-traditions-110501.html#:~:text=The%20impact%20of%20globalization%20on%20local%20cultures%20and%20traditions%20is,and%20adapt%20their%20cultural%20identities>