

THE HINDU

“All marginalized groups are insecure”

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Ahead of the International Human Rights Day on December 10, the Working Group on Human Rights (WGHR) in India and the UN have expressed concerns over the “deteriorating” human rights conditions in the country, adding that all the marginalised groups were feeling insecure. While releasing the “Human Rights in India – Status Report 2012”, WGHR convenor Miloon Kothari appealed to the Indian Government to fulfil its national and international human rights commitments in these areas.

Expressing concern at the increased militarisation, lawyer and activist Vrinda Grover highlighted that the last four years have seen a marked increase in the deployment of security forces and draconian laws by the Indian Government to deal with socio-economic uprisings and political dissent and also to push the State’s development agenda.

The Indian Government is not ready to repeal the Armed Forces Special Powers Act (AFSPA), one of the draconian laws widely used in conflict areas, in spite of the fact that various UN human rights bodies and government committees have repeatedly called for it,” she added.

Underlining the ‘contradiction’ in the Government’s position, Ms. Grover argued that the military approach and the on-going conflicts contradict India’s stated position in the UN that “India does not face either international or non-international armed conflict”.

‘Torture practised’

“Torture is routinely practised as a law enforcement strategy throughout India. It is even more widespread and violent in conflict areas. Enforced disappearances, arbitrary arrests and detentions, extrajudicial killings, sexual violence as well as the use of lethal force in dispersing largely peaceful protests remain entrenched in these areas,” she added.

Highlighting the human cost of the development, Shivani Chaudhry, associate director, Housing and Land Rights Network, argued that the prevalent economic policies and overwhelming preoccupation of the Government on increasing GDP growth rate has contributed to increased violations of economic, social and cultural rights in India, with poverty, hunger, malnutrition and inadequate housing and living conditions affecting a large percentage of the population.

“India remains home to world’s largest number of hungry masses and malnourished children, along with the highest child mortality rate in the world. Due to the so-called development projects, we have around one million people getting displaced annually without concrete measures of rehabilitation and resettlement. There are six doctors and nine hospital beds per 10,000 people, while only 15 per cent of the population has health insurance,” said Ms. Chaudhary.

When the GDP falls from eight per cent to five per cent, the Government does emergency meetings and brings about a policy overhaul but ironically there are some disturbing statistics on social indicators for which the Government does not seem to be bothered, she argued.

On the issue of the marginalised groups' access to justice, Ms. Madhu Mehra, director, Partners for Law in Development, argued that the majority of India's population remains marginalised with many groups facing entrenched discrimination, violence and neglect, including women, children; Scheduled Castes (SCs) and Schedules Tribes (STs); lesbian, gay, transgender, bisexual and intersex (LGBTI); persons with disabilities; and religious minorities.

"Discrimination against women continues to be intrinsic to family law, justified by the State as a necessary facet of multi-culturalism. Despite homosexuality being decriminalised in 2009, no proactive steps have been taken to legally protect the LGBTI persons from discrimination in housing, employment, education and other fields of life." Expressing grave concern at the situation, she said that the State needed to go beyond piecemeal 'welfarism' to a comprehensive framework of rights, to fulfil its promise of human rights to all.

Says a UN body ahead of the International Human Rights Day

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