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## HUMAN RIGHTS SITUATION IN INDIA

### ISSUE

Human rights abuses continue in India despite a comprehensive legal framework protecting the rights of Indian citizens. On-going violence and abuse in Kashmir and Punjab are of particular concern with police and security forces as well as opposition groups allegedly involved in serious human rights violations.

### BACKGROUND

The formation of a minority Congress (I) Government by Narashima Rao in 1991 appeared to mark a movement away from personality-based politics towards a greater focus on issues as it was the first time a Congress Government was not led by a member of the Nehru/Gandhi family dynasty. Under the Rao Government, India has embarked on a comprehensive economic liberalisation program which has begun to dismantle the protectionist, licence dominated, state-controlled economic system in favour of a more open economy.

India is a multi-ethnic country with most states created along ethnic/linguistic lines. About 30% of India's population remain below the poverty line. Although India is officially a secular state, communal or inter-religious tensions and violence have been increasing as demonstrated with the recent demolition of the Babri mosque in Ayodhya by militant Hindus and the resulting violence which left over 1000 people dead.

While protection of human rights is well covered in India's legal framework, India is unable to implement these laws effectively and human rights abuses continue in a range of areas.

In Punjab, state and national elections took place in February 1992 after a long period of Presidents rule but the situation remains unsettled. Sikh militant violence and killings continue while the army, police and security forces are accused of custodial brutality, torture and death. The current death toll as a result of political violence is approximately four hundred per month.

Kashmir is the only state in India with a Muslim majority and, over the past two years, secessionist sentiments and activities have escalated. The current phase of unrest had its origins in the rigged state assembly elections of 1987 and resulted in violent protests in Srinigar in December of 1989. The introduction of over 200,000 Indian military personnel, the dissolution of the state assembly and the imposition of President's Rule has further

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