

* Due to the separation of Montenegro from Serbia, Montenegro is now treated as a sovereign country. Although it is not listed above, according to Freedom House, Montenegro has a PL rating of 3 and a CL rating of, 3, thusly classifying one of the world's newest countries as "partly free." Along a similar vein, Kosovo, which also separated from the Yugoslav successor state of Serbia, is not listed above. No calculation is available for Kosovo at this time, however, a future Freedom House ranking may include the world's newest country in its tally. Taiwan has been listed above despite its contested status; while Taiwan claims sovereign status, China claims ultimate jurisdiction over Taiwan.

Source:

This data is derived from the latest edition of Freedom House's Freedom in the World 2008 edition.

-- as of 2009

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Human Rights

Overview of Human Rights in India

The Republic of India is a multiparty, federal, parliamentary democracy. India has a mixed human rights record. While there have been improvement in some areas, there have also been reports of abuses.

Societal and governmental discrimination based on caste, social, and/or religious grounds continues despite new laws that are supposed to protect against it. Dalits, or those who perform the most menial and degrading of jobs in the nation, continue to face violence and discrimination. They are faced with harassment, police brutality, mutilations and killings if they attempt to cross caste barriers. The Adivasis, an indigenous people in India, are often misplaced due to the Land Acquisition Act of 1894. which the government still using to claim lands for development.

Members of the security forces continue to enjoy impunity for human rights violations. Laws, such as the National Security Act, the Disturbed Areas Act, the Armed Forces Special Powers Act, the Public Safety Act, and the Criminal Code of Procedure, allow security agents to be shielded from any legal accountability for many abuses committed. Torture, rape, beatings, and custodial killings fall under this umbrella of safety.

India has the highest population of working children in the world. Many of these work in the worst forms of child labor. While these children should be protected by child labor laws, due to reasons such as corruption, apathy or caste bias, the government chooses to ignore the plight of the children.

A recent estimate indicates that 5.1 million people live with HIV/AIDS in India. Many experts suggest this number is low and the actual number could be as high as ten million. Those living with this disease face stigmatization and discrimination. They are also denied employment and access to education and healthcare.

While India is home to a generally free press, the government occasionally limits this freedom. As well, freedom of movement is occasionally hindered.

Authorities sometimes harass human rights activists.

Since 2003, there has been a tentative cease-fire along the Line of Control in Kashmir. However, terrorism-related violence inside of Indian-controlled Kashmir continues. Bomb and grenade attacks on civilians and on moderate Kashmir leaders hinder the peace process. Since the insurgency began in 1989, thousands of people have disappeared and most are presumed dead.

Thousands of Burmese seek refugee in India each year in order to escape the Burmese military government. However, many are turned back or if allowed to stay, are not granted proper protections under the law.

Human Development Index (HDI) Rank:

128th out of 177

Human Poverty Index Rank:

58th out of 103

Gini Index:

32.5

Life Expectancy at Birth (years):

69.25 years

Unemployment Rate:

8.9%

Population living on \$1 a day (%):

34.7%

Population living on \$2 a day (%):

79.9%

Population living beneath the Poverty Line (%):

36.3%

Internally Displaced People:

1,100,000

Note-Some 160,000 refugees from China/Tibet, Sri Lanka, and Afghanistan are currently seeking asylum in India

Total Crime Rate (%):

30.7%

Health Expenditure (% of GDP):

Public: 1.3%

% of GDP Spent on Education:

4.1%

Human Rights Conventions Party to:

- International Convention on the Prevention and Punishment of the Crime of Genocide
- International Convention on the Elimination of All Forms of Racial Discrimination
- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Signed but not yet ratified)
- Conventions on the Rights of the Child

*Human Development Index (HDI) is a composite index that measures the level of well-being in 177 nations in the world. It uses factors such as poverty, literacy, life-expectancy, education, gross domestic product, and purchasing power parity to assess the average achievements in each nation. It has been used in the United Nation's Human Development Report since 1993.

*Human Poverty Index Ranking is based on certain indicators used to calculate the Human Poverty Index. Probability at birth of not surviving to age 40, adult literacy rate, population without sustainable access to an improved water source, and population below income poverty line are the indicators assessed in this measure.

*The Gini Index measures inequality based on the distribution of family income or consumption. A value of 0 represents perfect equality (income being distributed equally), and a value of 100 perfect inequality (income all going to one individual).

*The calculation of the total crime rate is the % of the total population which has been effected by property crime, robbery, sexual assault, assault, or bribery (corruption) related occurrences.

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Government Functions

Constitution

According to its constitution of 1950, India is a "sovereign, socialist, secular, democratic republic." Similar to the United States, India has a federal form of government. The central government in India, however, has greater power in relation to its states, and its central government is patterned after the British parliamentary system.

Executive Power

The government exercises its broad administrative powers in the name of the president, whose duties are largely ceremonial. A special electoral college elects the president and vice president indirectly for five-year terms. Their terms are staggered, and the vice president takes over the duties of the president following the death or removal from office of the incumbent.

Real national executive power is centered in the Council of Ministers (cabinet), led by the prime minister. The president appoints the prime minister, who is designated by legislators of the political party or coalition commanding a parliamentary majority. The president then appoints subordinate ministers on the advice of the prime minister.

Legislative Power

India's bicameral parliament consists of the Rajya Sabha (Council or House of the States) and the Lok Sabha (House of the People or People's Assembly). The Council of Ministers (including the prime minister) is responsible to the Lok Sabha and must retain the support of a majority of the members of the Lok Sabha to remain in office.

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