



Human Rights Report 2020: USA

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Why in News

The US State Department, in its **2020 Human Rights Report**, pointed out several Human Rights Issues in India.

- The report, which is submitted each year to the US Congress, is retrospective and contains a country wise discussion of the state of **human rights**.
- Earlier in March 2021, **Freedom in the World 2021** report had **downgraded India's status from 'Free' to 'Partly Free'**.
- India has also been classified as an **"electoral autocracy"** in the annual report named **Autocratisation Goes Viral** of **Sweden-based Varieties of Democracy (V-Dem) Institute**.

Key Points

- **Harassment of Journalists:**
 - The harassment and detention of journalists critical of the (Indian) government in their reporting and on social media, has continued, although the **government generally respected the freedom of expression**.
 - It mentioned restrictions on the press, including **violence, threats of violence, or unjustified arrests or prosecutions against journalists**.
- **Accessing Private Data:**
 - Government's requests for user data from Internet companies had increased dramatically.
 - The government made 49,382 user data requests in 2019 from Facebook, a **32% increase from 2018**. Over the same period,
- **Arbitrary Deprivation of Life:**
 - The report highlighted the case of **custodial deaths in Tamil Nadu**.

- **Unreasonable Detentions:**
 - The report takes note of the **April 2020 detention of protesters against the citizenship laws** and various other incidents under the **Unlawful Activities Prevention Act 1967**.
 - Detention of politicians under the **Jammu & Kashmir's Public Safety Act 1978**, was also mentioned.
- **Improvement in Human Rights Situation in Jammu & Kashmir:**

The government continued taking steps to restore normalcy in Jammu and Kashmir by **gradually lifting some security and communications restrictions**.

The **government partially restored internet access**, however, high-speed 4G mobile internet remained restricted in most parts of Jammu & Kashmir for the year 2020.
- **Restrictive Rules and Lack of Investigation:**

Overly restrictive rules on **non-governmental organisations**, restrictions on political participation, widespread **corruption** at all levels in the government, lack of investigation of and accountability for **violence against women**, and forced and compulsory child labour, as well as **bonded labour**.
- **Religious Freedom:**

Tolerance of **violations of religious freedom**; crimes involving violence and **discrimination targeting members of minority groups** including women based on religious affiliation or social status.

Human Right Provisions in India

- **Enunciated in the Constitution:**
 - **Fundamental Rights: Articles 12 to 35** of the Constitution. These include the Right to Equality, Right to Freedom, Right Against Exploitation, Right to Freedom of Religion, Cultural & Educational Rights, Saving of Certain Laws and Right to Constitutional Remedies.
 - **Directive Principles of State Policy: Article 36 to 51** of the Constitution. These include 'right to social security, right to work, to free choice of employment, and protection against unemployment, right to equal pay for equal work, right to existence worthy of human dignity, right to free & compulsory education, equal justice & free legal aid and the principles of policy to be followed by the State.'

- **Statutory Provisions:**

Protection of Human Rights Act (PHRA), 1993 (as amended in 2019) provided for the constitution of a **National Human Rights Commission** at the Union level, which steers State Human Rights Commission in States and Human Rights Courts for better protection of Human Rights and for matters connected therewith or incidental thereto.

Section 2(1)(d) of the PHRA **defines Human Rights** as the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India.

- India took active part in drafting of the **Universal Declaration of Human Rights (UDHR)**.

These 30 rights and freedoms include civil and political rights, like the right to life, liberty, free speech and privacy and economic, social and cultural rights, like the right to social security, health and education, etc.

Source:TH