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# HUMAN RIGHTS COMMUNIQUE

*Your Quarterly Dose of Human Rights*

## CENTER FOR ADVANCED STUDIES IN HUMAN RIGHTS

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**Felony Disenfranchisement:  
A Pertinent Issue in the Election  
Season**

**INTRODUCTION**

Felony disenfranchisement refers to “the practice of barring individuals who have been convicted of felony crimes from voting in political elections”<sup>1</sup>. There are different degrees of felony disenfranchisement. Some countries like Australia and France impose selective restrictions on the suffrage rights of felons, depending on factors like the kind of crime, the term of prison sentence etc.; while countries like India and New Zealand impose a ban on voting during the sentence. The third and highest degree of disenfranchisement is followed by countries like the United States of America and Chile which ban felons from voting even after release from prison.

This denial of voting rights to felons and criminals has been incorporated as they are viewed as a risk to public safety and hence, they must be supervised and controlled.<sup>1</sup> However, this contradicts the right of universal suffrage, especially when this right is curtailed post the sentencing period. This denial of right is contrary to principles of international human rights law. Article 25 of the International Covenant on Civil and Political Rights states that:

“Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his country.”

The right to vote forms the very core of a democratic setup and this right should only be curtailed on “objective and reasonable” grounds. According to the Human Rights Committee, the period of suspension of voting rights on the basis of conviction should be proportionate to the offence and sentence. This denial of suffrage rights has been seen to disproportionately affect minorities and is also viewed as counterproductive to efforts of reintegrating those persons back into the society<sup>1</sup>, especially when the ban continues post the completion of the term. The Constitutional Court of South Africa, the Supreme Court of Canada and the European Court of Human Rights have all ruled that a blanket ban on voting rights for all convicted prisoners is discriminatory and violates their dignity.

**SCENARIO IN INDIA**

The Representation of People Act, 1951 lays down the law regarding felony disenfranchisement in India and states that: “No person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or transportation or otherwise, or is in the lawful custody of the police:

Provided that nothing in this sub-section shall apply to a person subjected to preventive detention under any law for the time being in force.”

The constitutionality of this provision was upheld by the Supreme Court in *Anukul Chandra Pradhan v. Union of India* on the ground that it seeks to achieve the objective of decriminalization of politics. The practical realities of holding election in prison and the kind of infrastructure and support needed for the same was also held to be valid justifications for denying the right to vote.

The Court held that a prisoner was “in prison as a result of his own conduct and is, therefore, deprived of his liberty during the period of his imprisonment [and] cannot claim equal freedom of movement, speech and expression with the others who are not in prison.”

However, recently, the Delhi High Court issued a notice to the Election Commission raised through a PIL<sup>1</sup>. A PIL was also filed in the Supreme Court with regard to this issue<sup>1</sup> on the ground of violation of Articles 14, 19 and 21. The key issue with this provision is that it fails to differentiate between convicts, under-trials and who are in police custody. It thus, overlooks the legal principle of “innocent until proven guilty”. The denial of voting rights to persons who are not convicts is a brazen violation of this principle. Moreover, in such a case, it also creates a difference in treatment of persons who are out on bail and that still in custody, although both categories are undertrials. This fails to meet the dual test of reasonable classification and intelligible differentia.

Secondly, the resource crunch and the practical difficulties in allowing prisoners to vote is not a valid justification for the denial of a right. Granted that rights are not absolute, but they can only be restricted on reasonable grounds; and practical difficulties constitute an unreasonable ground for the same. It is a well known fact that the Election Commission of India conducts elections throughout the country, despite the problems posed, which include threat of violence, weather conditions, terrain etc.

Lastly, the argument of the Supreme Court that the prisoners have been imprisoned due to their own conduct fails to recognize the fact that the crimes so committed by them differ in their degrees and hence, the restrictions so imposed on them must also differ. Therefore, some persons who have committed grave offences may not be allowed to vote, whereas persons with lesser sentences or who have committed less serious offences should not be denied their suffrage rights.

### **WHY CONVICTED PRISONERS SHOULD NOT BE ALLOWED TO VOTE?**

The right to vote is a democratic right, which is a privilege that comes in synchronization with rights of citizenship. The right to vote is what marks a citizen's stake in society, its functioning and make up. It gives recognition to a citizen's right to exercise power. In the case of prisoners, the interaction they have with the society is radically restricted. This restriction works in a loop, as it is for the betterment of that very society. However, a prisoner, as a political being, ought to be kept outside this loop because of the lack of prudence and judgment that got him entangled in the prisons.

Moreover, furthering voting rights to convicts can create a new cesspool of corruption as politicians would want to derive benefit from a freshly created vote bank, which is excluded from society because of the crimes they have committed against it. It should also be noted that convicts are under the direct influence of their guards, cut off from other sources like active campaigns that could influence their vote in a positive manner. Hence, if given a voice in the electoral politics, it is very likely that that voice would not be their own. Incarceration is an effort towards removing the influence of convicts from society.

However, granting these very convicts an equal right to vote creates a loophole in excluding their influence from society.

The privilege of citizenship should only be granted to the citizens who harmoniously fit in the social fabric. Convicts have a documented proof against circumventing the rule of law, hence, clearly having foregone their civic duty, and paving way towards, what the Greeks called, ‘Civil Death’.

Crime, a societal problem, can not in any way be aided by a grant of the right to vote, which is a societal privilege. A convict, who has failed the expectations that are imposed on citizens, cannot be expected to have the same level of judgment and conscience as that of a non-convict, and hence cannot be trusted with deciding who leads the very society that he has failed to respect.

### **THE WRONGS OF FELONY DISENFRANCHISEMENT**

The most recent petition against the felony disenfranchisement, *Aditya Prasanna Bhattacharya v Union of India & Ors*, a nexus was drawn between felony disenfranchisement, the violation of Article 14 and decriminalization of politics. The leave petition has brought this issue to limelight, at a very appropriate time, when the country has found itself politically provoked and enlightened.

The issue of felony disenfranchisement ought to be dealt in an expeditious manner as the section in the Representation of People's Act, 1951 that provides against the grant of voting rights to prisoners, 62(5), is found to create a discrepancy in political rights; this is because of the existence of section 8(3) of the same Act, which says a person convicted of an offence which carries imprisonment of under two years is eligible to contest an election. This confusion regarding the status of a prisoner as a political being needs to be resolved; on one hand they cannot decide who should lead them, but on the other hand they can lead.

Moreover, the blanket ban on all the convicts and under trials against the right to vote does not pay heed to the fact that prisoners convicted of different crimes have varying levels of mental awareness and prudence.

### **CONCLUSION**

The debate on the right to vote being extended to the prisoners is far from settled. The debate in itself is as dubious as the nature of the right to vote, which in some judgements is recognized as a statutory right and in some other, a constitutional right. The courts should create a reasonable classification between convicts and under trials. Moreover, person who have been imprisoned for minor offences should not be a differentiation between convicts of serious and petty offences. This issue can be successfully laid to rest when a common ground between human rights and criminology is excavated.

A close-up portrait of Julian Assange, a man with short, light-colored hair, wearing a dark suit jacket, a white shirt, and a patterned tie. He is looking slightly to the right of the camera with a neutral expression. The background is dark and out of focus.

## The Curious Case Julian Assange – Treading Between Journalist & a Hacker

Julian Assange, the founder of Wikileaks and longtime target of both the US and UK governments, was arrested on the 11th of April after being marched out of the Ecuadorian embassy where he had spent the past 7 years in exile. This move raises the prospect of Assange being extradited to Sweden to face charges of rape and sexual assault or even to the USA, where investigators put out an indictment accusing him of conspiring to hack into government computer servers. Ecuador's president, Lenin Moreno explained that he had taken the decision to revoke Assange's asylum after numerous instances of 'discourteous and aggressive behaviour'.

While it is true that the arrest of Julian Assange raises several questions that are of a more geopolitical and diplomatic nature, this article focuses solely on the ideal of press freedom and the ramifications this event may have on its future development. At its heart, this issue concerns itself with the distinction between a journalist and a thief, and depending upon the interpretation chosen, may result in a chilling effect on all future whistleblower actions and government leaks.

### THE CASE AGAINST ASSANGE

Julian Assange and Wikileaks rose to prominence in 2010 with their revelation of classified documents about American Military activities in Iraq and Afghanistan. The mainstream work of WikiLeaks was to publish secret information, news leaks and classified media from anonymous sources. Their work includes revelations about drone strikes in Yemen, corruption in the Arab world, the extrajudicial executions performed by Kenyan police, the 2008 Tibetan unrest that took place in China, the "Petrogate" oil scandal in Peru, the leaked emails from the Turkish government published at the height of Erdogan's post-coup purges in Turkey in December 2016, and collection of more than two million emails from Syrian political figures, government ministries and companies.

By 2015, WikiLeaks had published more than 10 million documents and associated analyses, and was described by Assange as "a giant library of the world's most persecuted documents." The published material between 2006 and 2009 attracted readers from various parts of the world but it was only after it began publishing documents supplied by Chelsea Manning that it gained international attention.

Assange quickly became a hero to the liberal left and the anti-war movement who praised him for exposing the grave misconduct of the American war machine.<sup>1</sup> However, there also emerged an equally vociferous opposition likening him to a traitor for stealing and releasing classified government secrets that could possibly endanger the lives of government operators and other allies of the United States the world over. Assange jumped bailed in London in 2012 when he was charged with Rape and sexual assault in Sweden<sup>1</sup> and was subsequently granted asylum in the Ecuadorian embassy. He had remained there till the 11th of April when he was expelled and subsequently arrested by the London Metropolitan Police.

In 2014, on a complaint filed by Assange, his case was investigated by the United Nations Working Group on Arbitrary Detention (WGAD) asserting that the threat of arrest resulted in him being "deprived of his liberty in an arbitrary manner for an unacceptable length of time." The case posited two main questions before WGAD- first, 'does the deprivation of liberty of Assange qualify as 'arbitrary detention', given that he voluntarily took refuge at the embassy and was granted diplomatic asylum by Ecuador? Second, is the indefinite and continued deprivation of his liberty in violation of human rights norms relating to the guarantee of a right to fair and speedy trial, and freedom of movement?' The working group concluded that this was a clear case of curbing human rights and individual liberty of an individual. The refuge taken was definitely not voluntary but imposed. Assange's detention was in violation of Articles 9-which provides that no one shall be subjected to arbitrary arrest, detention or exile- and Article 10 -which provides for a right to a fair trial- of the Universal Declaration of Human Rights (UDHR) and Articles 7, 9(1), 9(3), 9(4), 10 and 14 of the International Covenant on Civil and Political Rights (ICCPR).

Though it is true that the question of press freedom only arises in the event of Assange being extradited to the US, a possibility that seems rather remote as Sweden prepares to reopen its investigation into accusations against Assange, such an event cannot be outrightly denied. This is because of the indictment released by US law enforcement. In it, federal prosecutors accuse Assange of assisting former army analyst and whistleblower, Chelsea Manning to illegally “hack a password stored on United States Department of Defence computers”. Manning started passing classified information from US Government servers to Wikileaks in 2010<sup>1</sup> but eventually grew weary and hesitant. It is at this point, the indictment argues, that Assange relinquished his role as a journalist and began encouraging Manning for the illicit retrieval of these documents.

*“On or about March 8, 2010, Assange agreed to assist Manning in cracking a password stored on United States Department of Defense computers connected to the Secret Internet Protocol Networks, a United States government network used for classified documents and communications”*

The US therefore accuse Assange of instructing Manning to hack into government servers using a password that was not her own. It is on these grounds that they plead that the actions of Assange amount to an abetment to hack government servers rather than merely receive and publish classified information.

### **THE LARGER QUESTION OF FREEDOM OF PRESS**

This issue may be looked at from two perspectives. Firstly, did the actions of Assange and Wikileaks amount to the facilitating of theft of classified government information? Or rather, were they the actions of a news organisation merely publishing information it was supplied with? Either way, US law is murky on these grounds and does not offer clear solutions. Reliance may possibly be placed on the 1971 US Supreme Court case of *New York Times v. United States*<sup>1</sup>. However, it must be noted that this case only held that the government could not block the publication of classified material before it was released to the public. That is to say, the Court struck down the idea of ‘prior restraint’. Therefore, even though this case deals with classified information and indirectly upholds the right of the press to publish it, it provides no guidance on the legality of the manner in which such information was gathered in the first place and the role of journalists in such a scenario.

That whistleblowers and leakers of classified information are, for the most part, essential to a healthy and vibrant democracy is not in dispute. The right to publish this information, provided that publisher committed no illegal acts on their part, is also protected as seen in the aforementioned case. However, it must be kept in mind that the person disclosing classified data is in no way protected against liability. Indeed, Manning was tried, convicted and imprisoned for 35 years for her actions (she was later pardoned by President Obama in 2017).

## **INTERNATIONAL NEWS**

### **"All We Want is Equality": Religious Exemptions and Discrimination against LGBT People in the United States**

The rash of new “religious exemption” laws passed by state legislatures around the United States represent a thinly-veiled assault against the rights of LGBT people, failing to balance moral and religious objections to LGBT relationships and identities with the rights of LGBT people themselves.

### **Australia's first year on the UN Human Rights Council**

Australia took its place on the UN Human Rights Council this year for a three-year term. Australia delivered a strong statement about Myanmar's atrocities against ethnic Rohingya Muslims, but was criticised for holding refugees and asylum seekers offshore. While Australia supported important country resolutions, it failed to take a leadership role on any key issues.

### **US-India Agreement**

During Modi's visit to the United States in June, a US India Joint statement reiterated cooperation on increasing trade and combating terrorism, including calling upon Pakistan to ensure that its territory is not used to launch terrorist attacks on other countries. There was not even a token mention of pressing human rights issue in India, including the limits on free speech and attacks on religious minorities.

Therefore, the question for our consideration is this: what if a person or an organisation coordinates with or merely encourages another person to retrieve and disclose classified information. And this is also the position that, many argue, Assange currently finds himself in. The US indictment argues that Assange offered Manning a means of hacking into US Government servers anonymously. In normal criminal jurisprudence, this would be a fairly straightforward case of abetment<sup>1</sup>. Therefore, if US prosecutors were to prove that Manning used the assistance Assange provided to eventually leak classified information, conviction could be very likely indeed. For now though, this remains an open question.

## CONCLUSION

The pertinent question is, whether through the arrest of Julian Assange, justice is being served against a man who broke the law, or is it a warning shot that freedom of press is under threat in the United States? The controversy over WikiLeaks' stand in the journalistic sphere and how Assange's arrest is perceived by the reporters is a relentless debate. It may be said Julian Assange was justified in his actions if the goal was the pursuit of truth and journalistic integrity. It may even be that Assange did commit a crime — but his arrest might not be something we should cheer, at least not without some reflection. It is a fight of human rights and the freedom of the press. It is ultimately a fight for the rights of every person who wants to live in a sociable world where altruism and courage and freedom are significant.

Because that is what Julian Assange and Wikileaks stand for, what their work has inspired us todo, what we should be grateful for and fight to protect.

## NATIONAL NEWS

### **India elected to Human Rights Council at UN with highest number of votes**

India has won the seat to Human Rights Council at United Nations with the highest votes among all candidates receiving 188 votes. Thirteen other countries representing other four regions were also elected to Council. India showcased its position as "the world's largest democracy". India's presence will be important because the previous UN High Commissioner for Human Rights Zeid Raad Al Hussein asked the body to facilitate an international commission of enquiry into allegations of Human Rights Violation in Kashmir

### **Treatment of Dalits, Tribal Groups and Religious Minorities**

Mob attack by extremist Hindu groups affiliated with the ruling BJP against minority communities, especially Muslims, continued throughout the year and amid rumors that they sold, bought, or killed cows for beef. Instead of taking prompt legal action against the attacker, police frequently filed complaints against the victims under laws banning cow slaughter. As of November, there had been 38 such attacks, and 10 people killed during the year.



## Indian Elections: Monitoring Human Rights

*India is the world's largest democracy, but there is more to a democracy than simply participating in elections.*

- Meenakshi Ganguly

With the world's largest election having begun on 11<sup>th</sup> April 2019, it can sometimes be hard to keep track of what this seven phase long journey entails for the 125 crore Indians and a curiously watching world. According to various political analysts, the choice that the Indian electorate makes at this juncture will be very significant in determining the future of the country. Even though the Great Indian Election has been hailed world over as the biggest celebration of democracy, there are certain issues underlying the very core of the electoral process. These issues almost unfailingly manifest themselves every election season and hinder the execution of free, fair and 'humanised' elections.

On March 25, 2019, an open letter was written to the political parties and candidates in India by Human Rights Watch, an international non-governmental organization that conducts research and advocacy on human rights. Political parties were requested in the letter to give due place to human rights issues in their election campaign manifestos. The organization has also raised concerns about the declining respect for economic, social and political rights in India in recent years. A plethora of possible commitments were pointed out which should be adequately addressed by the parties to ensure that the new government implement these important recommendations. Some of them are:

- To amend the Foreign Contribution (Regulation) Act, so that it does not interfere with basic freedoms of association and assembly and cannot be misused to choke the protected activities of civil society organizations;
- To amend the Unlawful Activities Prevention Act to ensure that restrictions on organizations respect the right to freedom of association under international law.
- To repeal sedition, criminal defamation, and other laws that are misused to silence peaceful dissent.

Apart from these issues, there are various other flaws in the Indian electoral process that hit at the very basic human rights of the citizens. Some of these are discussed in the following sections.

### **Women as 'the voter' and 'the voted'**

A major success of the Indian democracy was that when many countries of the world were still grappling with the idea of a female head of the state, India was the second country in the world to elect a female head of state, Mrs Indira Gandhi.<sup>1</sup> In the present cabinet, women head some of the most important ministries like defence and foreign affairs. However, in India, nine out of 10 legislators are men.<sup>1</sup> While the Indian political landscape has seen some women rise to the highest of ranks in the corridors of power, the success of female politicians like Sushma Swaraj, Indira Gandhi or Pratibha Patil, remains largely an exception rather than a norm. According to the Inter-Parliamentary Union Report, as of January 2019, India ranks 148th among the tally of 193 countries in terms of women representatives in the Parliament. Out of 524 Parliamentarians, only 66 are women- a meagre 12.6%.<sup>1</sup> India ranks lower than its neighbouring countries as Pakistan is at 101st position and Bangladesh at 97th. The barriers to entry for female politicians are much higher as they contend with multiple other surface and structural issues.

According to the Economic Survey 2018, prevailing cultural attitudes regarding gender roles, domestic responsibilities, female illiteracy, lack of confidence and finances, and the threat of violence, are just some of the obstacles that women face in politics.<sup>1</sup> A possible solution to combat this state of affairs could have been reservation for women. In 1994, India ratified the 73<sup>rd</sup> and the 74<sup>th</sup> amendments to the Indian Constitution, granting women 1/3<sup>rd</sup> reservation in rural and urban local administration bodies. This was followed in 1996 by the introduction of the Women's Reservation Bill with the objective of reserving 33 per cent of seats in Lok Sabha and the state legislative assemblies for women. After much contestation, the Bill finally passed in the Rajya Sabha in 2010 but lapsed in 2014 with the dissolution of the 15th Lok Sabha. It continues to languish — 25 years since the initial proposal. Thus, seven decades after India gained independence, women are still woefully underrepresented as political candidates in state and national elections.

Another aspect of women in politics is women as voters. While women are still contesting and winning elections at low rates, ordinary female voters have started to play an active role only recently. In 2014, overall voter turnout hit a record high-66.4 per cent of eligible voters cast ballots in the elections.<sup>1</sup> This was seen as a significant jump from the participation levels seen in the 2004 and 2009 polls, when turnout stagnated around mere 58 per cent. However, even in 2014 women lagged behind their male counterparts, though the margin of gap was seen to be gradually decreasing from 2009. In 2009, male voter turnout was around 60.24% whereas the turnout for women voters was 55.28%.

The disparity between number of women parliamentarians and male parliamentarians reeks of violation of the basic right to equality of the women in India.

### **Trolling**

Trolling is more dangerous than fake news.<sup>1</sup> Rational people may ignore propaganda and remain uninfluenced by fake news, but they may become victim of severe personal attack by thousands through social media. Trolling gives the impression of swelling public indignation about a person's work and views, and drowns out the target's voice with the howling of numerous digital voices.<sup>1</sup> Trolling has reached its zenith this election. Trolling has become more systematized and professional. This has become an effective tool of silencing critics and unfavourable voices by questioning their credibility, patriotism etc. It violates the right to speech, privacy and dignity of the trolled person. Women are worst affected by trolls as they encounter character assassination and receive rape threats.

A report by the human rights lawyer Carly Nyst and Oxford University researcher Nick Monaco in which they studied the phenomenon of state-sponsored trolling, or the digital harassment of critics is based on several countries: Azerbaijan, Bahrain, Ecuador, the Philippines, Turkey, the US and Venezuela.

They have shown that trolling has become a tool of political repression and its role has expanded beyond election campaigning to a political tool of the incumbent governments to silence critics and cause distraction. Trolls specifically target journalists to thwart them from pursuing independent journalism.

Solution to trolling has to be found. Disabling comments or tagging for certain statements or posts might help to control trolls.<sup>1</sup> Further, flagging of similar abusive comments might alert intermediaries to take some action to curb trolls.<sup>1</sup>

### **Death of People Coming to Vote for Health Reasons**

By the end of third phase of the seven-phase election, at least ten people have died while trying to vote.<sup>1</sup> These deaths have taken place in Kerala, West Bengal and Chhattisgarh.<sup>1</sup> Many people collapse due to sun-strokes in the scorching heat while standing in the long queues.<sup>1</sup> Election Commission should make adequate provisions for old and specially abled people by taking into account their special needs. Though some efforts are made by the Election Commission in this direction, they are insufficient. Further, lack of facilities may result in low voter turn-out in general as well as it may discourage the participation from the section of society with special needs in the elections.

### **Other Issues**

There are many other ways in which elections impact our human rights. In this elections, the media, especially TV media except few news channels, has failed to fulfil its obligation as fourth pillar of democracy. It failed to objectively present events and facts before the people so as to enable them to meaningfully exercise their voting right. They largely failed in raising and highlighting real public issues. Further, polarization on political and religious grounds is at its peak and Election Commission was only set in motion to curb this after it received a rap on its knuckles from the Supreme Court. Criminalization of politics is also a big problem in India. Besides, while in our country persons accused of grave crimes are allowed to contest elections, but those in jail are even denied the right to vote.

### **Conclusion**

Human right is an important aspect of elections. Human Rights Watch appropriately urged political parties and candidates to focus on human rights in their campaigns and election manifestos. There is need to inspire participation of women in elections both as political candidates and as voters and for these reforms both at the level of society and law are required. Similarly, needs of other sections like old people and specially abled people should be catered to. Further, freedom of speech and expression and right to privacy should be seen as part and parcel of free and fair elections. However, speech should not be divisive and polarizing.



## Humanitarian Crisis in Venezuela

### Introduction

The emergent crisis in Venezuela has changed the once financially enduring and commonplace power into a country with a hindered economy, high swelling and joblessness rates, defying inadequacy of sustenance, remedial courses of action, power and diverse necessities causing little crowds. Formed bad behavior and extrajudicial police killings have ended up being ordinary, with narcosellers coordinating business with the help of savage experts and security powers. The crisis in Venezuela continues increasing, with not a solitary recovery or mitigation to be found. The rescue of the economy will most likely incorporate a serious change program, broad scale financing from overall policymakers, and significant atonements from Venezuela's leasers and, by far most of all, the Venezuelan people. There is a respite in the money related development and the seeds of hyperinflation have been planted. Stores are falling distinctly, dictated by capital flight and a fiscal deficit. This is a departure from the Venezuela that was the power for Latin American compromise. Under President Hugo Chavez the country was at the bleeding edge of structure a Latin America and Caribbean conspiracy.

Today, Venezuela is being denounced by regional relationship on political and fiscal flimsiness inside the nation. The request that is being presented by the widespread system is the way by which finished a prosperous nation with one of the greatest stores of oil on earth face such basic situation. The paper is an undertaking to find the reaction to this request.

The Crisis in Venezuela The Venezuela's economy is facing its most perceptibly horrendous subsidence in decades as the expense of oil, which speaks to 95 percent of its charge salary, has fallen since its top in June 2014. Overall cash related pros express that the overall oil cost ought to climb about \$15 a barrel — to \$70 — to liberally improve the fiscal condition for the government.<sup>2</sup> Oil was responsible for around 33% of the country's all out national yield (GDP). Venezuela is a building up individual from Organization of Petroleum Exporting Countries (OPEC)<sup>1</sup>, and since the 1973 oil crisis, its economy is associated with the rising and fall of overall oil costs. Additions in world oil costs in the earlier decade empowered the government to develop its institutionalized investment funds programs, place assets into social spending and lift the activity of Venezuela in the territory. The government developed a variety of open associations and nationalized various private firms in divisions, for instance, oil and gas, mining and metallurgy, security, banking and communicate interchanges.

Colossal social undertakings called 'misiones' were completed to pass on key organizations and trade advantages for as of late banned bits of the masses. Fiscal improvement and redistribution approaches incited an enormous abatement in destitution, from 50 percent in 1998 to around 30 percent in 2013, according to official figures. Inequality similarly lessened, as reflected in the decrease in the Gini Index, from 0.49 in 1998 to 0.40 in 2012, among the most insignificant rates in the region.<sup>4</sup> Nevertheless, the breakdown in worldwide oil costs, close by lacking substantial scale and microeconomic game plans, have basically affected Venezuela's money related and social execution. The lessening in oil costs has shown the results of one item dependence of the economy. Venezuela has been improving its economy into mining, agribusiness, etc, yet oil continues having a disproportionately high idea of the economy

The abatement in oil costs isn't the principle clarification behind the money related hardship in the country. It been exacerbated in view of wide spread degradation among government experts and a nonappearance of obligation. There is absence of customer stock, high swelling and joblessness rates. The centralization of the power in the hands of the President, reinforced by the Judiciary and the military had ensured that the course of action of administering rules has crumbled consistently.

Under President Chavez, Venezuela grasped another Constitution, setting off different institutional and political changes that incited a dynamic centralization of power in the hands of the President and a moderate, yet upheld, control by the Government of the institutional frameworks developed by the new Constitution.

His "Bolivarian Revolution" in 1999, close by the new constitution, set a lot of complement on social headway and human rights. It similarly changed over the lawmaking body from bi-cameral to unicameral and uncommonly extended the powers of the official branch. It extended the presidential term from five to six years and contemplated the president to hold the work environment for two consecutive terms. Chavez's change moved power in the official branch and incapacitated the overseeing decides that existed in the past system. in the meantime, a couple referenda were called, which were out and out won by the Government bar one unique case.

The Government managed the media and the nationalized a couple of parts of private industry and associations. Having rose to power without the assistance of a sorted out ideological gathering, and depending by and large on the military, President Chávez at last bolstered the arrangement of the Unified Socialist Party of Venezuela and impelled a political "dynamic endeavor" went for setting up a "21st Century Socialism". This delighted the government and the opposition.<sup>6</sup> Further the proceeded with abuse of the limitation added to the strain.

### India and Venezuela

In 2016 Venezuela acknowledged the Chairmanship of the Non-Aligned Movement. In his talk at the meet in Caracas, Vice President Hamid Ansari communicated that "Amicability, Sovereignty and Solidarity for Development", the point for the improvement for the accompanying three years was with respect to the greater target of NAM, which is to ensure "the respectability and progression of all humankind." He further communicated that, "the foundations of our Movement, explicitly "respect for influence", "peaceful settlement of discussion" and "overall joint effort" – are as relevant today as they were at the period of our first Summit." Relations among India and Venezuela have continued remaining lively disregarding the political turmoil in the country.

For India, its supply of grungy oil from the South American nation is critical. After Saudi Arabia and Iraq, Venezuela transformed into a huge wellspring of oil for India over the earlier decade, when India extended its overall idea to transform into the world's third-greatest oil shipper, after the U.S. besides, China. Separating its import sources wound up huge in the wake of the Arab uprisings, since West Asia is India's basic wellspring of oil. Right when United States age of nearby shale oil extended, it cut its oil imports from Venezuela by 49%, allowing to India to wander in. These market-driven components are the basic reason behind India's growing oil imports from Venezuela.

Regardless, the political bombshell in Venezuela has significance for India. The crisis has hurt Indian oil associations who have business relationship with PDVSA. State-asserted ONGC Videsh, Indian Oil Corporation and Oil India have placed assets into Venezuela's Carabobo and San Cristobal oil fields. These associations have seen age at the San Cristobal field chop down the center amidst a mass movement of capacity, absence of equipment, and robbery in the Orinoco Belt. India is moreover owed about \$600 million in late benefits for the joint unpleasant endeavor San Cristobal. Under strain,

PDVSA is standing up to issues of age as a result of nonattendance of advantages for pay its pro associations and suppliers or to keep up its equipment. This has caused defers in progress and transport isolated from adding to the retreat in the country. The other standard issue going up against the Venezuelan association is the issue of paying back its commitment to countries, for instance, Russia and China through oil portion. Venezuela has in the past sold its oil as a byproduct of things, for instance, sustenance and medications. India is one of just a bunch couple of countries that buys oil in genuine cash from Venezuela. The closeout of oil to India would mean the association would get the genuinely vital cash for itself, anyway Caracas needs the oil to pay commitments to China and Russia, key political accomplices that have together advanced Venezuela at any rate \$50 billion as an end-result of ensured unpleasant and fuel movements. This has inferred that Venezuela is losing its market to Saudi Arabia, Iraq and now Iran.

The other issue with oil from Venezuela is that it is overpowering and harder to refine. In a business focus that offers India with other higher quality fuel which isn't exorbitant from logically stable countries, it would suggest that while India is continuing to accept a gander at Venezuela as noteworthy for its extension decisions, oil from West Asia will remain transcendent for the event. One decision that is being researched by the two India and Venezuela is the purchase of Venezuelan foul from Russia and China. Indian preparing plants have the development to refine the significant grungy and this passage from China and Russia is likely going to increase if the situation in the South American nation does not improve. While this empowers India to continue with her extension decision, it similarly suggests that it will be of no prompt preferred standpoint to PDVSA or help the Venezuelan economy.

Venezuela, nearby Brazil and Mexico are critical markets for Indian pharmaceutical associations that give the human administrations organizations of these countries with high bore anyway terrible drugs. Regardless, of the advantages inside the country and demanding forex measure executed by the Venezuelan government has inferred that most of the Indian associations have not had the ability to recover their duty. In the past one year, supplies of Indian remedies toward the South American nation have everything except for stopped.

With an ultimate objective to find a response for this, the pharmaceutical business has proposed 'oil-for-meds' arrangement to the government. This has not found much help in Venezuela. It doesn't rush to frustrate its oil supplies and is pleasant to two-sided plans with the diverse associations. In any case, India has been allowed to moreover examine this decision as Venezuela, standing up to its fourth year in retreat, has searched for the assistance of the United Nations to help buy pharmaceutical things.

The Chamber of Pharmaceutical Industry of Venezuela starting late said the Venezuelan government owes about \$700 million in duty to pharma associations. Various outside firms have stopped giving prescriptions to Venezuela in view of unprecedented portions.

According to UNICEF, India is starting at now the most astounding country in giving medicines and helpful apparatus to countries in need. Indian associations have authoritatively developed their reputation for quality things in the Venezuelan market. Subsequently, it is a favorable moment to push for the arrangement.

The other recommendation is that the helpers of the association's store money in an Indian open part bank in Caracas, which is associated with a record of a comparative bank in India. India would store its portions for oil and diverse things into this record. If and when Venezuela makes any purchases from India, it will store the aggregate in the Indian bank in Caracas, and the Indian component would pull back the money from the record held in India

The limited outside stores it has and the compelled access to overall financing, close by the breakdown of the private zone to give principal items and adventures has suggested that the country is standing up to swelling in triple digits with an economy that is reliably contracting. Runaway development has similarly broken down the save assets and pay of people along these lines signifying a reduction in private use. Venezuela is also going up against a power supply crisis due to drought that has impacted the working of the hydro-power plants, that outfit the country with close to two-third of its power needs.

## CONCLUSION

With the differences between President Maduro and the opposition bunches creating, challenges in the city have ended up being logically savage. The Supreme Court starting late thrown in the towel from its decision to suspend the National Assembly. The choice communicated that all powers vested under the regulatory body will be traded to the Supreme Court. The Court has been solid of President Maduro. The choice satisfactorily suggested that every one of the three branches-the authority, the regulatory and the legitimate official would be under the control of the choice party. The reversal is being seen by some as the primary signs that President Maduro is understanding the purposes of restriction of his power. Regardless, how the political condition will spread out in the accompanying couple of months remains to be seen and request on how the government will address the monetary crisis with creating family unit unrest and worldwide weight remain questionable.

Contributions are invited for the next issue of the CASIHR Newsletter. The last day is 15<sup>th</sup> July'19 which can be mailed on [casahr@rgnul.ac.in](mailto:casahr@rgnul.ac.in)

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