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India: Children unprotected in Jammu and Kashmir

The unlawful killing of three teenaged boys and the serious injuries to a fourth boy during last weekend in a village in Jammu and Kashmir throws into sharp focus the lack of protection for children's right to life and safety in the state. Children are at risk of human rights violations from both state agents and abuses from armed groups.

Amnesty International urges both the state government and armed groups to respect the rights of children. The government of Jammu and Kashmir is under an international obligation to promote and protect child rights in line with India's ratification of the United Nations Convention on the Rights of the Child. Armed groups are under an obligation to abide by the standards of humanitarian law which strictly forbid the torture, killing and hostage taking of all civilians, including children.

An army spokesperson stated that the four juveniles, all between 11 and 15 years of age, were shot on 24 July 2005 in Bangargund village in Kupwara district when troops of the 6th battalion of the Rashtriya Rifles opened fire on the four teenagers, whom they mistook for armed fighters. The boys had started to run away when an army patrol called on them to stop in an area close to the Line of Control, which is the de facto border with Pakistan. Villagers claimed that the juveniles were part of a marriage party and had gone for a stroll in the village in the early hours of Sunday when soldiers opened fire before the boys could reply to their commands. According to reports, there was no curfew in the area. Local villagers claim that the village elders had informed the army of the marriage party and that people were likely to move about late at night.

An army spokesperson termed the incident "unfortunate" and announced that the army would fully cooperate with a magisterial inquiry set up by State Chief Minister Mufti Mohammad Sayeed. The army also ordered an internal inquiry. Police have registered a case against the army.

On dozens of occasions, armed groups have perpetrated indiscriminate attacks which have affected children. They have exploded bombs close to schools resulting in the deaths of several children and causing parents to fear for the safety of their wards.

On 12 May 2005, armed fighters threw a grenade just as schoolchildren were leaving a Christian missionary school in Srinagar, killing two women who had come to pick up their children and injuring some 50 people, including 20 pupils. No group has claimed responsibility for the attack.

On 13 June 2005, a truck bomb explosion near a school in Pulwama killed 15 people and injured almost 100 others. The car blew up as pupils revised for an exam in the sunshine on the school grounds. Two students were among the dead and 10 were injured.

Yet another bomb blast outside a school occurred on 20 July 2005 in Srinagar when a suicide bomber apparently drove his car into an army jeep killing four soldiers and wounding 17 civilians. The Hizbul Mujahideen later claimed responsibility for the bomb blast.

In December 2004, a school bus was set on fire to prevent schoolchildren from attending army schools in Anantnag district.

Children are also often amongst the victims during indiscriminate attacks on civilians. On 22 June 2005, two children were amongst 17 people injured when a grenade was thrown into a crowd of pedestrians in Gorivan Bijbehara.

Children are also at risk from discarded explosive materials. On 24 July 2005, three children aged six to nine years in village Ajir in Bandipore district were injured when they played with an explosive device left behind after troops ended an operation.

Children are deeply affected by witnessing abuses inflicted on their elders, on fathers, mothers and sisters humiliated, harassed, injured or killed by law enforcement personnel or armed groups. A large number of children have also had to take on the burdens of child labour after the "disappearance" of the main bread earners of their families. While the state government in June 2003 cited the figure of 3,184 "disappeared" persons in the Legislative Assembly, local human rights activists state that between 8,000 and 10,000 persons have "disappeared" in the state. Psychologists have spoken of the high level of disturbance, including sleep disturbance and fears amongst children in Jammu and Kashmir.