

AMNESTY INTERNATIONAL

Public Statement

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India: Excessive force used against protesting factory workers by police

Amnesty International is concerned about reports of excessive use of force against protesters by police in the industrial town of Gurgaon, Haryana, near New Delhi, on 25 July 2005.

Amnesty International welcomes the concern over police excess expressed by Sonia Gandhi, Congress Party Chairman, and calls for a prompt, impartial, thorough and transparent investigation into the incident to examine whether the use of force by police was consistent with national law and international standards including the Basic Principles on the Use of Force and Firearms, and the Code of Conduct for Law Enforcement Officials.

Amnesty International condemns any violence committed by protestors and acknowledges that every government has a right and duty to take measures to ensure the security of its citizens. Amnesty International wishes to remind the authorities in Hararyana that under international standards force may be used by law enforcement officials only when strictly necessary and to the minimum extent required in the circumstances.

The National Human Rights Commission has called for an investigation, preferably by the Central Bureau of Investigation.

While Amnesty International welcomes the Director General of Police George P John's promise that, "...all those responsible for violence today [25 July 2005] will be punished" and urges that following a prompt, impartial, thorough and transparent investigation, this promise is fulfilled and any officials reasonably suspected of having breached national law or international standards on the use of force be brought to justice in proceedings which meet international standards of fairness. Those who have suffered harm as a result of excessive use of force should also be adequately compensated.

Background

Reliable reports suggest that approximately 250 people were seriously injured, several people are missing and at least one person is dead following the protest by employees of Honda Motorcycles and Scooters India.

At approximately 10.30-11.00am on 25 July 2005, employees protesting a lock-out and harassment of workers wanting to unionize demonstrated by entering a road near Kamla Nehru Park in Gurgaon. Police asked them to stop and when the protestors continued police used lathis (or wooden sticks) to beat some of them. Many of the protestors continued to the Deputy Commissioner's office where they intended to submit a memorandum outlining their grievances. While sitting outside the office waiting for the Deputy Commissioner, they were surrounded by some hundred police officers who then beat them

with lathis. Approximately 250 people reportedly sustained injuries, including those to the head and fractured limbs. In addition, 500 people were arrested. Of these, around 440 were released and around 60 people remain in jail under various criminal charges. The local people are allegedly refusing to divulge the number and identity of those still in custody.

In the week following this incident, reliable sources also suggest that the police are firing tear gas shells and rubber bullets to prevent employees of the factory and their families from gathering outside the civil hospital where some of the injured employees are receiving medical care.

According to the General Secretary of All India Trade Union Congress, workers at the factory were trying to form a trade union and have been harassed in the past few months.