

AMNESTY INTERNATIONAL

Public Statement

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India: Concerns for Syed Geelani

Amnesty International is gravely concerned by the shooting of Syed Abdul Rahman Geelani outside his lawyer's house on 8 February in New Delhi and fears that the current investigation by the very police force which allegedly had been involved in this attack may not be relied on to establish the truth. The organization therefore calls on the Government of India to promptly set up a judicial inquiry into the attack to bring to justice anyone responsible for instigating, assisting or carrying out the attack.

Geelani was sentenced to death for conspiring, planning and abetting an attack on the parliament building in New Delhi in December 2001, but was later acquitted on appeal. Since his release Geelani has publicly expressed fear for his life. Amnesty International urges the Government of India to take firm steps to ensure the safety of Syed Geelani and all the other accused, witnesses, lawyers and judicial officers connected with the case. The organization also requests the Government of India to institute a judicial inquiry into the investigation of the attack on the Indian Parliament building and events leading up to and following it, as many key aspects remain unclear.

After the attack on his life, Delhi police has begun to investigate the incident and the Supreme Court has directed that it be informed within a week of any findings of the police. Also, the Ministry of Home Affairs has called for daily police status reports. Human rights activists have demanded that a central police force, the Central Bureau of Investigation (CBI), be entrusted with the investigation.

Background

On 13 December 2001, five men organized an attack on the Indian Parliament building in New Delhi. In the ensuing shootout, all the attackers, eight police personnel and a gardener were killed and 16 others were injured. In the following days, four Kashmiris, namely Syed Geelani, an Arabic lecturer in a New Delhi college, Mohammad Afzal, Shaukat Hussain Guru and his wife Afsan Guru, were arrested. They were charged with conspiring, planning and abetting the attack under the Prevention of Terrorism Ordinance (POTO). On 16 December 2002, the three men were sentenced to death for conspiracy to attack the Parliament, waging war against India, murder and grievous hurt. Afzan Guru was sentenced to five years' imprisonment. The Delhi High Court heard the appeal against the convictions in October 2003 and ruled that there was no evidence to link Syed Geelani to the attack and acquitted him of all charges. The other death sentences were confirmed. Appeals against the death sentences and Geelani's acquittal are currently being heard in the Supreme Court.

Syed Geelani's lawyer has stated that Geelani was followed by police and harassed after his release and that he had publicly expressed his fear that he might be killed in a staged police encounter. The lawyer also reportedly alleged that her and her client's phone were under police surveillance enabling the attacker to trace Geelani on the day of the attack. On several occasions in the past, Geelani had reportedly been threatened and harassed by unidentified individuals after he resumed his teaching

assignment. Though he did not formally seek police protection, Amnesty International believes that it would have been the duty of the state to ensure his safety once it became known that he suffered harassment and intimidation and feared that he might be killed.