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India: Victims of anti-Sikh riots face further delays

Amnesty International urges the Government of India to fulfil its promises to hold to account with speed and earnest commitment any individual, including police or government officials, found responsible for human rights violations during the violence against Sikhs in Delhi in 1984. The organisation is concerned about further delays in the pursuit of justice for these victims and continuing impunity for its perpetrators.

Twenty-one years after the violence against Sikhs in 1984, virtually no one has been held to account. Eight inquiry commissions concerning the anti-Sikh riots have preceded the Nanavati Commission, but victims have yet to see justice. According to local media, some victims see the latest government move to open new investigations as a tactic to “waste more time”. NDTV, “Tytler’s resignation an eyewash say riot victims”, 11 August 2005.

After the Nanavati Commission report and the Government’s Action Taken Report were tabled in Parliament last week, Prime Minister Manmohan Singh condemned the violence against Sikhs in 1984 and said criminal cases against individuals named in the latest report would be re-opened and re-examined “within the ambit of law.” The Defence Minister, Pranab Mukherjee, clarified that there would be no further commissions of inquiry but investigations by the appropriate authority into specific findings against persons named in the report. While Amnesty International welcomes these steps, the organisation is concerned about ongoing delays and urges the Government of India to hold any perpetrators to account in a speedy and transparent manner.

A similar pattern of delays to justice and impunity for perpetrators exists for other large scale incidents of human rights violations in the country. During the period of militancy in the state of Punjab - mid 1980s to mid 1990s - Amnesty International received reports of torture, deaths in custody, extrajudicial executions and ‘disappearances’. While there have been a small number of prosecutions and despite the recommendations of specially established judicial inquiries and commissions, impunity has prevailed in many cases. Amnesty International calls for an end to impunity in these cases.

Amnesty International is also concerned about the ongoing impunity for perpetrators of human rights abuses against Muslims in Gujarat in 2002. Over 2,000 people, mostly Muslims, were killed in targeted violence, including hundreds of girls and women who were publicly stripped, raped and gang raped, following a fire in a train in which 59 Hindu activists had died. While some cases are being tried outside Gujarat State and the Supreme Court has directed that over 2,000 previously closed complaints be reviewed with a view to possible remedies, few perpetrators have been held to account. Amnesty International urges the Government of India and particularly the Government of Gujarat to take urgent steps to end impunity in the state.

