

EXTERNAL (for general distribution)

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UA 134/94 Fear for safety

6 April 1994

INDIA: Kanwar SINGH Dhami
 Kuldip KAUR (Kanwar's wife who is pregnant) (f)
 and their six-year-old son

Amnesty International is concerned for the safety of Kanwar Singh Dhami, Kuldip Kaur and their six year old son following the refusal of Kanwar Singh Dhami to publicly surrender to the police at a press conference organized by K.P.S. Gill, Director General of Police on 29 March 1994 in Chandigarh, Punjab.

Kanwar Singh Dhami, is a leader of the Akal Federation and a well-known advocate of "*Khalistan*" (a separate Sikh homeland). He was brought to the press conference to publicise his official "*surrender*" to police. However, at the start of the press conference he refused to do this. Instead he stated that he had been held in illegal and unacknowledged detention by the police for ten months with his wife, Kuldip Kaur, who is five months pregnant and their six-year-old son. Both Kanwar Singh Dhami and Kuldip Kaur are reportedly members of the outlawed "*Panthic Committee*", a Sikh group.

Kanwar Singh Dhami said that he was taken away by Punjab police in Gujarat and his wife and son in Himachal Pradesh in May 1993. He claimed that he, his wife and his son had been tortured in front of each other by Punjab police during their detention. He also said that he had been threatened that his family would be killed unless he "*surrendered*" to the police. Journalists noticed he was limping when brought to the press conference.

Kanwar Singh Dhami was taken from the press conference voicing fears that he and his family would be "*eliminated*". K.P.S. Gill reportedly made assurances that Kanwar Singh Dhami would not be killed saying "*Once a man has surrendered he is safe*".

BACKGROUND INFORMATION

Amnesty International regularly receives reports alleging that men and women in Punjab, believed by the authorities to be members or sympathizers of Sikh opposition groups, or their relatives, are held in unacknowledged detention or have been killed in police custody, often after torture. Their deaths or "disappearances" are wrongly attributed by officials to an "encounter" between militants and the police, to an "escape" during such an "encounter" or to other improbable causes. Even though legal safeguards against unacknowledged detention exist in India's criminal law and procedural code, they are often not adhered to and prisoners are held in unacknowledged detention for weeks and sometimes months.

RECOMMENDED ACTION: Please send telegrams/faxes and airmail letters either in English or in your own language:

- seeking clarification of the whereabouts of Kanwar Singh Dhami, Kuldip Kaur and their six-year-old son and urging that they be immediately released if they are not charged with a recognizably criminal offence;

- seeking assurances that they are humanely treated while in police custody and given immediate access to lawyers and relatives and are brought before a magistrate forthwith;

- calling for an impartial and independent inquiry into the allegations that they were held in unacknowledged detention for ten months and into allegations that they were tortured in detention;

APPEALS TO:

1) Beant Singh
Chief Minister of Punjab
Office of the Chief Minister
Chandigarh
Punjab
India

Telegrams: Chief Minister of Punjab, Chandigarh, Punjab, India

Faxes: +91 172 540 647 ATT CHIEF MINISTER

Salutation: Dear Chief Minister

2) Mr K.P.S. Gill
Director General of Police
Police Headquarters
Chandigarh
Punjab
India

Telegrams: Director General Police, Chandigarh, Punjab, India

Salutation: Dear Director General of Police

COPIES OF YOUR APPEALS TO:

Mr S.B. Chavan
Minister of Home Affairs
Ministry of Home Affairs
North Block
New Delhi 110 001
India

and to diplomatic representatives of India accredited to your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 May 1994.