

20/21/92

Distr:SC/PO

0001 hrs gmt 25 March 1992

£INDIA:
@POLICE TORTURE, RAPE ROUTINE
LEADING TO HUNDREDS OF DEATHS

Torturing suspects has become part of the police's daily routine throughout India, where hundreds if not thousands of people have died from beatings in recent years and women are regularly raped in jail cells, Amnesty International said today (Wednesday 25 March).

"The torture and deaths continue because police know there's hardly any chance of the long arm of the law touching them -- even if they kill the victim and the truth is revealed," the human rights organization said in releasing its latest report.

Amnesty International's investigation has shown that there is a clear pattern of people being tortured to death throughout the country -- victims are picked up by police, illegally detained and then tortured for confessions until they die.

"Yet at the highest political level, successive governments have flatly denied that torture takes place, much less done anything to stop it," Amnesty International said. "They have exploited poorly-trained and highly-pressured police forces for their own political ends."

As part of its campaign to stop these abuses, the organization is sending its report and 10-point program to stop torture directly to some 5,000 people who confront these violations first hand - politicians, judges, activists, police officers and others.

The human rights organization said that senior officials often effectively give the green light to torture and police officers systematically cover up torture killings and bribe or threaten witnesses. The police officers and others who torture people to death are rarely brought to justice, except when there is extreme public pressure to do so or after years of struggle by the families.

"In only three of the more than 400 cases of deaths in custody that we document in our report have any police officers been convicted -- a dismal record compared to the scale of the problem," Amnesty International said.

The organization said that allegations of torture are seldom independently investigated and that magisterial inquiries required by law for all deaths in custody often don't take place. Any investigations that do take place are often hampered by the police falsifying records and blaming others for deaths. Even magistrates and doctors have helped police cover up their crimes by ignoring evidence of torture or recording a different cause of death.

Another common way of obstructing justice is for courts and officials to drag their heels both with prosecutions and attempts by victims to get compensation. One woman who was left paralysed from torture has been fighting in vain for 14 years to bring her torturers to justice. Archana Guha was arrested in 1974 in place of her brother who was wanted by police;

she was held for three years even though she was never charged.

Amnesty International said the victims, including pregnant women and children as young as six, nearly all come from among the poor and underprivileged groups in every state: members of scheduled castes and tribes, landless labourers and migrant workers.

Many of them have been suspended from ceilings in jail cells and beaten unconscious or given electric shocks and whipped with leather belts. Others have been crushed with heavy rollers, stabbed with sharp instruments, and have had chilies shoved up their rectums.

Amnesty International said the evidence that such widespread torture often leads to deaths in custody is overwhelming. One such death took place in Delhi in August 1991 when the father of a boy charged with petty theft simply accompanied his son to the police station. The father wasn't charged with any crime, yet he too was detained, mercilessly beaten and died shortly afterwards.

The rape of women by police is commonplace throughout the country, particularly in areas of armed insurgency. In Assam women were raped so frequently in detention that the high court ordered that women must not be taken to army camps for interrogation.

Amnesty International said most of the torture takes places during investigations for even the most petty crimes, although it is also widely used to deter people from political activities or take revenge for the acts of armed opposition groups.

The organization in fact believes that while the problem of torture is nationwide, in areas of armed insurgency special laws giving forces immunity from prosecution have been seen by many as "a licence to torture and kill".

Many judges, officials, and even police officers within India have themselves recognized that torture is widespread, and have long advocated changes in policing and investigations into violations. Comprehensive recommendations by the National Police Commission made between 1979-1981 could have lead to significant drops in torture, rape and deaths in custody, yet successive governments have failed to implement them.

"The government claims that its legal system, free press, and civil liberties organizations alone are enough to deal with human rights violations. They are not," Amnesty International said. "The government must first face up to the fact of torture, take concrete steps to stop it, and show the political determination to make those measures work."

EMBARGOED FOR 0001 HRS GMT 25 MARCH 1992

Note to Editors: Please contact the International Secretariat press office in London (71-413-5562) for any further information on this report. Under Amnesty International's rules no members may be involved in actions on his or her own country: therefore the Indian Section of Amnesty International has played no part in collecting Amnesty International's information on India and is not permitted to answer queries on the organization's concerns there.