

URGENT ACTION

TEENAGER DETAINED WITHOUT TRIAL IN KASHMIR

Teenager Saleem Beigh has been detained without trial in Jammu & Kashmir, northern India, following a grenade attack on the town police station on 19 May.

Saleem Beigh's family claims that he is 17 years old, but does not have any proof of his age. They say they are trying to get proof from his school records. According to the family, he stopped going to school a few years ago, and has since been working as a mason to support his family.

According to Saleem Beigh's family, the state police's Special Operations Group (SOG) took him and his uncle to an SOG camp for interrogation following a grenade attack on 19 May on a local police station in Sopore town, Jammu & Kashmir, in which nine people were injured. They released his uncle the next morning, but held Saleem Beigh for 12 days. They later moved him to Sopore police station where he was detained for a further 15 days. He was later produced in a local court and transferred to Baramulla sub-jail.

On 2 June, police announced that Saleem Beigh, along with Ishfaq Shafi Kana, another resident of Sopore, were arrested for their alleged involvement in the grenade attack. However, Saleem Beigh's family has not been allowed to see the first information report or formal charge-sheet. Fearing that he may have been detained illegally, on 28 June, the family entered a petition in the Sopore court seeking his release on bail. Following this, the court ordered the police to file a report stating the reasons for his arrest. However, no such report has been filed so far.

Saleem Beigh's father, Mushtaq Ahmad Beigh, has said that when he went to Sopore police station and sought documents including a copy of the report, he was detained there for two days and physically assaulted. The family was able to meet with Saleem Beigh at the police station and at the Baramulla sub-jail. They have said that he was tortured at the police station and the SOG camp in an attempt to force him to confess to his involvement in the grenade attack, and hence he was unable to walk when they met him.

Please write immediately in English or your own language:

- Demanding that the state authorities immediately end the detention of Saleem Beigh unless he is being held on charges of a recognizably criminal offence;
- Urging that if he is to be held on charges of a recognizably criminal offence, and if he is under 18 years old, he be afforded all fair trial guarantees set out in international law and specifically the UN Convention on the Rights of the Child, ratified by India. The Convention stipulates that any detention shall be used only as a measure of last resort and for the shortest appropriate period of time; such detention should be in a separate facility for children, as close as possible to his family in order to facilitate family contact.
- Urging that the state authorities investigate allegations of his torture and other ill-treatment in custody and ensure that, in the meantime, he has access to adequate medical treatment in jail

PLEASE SEND APPEALS BEFORE 28 AUGUST 2012 TO:

Chief Minister of Jammu & Kashmir

Omar Abdullah

Civil Secretariat

Government of Jammu and Kashmir

Srinagar, India

Fax: +91 194 245 2224

Salutation: Dear Chief Minister

Minister of Home Affairs

P Chidambaram

North Block, Central Secretariat

New Delhi 110 001, India

Fax: +91 11 230 94221

E-mail: hm@nic.in

Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Hundreds of people have been detained without trial under the provisions of the Jammu & Kashmir Public Safety Act (PSA) in Jammu and Kashmir. A number of them, including children, were detained on similar grounds of stone pelting and rioting during various protests against the Indian authorities throughout the summer of 2010. Repeat detentions are also commonly ordered.

Amnesty International has been campaigning for the repeal of the PSA. Amendments to the PSA, passed by the Jammu and Kashmir state assembly on 5 April 2012 disallowing detention of those below 18 years of age and reducing the period of detention from two years to six months, came into effect on 18 April 2012. The Jammu and Kashmir authorities have claimed that no children are being detained in the state.

Name: Saleem Beigh

Gender m/f: male

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