

EXTERNAL (for general distribution)

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Further information on UA 97/93 (ASA 20/18/93, 2 April 1993)

- Fear of Extrajudicial Execution

INDIA: Dr Abdul Ahad Guru
Ashiq Hussain

Amnesty International has now received photographs of the shooting of Mr Ashiq Hussain during the funeral procession of his brother-in-law Dr Abdul Ahad Guru. The photographs show a sequence in which the Kashmir police are first seen shooting in the air to disperse what looks like an unarmed crowd of civilians who had assembled for Dr Guru's funeral procession when an argument broke out about the route this should take. The second photograph shows the crowd fleeing after shots had been fired, initially in the air, reportedly by the Kashmir police. Mr Ashiq Hussain is seen in a dark sweater, in the middle, kneeling next to three men who had thrown themselves on the ground apparently for protection. The third picture shows Mr Hussain being shot and the fourth shows his body lying on the ground. The Kashmir police have reportedly said that his killing was an accident but so far no independent inquiry is known to have been carried out into his death. Nor is the government known to have taken measures to prevent such arbitrary killings by the security forces in Jammu and Kashmir in future, such as bringing the perpetrators of extrajudicial executions to justice or to have paid compensation to the victim's family.

To date, Amnesty International has received no further information about the identity of the killers of Dr Abdul Ahad Guru, who was either shot by members of a rival Kashmiri group, as the government claims, or by members of the security forces, or those acting on their behalf. Those responsible for the deaths of Dr Guru and two other men who played important roles in documenting human rights violations in Jammu and Kashmir and who were shot between December 1992 and 1 April this year, still remain unidentified. The government have said that inquiries into the killings have been ordered but their outcome is not known. No judicial investigation has been ordered into the killing of prominent human rights activist H.N. Wanchoo who was abducted and killed by unidentified gunmen on 6 December 1992 (UA 388/92, ASA 20/57/92, 9 December 1992). Nor has it ordered such an inquiry into the killing of Dr Farooq Ahmed Ashai who had often spoken about torture victims he had treated in hospital and who was shot dead on 18 February 1993 near his hospital near the Central Reserve Police Force headquarters.

In view of the lack of credible investigations into the deaths of these four men and the general lack of accountability of the security forces operating in the Jammu and Kashmir, Amnesty International believes that the government should take all possible measures to protect and ensure the safety of all those now involved in documenting the human rights situation in Jammu and Kashmir and that it provide assistance to the numerous victims of human rights violations in the state. Amnesty International is also concerned about the many human rights abuses committed by armed groups in the state advocating independence for the state or joining Pakistan, and has called on them to observe the minimum standards of humanitarian law.

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

- expressing concern at the killing of Ashiq Hussain during the funeral procession of his brother-in-law, Dr Guru;

- urging that the government order an independent and impartial inquiry in to allegations that the police were responsible for Ashiq Hussain's death, that its findings be published in full and that those found to be responsible are promptly brought to justice.

- expressing concern at the government's failure to institute such investigations into previous allegations that persons active in raising human rights concerns in Jammu and Kashmir were extrajudicially killed and urging that inquiries be ordered into the deaths of Mr H.N. Wanchoo, Dr Farooq Ahmed Ashai and Dr Guru.

APPEALS TO:

1) Mr K.V. Krishna Rao
Governor of Jammu and Kashmir
Office of the Governor
Srinagar
Jammu and Kashmir
India

**Telegrams: Governor Jammu and Kashmir,
Srinagar, India**

Salutation: Dear Governor

2) Mr S.B. Chavan
Minister for Home Affairs
Ministry for Home Affairs
North Block
New Delhi
India

**Telegrams: Minister Home Affairs, New
Delhi, India**

Telexes: 3166427 REND IN

Faxes: +91 11 301 6781

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

Mr Rajesh Pilot
Minister of State for Home Affairs
Ministry for Home Affairs
North Block
New Delhi
India

Mr Dinesh Singh
Minister for External Affairs
Ministry for External Affairs
South Block
New Delhi
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 29 July 1993.