

EXTERNAL (for general distribution)

AI Index: ASA 20/33/94
Distr: UA/SC

31 August 1994

Further information on UA 304/94 (ASA 20/30/94, 17 August 1994) - Fear of further killings in Rajasthan

INDIA Shankarlal Soni
 Chhitarlal
 Ramuda
 Mahesh Jain, aged 25
 Rajendra Singh
 Mahiman Kaushik

new names: Rajesh Singhal
 Tejaram Bhil, aged 28

It has been reported that Rajesh Singhal and Tejaram Bhil have died as a result of torture in police custody in Rajasthan during August 1994. Their deaths follow the six others reported in UA 304/94 and further heighten Amnesty International's concern for the safety of detainees in Rajasthan. The organization is unaware of any inquiries being ordered into the eight deaths, and in the absence of immediate and concrete government action to protect the lives and safety of such detainees, Amnesty International fears that more will die.

Rajesh Singhal was travelling by train to Jaipur, Rajasthan, when he was accused of misbehaving with tourists. He was arrested by the railway police and beaten.

The tourists withdrew the complaint but the police refused to release Rajesh Singhal. His uncle was later told that he had jumped off the train. Rajesh Singhal was taken to hospital in a serious condition and died on 19 August. The police claim that he committed suicide, but the uncle maintains that his nephew died as a result of police torture.

On 21 August, Tejaram Bhil died in police custody in Jodhpur, Rajasthan. He has been taken into police custody on suspicion of theft.

Current legal safeguards fall far short of offering adequate protection to detainees and safeguards that do exist are often disregarded, especially when detainees are poor and underprivileged. Custodial violence has repeatedly been condemned at the highest levels of the Indian government, but this official condemnation alone is not enough, as shown by these most recent deaths. Each death must be fully and impartially investigated and any police personnel found responsible must be brought to justice. Legal safeguards must be strengthened in order to protect detainees from torture, including measures to ensure that all detainees are brought before a magistrate within 24 hours, and be allowed immediate access to a lawyer and to an independent medical examination. In May 1994, the government introduced into parliament proposals to strengthen legal safeguards to protect police detainees from torture. Amnesty International urges that these safeguards are now implemented as a matter of urgency.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes and airmail letters

- expressing deep concern at reports of two further deaths in custody as a result of police torture in Rajasthan, making a total of eight such deaths in police custody in the past five months;
- stating how these latest deaths demonstrate that, on its own, government

condemnation of custodial violence is not enough, and urging the authorities to take immediate and concrete steps to guarantee the lives and safety of detainees in Rajasthan;

- urging the authorities to promptly institute an impartial and independent inquiry into all eight deaths and to ensure that if police personnel are found to be responsible for causing the deaths they be brought to justice, and that the families of the victims be granted prompt and adequate compensation;

- urging the authorities to implement proposals introduced into parliament in May 1994 to strengthen legal safeguards for those in custody and to implement the recommendations made in Amnesty International's 10-point program for the prevention of torture, including measures to ensure that all detainees are brought before a magistrate within 24 hours, and are allowed immediate access to a lawyer and to a medical examination by an independent doctor.

APPEALS TO

Mr Bhairon Singh Shekhawat
Chief Minister of Rajasthan
Office of Chief Minister
Jaipur, Rajasthan, India
Telegrams: Chief Minister, Jaipur, Rajasthan
Salutation: Dear Chief Minister

Mr P.V. Narasimha Rao
Office of the Prime Minister
South Block Gate No.6
New Delhi 110 001, India
Telegrams: Prime Minister, Narasimha Rao, New Delhi, India
Faxes: +91 11 301 9817
Salutation: Dear Prime Minister

COPIES OF YOUR APPEALS TO:

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

Mr Rajendra Shekhar
Director General of Police
Police Headquarters
Jaipur, Rajasthan, 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 11 October 1994.