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PLEASE NOTE: CORRECTION - The date given in News Service 177/94 for the release of the Haiti ENR was incorrect. The release date is **24 August**, please get all requests for copies of the ENR to Annabel Middlemas at the IS by **22 August**.

INTERNATIONAL NEWS RELEASES

India - 16 August - SEE NEWS SERVICE 175/94

Brazil - 14 September - PLEASE NOTE THIS IS AN INTERNATIONAL RELEASE. SEE NEWS SERVICE 137/94

Kosovo - 19 September - SEE NEWS SERVICE 137/94

Algeria - first week of October - SEE NEWS SERVICE 137/94

France - 12 October - SEE NEWS SERVICE 137/94

TARGETED AND LIMITED NEWS RELEASES

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Togo - 15 September - See news service 168/94

Indonesia - 28 September - LAUNCH OF CAMPAIGN

Turkey - 14 October - SEE NEWS SERVICE 181/94

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INDIA: COMPLACENT RESPONSE TO AMNESTY INTERNATIONAL'S FINDINGS

Amnesty International welcomes last week's response by the Indian Government to its 42-page memorandum released today following the organization's first research visit to an Indian state for 15 years, but deeply regrets the complacency of the government's reaction.

"The government has dismissed the need to tackle key problems such as wide-scale unacknowledged detentions, the routine use of torture or ill-treatment, and the broad police powers for using lethal force," Amnesty International said today.

A delegation from Amnesty International went to Bombay, capital of Maharashtra, to investigate arrest and detention practices in that state and how these are conducive to illegal detention, ill-treatment and torture – abuses symptomatic of the human rights problems throughout India. The delegation also went to see how to prevent a recurrence of the human rights violations committed during the December 1992 - January 1993 Bombay riots.

Although the Indian Government welcomed Amnesty International's memorandum and expressed its awareness of such problems and its commitment to strengthening safeguards, it rejected other key findings by the organization as unacceptable and "very sweeping allegations".

Large numbers of people are routinely held in Bombay police stations without a proper record of their arrest or detention, even though this is prohibited in Indian law. They can be held in custody from 15 to 60 days. Some detainees were women and children held as hostages for several days to force the surrender of suspects in the March 1993 bombings in Bombay.

These unrecorded detentions facilitate torture and, elsewhere in India, "disappearances". Beating suspects to extract information is common. Other forms of torture, including electric shocks, sometimes occur.

Police also routinely disregard existing legal safeguards, such as informing suspects of the legal grounds of their arrest, bringing them before a magistrate within 24 hours of their arrest, and not taking women to police stations for investigation. The police routinely deny lawyers and relatives access to detainees, who are often refused permission to inform relatives they have been arrested – although the government has just informed Amnesty International that it has issued guidelines to alter this.

"Indian law is virtually silent about the questioning of suspects in custody and there is very little openness about what happens in Indian police stations," Amnesty International said.

The government takes little action to prevent police abuses. Even the official judicial inquiry into the December 1992 - January 1993 riots is being used to evade police accountability for abuses committed then.

In the memorandum, Amnesty International documented four specific examples of reported extrajudicial killings and "disappearance" of Muslims by police during the riots. The government has now said it is investigating these cases but, after almost two years, no police officers have been charged or brought to justice for the many human rights violations reportedly committed at that time.

In reviewing the existing laws and procedures for the use of force and firearms by the police, Amnesty International found that these fall far short of international standards and are so broadly termed they actually facilitated arbitrary and indiscriminate killings of rioters or innocent bystanders during the riots by the police, who clearly used firearms arbitrarily and illegally.

"The government has dismissed our recommendations on changing these laws, so the serious human rights violations which occurred during the Bombay riots could happen again tomorrow," Amnesty International said.

Recommendations in the memorandum also include:

- ◆ **establishing a system of comprehensive police custody records to which outsiders should have access;**
- ◆ **establishing an independent mechanism to scrutinize police behaviour in all Maharashtra police stations;**
- ◆ **officially condemning unrecorded detentions and taking steps to halt this practice, including establishing an independent police complaints body;**
- ◆ **strengthening legal safeguards to the right to access to a lawyer promptly after arrest and by providing clear rules for the treatment of persons in custody;**
- ◆ **taking immediate steps to prosecute police officers responsible for killing people deliberately and illegally during the December 1992 - January 1993 riots and ordering a prompt review of existing rules that facilitate unlawful killings; and**
- ◆ **reviewing the alleged abuse of the Terrorist and Disruptive Activities (Prevention) Act, abolishing provisions permitting prolonged remand in police custody without charge or trial and the admission in evidence of statements made to police under torture.**

"We are urging both the Indian Government to reconsider its response and the state government of Maharashtra to implement our recommendations," Amnesty International said. "If no effective and preventive measures are taken to tackle such abuses by Bombay police, there is little chance for improvement in other Indian states where police, faced with armed opposition group attacks on the security forces and civilians, are notorious for grave human rights violations." ENDS

For a summary of Amnesty International's memorandum and the full text of its response to the government's comments, please contact the Press Office of the International Secretariat at (44) 71 413 5810/5562.