

UA 162/01

Fear for

INDIA John Abraham

Rina Abraham (his wife)

13 other *adivasi* (tribal) activists

Police opened fire on a protest march in Maharashtra, western India, on 25 June, killing three people and injuring 37. Fifteen *adivasi* (also known as tribal) activists were arrested and charged with the attempted murder of a policeman and attempt to commit arson. Amnesty International believes the charges are without foundation, part of a pattern of harassment of *adivasis* campaigning for land rights, and fears that all 15 are at risk of torture or ill-treatment.

The protest march, or *morcha*, was organised by *Adivasi Bhoomi Hakka Andolan* (Tribal Land Rights Movement). The *adivasis* face widespread discrimination and torture in police custody. The march took place after a local politician accused of assaulting an *adivasi* girl was released on bail from the police station in Puntamba village, Kopergaon district. The protesters claimed that he had attempted to rape the girl, but the police registered the attack as the lesser offence of molestation. Apparently some 250-300 *adivasis*, mostly women and children, marched to the police station to protest. Though exact events remain unclear, according to reports a scuffle broke out between Indu Manjare and the local Assistant Sub Inspector: he physically assaulted her, and other *adivasis* who saw this started throwing stones. Police opened fire and according to eyewitnesses, they picked out two leaders of the *Adivasi Bhoomi Hakka Andolan*, Pradeep Dushing and Indu Manjare, and shot them at close range as they ran away.

The police have alleged that the protesters were carrying knives and stones, and had attempted to set fire to the police station with kerosene. They claim that the protesters also tried to set fire to the local police Assistant Sub-Inspector, and have charged the 15 marchers they arrested with attempting to murder him. The protesters deny this. The government of Maharashtra have apparently ordered an inquiry into the police shooting but activists are pressing for a judicial inquiry.

Another *Adivasi Bhoomi Hakka Andolan* activist, John Abraham, was arrested the day after the march when he came to the police station to enquire about his wife, who was one of the 14 people detained. He had apparently been 120km away in Aurangabad at the time of the march, but he too has been charged with the attempted murder of the policeman and conspiracy to commit arson.

The protesters in custody have reportedly been kept handcuffed in their cells, which is violates a Supreme Court ruling.

The three women arrested were apparently remanded to prison on 28 June, while the 12 men were remanded to police custody. Those in police custody are particularly vulnerable to torture.

BACKGROUND INFORMATION

There are over 70 million *adivasis* in India, around eight per cent of the population. After independence in 1947, India made special provisions to protect their rights, enacting special legislation to protect areas of *adivasi* land from encroachment. However, their traditional community rights have come under

pressure from powerful interests in a country where there is intense competition for land and resources. Illegal occupation of land traditionally owned by *adivasis* is made easier by the fact that *adivasis* often do not possess land records and much of their land is communally owned.

Tension has been mounting in Kopergaon district because of a dispute over a piece of land owned by the Maharashtra State Farming Corporation (MSFC). Landless *adivasis* have been living on the part of the land not under MSFC cultivation, and the Maharashtra government had been planning to redistribute this surplus land among landless *adivasis*. An activist has alleged that the land has now been handed over to a public sector company that was set up by the MSFC to stop the land being handed over to the *adivasis*. *Adivasis* have recently increased their campaign for their rights over this land.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- urging the Government of Maharashtra to guarantee the safety of those detained on 25 June at the police station in Puntamba village, Kopergaon district, and asking for them to be granted immediate access to their families;
- expressing concern that police opened fire on the 25 June protest march, killing three and injuring 37;
- noting that the Government of Maharashtra has ordered an inquiry into the police shooting but urging that a judicial inquiry is conducted that is fully independent and impartial, and that its findings are made public in full;
- urging the authorities to suspend those responsible for ordering the shooting so that they are removed from any position of influence over victims or witnesses to the incident and to protect witnesses from any harassment and intimidation.

APPEALS TO:

Vilasrao Deshmukh
 Chief Minister of Maharashtra
 Office of the Chief Minister
 Mantralaya
 Mumbai 400 032
 Maharashtra
 India

Telegrams: Chief Minister, Mumbai, India

Faxes: + 91 22 2029214

Salutation: Dear Chief Minister

Collector, Ahmednagar

Fax: + 91 241 322432

(A collector is involved in all police affairs, particularly inquiries or disciplinary action)

COPIES TO:

Mr Lal Krishna Advani
 Minister of Home Affairs
 Ministry of Home Affairs
 North Block
 New Delhi 110 001
 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 10 August 2001.