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# AMNESTY INTERNATIONAL NEWS SERVICE 192/94

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TO: PRESS OFFICERS  
FROM: IS PRESS OFFICE  
DATE: 19 AUGUST 1994

AI INDEX: NWS 11/192/94  
DISTR: SC/PO

NO OF WORDS:734

NEWS SERVICE ITEMS: EXTERNAL - ~~INDIA~~ (This item is only being sent to Indian media by the research team)

## INTERNATIONAL NEWS RELEASES

Rwanda - 19 August

Haiti - 24 August - SEE NEWS SERVICE 184/94

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

Kosovo - 19 September - SEE NEWS SERVICE 137/94

Indonesia - 28 September - LAUNCH OF CAMPAIGN

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

France - 12 October - SEE NEWS SERVICE 137/94

## TARGETED AND LIMITED NEWS RELEASES

Thailand - 6 September - SEE NEWS SERVICE 184/94

Bhutan/Nepal - 25 August - See news service 168/94

Togo - 15 September - See news service 168/94

Turkey - 14 October - SEE NEWS SERVICE 181/94

News Service 192/94

AI INDEX: ASA 20/WU 12/94  
19 AUGUST 1994

**INDIA: AMNESTY INTERNATIONAL DISAPPOINTED BY MAHARASHTRA STATE GOVERNMENT'S RESPONSE**

Amnesty International is today calling on the Chief Minister of Maharashtra to stop dodging the issues on human rights protection raised in a memorandum following the organization's visit to Bombay earlier this year.

The memorandum was sent to Sharad Pawar, the Chief Minister, in May this year and has been dismissed by him as "uncalled for" and "inconsequential", even though he now claims never to have received it and despite the fact that the state government has ordered an investigation into some of Amnesty International's allegations.

"This sort of response just ignores the fact that human rights are being violated in Bombay on a daily basis and we expect the state government to address our key findings," Amnesty International said.

These findings include evidence that large numbers of people are routinely held every day in Bombay police stations without a proper record of their arrest or that they were ever detained. Senior police officials to whom AI spoke during its visit acknowledged that the practice - which facilitates grave human rights violations - is widespread.

"We hope, in view of Mr Pawar's assertion that the government is always open to correction, that these serious problems will now be addressed," Amnesty International said.

The human rights organization is concerned that its comments about the judicial commission, headed by Justice B.N. Shrikrishna, to investigate the December 1992 and January 1993 rioting in Bombay have been grossly misrepresented by some of the Indian press.

Amnesty International does not believe the commission is a cover up, as some reports have stated. Its concerns are that the existence of the commission is being used by police and state officials as an excuse not to proceed against individual police officers where there is evidence that they committed excesses.

These concerns have been reinforced by Mr Pawar's reaction. He reportedly stated that the Shrikrishna Commission of inquiry into the Bombay riots meant the cases were "sub-judice" and therefore he did not intend to take any action based on Amnesty International's memorandum.

"This ignores what the memorandum is chiefly about," Amnesty International said. "The routine use of torture or ill-treatment in Bombay police stations, the taking of women and children as "hostages" for wanted suspects, the abuse of the Terrorist and Disruptive Activities (Prevention) Act in the state and the need to alter the broad powers of the police to shoot during riot control that facilitate indiscriminate and arbitrary killings."

The human rights organization welcomes the important work being carried out by the Shrikrishna Commission, including its investigations into the role played by the police during the riots. Effective use of the commission's findings to bring the perpetrators of human rights violations to justice could make a major contribution in preventing such events from happening again.

However, because of the slowness of the commission's proceedings there is a danger that, by the time it has concluded its work, the commission will have lost most of its value in establishing the truth about what happened during the riots and identifying and initiating successful prosecutions against the perpetrators.

**Amnesty International is urging the Shrikrishna Commission to publish interim reports of its findings, identifying specific instances which appear to reveal illegal acts on the part of the police and others requiring prompt prosecutions. The organization is also urging the state government to provide the Commission with every facility to carry out and conclude its task and to act promptly on any interim reports the Commission may publish.**

**"There is nothing to prevent the government from initiating prosecutions against individual policemen where there is evidence that they committed human rights violations during the December 1992 / January 1993 riots," Amnesty International said.**

**ENDS\**