

EXTERNAL

AI Index: ASA 20/04/96

UA 13/96 Fear for safety / Health concern / Torture

24 January 1996

INDIAFiroz Ahmad Ganai

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Amnesty International is gravely concerned at reports that Firoz Ahmad Ganai, resident of Kupwara, Jammu and Kashmir, has been taken from hospital in Srinagar by members of the Border Security Forces (BSF). He was undergoing treatment in the hospital for injuries allegedly sustained as a result of torture in custody.

Firoz Ahmad Ganai was originally arrested by members of the BSF in Sonawar on 29 November 1995 and taken for interrogation. On 12 December he was taken to the Bone and Joint Hospital, Srinagar, in a serious condition. He was later moved to the Soura Institute of Medical Sciences in Srinagar. The BSF reportedly claimed that he had sustained injuries while trying to escape. However, doctors at the hospital reported that he had developed gangrene leading to the amputation of his leg and that he is suffering from renal (kidney) failure (see below).

While in hospital Firoz Ahmad Ganai was not allowed visitors and was guarded by members of the BSF who prevented both relatives and members of the media from seeing him. On 19 December 1995, the Jammu and Kashmir High Court ordered the BSF to allow his family to visit him but they were reportedly not permitted to do so. At 3pm on 24 January 1996, Firoz Ahmad Ganai was removed from the hospital on crutches by six BSF soldiers and taken to an unknown location.

**BACKGROUND INFORMATION**

Since early 1990 there has been an increasingly violent campaign in Kashmir for independence from India. Armed separatists have kidnapped and killed officials, members of the paramilitary forces and civilians. Amnesty International has repeatedly expressed concern to the Indian government about reports of deliberate killings of unarmed civilians by members of the security forces, about widespread allegations of torture and rape by members of the security forces and about arbitrary arrests of suspected separatists, an increasing number of whom are reported to have "disappeared" or to have died in custody. Amnesty International is concerned at the continuing pattern of widespread human rights violations including torture and custodial death in the Kashmir valley, despite condemnation by officials of such practices. In January 1995, Amnesty International published a document *India: torture and deaths in custody in Jammu and Kashmir* (ASA 20/01/95) in which 706 people are listed who have died in custody in Jammu and Kashmir since 1990. The report noted the frequency of acute renal failure in hospital patients admitted from interrogation and torture centres, attributed to a combination of dehydration during torture and breakdown of soft tissue. As with any form of acute renal failure, it can lead to death unless treated urgently and if the patient survives they may suffer chronic kidney damage. In November 1995, Amnesty International published a report, *India: Torture continues in Jammu and Kashmir* (ASA 20/33/95), detailing the cases of three victims of torture who underwent amputation following torture in custody (See also UA 54/95, ASA 20/06/95, 1 March 1995).

**RECOMMENDED ACTION: Please send telegrams/faxes/airmail letters in English or your own language:**

- expressing deep concern at reports that Firoz Ahmad Ganai has been removed from Srinagar hospital by members of the BSF;

- urging that his whereabouts be made known immediately and that his safety be guaranteed, and that he be given all necessary medical care;
- urging the government to ensure that the lawyer and relatives of Firoz Ahmad Ganai are granted immediate access to him;
- urging the government to immediately order a fully independent and impartial inquiry into allegations that Firoz Ahmad Ganai was tortured, and for those found responsible to be brought promptly to justice.

*Appeals from doctors and other health professionals would be useful.*

**APPEALS TO:**

Mr K. Padmanabhaiah  
Home Secretary  
c/o Office of the Prime Minister  
Gate No.6, South Block  
New Delhi 110 001  
India

**Salutation: Dear Home Secretary**

**Faxes: +91 11 301 9817 ATTENTION HOME SECRETARY**

**Telegrams: Home Secretary, New Delhi, India**

General K.V. Rao  
Governor of Jammu and Kashmir  
Office of the Governor  
Raj Bhavan  
Jammu

Jammu and Kashmir, India

**Salutation: Dear Governor**

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

**COPIES TO:**

Mr Dinesh Singh  
Minister of External Affairs  
Ministry of External Affairs  
South 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 12 March 1996.