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INDIA: BLINDING OF SEVEN DETAINEES POINTS TO URGENT NEED TO ERADICATE TORTURE

The blinding of seven detainees in police custody in a remote region of western India earlier this week highlights the urgent need for the Government of India to eradicate torture by ratifying and implementing the United Nations Convention against Torture, Amnesty International said today.

On 10 February, two men who had been detained in police custody for several days, were admitted to a government hospital in Rajkot, a town in the western state of Gujarat, with swollen eyes. Reports indicate that a concoction of Tiger balm (a medicinal balm used for treating headaches) and chilli powder had been rubbed into their eyes by police officials. The following day, five more men were admitted with similar complaints.

Soon after the first two detainees were admitted to G.T Shetty Eye Hospital, the hospital Superintendent, wrote a letter to the Deputy Commissioner of Police. She urged that the police restrain from treating people in this manner.

According to a report in the Indian Express on 13 February, the seven men had been ordered to strip and slap one another before being thrashed with belts.

"The fact that such brutal practices continue, despite the existence of guarantees in the Indian constitution and safeguards in the general criminal law, demonstrates the extent of the continuing problem of torture in police custody," Amnesty International said.

"The outcry after the Bhagalpur blindings, when in 1979 and 1980, 30 men and boys were blinded in Bihar, appears to have had little lasting effect."

Amnesty International is calling on the Government of India to demonstrate its commitment to eradicate torture by ratifying and implementing the minimum standards in the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Although the Commissioner of Police, Rajkot, issued an immediate denial of the use of "third degree" methods by police officials, he later stated that an inquiry would be held. Following the concern expressed within Rajkot, the Chief Minister of Gujarat, Mr Vaghela, has instituted an enquiry committee

comprising of doctors from the eye hospital in Rajkot, together with officials from the home and health departments. Expressing its concern at the incident, the National Human Rights Commission has also asked for a report from the Government of Gujarat.

In order for there to be full redress for such violations, Amnesty International considers that it is vital that an independent and impartial investigation be conducted into the incident, that those responsible are brought to justice and that compensation be provided to the victims.

Reports from Rajkot indicate that some of the men may partially regain their sight.

Background

In recent years, the Government of India has increasingly acknowledged that torture takes place within the country, and has made a commitment to eradicating such practices. The United Front Government, as part of its Common Minimum Programme, has made a commitment to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Concern at the practice of torture has informed many of the activities of the National Human Rights Commission, which since its establishment in 1993, has begun to comprehensively monitor the incidence of deaths in custody, as a result of torture or ill-treatment by the police, throughout the country.

Torture is prohibited under Indian law, under sections 330 and 331 of the Indian Penal Code. Nonetheless, impunity for those who violate human rights remains of serious concern, as very few of those accused of custodial violence are brought to justice.

To Amnesty International's knowledge, the criminal proceedings launched after the Bhagalpur blindings are still continuing. The lengthy delays in the legal process thus exacerbate the climate of impunity for those who violate human rights.

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