

PUBLIC

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Fear for safety / fear of torture

24 July 1998

INDIA Jaspal Singh Dhillon, human rights defender (detained)
Rajinder Singh Neeta, human rights defender (detained)
Kulbir Kaur Dhani (f), human rights defender
Daljit Singh Rajput, human rights defender

Jaspal Singh Dhillon, arrested on 23 July 1998 may be at risk of torture in detention. There are also fears for the safety of Rajinder Singh Neeta, after unconfirmed reports that he has been tortured by police and is being held in solitary confinement. Kulbir Kaur Dhani and Daljit Singh Rajput are also thought to be at risk of arrest and possible torture.

On 19 June, the Director General of Police (DGP) of the Indian state of Punjab, Mr P.C. Dogra, declared at a press conference that police had uncovered a conspiracy to secure the escape of several prisoners at Burail Jail, Chandigarh, who are charged with assassinating the former Chief Minister of Punjab in 1995.

Amongst those accused and subsequently arrested are Jaspal Singh Dhillon and Rajinder Singh Neeta. Kulbir Kaur Dhani and Daljit Singh Rajput are also implicated. Amnesty International is concerned that they may be targeted as a result of their human rights activities in Punjab.

Jaspal Singh Dhillon was picked up from the home of a friend in Chandigarh on 23 July by police from Ropar district and charged with sedition. He was denied pre-arrest bail and was today remanded to police custody at Sohana police station for two days.

Rajinder Singh Neeta was arrested by Punjab police on 12 June and illegally detained for nine days before being brought before a court on 21 June. Indian law requires that detainees are brought before a magistrate within 24 hours of arrest.

Jaspal Singh Dhillon is the Chair of the Human Rights and Democracy Forum, a human rights group operating in Punjab. The group has pursued many cases against Punjab police through the courts and provided legal aid to detainees, including those currently facing charges for the assassination of the former Chief Minister, Beant Singh. Rajinder Singh Neeta is also a member of the Forum, while Daljit Singh Rajput is a lawyer in the Punjab High Court appearing for the accused in the assassination case.

Jaspal Singh Dhillon is also closely involved with the Coordination Committee on Disappearances in Punjab, a group established in recent months to coordinate the investigation of past "disappearances" in the region. He was himself previously "disappeared" after being arrested by Punjab police in August 1993 and was produced by police the following month only after an international campaign to secure his release. Both he and Kulbir Kaur Dhani have been involved in establishing a trust for children affected by the former conflict in Punjab.

BACKGROUND INFORMATION

Human rights defenders in Punjab have regularly been subjected to harassment and direct human rights violations. Several lawyers who have taken up human rights issues in the courts have "disappeared" in the past and are believed to have been killed in custody. In September 1995, Jaswant Singh Khalra, General Secretary of the Human Rights Wing of the Akali Dal political party "disappeared" following arrest by the Punjab police. At the time of his

"disappearance", Mr Khalra was working with Jaspal Singh Dhillon to expose the illegal cremation of hundreds of unidentified bodies by Punjab police. Both men alleged that these were the bodies of hundreds of individuals who had "disappeared" in Punjab in previous years following arrest by police. Their investigations led to the Supreme Court ordering inquiries by the Central Bureau of Investigation (CBI) and the National Human Rights Commission (NHRC) which are still continuing. Nine police officials have been charged with abducting Jaswant Singh Khalra but they have not yet been prosecuted

In recent months, police were found to have filed false charges against the wife of Jaswant Singh Khalra and members of the "Khalra Action Committee" in an attempt to intimidate them (see Amnesty International's report, *India: A Mockery of Justice*, April 1998, AI Index: ASA 20/07/98). An investigation is continuing into this incident. Reports indicate that intimidation continues: on 15 July, an eyewitness to Mr Khalra's abduction, Rajiv Singh Randhawa, was arrested.

Hundreds of petitions are being heard in the courts in Punjab against police for a range of human rights violations committed in the 1980s and 1990s during operations against armed opposition groups fighting for an independent Sikh state of *Khalistan*. In recent years the police, including senior officials, have called on the government to take steps to prevent police being prosecuted by the courts for human rights violations.

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

- urging the authorities to immediately order an independent investigation into allegations that false cases have been filed against Jaspal Singh Dhillon, Rajinder Singh Neeta, Kulbir Kaur Dhami and Daljit Singh Rajput as a means of intimidation;
- urging the authorities to immediately review the detention of Jaspal Singh Dhillon and Rajinder Singh Neeta and to order an independent investigation into reports that Mr Neeta was illegally detained for several days during which time he was tortured;
- urging the authorities to take prompt action against any police officials found responsible for filing false charges against human rights defenders as a means of harassment or intimidation.

APPEALS TO:

Mr Prakash Singh Badal
 Chief Minister of Punjab
 Office of the Chief Minister
 Chandigarh, Punjab
 India
Telegrams: Chief Minister
Chandigarh, India
Faxes: +91 172 741 821
Salutation: Dear Chief Minister

Mr Lal Krishna Advani
 Minister of Home Affairs
 Ministry of Home Affairs
 North Block
 New Delhi 110 001, India
Telegrams: Home Minister
New Delhi, India
Faxes: +91 11 301 5750
Salutation: Dear Home Minister

Copies 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 4 September 1998.