

PUBLIC

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Fear for safety

08 July 2003

INDIA

Zahira Sheikh (f)
Sehruneesa Sheikh (f)
and other witnesses

Amnesty International is concerned for the safety of witnesses including Zahira Sheikh and Sehruneesa Sheikh, who have provided testimony against individuals accused of taking part in communal violence in Gujarat in February/March 2002.

Zahira Sheikh and her mother Sehruneesa Sheikh yesterday told reporters in India that they had been compelled to lie to a court when they had said that they could not identify those who killed members of their family and others at the Best Bakery in Baroda on 1 March 2002. They indicated that they had been harassed into retracting their statements, and had received death threats from powerful local individuals. Almost half the witnesses in the case retracted their statements during June 2003, in the trial which took place in a fast track court in Baroda. This led to the judge on 27 June, acquitting the 21 accused, on the grounds of insufficient evidence.

Several other less high profile trials of those accused of taking part in communal violence are ongoing or pending in Gujarat. Amnesty International is concerned that similar threats might be made to other witnesses who have not been provided with protection despite calls by the National Human Rights Commission (NHRC) that protection be provided.

BACKGROUND INFORMATION

Following an attack on a train in Godhra, Gujarat, on 27 February 2002 in which 59 Hindus were killed, violence of unprecedented brutality targeting the Muslim community spread in the state and continued in the next three months, leaving more than 2000 people killed. Fourteen people were killed at the Best Bakery in Baroda on 1 March 2002, many of them burned to death. Witnesses subsequently testified to police, the National Human Rights Commission and human rights organisations that a mob of around 500 people armed with petrol bombs had attacked the bakery.

Amnesty International believes that the state government, administration and police took insufficient action to protect civilians and in many cases colluded with the attackers and actively participated in the violence. There is credible evidence implicating police officers and members of Hindu nationalist groups, including the ruling Bharatiya Janata Party (BJP), in violence against Muslims. In these circumstances, Amnesty International has been concerned about the Gujarat government's ability to provide justice to victims of the violence.

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

- urging the Government of Gujarat to take immediate action to ensure the safety and protection of witnesses including Zahira Sheikh and Sehruneesa Sheikh, who have testified against individuals involved in communal violence in Gujarat in 2002;
- urging the Government of Gujarat to order an independent and impartial investigation into allegations of witnesses that they received threats to withdraw testimony in the Best Bakery case and to take prompt action against anyone found to have threatened witnesses;
- expressing concern to the Government of India about the failure to implement recommendations made by the NHRC and urging it to take urgent action to ensure their implementation.

APPEALS TO:

Shri Narendra Modi
Chief Minister of Gujarat
Office of the Chief Minister
Gandhinagar 382 020
Gujarat
India

Telegram: Chief Minister of Gujarat, Gujarat, India
Fax: + 91 793222101
Salutation: Dear Chief Minister

COPIES TO:

Mr L.K. Advani
Deputy Prime Minister
Room No.104
North Block
New Delhi 100 001
India

Fax: + 91 11 309 4221
Salutation: Dear Deputy Prime Minister

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 19 August 2003.