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Further information on UA 54/95 (ASA 20/06/95, 1 March 1995) - Torture / Fear for safety

INDIA Nazir Ahmed Sheikh

The Government of India has provided a response to the Urgent Action issued on 1 March 1995 concerning the torture of Nazir Ahmed Sheikh. Amnesty International regrets that the response indicates the lack of seriousness with which the government is treating allegations of human rights violations in Jammu and Kashmir.

The government has stated that Nazir Ahmed Sheikh tried to flee when he saw an army patrol party. He was chased, caught and found to be "bare footed". According to the government he was subsequently taken into custody "and provided necessities like food and shoes. Due to the numbness in hand and feet, he sat near a Bukhari (an improvised heater) to warm his hands and feet to find them soon scaled - a case of snow bite". The government goes on to say that on 1 February Nazir Ahmed Sheikh "felt seriously ill" and was admitted to an army hospital where doctors said that both his feet and the fingers of his left hand would have to be amputated. They allege that he refused to undergo this surgery and that eventually he was released on bail and admitted to the Bone and Joint Hospital, Srinagar, where he underwent surgery.

Amnesty International is concerned that there are serious discrepancies between the account of events as provided by the government and allegations made by the victim himself and documented by human rights organizations in Jammu and Kashmir. Furthermore, the government has given no indication that an independent and impartial investigation was carried out into the very serious allegations of the torture of Nazir Ahmed Sheikh. The government has also failed to provide documentary evidence to support its claims or details of the medical care reportedly provided to Nazir Ahmed Sheikh immediately after his arrest.

We would like to thank all those who have sent appeals on behalf of Nazir Ahmed Sheikh and assure you that we will be following up our concerns with the government.

Any similar official responses received by UA participants should be replied to by thanking them for their response to Amnesty International's allegations while expressing concern that the government has given no indication that an independent and impartial investigation was carried out into the allegations of the torture of Nazir Ahmed Sheikh and pointing to the lack of documentation to support the government's claims. You may also indicate that this case will be followed up by the International Secretariat.