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India: Impunity 10 years after Mumbai riots -- is this the lesson Gujarat should learn?

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"How much longer will the victims have to wait until justice is done for the massacres in Mumbai in 1992," Amnesty International asked today (6 December) remembering the tragic bloodshed of the Mumbai riots 10 years ago.

Following the destruction of the Babri Masjid (mosque) in Ayodhya on 6 December 1992, widespread riots hit Mumbai, leaving at least 1,788 people dead. Soon after the riots, the Srikrishna Commission of Enquiry was established to identify causes and responsibilities in the violence.

"More than four years after the publication of the Commission's report in 1998, no significant steps have been taken by the Government of Maharashtra to implement its recommendations," Amnesty International stressed.

Whereas the previous Shiv Sena Bharatiya-Janata Party government in the state tried to disband the Commission itself in 1996, the present Congress-led government has simply buried the report with silence. Amnesty International believes that the recommendations of the Srikrishna Commission should be fully implemented, so that the conditions which allowed the riots to take place can be eradicated and similar abuses prevented from happening again.

The Commission recommended -- in addition to longer term preventive measures meant to avoid the recurrence of communal violence -- that action be taken against 31 policemen responsible for killing innocent people, acting in a communal manner, being negligent or themselves rioting. Seventeen of these officers were formally charged in mid-2001, but none of them has been tried or convicted as yet and all are presently free. Some of them have reportedly been promoted to higher posts. Others were subject only to internal disciplinary action.

"Ten years of impunity for those responsible for the Mumbai riots send a deeply disturbing message to the nation and shatter public confidence in justice," Amnesty International said.

"The authorities' inaction in Maharashtra is especially disheartening for the victims of the recent

massacres in Gujarat, who are presently seeking justice for that violence: Mumbai sends the message to Gujarat that even when those responsible are identified, they are allowed to go unpunished," the organization added.

"The Government of Maharashtra must urgently take all necessary steps to reverse the trend to impunity for the Mumbai riots, to restore credibility in the justice system and thus send a powerful signal to those seeking justice in Gujarat", the organization added.

Background

On 6 December 1992, after months of political mobilisation by right wing Hindu parties, about 2,000 people marched to the Babri Masjid in Ayodhya, Uttar Pradesh, and demolished the mosque, in the presence of large contingents of security forces who remained inactive. After the event, a number of communal incidents were reported throughout India.

When on 7 December some Muslim groups in Mumbai protested violently against the demolition, right wing Hindu groups, and in particular the Shiv Sena, used the situation to mobilise the Hindus to "teach Muslims a lesson". The situation escalated to full scale riots which calmed down only in the second half of January 1993.

The Srikrishna Commission, while unsparing of acts of violence by Muslims and Hindus, clearly identified and blamed right wing Hindu groups for their preplanned targeting of Muslim life and property in Mumbai. It also indicted the Maharashtra state government for its confused response to the violence and sections of the police for their inaction and even active participation in it.

A petition filed in the Supreme Court on behalf of Mumbai residents challenged the inaction of the authorities with respect to the police officers indicted by the Srikrishna Commission. The petition is scheduled for final hearing in the second week of January 2003.

Public Document

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