

UA 100/01

Fea.

INDIA: JAMMU AND KASHMIRMohammad Ismail and his family

An Imam and members of his family have been threatened after allegations that he was tortured in custody. Amnesty International fears that their lives are in danger.

Mohammad Ismail, an Imam, was arrested on 26 February 2001 at his home in Mawer Khodi Village, in Kupwara District in the Indian state of Jammu and Kashmir, by members of the Investigation Bureau [IB], an arm of the Indian intelligence services which reportedly works closely with the security forces. They alleged he had links with militants operating in the area. While he was in custody, Mohammad Ismail was allegedly tortured, taken to some high ground and thrown down a steep drop. He received internal injuries and injuries to his head, fractures to his right arm and left leg and lost consciousness.

IB members told Mohammad Ismail's family and neighbours that he had fallen out of a tree while working with them. Local people did not believe the explanation and demonstrated in protest at the alleged attempted killing of their neighbour.

Mohammad Ismail's family took him to the Medical Institute where he remained for 17 days and underwent abdominal surgery.

Articles about the incident appeared in local and national newspapers alleging that members of the IB had deliberately tried to kill Mohammad Ismail. IB agents visited Mohammad Ismail on his return from hospital and threatened that, unless the allegations were retracted in the press, he and members of his family would be harmed by the Special Operations Group [SOG] a counter militancy division of the Jammu and Kashmir police, which is believed to perpetrate serious human rights violations. The police initiated allegedly false charges against Mohammad Ismail for the possession of a pistol.

On 15 April 2001, Mohammad Ismail's brother, Ghulam Geelani, was reportedly visited by members of the IB who again threatened that, unless a retraction of the allegations against the IB was published in the press, members of Mohammad Ismail's family would be harmed by the SOG.

Members of the family have previously been the victims of violence stemming from the conflict in Jammu and Kashmir. Jamal Choudhary ud-Din, the father-in-law of Mohammad Ismail's brother, and his daughter, Rashmi, were killed by members of an armed group after they refused to give them support.

BACKGROUND INFORMATION

Members of the police and security forces who perpetrate human rights violations in Jammu and Kashmir operate with virtual impunity. Deaths in custody and political killings occur on a regular basis in the state. Amnesty International documented 150 cases of deaths in custody and extrajudicial executions allegedly committed by the police, including the SOG, and the army in the first six months of 2000 alone. The authorities often portray these deaths as a result of encounters with militants or during escape attempts.

Amnesty International receives reports that often people who file complaints of human rights violations by members of the security forces are subjected to harassment and threats and are sometimes killed.

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

- urge the authorities to immediately take measures to ensure the safety of Mohammad Ismail and his family;
- urging the authorities to immediately order an independent inquiry into allegations of Intelligence Bureau harassment of Mohammad Ismail and his family;
- urging the authorities to give a commitment that people will be free to raise complaints against members of government agencies without fear of harassment, and that action will be taken against anyone attempting to intimidate complainants or witnesses.

APPEALS TO:

Please note that fax numbers can be difficult to obtain and it may take time to get faxes through. Please be patient and keep trying.

Mr L K Advani
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Ministry of Home Affairs
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Fax: +91 11 3015750
Salutation: Dear Minister

Dr Farooq Abdullah
Chief Minister of Jammu and Kashmir
Chief Minister's Office
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Salutation: Dear Chief Minister

COPIES TO:

Mr Mushtaq Ahmad Lone
Minister for Law & Parliamentary Affairs
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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 30 May 2001