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PUBLIC STATEMENT

Will past human rights violations in Punjab remain forgotten?

Amnesty International is today releasing a report outlining its fear that an opportunity to address past human rights violations in Punjab could be lost.

Amnesty International welcomes steps taken by the Supreme Court in 1996 -- in response to petitions filed in the court alleging links between a pattern of human rights violations in Punjab carried out between 1984 and 1994 and evidence of illegal cremations by Punjab police -- to have the NHRC investigate past human rights violations in the state. But the organization is concerned that little progress has been made since the Supreme Court's order.

"This constitutes a missed opportunity for two important bodies -- both specifically established to uphold and protect fundamental rights -- to work together to ensure justice and redress for victims of human rights violations," Amnesty International said.

Although the Supreme Court, through its order of December 1996, has exercised its power to enforce fundamental rights in relation to human rights violations in Punjab, this initiative appears to have been undermined by a protracted discussion about what exact role the NHRC should play.

Amnesty International is disappointed by a 13 January 1999 NHRC order which indicated that it would limit its role to seeking monetary compensation for people in Amritsar district of Punjab who could prove that their relatives were illegally cremated by police.

"The NHRC appears to have shied away from its task, arguing that it can have only a limited role in ensuring redress while acting under the Supreme Court's directions," Amnesty International said.

"On the contrary, Amnesty International believes the Supreme Court's order gives the NHRC authority to investigate patterns of human rights violations throughout Punjab and provide full reparation -- including bringing those responsible to justice and providing compensation and rehabilitation -- to victims and their relatives."

The organization is also concerned about the Union Government of India and the State Government of Punjab's consistent efforts to undermine the Supreme Court's order by opposing the NHRC's involvement in this issue from the start.

"The state is clearly failing to live up to its human rights commitments made through its ratification of the International Covenant on Civil and Political Rights -- namely to ensure redress to victims of human rights violations without discrimination of any kind," Amnesty International said.

Amnesty International's report gives details of the debate which followed the Supreme Court's order of December 1996, concerning what role the NHRC should play. It contrasts the NHRC's limited involvement, as set out in its order of January 1999, with the Indian government's international commitments to protect human rights and ensure full redress to victims of human rights violations.

The report also underlines the importance of addressing past human rights violations and ending impunity (literally exemption from punishment) in efforts to secure the rule of law and prevent violations from recurring in future.

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For a copy of the report, please visit Amnesty International's website at <http://www.amnesty.org>