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INDIA: "DISAPPEARANCES" IN
JAMMU AND KASHMIR AND PUNJAB

Hundreds of people have "disappeared" in the troubled states of Jammu and Kashmir and Punjab, according to Amnesty International, which believes "disappearances" are now systematic in these areas.

The international human rights organization today launches a report, drawn entirely from sources within India, on "disappearances" in the two states, in a bid to help clarify the fate and whereabouts of hundreds of people, many of whom were apparently arrested or taken into custody and tortured by police, army or paramilitary forces - and have never been seen again.

The Amnesty International report paints a harrowing picture of the quiet desperation of the families left behind, traipsing round from police station to police station, military base to military base, hoping to find their missing loved ones, clutching pictures or dog-eared court orders demanding their release.

"We have details of over 200 individuals who have apparently "disappeared" from security force custody since January 1990," said Amnesty International, "128 in Jammu and Kashmir and 80 in Punjab. The broad powers of arbitrary arrest given to the security forces facilitate "disappearances" and what is more, in many of these cases, there is clear evidence of attempts to cover up the problem, with police and military deliberately prevaricating, ignoring the law, and obstructing relatives and lawyers."

In Jammu and Kashmir officials have subverted legal proceedings by refusing to respond to scores of habeas corpus petitions from the state's High Court, which found evidence that several victims who had met "an unnatural fate" had in fact been tortured before being secretly killed in custody.

In Punjab, court orders to clarify "disappearances" have also been ignored and police routinely deny arrests - even though officials themselves have doubted the truth of such denials.

"Little is ever done to stop the violations or bring those responsible to justice," said Amnesty International. "In Punjab, none of those responsible for "disappearances" have ever been brought to justice by the police, which operates a "licence to kill" policy, and in Jammu and Kashmir we know of only two cases where members of the security forces have received substantial prison sentences.

"In fact, in Jammu and Kashmir few attempts are even made to conceal human rights violations. These are apparently used to intimidate the local population and deter them from supporting armed opposition groups."

Amnesty International says it recognises that the Indian government is facing ruthless and violent opposition in both Jammu and Kashmir and Punjab. But it is also clear that government security forces are resorting to appalling violations themselves in their fight against these groups - and that, says Amnesty International, is totally unacceptable.

Armed opposition groups in Jammu and Kashmir have been responsible for numerous and grave human rights abuses, including hostage-taking, assassinations of politicians and their families, deliberate killings of civilians including journalists and torture and rape. Amnesty International has condemned these abuses and urges all such groups to release all hostages and respect human rights and humanitarian standards.

In Punjab also the violence perpetrated by secessionist groups is ruthless and widespread, with Hindu civilians targeted for deliberate, arbitrary killings, and journalists, politicians, police officers and members of the judiciary assassinated.

In one case in Punjab, the police actually sent what they claimed were the ashes of a "disappeared" man to his parents, saying he had been killed in an "encounter" between police and armed insurgents. But five months later, the father saw his son, Harjit Singh, alive, at the window of a Central Investigation Agency (CIA) interrogation centre.

Harjit Singh's father had gone to the interrogation centre with a court warrant officer, after a judge had held that there was evidence Harjit Singh was being held in illegal custody. They were barred from entering the centre for an hour - meanwhile, Harjit Singh was apparently spirited out of the centre. When they got to the room where they had seen him, all that was left was a pair of handcuffs at the window.

Since then, the court case has been postponed time and time again, the police have intimidated and beaten witnesses - and still there is no news of Harjit Singh.

But, says Amnesty International, however bad the violence, there is no justification for the hundreds of "disappearances" at the hands of India's security forces.

Sadly, the fate and whereabouts of all too many of the "disappeared" remain unclarified, although the Indian government has apparently recently acknowledged the detention of at least one of the people highlighted in Amnesty International's new report, which the government received several weeks ahead of its publication. On another positive note the Indian government has suggested that Amnesty International might be given access to Punjab for research in the New Year.

Said Amnesty International: "Only recently, we launched a huge international campaign against "disappearances" and political killings, which we believe are one of the greatest threats to human rights in the world today.

"The government of India urgently needs to tackle these problems. We are urging them, for example, to set up a Commission to Protect Detainees, with effective powers to prevent future "disappearances". We very much hope that we are seeing the beginnings of a more positive approach by the government to the appalling human rights violations committed by its security forces, and that perhaps we will soon see more positive steps taken."

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