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India: Stop killings in “lawless state”

In the aftermath of the largest massacre to take place in the eastern Indian state of Bihar, Amnesty International has today called on the central government to launch a thorough and impartial investigation and prosecute any officials found to be colluding with the killers.

At least 250 men of the Ranbeer Sena, a private army set up by predominately upper caste landlords, crossed from Bhojpur into neighbouring Jehanabad district across the River Sone and entered two hamlets of Bathe Lakshmanpur village on the night of 1 December. During the next two hours, they slit the throats of five fishermen and then shot dead at least 56 people, many of whom were in their beds. Most of the victims were the families of agricultural labourers from low caste and *dalit* communities, suspected to have links with left wing Maoist groups active in the state. Eight of the 33 women who were killed were pregnant. Sixteen children were killed.

“Rather than protecting citizens against caste-based political killings, the state authorities appear to be colluding with those involved. In this climate of impunity, corruption and failure of the rule of law, we fear that further killings will follow,” Amnesty International said today.

Earlier, on 24 November, members of the Communist Party of India (Marxist-Leninist) CPI (ML-Liberation) had written to the District Magistrate and the Superintendent of Police, Bhojpur district, informing them that the Ranbeer Sena were holding meetings in three villages, and reportedly plotting an attack in a nearby place. The massacre on 1 December took place in a village on the border of Bhojpur district. Although there is a pattern of massacres by the Ranbeer Sena in the region, the district administration failed to respond to this call for protection. Allegations are being made that the local police officials colluded in the attack with their caste brethren in the Ranbeer Sena.

After the massacre, the state government announced the appointment of a Special Investigating Team to investigate the massacre, in which it is expected that senior police and administrative officials will be involved. The expected composition of the team raises serious doubts about the impartiality and thoroughness of any investigation. While similar Investigative Teams have been appointed to inquire into previous political killings of this kind, those who planned, carried out or condoned the killings have never been brought to justice.

In response to the massacre, the Home Minister announced that 1,000 paramilitary troops were being sent to the area to conduct combing operations. However, in the absence of a well-functioning state administration, this action risks further human rights violations.

Amnesty International has today written to the central government, urging it to:

- launch an independent and impartial investigation into the massacre, to bring those found responsible to justice and to provide redress to the victims and their families;
- ensure that the scope of such an enquiry includes investigation of all indications of official collusion or acquiescence, including the apparent failure of the judicial and police authorities to provide protection, and structural or operational links between the Ranbeer Sena and the state’s security forces and civilian authorities;

- take steps to prevent such killings, including the prohibition and disbanding of any paramilitary forces operating outside the chain of command of the security forces, but carrying out abuses with official acquiescence
- implement the recommendations of the National Police Commission, made between 1979 and 1981, as a matter of urgency with a view to ending corrupt practices within the police which contribute to the police colluding in or perpetrating human rights violations

Background

Described by many as a “lawless state”, Bihar is beset with political scandals, emerging out of the breakdown in the rule of law, and rampant corruption. Chief Minister until 30 July, Laloo Prasad Yadav is now in detention awaiting trial on corruption charges -- his wife, Rabri Devi, has taken over his post as Chief Minister.

In a recent opinion poll published in *India Today* on 24 November, Bihar was voted the most corrupt state in the country, scoring 5.8 on a seven point scale, which ranged from “perfectly honest” to “entirely corrupt”. In response to a query asking which public service agencies are most corrupt, the police came second only to the category of ministers.

As the governing idiom of politics in Bihar, caste is a dominant factor in the massacres that have been taking place with increasing frequency during recent years. Tensions that arise between those who are landed and those who work on the land are reflected in caste struggles, as many of those with land are from upper castes, while the agricultural workers are predominately “backward castes” or *dalits* (also know as “Scheduled Castes” or by the term “untouchables”).

For decades, members of the CPI (ML) groups often described as *naxalites* and espousing a Maoist ideology, have been organising landless peasants into an armed political movement. This movement is now factionalised, and the victims of the current massacre are reportedly supporters of CPI(ML-Liberation), now an overground organisation, and CPI(ML-Party Unity), an armed political group. Following the massacre on 1 December, members of Party Unity have reportedly threatened reprisal killings.

A climate of impunity prevails in Bihar. The Ranbeer Sena, also known as the Ranbeer Kisan Maha Sangh, was formed in 1995 in Bhojpur in response to the increasing politicization of landless agricultural workers. Since then it has reportedly perpetrated a number of massacres. Despite the outcry that followed the Bathani *tola* (hamlet) massacre on 11 July 1996, when 19 women and children were killed by the Ranbeer Sena, reports indicate that none of the culprits have been brought to book. On the day of the attack, no police from any of the three police camps within a 1.5 kilometre radius of the *tola*, intervened to prevent the killings. It is not known whether officials of the state police have been held accountable for their failure to effectively protect the victims.

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