

EXTERNAL (for general distribution)

AI Index: ASA 20/57/92

Distr: UA/SC

UA 388/92 Possible Extrajudicial Execution

9 December 1992

INDIA: H.N. Wanchoo, 65, human rights activist

Amnesty International is concerned at reports that H.N. Wanchoo was shot dead on 5 December 1992 in a suburb of Srinagar by unidentified gunmen. He was reportedly taken from a scooter rickshaw and shot by the roadside with three bullets. Several reports suggest Mr Wanchoo may have been the victim of an extrajudicial execution because he was one of the most vocal human rights activists in Kashmir. The government claims he was killed by militants.

Mr Wanchoo was cremated on 6 December. A strike was called on that day by two major Kashmiri opposition groups to mourn his death. These were the pro-Pakistan Hizbul Mujahuddin and the Jammu and Kashmir Liberation Front, which together with the People's League, advocates the independence of Kashmir. Amnesty International believes a full independent inquiry into his death should be promptly held by a judicial authority, especially in view of the conflicting reports about the identity of his killers.

Mr Wanchoo, a retired civil servant and a former communist trade unionist, was one of the few remaining Hindu leaders in the predominantly Muslim Kashmir valley. Many other Hindus fled after the campaign for an independent Kashmir turned violent in 1990. He had become well-known for meticulously documenting many alleged incidents of torture, "disappearance" and extrajudicial killing by the security forces in recent years. In recent months, he had submitted to the Jammu and Kashmir High Court details of increasing numbers of people alleged to have died in the custody of the security forces. He claimed that 155 had been so killed between early July and mid-November 1992 and that dozens of people had "disappeared". Mr Wanchoo met with the Amnesty International delegation during their recent visit to New Delhi and told them that most of his petitions to the High Court were consistently ignored.

BACKGROUND INFORMATION

Since early 1990 there has been an increasingly violent campaign for independence in Kashmir. Armed separatists have kidnapped and killed officials, members of paramilitary forces and civilians. Amnesty International has repeatedly expressed concern to the Indian Government about reports of deliberate killings of unarmed civilians by members of the security forces, about widespread allegations of torture and rape by members of the security forces and about arbitrary arrests of suspected separatists, an increasing number of whom are reported to have "disappeared".

The Governor of Jammu and Kashmir, Girish Saxena, has ordered several investigations of such abuses, in one case this led to charges of murder being

brought against the Director of the Border Security Forces (BSF). Such investigations have usually been carried out by police or army officials rather than by an independent and impartial body. The government says that action has been taken against 230 members of the security forces in Jammu and Kashmir, although details of the punishments are not yet known.

Page 2 of UA 388/92

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

- expressing grave concern at the killing of H.N. Wanchoo, a well-known human rights activist, on 5 December 1992;

- urging that the government order an independent and impartial inquiry into Mr Wanchoo's death, that its findings be published in full and that those found to be responsible are promptly brought to justice.

APPEALS TO

1) Mr Girish Saxena
Governor of Jammu and Kashmir
Office of the Governor
Srinagar
Jammu and Kashmir
India

Telegrams: Governor Jammu and Kashmir, Srinagar, India

Salutation: Dear Governor

2) Mr S.B Chavan
Minister of Home Affairs
Ministry of Home Affairs
North Block
New Delhi 119 991

Telegrams: Minister Home Affairs, New Delhi, India

Telexes: 3166427 REND IN

Faxes: + 91 11 301 6781 (Ministry of Foreign Affairs)

Salutation: Dear Minister

COPIES OF YOUR APPEALS TO:

V.K. Kapoor
Chief Secretary
Government of Jammu and Kashmir
Srinagar
Jammu and Kashmir
India

and to diplomatic representatives of India accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.