

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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India: Arbitrary detention of human rights defenders monitoring elections in Jammu & Kashmir

Amnesty International calls upon authorities in India to immediately release Pervez Imroz, a Srinagar-based senior advocate, and two other human rights defenders - Firdouz Ahmed Sofi and Aijaz Ahmed Mir - who were apparently arbitrarily detained at Bandipura where they were monitoring polling during the ongoing elections in Jammu & Kashmir today, 17 November.

The three were detained when they were involved, on behalf of the Jammu & Kashmir Coalition of Civil Society (JKCCS), in monitoring of the polling at Bandipura Elections to the Jammu & Kashmir state assembly which are being held in seven phases till 24 December.

Speaking to Amnesty International from the Bandipora police station where he and the two others were held, Imroz said they were detained after paramilitary forces and police personnel baton-charged a demonstration by around 100 persons, mostly women, who were protesting against the elections. Imroz said he and others were witnessing the demonstration; he and six persons including a photojournalist sustained injuries in the baton-charge; he received a blow on his head as he was dragged. While the others were shifted to hospital, he and the two other human rights defenders were detained and taken to the police station, he added.

Imroz said the police had not charged him and the two others with any offence; also, he was given no medical treatment; nevertheless, the police allowed him to make and receive telephone calls and allowed one of the JKCCS' election observers, Prof. K. Babiah from Bangalore, and a local journalist to meet him, he added.

In the wake of recent volatility in Jammu & Kashmir, Amnesty International continue to call upon India's security forces to act with restraint and avoid excessive use of force and ensure free and fair elections; the organization has also appealed to all organisations in the state not to commit or condone acts of violence against political opponents, or make statements or undertake actions that would constitute incitement to such violence.

Amnesty International calls on the authorities in India and Jammu & Kashmir to:

- immediately release the three human rights defenders - Pervez Imroz, Firdouz Ahmed Sofi and Aijaz Ahmed Mir;
- initiate a prompt, independent and impartial inquiry into all complaints and reports of harassment, arbitrary detentions and violations of the rights of human rights defenders, in Bandipora, make the results public and make those responsible for such violations, including those who ordered or acquiesced, accountable for their actions;
- take steps to ensure take steps to ensure that it is possible for human rights defenders to carry out their tasks without fear of harassment, arbitrary arrest and detention.

BACKGROUND

Amnesty International has been concerned with the harassment faced by human rights defenders in the state of Jammu & Kashmir which faces an armed conflict with separatist guerrillas based in Kashmir valley since 1989.

In June 2008 Pervez Imroz, who has been actively involved with the Association of Parents of Disappeared Persons (APDP) to ascertain the disappearances of people in the Kashmir valley during the armed conflict, was attacked by suspected Central Reserve Police Force (CRPF) personnel. This attack, which is yet to be fully investigated, followed the discovery of unmarked graves brought to light by the Association of Parents of Disappeared Persons (APDP) in March 2008.

JKCCS, a coalition of civil society organizations in the state, had invited organizations from other parts of India to monitor the elections.

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