

AMNESTY INTERNATIONAL

Public Statement

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India: Use of excessive force against demonstrators

Amnesty International is concerned about the use of excessive force by police officials on 20 March 2004, during a march held by the Association of Parents of Disappeared Persons (APDP) in Srinagar, Jammu and Kashmir. The demonstrators were planning to present a memorandum to the UN Military Observers Group, calling upon the United Nations working group on Forced or Involuntary Disappearances to take notice of the cases of "disappearance" in the state and to punish those responsible.

At 12:30pm the march was dispersed by police personnel. The participants were charged with canes and women were reported to have been dragged by their hair, beaten and had their clothes ripped off. Witnessing this use of excessive force by the police on women, some passers-by and local shopkeepers started to throw stones at police officials.

Several APDP members, human rights defenders as well as family and friends of the "disappeared" were arrested and taken into police custody. Criminal charges under RPC section 323 were lodged against 5 APDP members: including Perveena Ahangar, Pervez Imroz, Bilal Mohammad Bhatt, Yasin Rah and Umtoo. These charges are for unlawful assembly and simple injuries that were allegedly sustained by the police personnel. After seven hours in custody they were released on bail. No criminal charges have yet been brought against those police officials responsible for using excessive force on the participants of this march.

Amnesty International calls on the State Government to condemn the excessive use of force by the police and to take steps to prevent their recurrence in future. An investigation should be conducted into the use of excessive force by police officials with the aim to bring those found responsible to justice.

Amnesty International has been concerned about the hundreds of "disappearances" which have taken place in Jammu and Kashmir over many years.

The concerns of the organization have for years focused particularly on the impunity with which people have been "disappeared". State sanction to prosecute state officials found responsible for such abuses in independent inquiries has routinely been withheld, and court orders have been ignored by the state.

Since 1990, some 700 to 800 people have "disappeared" after being arrested by police or armed or paramilitary forces in Jammu and Kashmir. The victims have included men of all ages, including juveniles and the very old, and all professions, including businessmen, lawyers, labourers and many teachers. Many of them appear to be ordinary citizens picked up at random, without any connection to the armed struggle in the state. Their relatives still live in unbearable uncertainty about the fate of their loved ones. The perpetration of "disappearances" also contributes to an atmosphere of fear across the state, inhibiting the wider community's right to seek justice and violating their right to association and assembly.