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India: Break the cycle of impunity and torture in Punjab

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"Torture and custodial violence continue to take place in Punjab, despite the end of the militancy period in the mid-1990s", Amnesty International said today in a new report on torture in the Indian state.

Torture in Punjab persists as a result of the continuing culture of impunity developed within the criminal justice system in the state during the militancy period.

"Unless this trend is reversed and the procedures and attitudes which facilitated abuses during that period are dismantled, custodial violence will continue to take place in the state", the human rights organization said.

In the new report, *"India: Break the cycle of impunity and torture in Punjab"*, Amnesty International shows that impunity for past abuses and the continuation of torture today are causally linked.

"There is an urgent need to break this cycle and the recommendations contained at the end of the report are made as a contribution towards this objective", the human rights organization said.

Armed opposition ended in Punjab a decade ago, resulting in a marked decrease of human rights violations in the state. However, thousands of families are still waiting to know the fate of their relatives who "disappeared" during that period.

"Until justice and truth is delivered to these families, the wounds left by the militancy period will remain open," Amnesty International added.

Only a small minority of the police officers responsible for a range of human rights violations - including torture, deaths in custody, extra-judicial executions and "disappearances" during the militancy period -- have been brought to justice. This has led some state officials to believe that they can violate people's fundamental rights with impunity even today.

Some police in Punjab often use torture as a substitute for proper investigations, to extort money or for personal motives. Workload, lack of resources, intimidation or disinterest facilitate the recourse to custodial violence.

"Victims of torture today are most often those who are socially and economically disadvantaged, including women, dalits and the poorer sections of the community. Human rights activists are often victims of harassment and ill treatment," the organization explained.

"Action is rarely taken against the perpetrators due to the tolerance of other elements of the criminal

justice system, such as public prosecutors, the courts, the legal aid system and the doctors", Amnesty International continued.

The Punjab Human Rights Commission has so far not been given the powers, resources or institutional autonomy to function effectively as a check on torture and ill-treatment in the state.

Punjab today should serve as a warning to states in India presently effected by armed conflicts, such as Jammu and Kashmir and states in the northeast: perpetrators of human rights violations must be held to account in situations of widespread and prolonged violence, if long-term repercussions for the enjoyment of human rights are to be avoided after the end the conflicts.

The report is part of Amnesty International's global Campaign Against Torture. During this campaign the organization has expressed concerns about the use of torture in other Indian states, such as West Bengal, Uttar Pradesh and Rajasthan, as well as in a wide range of countries, including Brazil, China, Pakistan, the Russian Federation and the USA.

Background

The decade of violent political opposition in Punjab -- which lasted from the mid-1980s to the mid-1990s -- started when a movement within the Sikh community in Punjab turned to violence to achieve an independent state for the Sikhs. During that period armed opposition groups targeted and killed police officers, elected representatives and civil servants. The security forces resorted to unlawful and indiscriminate arrests, torture and extrajudicial executions. Thousands of civilians were the victims of the violence on both sides.

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