

12 August 1998

Further information on UA 211/98 (ASA 20/16/98, 24 July 1998) - Fear for safety / Fear of torture

INDIA Jaspal Singh Dhillon, human rights defender (detained)
Rajinder Singh Neeta, human rights defender (detained)
Kulbir Kaur Dhani (f), human rights defender
Daljit Singh Rajput, human rights defender and lawyer (detained)

New names: Amrik Singh

Harshinder Singh, both human rights activists and members of the
Coordination Committee on Disappearances in Punjab, and
other human rights lawyers in Punjab state, including
Navkiran Singh, Amar Singh Chahal, Rajvinder Singh Bains, Ranjan
Lakhanpal, Puran Singh Hundal, and Arunjeev Singh Walia

There is heightened concern for the safety of human rights defenders in Punjab state following the arrest of lawyer Daljit Singh Rajput by Punjab police on 27 July 1998. There are also unconfirmed reports that false charges are being brought against human rights defenders in Punjab to secure their arrest.

Two cases have been filed against Daljit Singh Rajput in connection with a conspiracy to secure the escape of prisoners at Burail Jail, Chandigarh. His application for bail was rejected on 4 August, reportedly because the charges against him were thought too serious. Lawyers are now appealing against this decision to the Punjab High Court.

According to unconfirmed reports, police have interrogated those in detention and attempted to persuade them to implicate human rights lawyers in the conspiracy. As a result, several lawyers personally presented the Chief Justice of the Punjab High Court with a petition on 11 August, appealing for him to prevent their arbitrary arrest and requesting him to ensure that lawyers should only be arrested with the prior permission of the High Court. The petition was signed by Navkiran Singh, Amar Singh Chahal, Rajvinder Singh Bains, Ranjan Lakhanpal, Puran Singh Hundal, and Arunjeev Singh Walia.

On 29 July, Amrik Singh and Harshinder Singh were questioned by members of the Crime Branch of the Chandigarh Police about their activities as human rights activists. A police inspector reportedly threatened that they would be arrested on fabricated charges if they did not cease their human rights work.

On 30 July, Jaspal Singh Dhillon was taken to court and remanded to judicial custody after spending several days in police custody, during which he was reportedly denied sleep. However, on 1 August, Chandigarh police defied the court order, taking him and Daljit Singh Rajput into their custody again. The police subsequently applied to the High Court for the men to be remanded in police custody for questioning for another 10 days, but this was rejected. The two men were returned to judicial custody on 2 August, where they now remain.

ADDITIONAL BACKGROUND INFORMATION

Human rights defenders in Punjab have in recent months been involved in establishing a People's Commission to hear complaints about human rights violations in Punjab. The Commission consists of three eminent former judges and its first public hearings were held on 8, 9 and 10 August in Chandigarh.

The Commission has reportedly heard over 400 complaints from individuals about human rights violations. There are fears that the harassment of human rights defenders by Punjab police at this time is an attempt to undermine the work of the People's Commission.

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

- urging the authorities to immediately investigate allegations that false charges have been brought against Jaspal Singh Dhillon, Rajinder Singh Neeta, Kulbir Kaur Dhani and Daljit Singh Rajput, as well as other human rights defenders in Punjab, as a means of intimidation, and to safeguard the right of human rights defenders to carry out their work without threats of arbitrary arrest, detention or violating their life, liberty and security of person;
- urging that the detention of Jaspal Singh Dhillon, Rajinder Singh Neeta and Daljit Singh Rajput be immediately reviewed and for an independent investigation to take place into reports that Mr Neeta was illegally detained for several days and tortured;
- urging that prompt action be taken against any police officials found responsible for filing false charges against human rights defenders as a means of harassment or intimidation;
- expressing concern for the safety of human rights defenders currently detained by police in Punjab and seeking assurances that they be treated in accordance with international standards and not subjected to torture or ill-treatment;
- reminding the authorities of India's commitment to the Universal Declaration of Human Rights, in particular Article 3: "Everyone has the right to life, liberty and security of person", and Article 9: "No one shall be subjected to arbitrary arrest, detention or exile."

APPEALS TO:

Mr Prakash Singh Badal, Chief Minister of Punjab
Office of the Chief Minister, Chandigarh, Punjab, India

Telegrams: Chief Minister, Chandigarh, India

Faxes: +91 172 741 821 / +91 172 740 936

Salutation: Dear Chief Minister

Mr Lal Krishna Advani, Minister of Home Affairs, Ministry of Home Affairs
North Block, New Delhi 110 001, India

Telegrams: Home Minister, New Delhi, India

Faxes: +91 11 301 5750

Salutation: Dear Home Minister

Copies to diplomatic representatives of India accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 September 1998.

"No one shall be subjected to arbitrary arrest, detention or exile."

Article 9, Universal Declaration of Human Rights

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