

EXTERNAL (for general distribution)

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**Reported Extrajudicial
Executions**

3 October 1990

**INDIA: Gulam Rasool Malik
Gulam Nabi Shapoo**

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At least 15 civilians have reportedly been killed by members of the Border Security Force (BSF) in Kashmir in retaliation for the murder of one of their colleagues by armed Kashmiri separatists on 1 October 1990. Those killed include Gulam Rasool Malik, a former legislator of the Jammu and Kashmir state assembly, who, relatives said, was dragged out of his house by members of the BSF and shot on the road. They also included Gulam Nabi Shapoo, who was apparently killed in the same manner. A local shopkeeper said he saw how troops stopped him in the street and forced him to sit down on the pavement and added: "then they just shot him in the head and threw him into a burning shop". According to local officials, one policeman was also killed when he tried to stop the BSF men from setting fire to local buildings. They also said that the BSF obstructed their efforts to put out the fire.

Two local policemen, Shabir Ahmed and Gulam Mohammed, said they were guarding the post office when they saw the BSF men setting buildings on fire with petrol and gunpowder. They were briefly held by the BSF, but then released. According to a report from United News of India of 2 October, at least 15 people were killed and over 350 houses and shops set on fire. Local officials have expressed fears that more bodies might be recovered from the burning houses and that the death toll could rise. The killings took place in Handwara, a town 75 km northwest of the state's capital Srinagar.

The killings immediately followed an attack by armed Kashmiri separatists on two members of the BSF who were shopping in the town, killing one of them, Ashok Kumar. J.N. Saxena, Kashmir's Director General of Police, has denied that the civilians were deliberately killed by members of the BSF and said that they were killed in cross-fire between members of the BSF and militant secessionists. He said an inquiry conducted by two deputy police inspectors had been instigated.

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 the paramilitary forces and civilians in their campaign. 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 the security forces and about arbitrary arrests

of suspected separatists or their relatives. In September, the government announced that a screening committee would be set up to examine complaints of excesses by the security forces and the newly appointed Governor, Girish Saxena, has ordered several

investigations into more recent allegations of such abuses, in one case leading to charges of murder being brought against the Director General of the BSF. But such investigations have usually been conducted by police or other officials rather than by an independent and impartial body. Amnesty International does not know of any cases in which officials allegedly responsible for such human rights violations have been brought to justice and convicted .

RECOMMENDED ACTION: Telegrams/express and airmail letters:

- expressing concern at reports that members of the Border Security Forces have taken people out of their houses or from the road in Handwara on 1 October and deliberately shot them;

- welcoming reports that the government is carrying out an investigation but urging it to order a comprehensive inquiry by an impartial and independent body, the results of which should be promptly published, and urging that anyone found guilty of extrajudicial killings be brought to justice;

- urging that immediate steps are taken to ensure that those potentially implicated are removed from any position of control or power over complainants, witnesses and their relatives as well as those conducting the investigation.

APPEALS TO:

His Excellency
Mr Girish Saxena
Governor of Jammu and Kashmir
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Srinagar
Jammu and Kashmir
India

His Excellency
Prime Minister V P Singh
Office of the Prime Minister
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Telegrams: Governor Jammu and Kashmir
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Prime Minister Singh,
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COPIES TO:

Mufti Mohammad Sayeed
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New Delhi 110001
India

Mr I K Gujral
Minister of External Affairs
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South Block
New Delhi 110011
India

and to diplomatic representatives of India in your country.

PLEASE SEND APPEALS IMMEDIATELY. Please check with the International Secretariat, or your section office, if sending appeals after 14 November 1990.