

URGENT ACTION

CHILD HELD WITHOUT CHARGE OR TRIAL IN INDIA

Mushtaq Ahmad Sheikh, a child aged 14, has been detained without charge or trial by the Jammu and Kashmir authorities in India since 21 April 2010. Following meetings with the state authorities, Amnesty International believes that a burst of public campaigning at this stage could lead to his release.

Mushtaq Ahmad Sheikh was arrested on 9 April 2010. He is alleged to have been part of a large mob which pelted police and security forces with stones during ongoing protests against the state in Srinagar, the capital of the northern Jammu and Kashmir state. He was released on bail after eight days in custody but was again detained without charge or trial on 21 April.

Mushtaq Ahmad Sheikh's family was not informed that he was detained but came to know of it by chance when a local resident saw him in a police vehicle, being taken to a jail in another town.

Mushtaq Ahmad Sheikh was initially held at Udampur Jail and is now held at Kot Bhalwal Jail at Jammu. Both are regular prisons without any special facilities for detaining children. Prison conditions in Jammu are harsh and the provision of health care is limited.

The police claim that Mushtaq Ahmad Sheikh is 19 years old. His family members told Amnesty International that Mushtaq was born in 1996 and is therefore only 14 years old. Prison records are reported to also confirm that Mushtaq Ahmad Sheikh is indeed a child.

His case was raised by Amnesty International in meetings with the Chief Minister of Jammu and Kashmir and the State Human Rights Commission. Despite their assurances that they would look into the case, Mushtaq Ahmad Sheikh continues to remain in detention.

PLEASE WRITE IMMEDIATELY in English or your own language:

- Demanding that the state authorities immediately end the detention without charge or trial of Mushtaq Ahmad Sheikh;
- Urging that if charged with a recognizable criminal offence, Mushtaq Ahmad Sheikh be treated in accordance with the UN Convention on the Rights of the Child, and held and tried in special facilities for children;

PLEASE SEND APPEALS BEFORE 28 DECEMBER 2010 TO:

Chief Minister of Jammu & Kashmir

Omar Abdullah
Civil Secretariat
Government of Jammu and Kashmir
Jammu – 180 001
Fax: +91 191 2546466

Salutation: Dear Chief Minister

And copies to:

Minister of Home Affairs
P Chidambaram
North Block, Central Secretariat
New Delhi – 110 001
Fax: + 91 11 23094221
Email: hm@nic.in

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Mushtaq Ahmad Sheikh is detained under the J&K Public Safety Act – a law that allows the state authorities to detain persons for up to two years without any judicial review of the allegations against them. Repeat detentions are also commonly ordered.

At least 322 people are reported to have been detained without trial under the provisions of the Public Safety Act in J&K in 2010 alone. A number of them, reportedly including some more children, have been detained on similar grounds of stone pelting and rioting during various protests against the Indian government throughout the summer of 2010.

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