

EXTERNAL

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Fear of torture

4 February 1997

INDIA: JAMMU AND KASHMIR Syed Zahoorul Haq, aged 40, businessman

Syed Zahoorul Haq has been in incommunicado detention since his arrest by members of the Border Security Force (BSF) on 22 January 1997. His family fears that he may be subjected to torture or killed in custody.

Syed Zahoorul Haq was arrested in front of his wife and children at his home in Srinagar, capital of the state of Jammu and Kashmir. He was then taken to the BSF camp at Karan Nagar in Srinagar, where he is apparently still held. Three days after his arrest, his brother-in-law, Dr Naim Muzzafar Geelani was allowed to see the face of the prisoner but was not permitted to speak to him.

To Amnesty International's knowledge, Syed Zahoorul Haq has not been charged and has not been brought before a magistrate within 24 hours as the law requires. He has been denied access to his family and to a lawyer. A secretary to his father-in-law subsequently met the Divisional Commissioner in Srinagar who promised to take up the arrest and detention of Syed Zahoorul Haq with the detaining authorities.

Syed Zahoorul Haq is a businessman who assisted his father-in-law, Syed Ali Shah Geelani, by keeping the accounts of the *Jamaat-e-Islami*, a member organization of the All Parties Hurriyat Conference (APHC) [see below]. Syed Ali Shah Geelani, a senior executive member of the APHC, has over the last few years been subjected to repeated bomb attacks on his house, arrests and harassment.

#### **BACKGROUND INFORMATION**

The APHC comprises some 30 political groups with different political agendas which, however, agree in opposing accession of Jammu and Kashmir to India. During the pre-election and election period for the Lok Sabha (the federal assembly) elections in May 1996 and the Jammu and Kashmir assembly elections in September 1996, Syed Ali Shah Geelani and other members of the APHC were repeatedly put under arrest or house arrest to prevent them from exercising their right to address public rallies.

The APHC had urged Kashmiris to observe the Indian Independence Day on 26 January as a "black day". Police sources said they had arrested over 100 people in Srinagar in anticipation of disturbances. Amnesty International does not know how many of these people are still in detention.

Over the last decade, hundreds of people have "disappeared" in custody in Jammu and Kashmir and many have been tortured in custody, sometimes leading to their death.

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

- calling for the immediate and unconditional release of Syed Zahoorul Haq unless there are recognizable criminal charges against him;
- urging the authorities to ensure that, if Syed Zahoorul Haq remains in detention on recognizable criminal charges, he be provided with prompt and regular access to his family and a lawyer of his choice and is not subjected to torture.

**APPEALS TO:**

Farooq Abdullah  
Chief Minister of Jammu and Kashmir  
Raj Bhavan  
Srinigar  
Jammu and Kashmir  
India

**Telegrams: Chief Minister, Srinigar, India**

**Salutation: Dear Chief Minister**

General K.V. Krishna Rao  
Governor of Jammu and Kashmir  
Raj Bhavan  
Srinigar  
Jammu and Kashmir  
India

**Telegrams: Governor Rao, Jammu & Kashmir, India**

**Salutation: Dear Governor**

**COPIES TO:**

Mr Indrajit Gupta  
Minister of Home Affairs  
Ministry of Home Affairs  
North Block  
New Delhi 110 001  
India

**Faxes: +91 11 301 5750**

and 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 25 March 1997.