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India: Authorities should investigate the custodial death of Adivasi youth in Chhattisgarh

The Indian authorities should order a prompt, impartial and independent investigation into the custodial torture and death of an Adivasi youth, Podiam Mara, detained on suspicion of being a Maoist in Dantewada district of Chhattisgarh state, Amnesty International said today.

Amnesty International pointed out that the authorities had failed to order an independent investigation into the death of another Adivasi, Madkam Jogarao, in September 2011 after he had been detained by the Central Reserve Police Force (CRPF) and the police in the same district.

The two deaths indicate that the security forces in Dantewada district have not abandoned the path of impunity even after the disbandment of *Salwa Judum* and other civil militias engaged in anti-Maoist operations as per the Supreme Court order in July 2011, Amnesty International said.

Residents of Podiyam Mara's native village, Kondre, informed Amnesty International that he was detained by the CRPF during an anti-Maoist operation on 9 January near Sukma town when he had gone to collect cash for sale of forest produce.

Local sources alleged that the CRPF detained Mara for four days when he was given electric shocks to his genitals, petrol poured on them and set on fire. On 13 January, he was handed over to the Sukma police who sent him for a medical examination and later produced him at a local court. While the initial medical report said that he had swelling in his genitals, he was remanded to judicial custody for 14 days without being asked about the exact date of his detention and the injuries sustained by him during his detention, they added.

Sukma police failed to send Mara to the Dantewada jail as per the court order and detained him at the police station overnight when he died, the local sources told Amnesty International.

Indian law requires that arrested persons be produced before a court within 24 hours of the arrest. In an apparent attempt to circumvent this requirement, the CRPF now claims that Mara was apprehended only on 12 January and a rifle recovered from him. The police claimed that he hanged himself in the police station, but four policemen have now been suspended.

Amnesty International calls upon the Indian authorities to ensure a prompt, impartial, independent and effective investigation into the reports of Mara's illegal detention and

torture resulting in his death. These deaths have occurred even as the Indian parliament is engaged in enacting a new law to combat torture in line with India's obligations under the United Nations' Convention against Torture, which it wants to ratify.

Those suspected of involvement in these violations, including persons bearing command responsibility, should immediately be suspended from positions where they may repeat such offences, and brought to justice; the authorities should also award full reparations to Mara's family, Amnesty International said.

Background

Over the last five years, Chhattisgarh has witnessed an escalation of violence between the banned Maoists who claim to be fighting on behalf of the Adivasis and India's paramilitary forces. At least 600 people have been killed and some 30,000 Adivasis continue to be displaced from their homes in the state.

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