

UA 52/97

Fear for safety

17 February 1997

**INDIA Residents of Agartala and Khowai sub-divisions in the north-eastern state of Tripura**

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Amnesty International is concerned for the safety of civilian residents of Agartala and Khowai sub-divisions in the north-eastern state of Tripura, as the government responds to the deliberate and arbitrary killings by an armed opposition group.

According to reports, members of the All Tripura Tiger Force (ATTF), comprising tribal people seeking the expulsion of "foreigners" from the state, began armed attacks on 13 February against ethnic Bengalis living in villages and refugee camps in the west of the state. In ATTF attacks on 16 February, at least 31 civilians were killed and over 200 houses were set alight. Despite the existence of police posts nearby, police personnel apparently failed to intervene during the attacks.

In the aftermath of the killings, at approximately 3pm on 16 February, the Government of Tripura invoked the Disturbed Areas Act in six police station areas. Three of these police stations, Sidhai, Bakatakarjala and Jirania are in Agartala sub-division, while three others, Kalyanpur, Khowai and Teliamura are in Khowai sub-division in the west of Tripura. This means that the Armed Forces (Special Powers) Act, which grants sweeping powers to shoot to kill and for arrest without warrant, is enforced in these areas.

A statement issued by the Government of Tripura on 16 February empowered the armed forces, including the Central Reserve Police Force (CRPF) and the Border Security Force (BSF), amongst others, to "*fire upon or otherwise use force even to the causing of death, after due warning against any person acting in contravention of law or any order in force prohibiting the assembly of five or more persons or carrying of weapons.*"

In a 24-hour period, since the notification of the Disturbed Areas Act, reports indicate at least four suspected members of the ATTF have been killed in security force operations, that 56 people have been arrested and charged, while a further 24 detained for interrogation.

Amnesty International is concerned that the official sanction to shoot to kill given by the Armed Forces (Special Powers) Act, will lead to the excessive use of force by security forces, and the killing of civilians and those suspected to be members of armed opposition groups, in violation of their right to life. It is further concerned that, using the provisions of the Act, arbitrary detentions may take place.

Amnesty International is also appealing to armed opposition groups active in Tripura state to adhere to the standards of international humanitarian law and to refrain from the deliberate and arbitrary killing of civilians.

**BACKGROUND INFORMATION**

One of the seven states comprising the north-east region of India, Tripura has a border with the Indian state of Mizoram on the east and is surrounded on the north, west and south by Bangladesh.

Many of the tribal people of Tripura resent the presence of ethnic Bengalis, many of whom entered the state after the partition of India and after the creation of Bangladesh. Amongst the demands of the armed opposition, active in the state for many years, have been demands for self-determination and the ousting of Bengali settlers, perceived to be "foreigners". Ethnic tensions have been exacerbated by the preponderance of Bengalis in Tripura and their participation in the state administration. Economic underdevelopment, poor infrastructure, corruption and the lack of employment prospects have added to the hostility.

The Armed Forces (Special Powers) Act has been applied in Tripura on previous occasions. Using their powers under this Act, members of the security forces in the north-east region and also in Jammu and Kashmir and Punjab, have been shown to have used excessive force, leading to loss of life.

Human rights activists within India have been campaigning against the Act and calling for its repeal. Hearing India's report on its adherence to the International Covenant on Civil and Political Rights in 1991, the United Nations (UN) Human Rights Committee held that provisions of the Armed Forces (Special Powers) Act violated the minimum safeguards for human rights guaranteed by the covenant.

On 4 February 1997, the Deputy Secretary-General of Amnesty International wrote to the Chief Ministers of all the north-eastern states, including Tripura, referring to India's obligations under international human rights law and stressing the importance of implementing international standards including the UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary executions, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and Code of Conduct for Law Enforcement Officials.

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

- expressing concern at the apparent increase in human rights abuses in the context of an escalation of violence in parts of Tripura;
- pointing out that Amnesty International calls on all governments to honour their obligations under international human rights standards to safeguard fundamental human rights, including the right to life;
- urging the Government of Tripura to abide by these standards;
- urging the Government of Tripura to ensure full, thorough and independent investigations should allegations of human rights violations arise and to ensure that those found responsible are brought to justice as a means to ending impunity;
- pointing out that Amnesty International is also calling on armed opposition groups to abide by minimum humanitarian standards which prohibit the deliberate and arbitrary killing of civilians, torture and ill-treatment and hostage-taking (In this connection, Amnesty International will be sending this appeal to newspapers in the north-east region of India, asking the editors to publish this appeal).

**APPEALS TO:**

Mr Dasarath Deb  
Chief Minister  
Office of the Chief Minister  
Agartala, Tripura, India

**Faxes: +91 381 223201 (if voice ask for fax tone)**

**Telegrams: Chief Minister, Agartala, Tripura, India**  
**Salutation: Dear Chief Minister**

Mr Samar Chowdhury  
Home Minister  
Office of the Home Minister  
Government of Tripura  
Agartala, Tripura, India

**Faxes: +91 381 223201 (If voice ask for fax tone)**  
**Telegrams: Home Minister, Agartala, Tripura, India**  
**Salutation: Dear Minister**

**COPIES TO:**

Mr Indrajit Gupta  
Minister for Home Affairs  
Ministry of Home Affairs  
Room No.104  
North Block  
New Delhi 110 001, India  
**Fax: +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 3 April 1997.