

27 June 2002

Further information on UA 275/99 (ASA 20/35/99, 15 October 1999) and follow-up (ASA 20/020/2001, 20 March 2001) - Fear for Safety

INDIAPeer Noor ul Haq (m)

Amnesty International has grave concerns for the safety of Peer Noor ul Haq and his family. He is still reportedly receiving death threats after he agreed to testify against police officers allegedly responsible for deaths in custody in Srinagar, summer capital of the state of Jammu and Kashmir.

Since Peer Noor ul Haq came forward as a witness he and his family have reportedly been threatened by the police. On 25 June members of the Criminal Investigation Department allegedly visited his home and again threatened and harassed Peer Noor ul Haq and his family. In 1999 both the State Human Rights Commission and the High Court of Jammu and Kashmir ordered that he receive police protection, but no such protection has ever been given.

Peer Noor ul Haq was arrested on 19 June 1999, after he lodged a complaint that certain police officers had taken bribes. He was detained for ten days, during which he alleges that he was tortured. On the night of 23 June 1999 two men, Ghulam Matto and Javid Shah, who had been arrested by police, were put into the same cell as Peer Noor ul Haq and he heard screaming from another cell which he took to be the sound of a third man being tortured. Shortly after the screaming stopped a senior police officer came and took away Ghulam Matto and Javid Shah. Neither man was seen alive again, and their bodies were found in a village 70 miles away. The body of the third man, Nazir Gikar, was recovered from Dal Lake in Srinagar. A group of police officers have been charged with their killings.

Amnesty International has taken up the case of Ghulam Matto, Javid Shah and Nazir Gilkar on a longer term basis. Five police officers are currently being detained while the case is being heard but a sixth has been released. The senior police officer who is also accused of involvement in the unlawful killings has not yet been charged with any offence and remains at liberty. The trial of the accused has been transferred from the High Court in Srinagar to Jammu making it difficult for family members and witnesses to attend the hearings. The Kashmiri-speaking widows of the three victims are allegedly not being given access to translations of the proceedings or evidence in the case.

FURTHER RECOMMENDED ACTION: Please send appeals in English or in your own language:

- urging the authorities to immediately take adequate measures to ensure the safety of Peer Noor ul Haq and his family;
- calling on the authorities to immediately order an independent inquiry into allegations of police harassment of Peer Noor ul Haq and his family;
- urging the authorities to give a commitment that people will be free to raise complaints, without fear of harassment, and that action will be taken against anyone attempting to intimidate complainants or witnesses;
- expressing concern that the outcome of the police officers' trial may be affected if witnesses and the families of those involved cannot attend the hearings.

APPEALS TO:

Mr Ashok Jaitly
Chief Secretary of Jammu and Kashmir
Office of the Chief Secretary
Srinagar
India

Fax: + 91 194 452356

Salutation: Dear Chief Secretary

[please be aware that it can take some time to get through to Indian fax numbers - you may hear messages such as "this number is out of order" or "this number does not exist" but please ignore them and keep trying]

Mr Girish Chandra Saxena
Office of the Governor
Raj Bhavan
Srinagar/Jammu
India

Telegrams: The Governor of Jammu and Kashmir, Srinagar

Salutation: Dear Governor

COPIES TO:

Mr Suri
Director General of the Jammu and Kashmir Police
Office of the DGP
Police Headquarters
Srinagar

Fax: 0091 194 452196

Salutation: Dear Director General

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 8 August 2002.