

EXTERNAL (for general distribution)

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Attempted killings / Fear for safety

25 April 1995

INDIA Mian Abdul Qayoom, lawyer, President of the Jammu and Kashmir Bar Association
Parvez Imroz, Secretary of the Srinagar Branch of the People's Union for Civil Liberties
and other human rights activists in Jammu and Kashmir

Fears for the safety of human rights activists, lawyers and journalists working in the Kashmir valley in the state of Jammu and Kashmir have been further heightened by the shooting of two human rights activists in recent days.

On 22 April 1995, two unidentified men went to the home of Mian Abdul Qayoom and demanded to see him. As he was coming out of his home they opened fire on him, leaving him seriously injured. They then reportedly fled in an unmarked Maruti vehicle. Mian Abdul Qayoom is now being treated in hospital in Srinagar where he is in a serious condition.

No investigation has been ordered into this incident. The government reportedly claim that one of the militant organizations operating in the Kashmir valley was responsible for the shooting. However, the leaders of the main armed opposition groups have reportedly visited Mian Abdul Qayoom in hospital to express their sympathy. The local population believe that the unidentified gunmen were agents of the government.

The Jammu and Kashmir Bar Association have documented human rights violations such as "disappearance", deaths in custody and extrajudicial executions occurring in Kashmir over the past four years, and have also filed numerous petitions at the courts asking for investigations into such violations.

On 14 April another human rights activist, Mr Parvez Imroz, secretary of the Srinagar Branch of the People's Union for Civil Liberties, was shot and injured by unidentified gunmen. It was reported that militants were responsible for this incident, but, as with the shooting of Mr Qayoom, local people and other human rights activists are concerned that there may have been government involvement.

On 13 April Amnesty International wrote to the Indian Government expressing concern at the reported beating of journalists by the police on 31 March in Jammu as they were demonstrating against the continuing violations committed against the civilian population in Jammu and Kashmir. To date the organization has received no reply.

BACKGROUND INFORMATION

Since 1992, three men who played an important role in the documenting of human rights violations in Jammu and Kashmir have been shot dead in suspicious circumstances. Mr H.N. Wanchoo, a well-known civil liberties activist who carefully documented numerous human rights violations and raised them in *habeas corpus* petitions in court was killed on 5 December 1992 in circumstances that have not yet been clarified. The Central Bureau of Investigation (a central government investigation agency) brought charges against 12 people in June 1994, three of whom were arrested. However there is continuing suspicion in the valley that official agencies had a hand in his assassination.

In February 1993, Dr Farooq Ahmed Ashai, an orthopaedic surgeon at the Bone and Joint hospital, Srinagar, who had often spoken about torture victims he had treated in hospital was shot dead near the hospital and near the Central Reserve Police Force headquarters. Again it is suspected by local people that official agencies had a hand in his assassination.

On 1 April 1993, Dr Guru, a surgeon at the Institute of Medical Sciences in Soura, Srinagar was found shot dead. He had been abducted the previous day by unidentified gunmen.

In view of the lack of credible, impartial investigations into the deaths and shootings of these five men and the general lack of accountability of the security forces operating in Jammu and Kashmir, Amnesty International believes that the government should take all possible measures to protect and ensure the safety of all those now involved in documenting the human rights situation in the Jammu and Kashmir and that it order independent and impartial inquiries into the deaths and recent shootings.

Amnesty International is also concerned about the many human rights abuses committed by armed opposition groups in the state advocating independence for the state or joining Pakistan, and has called on them repeatedly to observe the minimum standards of humanitarian law.

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

- expressing concern at the recent shootings of two human rights activists in Srinagar and calling on the government to ensure that adequate protection is given to all those involved in documenting the human rights situation in the state of Jammu and Kashmir:
- calling for independent, impartial and timebound inquiries into the recent shootings of Mr Imroz and Mr Qayoom, urging that the results of these are made public in full and that those found to be responsible are promptly brought to justice;
- expressing concern at the government's failure to institute such investigations into previous allegations that persons active in raising human rights concerns in Jammu and Kashmir were extrajudicially killed and urging that inquiries be ordered into the deaths of Mr H.N. Wanchoo, Dr F.A. Ashai and Dr Guru.

APPEALS TO

Prime Minister, P.V. Narasimha Rao
Office of the Prime Minister
Gate No 6, South Block
New Delhi 110 001, India

Faxes: +91 11 301 9817

Telegrams: Prime Minister India, New Delhi, India

Salutation: Dear Prime Minister

Mr K.V. Krishna Rao
Governor of Jammu and Kashmir
Office of the governor
Srinagar

Jammu and Kashmir, India

Telegrams: Governor Jammu and Kashmir, Srinagar, India

Salutation: Dear Governor

COPIES OF YOUR APPEALS TO:

Mr Venugopal
Secretary to the Prime Minister
Office of the Prime Minister
Gate No 6, South Block
New Delhi 110 001, India

Mr Salman Khurshid
Minister of State for External Affairs
Ministry of External Affairs
South Block
New Delhi 110 001, India

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 7 June 1995.