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India: Police must effectively investigate long-standing rape allegations against army in Jammu and Kashmir

Amnesty International India urges authorities in Jammu and Kashmir to avoid delay in conducting fresh investigations into the alleged rapes of over 30 women by soldiers of the Indian army in 1991 in the towns of Kunan and Poshpora, Jammu and Kashmir (J&K).

On the night of 23 February 1991, army personnel entered the towns of Kunan and Poshpora to conduct a search operation. They confined the men of the village outside, and then allegedly entered their homes and raped between 23 and 53 women, according to different reports.

On 18 June 2013, a local court in Kupwara district directed the J&K police to reopen the case and investigate the long-standing allegations within three months.

A representative from the Jammu and Kashmir Coalition of Civil Society, a local human rights group, told Amnesty International India that witnesses and alleged victims were asked by the senior superintendent of police in Kupwara to record their statements at his office on the 3, 4, 10, 11, and 16 of July.

However, when they assembled at the location on 3 July, they were told after hours of waiting that the schedule for recording statements had been changed. The police have not yet announced the new schedule.

Media reports and local activists say that army and intelligence officials have visited Kunan and Poshpora in June to meet with community leaders and ask about statements given by survivors in connection to this case. Local activists believe this is an intimidation tactic. Villagers also allege that a government official has offered them money to stay silent.

Two months remain for the investigation to be completed.

Previous investigations into the allegations have been ineffective. The J&K police declared that the case was 'untraceable' and stopped investigations in October 1991. To date, investigations have remained inconclusive, and nobody has been charged or prosecuted in connection to the case.

In October 2011, the J&K State Human Rights Commission, responding to a series of complaints from alleged victims, directed the government of J&K to reopen and reinvestigate the case, and prosecute a senior official who it said had deliberately scuttled the investigation.

Wajahat Habibullah, the chairperson of India's National Commission for Minorities, was an official in the Kupwara district administration during the incident and had filed a report on it to the state government. In July 2013, he said that the state government had deleted portions of his report in which he recommended a higher level of investigation and a special order to ensure that the army cooperated with the investigation.

Allegations of human rights violations by members of the armed forces in J&K have rarely been fully investigated and prosecuted.

Amnesty International India urges authorities in J&K to conduct a thorough, impartial and effective investigation meeting international standards into the alleged rapes, and where sufficient admissible evidence is found, prosecute the suspects in a competent, independent and impartial civilian court.

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