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### **India: Civilian deaths in Kashmir are unacceptable**

*Amnesty International today condemned the apparent unlawful killing by security forces of 10 civilians and the injuring of up to 40 others following an attack on an army convoy by armed militants at Baramulla on 8 December.*

*"Security forces and armed groups should spare civilians from both direct and indirect violence. The recent incident at Baramulla is just one in a long line which have led to the deaths of dozens of civilians in Jammu and Kashmir in recent weeks," Amnesty International said.*

*The police have said that the civilians were killed in crossfire between the army and the attackers, members of the extremist Islamist group, Lakshar-e-Taiba. The army have also denied any responsibility for direct attacks. However, according to local observers, security forces fired both from moving convoy vehicles and bunkers on civilian passers-by and passing vehicles in retaliation for the ambush, after the encounter between the security forces and the militants had ended. There are reports that a nearby Border Security Force patrol joined in the firing.*

*"This is not the first time that security forces have reportedly turned on the civilian population after coming under attack. Following an attack on a convoy at Baramulla in July 2001, there were reports that six local labourers were unlawfully killed by members of the Jammu and Kashmir Light Infantry" Amnesty International said.*

All sides in the conflict must respect international humanitarian law that prohibits deliberate or indiscriminate attacks on civilians and those not taking direct part in hostilities.

Amnesty International acknowledges that the Jammu and Kashmir Government has ordered a magisterial inquiry into the incident at Baramulla, but is concerned that previous inquiries into human rights abuses in the region have failed to result in the punishment of those found responsible. Perpetrators of human rights abuses have not been held to account and the high level of impunity across the state continues to put the civilian population at risk.

"The consistent failure of both the state and central authorities to ensure all those responsible for human rights abuses are made to face the judicial consequences of their actions is testament to their failure to protect the human rights of the population of Jammu and Kashmir," Amnesty International said.

### Background

Jammu and Kashmir is one of the most militarised regions in the world having approximately 700,000 security forces stationed there. In the eleven years since some elements of the pro-independence movement chose to use violence, 34,000 people, thousands of who were civilians, including the elderly, children, women and other non-combatants, have reportedly been killed. Human rights abuses by the security forces, police and armed opposition groups have remained at high levels throughout the decade. Indiscriminate violence is widespread and civilians are killed on a daily basis. Since the beginning of 2001 alone, around 3,000 conflict-related deaths have been reported in the state, approximately 1,000 of which were civilians. Worrying high levels of heart disease, post-traumatic stress and depression are found in the population, including the children.

*Recent incidents include: On 5 December Judge Phull, together with three others, was shot dead at point blank range after their car had inadvertently driven into a road block set up by militants. On 2 December, seven members of a wedding party were unlawfully killed by unidentified gunmen in Tringal village in Udhampur and on 6 December a one-year-old child was killed when a grenade was thrown by militants at a Border Security Force in a busy public area of Srinagar.*

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