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India: Repeal shoot on sight orders

The government of the Indian state of Jammu & Kashmir should rescind the order issued today to authorize security forces to “shoot on sight” in response to communal clashes in the town of Kishtwar, Doda district, Amnesty International said.

Kishtwar witnessed violent clashes between Hindus and Muslims on 12 August, where at least two people were killed as a result of alleged police firing. It is one of several towns in the state currently under curfew in the wake of protests that have left at least 28 people dead.

“Shoot on sight orders are a clear violation of the right to life and of international standards of law enforcement,” said Sam Zarifi, Amnesty International’s Asia-Pacific Director. “The volatility of the situation in Jammu & Kashmir requires more sensitivity from the authorities, not a shoot on sight order.”

Since the state government announced a proposal to transfer forest land from the state to the Amarnath Shrine Board on 26 May, in order to accommodate the annual Hindu pilgrimage at the Shrine, there have been a series of protests and counter protests that have grown increasingly violent.

More public protests have been announced in the run up to Indian Independence Day on 15 August by the All Party Hurriyat Conference (APHC), one of the largest predominantly Muslim political formations in Jammu and Kashmir.

“The Indian authorities should conduct investigations and bring to justice police officers, as well as protesters, in a quick, transparent, and fair way in order to cool down sectarian tension,” said Sam Zarifi.

Amnesty International calls on the Government of India to ensure that it protects the right to life in accordance with its responsibilities under international law. This includes the International Covenant on Civil and Political Rights, to which it is a state party, and standards such as the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the Code of Conduct for Law Enforcement Officials, which state that firearms should be used only when strictly unavoidable in order to protect life.

Background

The government of Jammu and Kashmir reversed the proposed transfer of the disputed forest land on 1 July after ten days of protests in Kashmir. The reversal prompted counter protests during which demonstrators in the Jammu region obstructed traffic on the Jammu-Pathankot National Highway, the main land route to the Kashmir region. Members of the Hindu nationalist groups -- including the Bharatiya Janata Party as well as

the Vishwa Hindu Parishad (World Hindu Council) – have been accused of having initiated an economic blockade by stopping traffic in both directions on the highway. The traffic stoppage reportedly led to shortages of essential food in the Kashmir valley and damaged perishable goods shipped out of the valley. Police opened fire on those attempting to block the highway on 6 August, leading to one death in Kathua district.

On 10 August, the central government's Home Minister, Shivraj Patil, announced that the highway was now open, under the control of security forces. Despite this assurance and a promise of compensation to those whose fresh produce had perished, the APHC called for a march of fruit growers towards Muzaffarabad (capital of the Pakistani-controlled region of Kashmir, known as Azad Kashmir). Senior All Party Hurriyat Conference leader – Sheikh Abdul Aziz – was one of five people killed in the subsequent police firing. News of his death triggered further violence and another 15 deaths have allegedly taken place as a result of police firing in various parts of Kashmir on 12 August.

The region will soon take part in state as well as national elections.