



## **Fear of extrajudicial killing and forced disappearance**

**Case IND 100807**

### **Fear of extrajudicial killing/ Forced disappearance**

The International Secretariat of the World Organisation Against Torture (OMCT) requests your URGENT intervention in the following situation in **India**.

#### **Brief description of the situation**

The International Secretariat of OMCT has been informed by a reliable source and by Antenna International, a member the SOS-Torture network, of the fear of extrajudicial killing of **Mr. Santosh Mondal** (40 years old), resident of Shibpur P.O Border Para P.S Raninagar, District Murshidabad, by personnel of the Border Security Force (BSF) on 27 July 2007 near Shibpur.

According to the information received, on 27 July 2007 at around 6:30pm, three BSF personnel attached to the 90 BN BSF ECO Company, Harudanga, started randomly interrogating villagers, namely Mr. Uttam Mondal, Mr. Krishno Mondal, Mr. Tulsi Mondal, Mr. Sunil Mondal and Mr. Santosh Mondal, who were outdoors on the bank of the river Padma. However, the security forces, reportedly not being satisfied with their answers, have allegedly assaulted the villagers with sticks. While four of the villagers managed to escape, Mr. Santosh Mondal was not able to get away so he jumped into the river Padma. The BSF reportedly got back to Harudanga BSF camp, which is according to the information approximately 300 meters away, to take a speed boat in order to catch him.

According to the information, when the BSF detected with powerful torches Mr. Santosh Mondal swimming in the water, they reportedly drove near by him. However, instead of taking him out of the water, they then reportedly drove with high speed targeting him. A loud sound was reportedly heard and the propeller of the boat broke down.

According to the same information, Mr. Santosh Mondal did not come home that night and his body could not be traced. A relative of Mr. Santosh Mondal, Mr. Suresh Chandra Mondal of Harudanga lodged a complaint before the Officer-in- Charge (O/C) Raninagar P.S. on 29 July 2007. On the same day at around 6:00 pm, Mr. Purna Chandra Ghosh, Sub Inspector of Police attached to Raninagar Police Station, reportedly came to the village for investigation. According to the fact-finding mission, the 90 BN BSF ECO Company, Harudanga, sent a letter to Bangladesh Rifles (BRD) to recover the body of Mr. Santosh Mondal.

The International Secretariat of OMCT expresses its deep concern over the fear of extrajudicial killing of Mr. Santosh Mondal and the beatings suffered by the villagers by BSF personnel. OMCT wishes to

recall that according to article 6 1) of the International Covenant on Civil and Political Rights to which India is a State Party “No one shall be arbitrarily deprived of his life”. OMCT calls on the authorities to order a thorough and impartial investigation into these events in order to identify those responsible, bring them to trial and apply the penal and/or administrative sanctions as provided by law. Further, as an elected member of the United Nations Human Rights Council, India should guarantee the respect of human rights and the fundamental freedoms throughout the country in accordance with national laws and international human rights standards.

## **Action requested**

Please write to the authorities in India urging them to:

0. Locate the whereabouts of Mr. Santosh Mondal;
0. Order a thorough and impartial investigation into these events in order to identify all those responsible, bring them to trial and apply the penal and/or administrative sanctions as provided by law;
0. Guarantee that adequate compensation is awarded to the victim's family;
0. Ensure respect for human rights and fundamental freedoms throughout the country in accordance with national laws and international human rights standard.

## **Addresses**

- Shri Manmohan Singh, Prime Minister of India, Prime Minister's Office, Room number 152, South Block, New Delhi, Fax: + 91 11 2301 6857
- Shri Shivraj Patil, Union Minister of Home Affairs, Ministry of Home Affairs, 104-107 North Block, New Delhi 110 001 India, Fax: +91 11 2309 2979.
- Justice K. G. Balkrishnan, Chief Justice of India, Supreme Court, Tilak Marg, New Delhi -1, Fax: +91 11 233 83792, Email: [supremecourt@nic.in](mailto:supremecourt@nic.in)
- Justice Rajendra Babu, Chairperson, National Human Rights Commission of India, Faridkot House, Copernicus Marg, New Delhi 110 001, Tel: +91 11 230 74448, Fax: +91 11 2334 0016, Email: [chairnhrc@nic.in](mailto:chairnhrc@nic.in)
- Justice Shyamal Kumar Sen, Chairman, West Bengal Human Rights Commission, Bhabani Bhaban, Alipur, Kolkata - 27. Phone +91-33-24797727, 24791629, Fax - 24799633, Email: [wbhrc@cal3.vsnl.net.in](mailto:wbhrc@cal3.vsnl.net.in)
- H.E. Mr. Swashpawan Singh, Ambassador Extraordinary and Plenipotentiary Permanent Representative to the United Nations (Geneva), Rue du Valais 9, 1202 Geneva, Tel: +41 22 906 86 86, Fax: +41 22 906 86 96, Email: [mission.india@ties.itu.int](mailto:mission.india@ties.itu.int)
- Mr. Dipak Chatterjee, Ambassador, Embassy of India in Brussels, 217 Chaussée de Vleurgat, 1050 Brussels, Belgium, Fax: +32 (0)2 6489638 or +32 (0)2 6451869

Please also write to the embassies of India in your respective country.

Geneva, 10 August 2007

Kindly inform us of any action undertaken quoting the code of this appeal in your reply

L'OMCT a son siège à Genève, en Suisse. Elle coordonne le réseau SOS-Torture composé de 282 organisations régionales et internationales dans 93 pays sur cinq continents.

Contact : [omct@omct.org](mailto:omct@omct.org)