

## **APPENDIX A**

### **Code of Medical Neutrality in Armed Conflict**

(These standards are based on rules and principles concerning medical neutrality set forth in the four Geneva Conventions of 1949 and their two additional protocols of 1977, and apply to all situations of international and internal armed conflict.)

1. Sick and wounded combatants and civilians shall be protected, treated humanely, and provided with medical care without delay.
2. Medical workers shall be respected, protected, and assisted in the performance of their medical duties.
3. The sick and wounded shall be treated regardless of their affiliations and with no distinction on any grounds other than medical ones.
4. Medical workers shall not be punished for providing ethical medical care, regardless of the persons benefiting from it, or for refusing to perform unethical medical treatment.
5. Attacks on defenseless sick or wounded combatants or civilians are prohibited. Upon detention, they shall receive thorough and responsible medical exams and medical care.
6. Medical workers shall have access to those in need of medical care, especially in areas where civilian medical services have been disrupted. Similarly, people in need of medical care shall have access to such services.
7. Medical facilities, equipment, supplies and transports shall be respected and protected, regardless of whom they serve, and shall not be destroyed.
8. A recognized medical emblem, such as the red cross or the red crescent, shall be displayed by all medical units, personnel, and transports provided it is used for medical purposes only.
9. Parties to an armed conflict shall cooperate to make and support practical agreements for the care of the sick and wounded.
10. No party to a conflict can legitimately claim to serve the interests of its nation's citizens if it violates this code, which is based on moral, ethical and legal principles.

While describing the conditions of medical services and facilities in Jammu and Kashmir the Asia Watch - PHR Report has accused the security forces of gross abuses of "medical neutrality" in "armed conflict."

2. Before responding to some specific, and the much larger number of general allegations, it would be in order that the nature of the "armed conflict" mentioned in the report is briefly described because terms like "armed conflict" and "medical neutrality" are not only deceptive but could give actual respectability to terrorist organisations and their activities.

3. Since 1989, what the Indian State of Jammu and Kashmir has been experiencing is an externally aided "Proxy War" of massive dimensions. The parties to this are not two opposing armies, but the forces of a motley group comprising over 100 terrorist outfits and pernicious religious extremism and propaganda, on the one hand, and the law enforcement Agencies of the State, which has desisted from reacting to this violent aggression and threat to its very sovereignty and integrity, by anything like a war but, through civilian law and order methods.

4. A set of charts depicting the profile and dimension of terrorism in Jammu & Kashmir are                      Among other things this would show that over 11,000 sophisticated weapons have been recovered from the terrorists including nearly 8,000 AK-series rifles. All this would show the

sheer scale and dimension of the "Proxy War" that has been unleashed by the terrorists and their mentors in the State of Jammu & Kashmir.

5. The blatant misuse of religion has inspired acts of gruesome brutality on the minority population in the Kashmir Valley, leading to the exodus of nearly two hundred and fifty thousand innocent people who are today living in other parts of the State and the Country virtually as refugees for nearly three years. This is "ethnic cleansing" at its worst, and through it an attempt has been made to change the very demographic profile of a particular region of the State, as a part of the desperate efforts of a hostile neighbour and its terrorist proteges to annexe territory on the basis of religious fanaticism.

6. Acts of enforcement of codes of conduct, abduction, rape, torture, extortion, looting and killing have been perpetrated by the terrorists on a massive scale. The victims have been innocent citizens dubbed as "informers" or those who may have surrendered after being disillusioned with their masters; politicians and political workers and their relatives, lest they dare to try and get the normal political and democratic processes to work at the cost of the so-called "militants"; the press and the media, so as to gag those who are not willing to go along,

and force others to act as their mouthpiece and to echo their disinformation; members of the judiciary to prevent the law from taking its course; Government servants, to prevent them, by the fear of the gun, from discharging their duties and to extort government and development funds; prominent citizens with the aim of striking terror generally in the population; and members of the police and the security forces, over 500 of whom have been killed and a much larger number injured in the past two years.

7. Hundreds of schools and colleges, other than those run by banned extremist outfits, have been burnt down; banks have been looted; tourist centres, bridges and other government buildings have been destroyed; tele-communication links have been sabotaged; and thousands of private houses/property, particularly those belonging to the minority community, have been torched. Every now and then the terrorists have, through the fear of the gun, forcibly imposed "hartals" in the Valley thereby bringing normal life to a standstill. Posters routinely appear warning people against going to or talking with Government authorities.

8. At the same time the terrorist gangs have frequently fought amongst themselves to gain superiority and dominance in this macabre dance of death and destruction. Predominant

among them have been some of the rabid groups like the Hizb-ul-Mujahideen, openly supported from across the border and, in turn, propagating their cause through the gun, in this sensitive border state of India. Anyone coming in the way is eliminated without compunction.

9. It is unfortunate that while detailing and lamenting the disruption of medical services and stating unmitigated condemnation of the security forces, it has not been considered necessary to give any hint of the real situation, which has been referred to only obliquely "Convoys of army soldiers and other security forces also move frequently along the roads, delaying other vehicle traffic. Because these convoys are frequent targets of militant ambushes, other vehicles risk running into gun battles or reprisal attacks. Militant forces have also planted land mines along some of the roads, although Physicians for Human Rights (PHR) and Asia Watch learned of no incidents in which medical vehicles had struck a mine."

10. Statements like "The crackdown lasted for seventeen days, during which time no one was allowed to enter or exit the hospital grounds," and "One Judge, S.M. Rizvi, who managed after great resistance from the security forces to obtain security records for detainees...

was transferred out of the State", both of which are patently false, who the willing gullibility of the authors - while no satisfactory explanation exists why these, and indeed all the other allegations made in the report, could not be cross-checked or verified during the course of the "investigation" itself. Instead alleged statements of unnamed doctors, ambulance drivers and some others have been taken as the gospel truth and all that there is to see and tell.

11. That the terrorists may have forced themselves into hospitals to use them as sanctuaries has been overlooked. This has been made possible both by connivance, on the part of some doctors and medical staff, and the sheer fear of the gun and the threat of elimination imposed on the majority of them - there are documented cases of elimination and killing of medical staff on allegations of informing the security forces of terrorists taking sanctuary in hospitals. Some illustrative incidents showing the activities of the terrorists in, and out of, the premises of various hospitals are as under:

- (a) A Staff Nurse at Sher-e-Kashmir Institute of Medical Sciences, Srinagar (SKIMS), Sarla Bhatt, was abducted from the Institute on 17th March,

1990. She was gang-raped and tortured and her body, with broken limbs, was found abandoned on the road. She is suspected to have been killed for having given a clue regarding connivance by some doctors in an attempted escape of a leader of one of the major terrorist outfits.

- (b) One Mohd. Yusuf, Head Cashier, SKIMS, was kidnapped from the Institute on 25 February, 1991. He was tortured and the keys of the cash chest were taken away. He later died as a result of injuries inflicted on him by the terrorists.
- (c) An ambulance belonging to SKIMS, Soura, Srinagar was found to have been used in the kidnapping of Mrs. Khemlata Wakhloo, ex-Minister and her husband, Dr. O.N. Wakhloo on 4, September, 1991.
- (d) One Mohan Lal, a Librarian was killed by the terrorists in the Medical College, Srinagar in 1991.
- (e) A MBBS student, Sajjad s/o Mohd. Shafi, an ex-Minister was abducted from Jhelum Valley Medical College, Srinagar on 23 October, 1991.
- (f) Mr. Hafizullah Dar, an Additional DIG of Police was abducted from the SKIMS premises when he had gone there to meet an ailing relative on 24th January, 1992.
- (g) Dr. S.N. Dhar, Superintendent, Chest Diseases Hospital, Srinagar was abducted by terrorists on 31 March, 1992.
- (h) Mr. A.R. Khan, a Deputy Superintendent of Police was killed by terrorists when he had gone to meet his daughter in the Girls Hostel of the Medical College.
- (i) It May, 1992, a security force party, led by senior officers, which was proceeding from the UNDP Complex to the Police Station, Soura was subjected to heavy firing by the terrorists from the premises of SKIMS, Soura, Srinagar, leading to an exchange of fire.

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12. Besides using the hospital premises for actual criminal activities, the terrorists have been using certain medical institutions in the Valley as safe havens to hide themselves and to store weapons and ammunition. It is also a fact that in many cases terrorists who have sustained injuries in counter-insurgency operations have surreptitiously got themselves admitted into some hospitals, and the staff, mostly out of fear and sometimes due to connivance, have not reported such cases to the police, which must be done under the law in all medico-legal cases.

13. Against this background occasional searches, based on specific information, have had to be made in the premises of certain medical institutions. It is also necessary in some cases, where terrorists are suspected to feign injuries, to have bandages, etc., removed for verification. However, at no stage have any patients, reported to be critically ill, been subjected to such examination, and also in no case, at any stage, have life support systems been disconnected as alleged in the report. It has also been categorically denied by the State Government and the Army authorities that any medical institution was at any stage asked to transfer their patients to the Military hospitals, as alleged in the report. Transfer of cases is accepted only in cases where the life of any patient is in danger from the terrorists, or in any other emergency, on the specific request of the State Administration.

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14. During 1992 the following searches were conducted, on the basis of specific information, in various hospitals in Srinagar, the details of which are given below:

- (a) On 22 January, 1 AK series rifle with a magazine and 26 rounds were recovered from the residential quarters of SMHS Hospital.
- (b) On 5 March, the security forces recovered 10 AK series rifles, 6 Grenades, 16 Magazines, nearly 1100 rounds of ammunition and apprehended five terrorists from the SMHS Hospital, Srinagar.
- (c) On March, 23rd, 1992, 3 AK series rifles, 5 magazines and 138 rounds of ammunition were recovered from the Lalded Hospital, Srinagar; and 3 AK series rifles and incriminating documents were recovered from SMHS Hospital, Srinagar;
- (d) During April, 1992, 3 AK series rifles were recovered from Lalded Hospital, Srinagar;
- (e) During April, 1992, 3 AK series rifles and incriminating documents/literature were recovered from SMHS Hospital, Srinagar;
- (f) During September, 1992, 17 AK series rifles were recovered from the Canteen of Sher-e-Kashmir Institute of Medical Sciences (SKIMS), Soura, Srinagar;
- (g) On 23 and 25, October, 2 AK series rifles, 1 gun, 2 pistols, 9 magazines, 2 grenades and 246 rounds of ammunition were recovered from the Lalded Hospital, Srinagar, and one nursing orderly was apprehended who was later identified as a self-styled Base Commander of one of terrorist outfits, Ikhwan-ul-Musalmeen;
- (h) On 7 October, 2 AK series rifles, 3 magazines and 7 rounds of ammunition were recovered from Ward No. 5 of SKIMS, where a few members of the staff were found to have connived to provide shelter to terrorists;
- (i) On October, 10 in a raid conducted in Medical Institute, Soura, no recovery was effected.
- (j) On 14 November, 3 AK series rifles with 3 magazines and 90 rounds of ammunition were recovered from Lalded Hospital.
- (k) On the same day a search was carried out in the Bone and Joint Hospital, Srinagar but no recoveries were effected.

15. All these details should give an idea of how the terrorists have not only created an environment of violence and fear in the State, but also of how they have blatantly misused medical institutions in this process. As for the specific allegations made in the report, the facts are shown in the enclosed statement. In the case of some allegations information is being collected and will be made available separately, at the earliest.

16. There is no doubt that continuing terrorist violence in the State has affected normal life and activity, including the medical and health sector. However, it is not as if the entire health net-work in the State or the Valley, has collapsed. The State Government has categorically stated that hospitals in the city of Srinagar, as well as in the rural areas continue to provide effective health services to the needy. The migration of a whole community, as a result of terrorist brutalities, had resulted in the creation of over 100 vacancies in the posts of doctors and para-medical personnel in the Valley. In these circumstances, the State Government recruited 78 doctors in March, 1992, and some adhoc appointments of Doctors and other para-medical staff have also been made, and further adhoc appointments are under consideration of the Government.

17. The report alleges that the immunisation programme has suffered seriously as a result of the "conflict", and has been frequently disrupted by crackdowns. It expresses the fear of certain "Doctors" about the spread of epidemics, and mentions sporadic cases of mumps having been documented. According to the

State Health Secretary, while it is a fact that the unimmunisation programme has suffered due to the violence, but would be incorrect to say that immunisation work is not taking place and there are certainly no reports of spread of epidemics on account of lack of immunisation. Referring to the family welfare programme, the State Government has stated that the programme has suffered considerably because of opposition by the fundamentalist terrorist groups to methods of family planning as being anti-Islamic. Efforts are, however, being made to restore the programme to its original vigour.

18. The report has also alleged serious shortages of medical equipments and supplies. As for medical supplies, according to the State Government, the Principal of the Medical College, Srinagar, and the Director, Health Services, Kashmir had recently reviewed the position and the situation is reported by them to be reasonably satisfactory. Such difficulties as there might be due to budgetary limitations and rise in prices of drugs, etc., are not unique to Jammu & Kashmir. In the situation prevailing in that State, if necessary, additional funds will also be provided to augment the supplies.

19. As for the functioning of existing equipments like CAT Scan and X-Ray machines, and installation of new ones, it is a fact that difficulties have been experienced because Engineers from outside have been hesitant to go to Srinagar due to fear of terrorist violence. Efforts have been on to ensure that these difficulties can be surmounted and in the meanwhile, despite the odds, most of the equipments have been repaired and are in

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working order. As for the telephone services, the State Government has stated that they are quite satisfactory. The position of availability of Power, has at best of times been difficult in the area, but every effort is being made to maintain round the clock supplies to the hospitals. At the same time, a number of major projects are in various stages of implementation for augmenting the Power generation capacity in the State as a part of normal developmental Plan programmes.

20. The report also refers to overcrowding of hospitals. This is true, but is neither a new phenomenon nor unique to the State. It is because of this that new hospitals have been set up over the years, and even now work is going on for the provision of additional bed-capacity. Work on a 300-bed hospital is well under-way in Badami Bagh, Srinagar. There are also plans to add to the capacity of the main SMHS Hospital in the current Plan.

21. Apart from the steps taken by the State Government to provide medical and health services to the people, the security forces deployed in the State have also been providing such services to the common people and in many cases even to the terrorists who may get injured in security force operations.

22. The Border Security Force has established M.I. Rooms in Rainawari, Alikadal, Chhattabal, Batmaloo and several other areas of Srinagar and the Valley. Over 29000 civilians have been provided medical help and treatment from such medical centres.

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23. The Army has also launched a series of Civil Action Programmes in the Valley. In an ongoing programme, launched last month, five medical camps have been organised in which 2322 outdoor patients were treated for eye ailment, 477 cataract and other operations were performed, and 120 patients were given medical attention in a special dental camp. A copy of a press report titled "Army's successful civic action in the Valley" which appeared in a Kashmir Times issue in January, 1992 is enclosed. Also enclosed are copies of some photographs which show terrorists being treated in an Army Hospital. The press report, appearing over a year ago, would not only give an idea of the type of services that the forces have been providing by way of medical attention, but also of their attitude and approach in the matter.

24. Obviously no such evidence was either sought by the Asia Watch - P.H.R. team or their undisclosed sources are suspect. It may be mentioned that a senior doctor of the Government Medical College, Srinagar, who had been earlier quoted by another Human Rights Group regarding the alleged widespread use of torture by the security forces has stated in a communication to the State Government that "this whole matter is fallacious, arbitrary, unfair and based on unreasonableness. I request your goodself to treat the subject based on unfairness, misinformation, misrepresentation and impersonation by appropriate measures."

5. It is also revealing to hear the theory being propagated by clandestine Radio operating from Pakistan occupied territory which states that the real purpose of 'Operation Goodwill' launched by the Army, was to distribute medicines among the Muslim masses which are injurious to health and will incapacitate the users, and appeals to people to frustrate this Operation. It was claimed in a news-item the same day (17, January, 1993) that a Pulwama-based group of Hizbul Mujahideen had actually blasted an Army medical camp connected with this Operation. Another statement of a terrorist group, quoted in a local daily Nida-e-Mashriq of 16 January, 1993 says that "the so-called operation Goodwill is a deadly weapon . . . and a conspiracy to crush Kashmiri people mentally . . . some conscienceless people in the name of Muslims are taking benefit of the operations. Jamiat seems it is necessary to kill such persons." Quite in line with this, in an incident on 10 September, 1992, the terrorists fired upon a BSF party engaged in flood relief operations to rescue stranded people. In this incident one BSF constable was killed and 3 wounded. However, this did not deter the BSF personnel who carried out extensive flood relief operations in various parts of the Valley.

6. Having said all this, it must be stated that curfew, which is a legal order of a prohibitory nature under section 144 of the Criminal Procedure Code, has had to be enforced on occasions to prevent the irresponsible acts of the terrorist groups which could lead to serious breaches of peace and order, and in spite of the best intentions and efforts there could be instances where even doctors may have experienced difficulties.

But there is absolutely no evidence to suggest that this happens as a matter of course or deliberately, and that any serious disruption of medical services results from the enforcement of such necessary regulatory measures aimed at dealing with terrorist activities that seek to disrupt any and every form of normal life and activity of the citizens.

27. In spite of all this, the Government has re-iterated time and again that the prevalence of terrorist activities, at the cost of every norm of civilised and human behaviour, cannot constitute any justification for any form of "excesses" on the part of the security forces, even where their members are exposed to constant provocation and a lurking fear of death at any given instant. The very reason for which they are castigated is also the reason why they are constantly urged to maintain a superior discipline. Wherever there is transgression, action has been taken. By now, over the last two years, action has been taken against over 100 personnel of the security forces, and this has involved punishments including imprisonment ranging from less than a month to seven years and various forms of departmental action including suspension pending enquiry in a number of cases. It may be mentioned here that in the case of Army and the Paramilitary forces, even the award of a reprimand or other seemingly minor departmental punishments which go into the service record can very seriously affect, and sometimes even kill the future prospects of advancement of the concerned officer in his service. Wherever allegations of excesses were made against the Security forces, in the course of their operations, police cases are always being registered. In a number of cases, where the police

have closed the matter or no case may have been registered, the concerned Security forces have taken suo-motu notice and initiated action against those who may have prima-facie appeared to be guilty of infringement or misconduct.

28. The sensitivity and the policy of the government would be evident from the response to the recent unfortunate incident at Sopore on 6th January, 1993 where, in an engagement with militants, 41 persons including 1 BSF personnel were reported to have been killed and a large number of houses/shops gutted. Apart from the suspension, pending enquiry, of 9 BSF personnel, including the Commandant and announcement of immediate relief for the victims and their families, a judicial enquiry by a sitting High Court Judge has also been ordered and investigation of the criminal case registered after the incident has been transferred to the Central Bureau of Investigation.

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1. PHR and Asia Watch interviewed an ambulance driver who described an incident in April, 1992 in which he was used as a shield by the security forces as he was driving through an area in which armed militants and Government troops were engaged in a gun battle. The incident occurred at about 8.00 PM when the driver was bringing emergency room staff to the Medical Institute. The security forces ordered him to remain in the hospital bus which was positioned in such a way as to shield a military bunker from sniper fire by militant forces. The bus sustained damage from the gun-fire and security forces intentionally broke many of the windows as well.
2. Two months later, on July 31, 1992 at about 6.30 P.M. the driver was sent to pick up a gynecologist from her home. He was stopped at Lal Bazar by Border Security Force soldiers who opened fire forcing him to back up. They ordered him to stop, then removed the keys from the vehicle and struck him in the forehead with butts. He was beaten with kicks and fists and only then he was permitted to show his identification papers. He explained to the BSF that he was on emergency duty. At this time the driver observed that three injured persons were lying on the road in front of him. The BSF ordered him to leave the area, but before he did so he asked if he could take the injured persons with him. The BSF told him that he could but when he proceeded to back up, the BSF opened fire on the ambulance, shooting through the wind shield. The driver was shot in the abdomen and right wrist. He managed to drive the vehicle himself back to the hospital where he was treated for injuries. At the time he was interviewed in

No such incident has been reported by any security forces or the hospital authorities. This allegation is vague and baseless.

The facts of the incident are that on 31 July, 1992 at about 1845 hours, a Dak Vehicle of the Border Security Force had been ambushed by militants in Lal Bazar area killing one constable on the spot and causing injuries to six others. There was heavy fire by militants on Border Security Force vehicles. Reinforcements, under an officer, were rushed to the spot to rescue the trapped Border Security Force personnel and to apprehend the militants. This party was also fired upon by militants and during cross firing two civilians were killed. There is a possibility of this ambulance driver also having been trapped in the cross firing. It is false to say that Border Security Force personnel had targetted and fired at him in his abdomen and the right wrist. However, a

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October he had scars on his abdomen and wrist consistent with his testimony and stated that he was still unable to work because of ongoing disabilities related to his injuries.

Staff Court of Inquiry ordered by the BSF authorities and Police investigation in the matter are in progress. First Information Report No. 162/92 also stands lodged in Police Station, Lal Bazar.

3. On Sept. 29, 1993 there was a crackdown in Tara Bal area of Srinagar, security forces entered a house and without warning opened fire with Automatic weapons. A youngman received multiple wounds. After the soldiers left, the family transported the man to hospital. As they passed security forces on the way one soldier said to them, "You mean this bastard is still living and began striking the man with the butt of his rifle. The soldier stopped after several women intervened and the family was able to get him to the hospital. As of October, 1992 he remained in intensive care in serious condition.

Paramilitary forces carried out search operations in the Narwara Nawakadal area on 29/09/92. Two persons were arrested from the mosque at Narwara and two AK series rifles, 30 rounds of ammunition and 2 AK 56 magazines were recovered from a shop at Tarbal.

4. On June 23, 1991 a doctor on duty at the Bone and Joint Hospital at about 2.30 P.M. when twelve Border Security Force troops accompanied by Dy. Superintendent of Police Sharma entered the emergency Unit. DSP sharma asked Dr. R. if 'any militants were admitted' that day Dr. R. pointed to an old woman in the emergency room. Unsatisfied Sharma told Dr. R. "You show us the militants" while three of the BSF troops held him at gunpoint. They made the doctor walk with them into the operating theatre where a young man was under anasthesia for an operation on his leg. Six of the BSF troops also searched the hospital for "weapons and ammunition". They found neither, but deliberately destroyed surgical instruments and supplies of medicines during the search. The man was released from custody late that night 10.30 P.M. and survived.

There had been reports that some militants were getting shelter in this hospital and thus a search was carried out by Dy. S.P. of the local police along with Border Security Force men. This party had apprehended Riaz Ahmed Wani,, a Pakistan trained militant of the 'Al Umar' outfit from this hospital who was being treated clandestinely by the medical staff in the hospital. He was however, handed over to Police Control Room, Srinagar who in turn got him re-admitted in the hospital in local police custody. Allegations regarding destruction of surgical instruments and medicine supplies are baseless.

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5.	<p>On October 2, 1992, BSF troops surrounded the Nowhata area of Srinagar in a crackdown. Soldiers entered the house of a doctor and ordered him to go outside. He informed the soldiers that he was a doctor in the emergency service and that his shift began at 4.30 P.M. that day at the Soura Medical Institute. He also stated that the ambulance used to transport medical personnel would soon arrive for him. The soldiers refused to permit the doctor to leave and forced him to line up to be paraded in front of informants several times along with all the other men in the neighbourhood. The crackdown did not end until October 4 at 6.30 P.m. more than two days later. The doctor later learned that the ambulance driver who had come for him had been turned away at the crackdown site and told not to return. As a result of the doctors absence certain surgical cases were delayed.</p>	<p>A special operation had been carried out in Nowhata area (Srinagar) during this period. During the operation, there had been exchange of fire with the militants, resulting in the killing of a notorious militant, Iqbal Qureshi Acting Chief of the Ikhwan-ul-Musalmeen outfit and the recovery of 4 AK series rifles, 16 Magazines, 124 rounds of ammunition and one booster. There was, however, no report of any detention of any civil doctor in the operation, although it is possible that the doctor may have been stopped for a short duration in his own interest and safety to prevent him from getting involved in cross firing.</p>
6.	<p>Doctors described one incident in early 1990 in which army doctors ordered the medical staff at the Soura Medical Institute to transfer all patients with recent injuries to them so that they would review their cases. Physicians at the institute complied with the orders but objected over the transfer of one patient in the intensive care unit who was awaiting surgery for a liver abscess which had become septic. At the time he was on life-sustaining cardiac pressors which maintain blood pressure. Despite the patient's precarious condition, the hospital staff were forced to remove him from the intensive care unit and pressor support. The patient died three hours after he was disconnected from his medication and before he was able to be returned to the intensive care</p>	<p>The allegation that the Army doctors ordered the medical staff at the Soura Medical Institute to transfer all patients with recent injuries to them is incorrect. In no case were the medical institutions asked by the Army to transfer their patients to the military hospital for review or inspection. The only cases accepted for transfer are those whose life may be in danger in the civil hospital due to terrorist threats. These transfers, too, are made on the specific request of the State Administration.</p>

It is not possible to verify the other allegations about a patient having been disconnected from life support

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unit. The crackdown lasted for seventeen days, during which time no one was allowed to enter or exit hospital grounds. According to hospital staff, five dialysis patients who were not permitted to enter the hospital compound died as a result.

Asia Watch and Physicians for Human Rights investigated several recent cases of acute renal failure that had resulted from torture. Several young men who had been arrested on October 13 during a BSF crackdown were taken to a house beaten with lathis on the buttocks arms and hands and some of them were beaten on the soles of the feet while being suspended. One of the men identified some of the BSF officers who ordered other troops to carry out the torture. The Officers, identified as Yadav, Chander and Qadiri, each had two or three stars on their uniforms. One of the young men was also tortured with the roller on his thighs, was beaten so severely that he began vomiting. He was detained for about three hours. The man was admitted in the hospital with signs of acute renal failure.

Another young man a sixteen year old, was tortured for approximately five hours. Soon after his release, he experienced diffuse body aches, shivering and vomiting. He was admitted to the hospital with symptoms of acute renal failure. The he was placed on dialysis until October 16. When PHR examined him in October, bruises were visible on his shoulders and back and diffuse, moderate bruises over the buttocks where the roller had been applied.

systems or the death of five dialysis patients due to inability to enter the hospital, since absolutely no factual details have been provided. The State Government and the Army authorities have denied these allegations and called them baseless.

The area where the incident is alleged to have taken place has not been identified. The names "Yadav" and "Chander" are very common in the Border Security Force and other security forces. No officer by the name of "Qadri" is posted in the area according to the Border Security Force authorities. In these circumstances it is not possible to give any details about the alleged incident.

Sl.No.	Allegation	Comments
8.	<p>A foreman in the medical records department of a hospital was arrested along with several colleagues during a crackdown by the BSF on October 14, 1992. The BSF surrounded the area at about 7.00 A.M. During an identity parade, he and three other hospital workers were selected alongwith 300 men detained that day, even though they had shown the BSF their identity cards. They were taken to a BSF bunker where two soldiers beat each of them with lathis, fists, and kicks. Their hands were tied behind their backs, and the soldiers demanded, where are the guns? They accused the men saying, the hospital is a den of militants, and you are supporting them. The foreman's left elbow was fractured and dislocated. The men were detained for approximately eight hours and were given no food or water during that time.</p>	<p>No operation was carried out on 14/10/92 in any hospital by the Border Security Force.</p>