

## Torture Report

Torture in custody is endemic everywhere in the world. So is custodial death. Custodial death is on the rise in most third world countries. Police is armed with a license to kill and they kill the innocent everywhere under any pretext, flimsy or imaginary. The photos showing the barbarity in the torture chamber of Abu Gharib shocked the world. But the Bush legacy continues unabated as Obama has said recently he will not prosecute those who gave the orders for such crimes against humanity, and he is covering up these abuses by suppressing 2000 plus photos documenting torture, blocking a lawsuit by people who were “renditioned” (kidnapped by CIA and sent to other countries for torture), reviving the so-called trials conducted under the Military Commission Act, and even now demanding the right to imprison people, formally and indefinitely, without trials.

If torture, Guantanamo, endless war for empire, and shedding of civil liberties were wrong under Bush, covering these things up, and continuing them, is still wrong under Obama!

Nearer home torture in custody doesn't attract much attention from political parties, left or right. The 'Asian Centre of Human Rights' (ACHR) which has special consultative status with the UNECOSOC, has just published a horrifying report titled “Torture in India 2009’. The report focuses on deaths in police lock-ups in the last eight years from 1 April 2001 to 31st March 2009. According to the information provided by the District Magistrates and Superintendents of Police of every district of India to the National Human Rights Commission (NHRC), a total of 1184 persons (the names of each and every victim and the NHRC case number are provided in the ACHR report) were killed in police custody during this period. Policemen do not bother about law of the land. They think they can do anything they wish. So most of the custodial deaths as referred to, took place within 48 hours after being taken into custody primarily as a result of torture.

But NHRC figures, however, do not represent actual number of deaths in police custody. A large number of complaints pertaining to the custodial death filed by ACHR with the NHRC were indeed not reported to the NHRC by the police. Also, killings in the custody of central para-military forces and the Indian army are not reported to the NHRC because the Commission does not have jurisdiction. ACHR has done a fine job by bringing out the “Torture in India 2009” report which also covers incidents of torture in India during 2008.

In India the marxist regime of West Bengal has earned enormous notoreity in custodial deaths. As for torture in custody the police establishment thinks it is their divine right.

As civil liberties movement is very weak in this part of the globe, occasional reports published by a few human rights bodies like ACHR, just gather dust in the absence of follow-up action. Also, state level human rights commissions and the apex body—NHRC—can hardly address the torture problem for the simple reason—they have no mandatory power to execute their own recommendations. And the powers that be just ignore their findings and suggestions. Whether a

scrutiny by the United Nations can improve the situation is open to question. Without a sustained powerful mass movement against torture and death in custody things won't improve for the better.