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India: Limited and dangerous proposals to reform the criminal justice

There is no doubt that reforms of the criminal justice system in India are long overdue, but the recommendations made recently by a government-appointed Committee represent an extremely narrow interpretation of the problems which ail the system and a set of solutions which ignore fundamental human rights safeguards, Amnesty International said today.

In a report commenting on recommendations made by the Malimath Committee to the government in April this year, Amnesty International has highlighted the fact that they ignore international human rights standards which establish a framework for human rights protection within criminal justice systems throughout the world, and also fails to address a vast range of important concerns about the current functioning of the criminal justice system in India.

"The discriminatory functioning of the criminal justice system has not been properly addressed. Instead, the Committee's proposals risk further discrimination and miscarriages of justice".

Six days ago the Supreme Court of India severely criticised the state government of Gujarat for failing to provide justice to victims of communal violence which took place there in 2002. It also pointed to the possibility of collusion between the Government and the prosecution in subverting the cause of justice. The Committee's proposed reforms do not address such situations which involve institutional discrimination and bias.

The report in particular identifies recommendations which Amnesty International believes will increase the risk of torture for those in police detention, severely weakening safeguards for fair trial and reduce legal protections for women.

For the full text of the report, please go to:
<http://web.amnesty.org/library/index/engasa200252003>

Public Document

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