

Contents

1. Foreword	3
2. Mohammad Afzal's Letter to All India Defence Committee for SAR Geelani	9
3. Mohammad Afzal's Letter to his Lawyer, Sushil Kumar, Sr. Advocate, Supreme Court	13
4. Afzal's wife's Appeal	25
5. Resolution passed jointly by Kashmiri Leaders	29
6. Afzal's Letter to SPDPR.	33
7. How Can You Help	34
8. Mission Statement	35

Foreword

“The quality of a nation’s civilization can be largely measured by the method it uses in the enforcement of its criminal law.”

“The first obligation of the criminal justice system is to secure justice by seeking and substantiating truth through proof. Of course the means must be as good as the ends and the dignity of the individual and freedom of the human person cannot be sacrificed by resort to improper means, however, worthy the ends... Safety of society and the worth of the human person may co-exist in peace.”

... Quoted in the Supreme Court judgement in Parliament attack case.

I believe that if Mohammad Afzal is hanged it will be a severe blow to the future of Indian democracy. Why do I say this? Because the hanging would further institutionalize the growing lawlessness of the police; it would strengthen the growing authoritarianism of the Indian state; it would undermine the peace process in Kashmir and give fillip to the Hindu fascist forces. Let me substantiate each of these points with hard facts and then you, the reader can judge for yourself whether you want to allow Mohammad Afzal to be hanged in the name of your country.

Police lawlessness:

It is true that the attack on the Indian Parliament was the most serious challenge to our democracy and if it had been successful it would have had very long term consequences for the entire region. Precisely for this reason it was imperative that the police and investigation agencies should have carried out an honest and vigorous investigation into the crime. Instead, the investigation agencies did a shoddy investigation, fabricated evidence and manipulated the nation’s sentiments by telling lies through the media.

The investigating agencies failed to arrest the three people who they said had masterminded the conspiracy to attack the Parliament: Masood Ahzar, Ghazi Baba and Tariq Ahmad. Then the police try to say that one of the five men who attacked our Parliament was the same man who had hijacked the Indian Airlines plane to Afghanistan. However, it was soon discovered that this

was not true. In fact we still do not know the identities of the five men who attacked the Parliament and they were all killed.

The investigating agencies along with the Special Cell of the Delhi Police picked up four persons and charged them with the offence of conspiring to attack the Parliament. And after the arrest they carried out a media trial to make up for the deficiencies in their investigation. They held a media conference on December 20, 2001 in the Special Cell, Lodi Road where they made Mohammad Afzal incriminate himself on the national media. Then in the court under oath the DCP Ashok Chand denied having had such a conference. The Delhi High Court and the Supreme Court noted that this senior police officer told lies on oath in the court.

The Courts also noted that the police lied about the time and place of arrest of the accused; they fabricated evidence including the arrest memos and used torture to extract false confessions from the accused. The result of this shoddy investigation was that two of the accused that the police had tried to frame in the case were acquitted because there was no evidence against them at all. The two acquitted are S A R Geelani and Navjot Sandhu wife of Shaukat Guru. Supreme Court also reduced the sentence of Shaukat Guru from death to ten years rigorous imprisonment.

The Supreme Court upheld the death sentence against Afzal Guru despite the fact the court held that there was no direct evidence against him.

No direct evidence

The Supreme Court categorically stated that there was no evidence to show that Mohammad Afzal was a member of any banned organization. In fact the Court acquitted Afzal of the charges under POTA. They held: "The conviction under section 3 (2) of POTA is set aside. The conviction under section 3 (5) of POTA is also set aside because there is no evidence that he is a member of a terrorist organization, once the confessional statement is excluded. Incidentally, we may mention that even going by confessional statement, it is doubtful whether the membership of a terrorist gang or organization is established."

None of the 80 prosecution witnesses ever even alleged that Afzal was in any way associated or belonged to any terrorist organization. Despite these facts the police and a section of the media still refer to Afzal as a "JeM activist".

Does Mohammad Afzal have to pay the price for the shoddy and

illegal investigation by the corrupt and communal officers of the Special cell? And the main Investigating Officer, ACP Rajbir Singh is facing serious corruption charges and has been removed from the Special cell. Another officer was himself arrested on corruption charges.

Rarest of rare cases

Under Indian law death sentence can be awarded only in rarest of rare cases. There is no doubt that the offence Afzal has been accused of is serious. It is very serious indeed. But the question is not the seriousness of the offence but what role, if any Afzal played and whether the death sentence is in accordance with the principles of natural justice and equity.

The Supreme Court has not passed any strictures against the corrupt officers for their shoddy and illegal investigation and has held there is no direct evidence against Afzal. However, they have confirmed the death sentence because they believe that his death is necessary to assuage the feeling of Indian citizens.

I quote from the judgement: "The incident, which resulted in heavy casualties, has shaken the entire nation and the collective conscience of the society will be satisfied if the capital punishment is awarded to the offender. The challenge to the unity, integrity and sovereignty of India by these acts of terrorists and conspirators can only be compensated by giving the maximum punishment to the person who is proved to be a conspirator in this treacherous act. The appellant, who is a surrendered militant and who was bent upon repeating the acts of treason against the nation, is a menace to the society should become extinct. Accordingly we uphold the death sentence."

Can the collective conscience of the Indian people be satisfied if a fellow citizen is hanged without even allowing him to defend himself?

The Supreme Court noted that Afzal was denied access to any lawyer at the stage of interrogation. The Court held: "The access to a lawyer at the stage of interrogation serves as a sort of counterweight to the intimidating atmosphere that surrounds the detenu and gives him certain amount of guidance as to his rights and obligations of the police."

Afzal denied legal assistance

Afzal comes from an economically poor family and did not have the means to engage a lawyer. He was the only one of the four

accused who had no lawyer even though he was the most vulnerable. Afzal asked the Designated Court to appoint a lawyer for him and even gave a list of at least eight lawyers. However, the lawyers refused to represent him out of fear of being dubbed anti-national. When Mr Ram Jethmalani, senior counsel and Member of Parliament offered to defend Geelani the Shiv Sena goons ransacked his office in Mumbai. Such is the patriotism of the Hindu fascist forces.

Finally, the designated judge passed an order on July 12, 2002 appointing a junior lawyer as his amicus curiae and gave Afzal the right to cross examine the witnesses. Everyone knows that a criminal trial requires knowledge of criminal law procedures and it is impossible for a layman to conduct a proper cross examination without legal assistance.

Afzal tried to get legal assistance and if you read his letter to the All India Defence Committee for SAR Geelani and to his lawyer at the Supreme Court you will know how cruelly Afzal was denied an opportunity to defend himself.

A section of the media and the Hindu fascist forces think that by hanging Mohammad Afzal without even listening to his story is a legitimate assertion of nationalism. They are indeed victims of the ideology of Islamophobia spawned by the US war against terrorism. But even in the USA the jury trying Zacarias Moussaoui for committing acts of terror transcending national boundaries was more compassionate than our courts. Zacarias was not given death penalty even though he was involved in the conspiracy to attack the twin towers on September 11, 2001. The reason why he was not given death penalty was because he has an “unstable childhood and dysfunctional family resulted in his being placed in orphanages and having a home life without structure and emotional and financial support eventually resulting in his leaving home due to his hostile relationship with his mother.”

If the courts had heard Afzal’s story they would have realized that his case cannot be judged or separated from the story of Kashmir Valley and its tortured history of oppression and domination. There is no way to judge Mohammad Afzal without understanding and taking into account the political context of the conflict between the Indian state and people of Kashmir.

Afzal's story

On October 21, 2004 the Kashmir Times carried Afzal's wife's Appeal. It was reproduced in the Asian Age on November 4, 2004. The letter is reproduced in this pamphlet and from Tabassum's story you will understand the tragedy facing the people of Kashmir.

Afzal has corroborated the facts in his long letter to Sushil Kumar the senior advocate who appeared for him in the Supreme Court. However, the facts in the letter were never put on record before the courts.

It is only when we read about the lives of Afzal and Tabassum that we begin to understand the outrage of the people of Kashmir against the death sentence awarded to Afzal. The people of Kashmir have been pouring out in the streets to vent their anger, resentment and anguish not only against a death sentence but for them Mohammad Afzal is a symbol of Kashmiri people's resistance to Indian state's Kashmir policy. A Resolution passed and signed by all the Kashmiri leaders included in this collection of documents reflects the feelings of Kashmiri people.

The death sentence on Afzal reminds the people of Kashmir of how the Indian State hanged Maqbul Bhatt in the 1980s. It was soon after that the Kashmiris took to armed resistance. Afzal's death sentence has united all Kashmiris across ideological lines.

Would it not be wise to learn from past mistakes and understand that judicial murder and state revenge can never lead to justice or bring peace to Kashmir Valley or to our region? The fight for Mohammad Afzal's life is a fight for all that is good and meaningful in Indian democracy; the cry for revenge and his death represents the dehumanized and authoritarian aspects of the Indian State and civil society.

Read Afzal's story in his words and choose what kind of society you want to live in.

Nandita Haksar
New Delhi
October 2006

The

Chairman All India Defence
Committee for S.A.R. Qasbi's case.

With respect and esteem I would like to inform your
honourary committee that in the Trial of Parliament House
case in the designated session court patiala house (S.A.R.
Qasbi) accused was not given defence aid (there
was) in spite of giving three applications for the lawyer
of my own choice. Throughout the trial I was not allowed
to meet of the witnesses, police and others to cross-question
to their statements recorded by the session court. Not a
single witness was cross-questioned in behalf of me by any
legal aid. There were most of the witnesses which I have
known for the first time in the court and the court went on
recording their one-sided fabricated and self designed state-
ments without any argument or cross-questioning. I remained
speechless mute helpless spectator as I was not allowed to
speak except few times.

When I was allowed to cross-ques-
tion one of the media interviewers of National TV Channel
Asiatic named Shams Tahir, he confirmed and repeated
that S.C. Azadi was under degree and threat at the time
of interview as it was threatened by A.S.P. R. Bhatnagar
Singh, before magistrate on referring to me of the
questions which in fact proved the complete in-
-sincerity of S.A.R. Qasbi.

The court did not also give
me the recorded statements of the trial, which was
going on, so it was impossible for me to know what
the court had recorded.

Being in high security ward
of Tihar Jail where it is too difficult to communicate
with outside people like lawyer etc. on a week I had seen
a man through Indian Express daily that my lawyer
had told the court High court on behalf of me that
S.C. Azadi had accepted the death sentence and

P. T. O

Mohammad Afzal's Letter to All India Defence Committee for SAR Geelani

The Chairman
All India Defence Committee
For S.A.R. Geelani
New Delhi

With respect and esteem I would like to inform your honorary Committee that in The Trial of Parliament attack Case in the designated session court Patiala house I (Mohammad AFZAL) accused was not given defence aid / Amicus curie in spite of giving Three applications for the lawyer of my own choice. Throughout The Trial I was not allowed To most of the witness, Police and others To cross-question to Their Statements recorded by the session court. Not a single witness was cross-questioned on behalf of me by any legal aid. There were most of the witnesses which I have seen for the first time in court and the court went on recording their one-sided fabricated and self designed statements without any argument or cross-questioning. I remained speechless mute helpless spectator as I was not allowed to speak except few times.

When I was allowed to cross-question one of the media interviewer of National T.V. Channel Aaj Tak named Shams Tahir, he confirmed and replied that I (AFZAL) was under duress and threat at the time of interview as I was threatened by the A.C.P Rajbeer Singh before mediemen on replying to one of the questions which infact proved the complete innocence of S.A.R Geelani.

The Court did not also gave me the recorded statements of The Trial, which was going on, so it was impossible for me to know what the court had recorded.

Being in high-security ward of Tihar Jail where it is too difficult to communicate with outer people like lawyer etc., in a week, I had seen a news Through Indian Express daily that my lawyer had Told the High Court on behalf of me that I (AFZAL) had accepted the death sentence and I want only that method / way of killing / hanging should be changed by injecting the Powerful Toxic injection So as to reduce the pain of dying. I object and challenge this false statement which has been actually given by lawyer himself without

I want only that method/way of killing/hanging should be changed by injecting the powerful toxic injection so as to reduce the pain of dying. I object and challenge this false statement which has been read out given by lawyer himself without my knowledge and consent making my whole process of Appeal a mockery.

The magnitude and the gravity of my unnecessary, unwitting and unintentional involvement in the parliament attack case was from the beginning emotionalised and magnified by police through all possible means due to my helplessness, ignorance of law & legal process and inability to manage the suitable legal aid. Thus the police made me a scapegoat so as to mark their inability and failure to trace out the mastermind of parliament attack and to make people fool. Keeping all these points and facts in view I am requesting to your honourary that the reality of my fabricated involvement in parliament attack case should come out / exposed before the people and supreme court of india. I hope that your honourable committee will consider my humble request with sympathy and I will be highly obliged.

Thank you

Afzalullah

Your's humbly

Dated 22/01/2004

Place - Jail no 2

Tihar N Delhi

Mohammad Afzal
% Late Habibullah Qureshi
ward no 7 High-security ward
Jail no 2 Tihar new delhi

my knowledge and consent making my whole process of Appeal a mockery.

The magnitude and the gravity of my unknowing , unwilling and unintentional involvement in the Parliament attack case was from the beginning emotionalized and magnified by Police Through all possible means due to my helplessness, ignorance of law (legal process) and inability to manage The suitable legal aid. Thus the police made me a scapegoat so as to mask their inability and failure to trace out the mastermind of Parliament attack and to make people fool. Keeping all these points and facts in view I am requesting to your honorary that the reality of my fabricated involvement in Parliament attack case should come out / exposed before the people and Supreme Court of India. I hope that your honourable committee will consider my humble request with sympathy and I will be highly obliged .

Thank you

Yours humbly

Mohammad Afzal
S /o Late Habibullah Guru
Ward No7 High-security ward
Jail No. 2 Tihar , New Delhi
Dated : 26 / 01 / 2004
Place : Jail No. 2
Tihar, N. Delhi

Respected Shri. Sushil Kumar: HELLO I am extremely thankful and feel very much obligated to you that you have taken up my case and decided to defend me. From the beginning of this case I was neglected and had never been given a chance to reveal the truth before media or in court. The designated court did not provide me the lawyer inspite of giving three applications. In the high court one human rights lawyer asked the court that AFZAL had expressed his desire that he ~~should~~ be killed by toxic injection rather by hanging which is absolutely false. I never told this to my lawyer. Since that lawyer was not of my own choice (my family) but it was due to my helplessness and non-accessibility to proper lawyer. Being locked up in high security jail and without being in communication with that human rights lawyer I could not charge him or to convey my objection regarding my death desire to high court as I came to know this only after high court's decision.

In the parliament attack case I was endraptured by special task force of Kashmir. Here in Delhi the designated court sentenced me to death on the basis of special police which works in nexus with STF and also came under the influence of media in which I was made to accept the crime under ~~Admission~~ duress and threat by special police ACP Rajbir Singh. That even got confirmed to designated court by T.V. ~~confrontation~~ and interview (I shame Takir ACP Tak.)

When I was arrested and brought to Srinagar, his stand I was ~~directly~~ taken to STF Headquarters from here the special police along with STF brought me to Delhi. In Srinagar at parampara police station everything of my belongings was seized and then they beat me and threatened me of dire consequences regarding my wife and family if I reveal or disclose the reality before anybody. Even my younger brother stated Amud But he was taken into police custody without any warrant etc. and was kept there for 2-3 months. This was first told to me by ACP Rajbir Singh, special police told me that if I will speak according to their wishes they will not harm my family members, and also gave me false assurance that they will meet my case. Waste so that after sometime I will get released

Mohammad Afzal's Letter to his Lawyer, Sushil Kumar, Sr. Advocate, Supreme Court

Respected Shri Sushil Kumar;

Hello (I)

I am extremely thankful and feel very much obligated to you that you have taken up my case and decided to defend me. From the beginning of this case I was neglected and had never been given a chance to reveal the truth before media or in court. The designated court did not provided me the lawyer inspite of giving three applications. In the high court one human rights lawyer asked the court that Afzal had expressed his desire that he want to be killed by toxic injection rather by hanging which is absolutely false. I never told this to my lawyer. Since that lawyer was not of my own choice (or my family) but it was due to my helplessness and non-accessibility to proper lawyer. Being locked up in high security jail and without being in communication with that human rights lawyer I could not change him or to convey my objection regarding my death desire to highcourt as I came to know this after high court's decision.

In the parliament attack case I was entrapped by Special Task Force of Kashmir. Here in Delhi the designated court sentenced me to death on the basis of special police version which workes in nexus with STF, and also came under the influence of mass media in which I was made to accept the crime under duress and threat by special police A.C.P. Rajbir Singh. That threat even get confirmed to designated court by T.V. interviewer (Shams Tahir Aaj-Tak).

When I was arrested in Srinagar bus stand I was taken to STF Headquarter from here the special police along with STF brought me to Delhi. In Srinagar at Parompora Police Station everything of my belongings was seized and then they beated me and threatened me of dire consequences regarding my wife and family if I reveal or disclose the reality before anybody. Even my younger brother Hilal Ahmad Guru he was taken into police custody without any

② The most important priority I gave to my family. As I know from last seven years how the STF Men kill the innocent Kashmiris, how they had made youth invisible and had disappeared them while killing them in custody. I am living and organic eye-witness to various tortures and custodial killings and I am myself the victim of STF Terror and Torture. Being an surrendered militant of JKLF I was constantly harassed, threatened and organised by various security agencies like Army, S.S.F and STF. But since S.T.F is unorganised, without being accountable a band and gang of mercenaries patronised by state government. They intrude every house, every family everywhere in Kashmir anytime day or night. If anybody is picked up by STF and his family came to know this, then family members only wait to get his dead body which they hope, ^{but usually} they never come to know his whereabouts. ^{But usually} ~~circumstances~~ ^{circumstances} and under this fearful environment persons like me are always ready to play any dirty game in the hands of S.T.F. Just for the survival. The people who are able to pay in terms of cash are not forced to do the dirty things the way I did as I was not able to pay. Even one of the policeman of the same police station of Pampore named Akbar had extorted 50000 and threatened me that he will charge me as selling duplicate myelograms and surgical items of which I was doing business. He came here in designated court and became a witness against me. He was knowing me before parliament attack. In the courtroom he told me in Kashmiri that my family is O.K. indirectly it was a hidden threat which the designated court hardly ^{could} realise otherwise in court I would have questioned him but before court started recording his statement he told me this. Throughout the trial I remained mute and hopeless spectator as witnesses, police and even Judge they all become a single force against me. I remained a frustrated ~~and~~ ^{and} bewildered and confused between the security and safety of myself and my family. I protected and saved my

warrant etc. and was kept there for 2-3 months. This was first told to me by A.C.P. Rajbir Singh. Special police told me that if I will speak according to their wishes they will not harm my family members and also gave me false assurance that they will make my case weak so that after sometime I will get released.

The most important priority I gave to safety of my family. As I know from last seven years how the STF men kill, the Kashmiris, how they had made youth invisible and had disappeared them while killing them in custody. I am living and organic eye-witness to various tortures and custodial killings and I am myself the victim of STF terror and torture. Being an surrendered militant of JKLF I was constantly harassed, threatened and agonized by various security agencies like Army. B.S.F. and S.T. F., But since S.T.F. is unorganized, without being accountable a band and gang of renegades patronised by state government. They intrude every house, every family everywhere in Kashmir anytime day or night. If anybody is picked up by STF and his family came to know this, then family members only wait to get his dead body which they hope. But usually they never came to know his whereabouts. 6000 youths have disappeared. Under these circumstances and under this fearful environment persons like me are always ready to play any dirty game in the hands of S.T.F. Just for the survival. The people who are able to pay in terms of cash are not forced to do the dirty things the way I did as I was not able to pay. Even one of the policeman of the same police station of Parimpora named Akbar had extorted 5000 Rs. Long before attack and threatened me that he will charge me as selling duplicate medicines and surgical items of which I was doing business at Sopore, in 2000. He came here in designated court and became a witness against me. He was knowing me before parliament attack. In the court room he told me in Kashmiri that my family is o.k. indirectly it was a hidden threat which the designated court hardly could realise otherwise in court I would have questioned him but before court started recording his statement he told me this. Throughout the trial I remained mute and helpless spectator as witnesses, police and even judge they all became a single force against me. I

⑤ Family, that is how I am lying abt death - Venk.

II. In 1997-98 I started a business of medicines and surgical instruments on commission basis as I could not get a govt job due to the reason of being an surrendered militant. Because surrendered militants were not given jobs. They were either to work as SPO's or STF or to join the renegades under the patronage of society forces or police. Every day SPO were get killed by militants. In these conditions I started a SPO Commission based business earning 4000-5000 Rs per month. But since the special police informers (SPO's) usually harass those surrendered militants who do not work with STF etc. I came from 98-2000 I usually used to pay SPO some sometimes 5000 Rs. To local SPO I used to keep myself in business otherwise. These SPO made us to present us before security agencies. Even one of the SPO one day told me that they too have to pay their bosses. As I was working hard in my business my business flourished one day at 10 AM I was on my two-wheeler scooter that I had purchased just before 7 months I was whisked away by STF-men in ~~last~~ ^{bullet proof} ~~proof~~ ^{tray} to Palkulam camp. There the per-vinay-shankar tortured me to electrocuted me - put me in cold water - used petrol - candles and other techniques. He told me that I possess weapons but ~~not~~ at evening ~~time~~ one of his (inspector Farooq) told me that if I can pay 100,000 Rs to him (P.S.P) I will be ~~not~~ released or they will kill me. Then they took me to Humnaha's SPO STF camp. where Risik Pravinidhar Singh also tortured me. one of his Torture inspector as they called him Shant Singh. Electroficial me naked for 3 hours and made me to drink water while giving electric shocks through telephone instrument ultimately I accepted to pay them 100,000 Rs. For which ~~my~~ ^{my} family ~~insured~~ ^{insured} the gold of my wife even after this they could manage old which I bought ^{240000 Rs.} Thus After getting 1 lakh Rupees they let me free. But now I was a broken person. In the same humnaha STF camp. there Shankar should always cooperate with training he suggested one that I should always cooperate with STF. otherwise they will always harass and will not let

remained a frustrate bewildered and confused between the security and safety of myself and my family. I protected and saved my family. That is how I am lying in deathrow.

II. In 1997-98 I started a business of medicines and surgical instruments on commission basis as I could not get a govt. job due to the reason of being an surrendered militant. Because surrendered militants were not given jobs. They were either to work as SPOs or STF or to join the renegades under the patronage of security forces or police. Everyday SPOs were get killed by militants. In these conditions I started my commission based business earning 4000Rs. – 5000Rs. per month. But since the police informers (SPOs) usually harass those surrendered militants who do not work with S.T.F. etc. From 98-2000 I usually used to pay 300Rs. sometimes 500 Rs. to local SPO so as to keep myself in business otherwise these SPO make us to present us before security agencies. Even one of the SPO one day told me that they too have to pay their bosses. As I was working hard in my business my business flourished. One day at 10 AM I was on my Two wheeler scooter that I had purchased just before two months. I was whisked away by STF men in bullet proof gypsy to Palhallan camp. There the D.S.P. Vinay Gupta tortured me, electrified me—put me in cold water – used petrol—chillies and other techniques. He told me that I possess weapons but at evening time one of his inspector Farooq told me that if I can pay 1000,000 Rs. to him (D.S.P) I will be released or they will kill me. Then they took me to Humhama STF camp where D.S.P. Dravinder Singh also tortured me. One of his torture inspector as they called him Shanty Singh electrified me naked for 3 hours and made me drink water while giving electric shocks through telephone instrument. Ultimately I accepted to pay them 1000000Rs. for which my family sold the gold of my wife. Even after this they could manage only 80000 Rs. Then they took the scooter too which was just 2-3 months old which I bought for 24000Rs. Thus after getting 1lakh rupees they let me free. But now I was a broken person. In the same Humhama STF camp there was one more victim named Tariq. He suggested me that I should always co-operate with STF otherwise they will always

(21)

one to live normal ~~teaching~~-free life. This was a turning point of my life I decided to live ~~in a normal way~~ the way things told me. Since from 1990-1996 I had studied in Delhi university I was also giving tuitions in different coaching centres and also home tuitions. This fact reached to the man named ALTAF HUSSAIN who ~~was~~ is brother-in-law of S.P. Ashraf Hussain of Budgam. Since it was this Altaf Hussain who managed my family rather he became the broker between my family and ~~the~~ DSP Humama Dravinder Singh. Altaf told me that I should teach his two children one in 12th and in 10th class as his children were not able to go outside for tuition due to militant threat. Thus I became very close to Altaf's family and Altaf also. One day Altaf took me to Dravinder Singh (D.S.P). D.S. told me that I had to do a small job for him that he has to take one man to Delhi as I was well aware about Delhi and has to manage a rented house for him since I was not knowing the man but I suspected that this man is not teaching as he did not speak in Kashmiri but I was helpless to do what Dravinder told me. I took him to Delhi. One day he told me that he want to purchase a car. Thus I went with him to Keshav Bagra. He purchased the car. Then in Delhi he used to meet different persons. and both of us ~~used~~ ^{used} used to get the different phone calls from Dravinder Singh. One day ~~with~~ ^{with} muhammad told me that if he want to go back to Kashmir he can. He also gave me 35000/- and told me that this gift is for you. ~~from my brother~~ 6 days or 8 days before I took a rented room at Indraprastha for my family as I decided to live in Delhi with my family because I was not satisfied with my this life. I left the keys of rented house to my land-lady.

harass and will not let me to live normal—free life. This was a turning point of my life . I decided to live the way Tariq told me. Since from 1990-1996 I had studied in Delhi University I was also giving tuitions in different coaching centres and also home tuitions. This fact reached to the man named Altaf Hussain who is brother-in-law of S.S.P. Ashaq Hussain of Budgam. Since it was this Altaf Hussain who managed my family rather he became the broker between my family and D.S.P. Humhama Dravinder Singh. Altaf told me that I should teach his two children one on 12th , 2nd [second one] in 10th class as his children were not able to go outside for tuition due to militant threat. Thus I became very close to Altaf's and Altaf also. One day Altaf took me to Dravinder Singh (D.S.P.). D.S. told me that I had to do a small job for him that has to take one man to delhi as I was well aware about Delhi and has to manage a rented house for him. Since I was not knowing the man but I suspected that this man is not Kashmiri as he did not speak in Kashmiri but I was helpless to do what Dravinder told me . I took him to Delhi. One day he told me that he want to purchase a car. Thus I went with him to Karol Bagh. He purchased the car. Then in Delhi he used to meet different persons and both of us he Mohammad and me used to get the different phone calls from Dravinder Singh. One day Mohammad told me that if he want to go back to Kashmir he can. He also gave me 35000Rs. and told me that this gift is for you. 6 days or 8 days before I took a rented room at Indra Vihar for my family as I decided to live in Delhi with my family because I was not satisfied with my this life. I left the keys of rented house to my land lady and told her that I will be back after Eid festival on 14th Dec. after parliament attack about which there was a lot of tension. I contacted Tariq in Sgr. [Srinagar]. At evening he told me when I came back from Delhi. I replied just one hour before. Next morning when I was about to leave to Sopore from bus stand Sgr. police caught me and took me to Parampora police station . Tariq was there also with STF. They took 35000 Rs. from my pocket, beat me and directly took me STF Head Quarter. From there I was taken to Delhi. My eyes were blind folded. Here I found myself in special police torture cell.

(5)

and told her that I will be back ~~very~~ after Eid festival
on 14th ^{Dec.} after parliament attack about which there was
a lot of tension. I contacted Tariq in Sgar at evening
he told me when I came back from Delhi I replied
just one hour before. Next morning when I was about
to leave to Sopore from bus stand ^{Sgar} police caught
me ^{and took me} to Parampara police station. ^{Tariq was there also with STF} they took 3000Rs from
my pocket, beat me and directly took me to STF
Head Quarter. From there I was taken to Delhi my
eyes were blind-folded. Here I found myself in special
police torture cell.

In special police custody I told them
everything regarding Mohammad. etc. but they told me
that I -Shaukat- his wife Nawlat (Aisham) said officers are
the people behind parliament attack. They too threatened
me regarding my family and one of the Inspector told me
that my younger brother Hulal Ahmad Gwaili is in
STF custody. They can lift the other family members
too if I don't cooperate with them. They tried me and
forced me to implicate Shaukat-his wife and Geelani but
I did not. I told them this is not possible. Then they told
me that I should not say anything about Geelani (i.e.
about his innocence). After some days I was presented
before media handuffed. there were NDTV, AB-TAK, Zee-news
sahar-TV etc. Rajbeer Singh (A.P.) was also there. When one
of the T-V interviewer Shams TAHIR told me what is the
role of Geelani in parliament attack, I just said the
Geelani is innocent. This moment A.P. Rajbeer Singh got
up from chair. he shouted at me and told me that
he had already said me not to speak about Geelani
in front of everybody. Rajbeer Singh's behaviour exposed
my helplessness and media personal atleast come to know

In special cell custody I told them everything regarding Mohammad etc. but they told me that I Showkat his wife Navjot (Afshan) Geelani are the people behind parliament attack. They too threatened me regarding my family and one of the inspector told me that my younger brother Hilal Ahmad Guru is in STF custody. They can lift the other family members too if I don't co-operate with them. They tried me and forced me to implicate Showkat his wife and Geelani but I did not yield. I told them this is not possible. Then they told me that I should not say anything about Geelani (be about his innocence). After some days I was presented before media handcuffed. There were NDTV, Aaj tak, Zee news, Sahara TV etc. Rajbeer Singh (A.C.P.) was also there. When one of the interviewer Shams tahir told me what is the role of Geelani in parliament attack, I just said that Geelani is innocent. This moment A.C.P. Rajbeer Singh got up from his moving chair he shouted at me and told me that he had already said me not to speak about Geelani in front of everybody (Media-personnel). Rajbeer Singh's behaviour exposed my helplessness and media personnel atleast came to know that what Afzal is saying under threat or duress. Then Rajbir Singh (A.C.P.) requested T.V. personel that the question regarding Geelani should be washed away or not to be shown before public. At evening time Rajbir Singh told me that if I want to talk [to] my family. I replied in yes. Then I talked to my wife. After finishing my phone he told me if I want to see my wife & family alive I must co-operate [with] them at every step. They took me to various places in delhi. From where they showed that Mohammad had purchased different things. They took me to Kashmir from where we came back without doing anything. They made me to sign on atleast 200-300 blank pages.

I was never given an [a] chance in [the] designated court to tell the real story. The judge told me that I will be given full opportunity to speak at the end of case but at the end he even did not recorded my all statements neither the court gave me whatever even court recorded. If phone numbers recorded will be seen carefully the court would have come to know the phone numbers of STF.

(6)
 That what AFZAL is saying is under threat or duress.
 Then Rajbir Singh (ACP) requested T.V. personnel that the
 question regarding ~~my~~ ^{my} ~~release~~ should be washed ~~up~~ ^{away} or
 not to be shown before public. AT Evening Time Rajbir
 Singh told me that if I want to talk my family, I
 replied in yes. Then I talked to my wife. After finishing
 my phone. He told me if I want to see my wife &
 family alive I must co-operate them at every step. They
 took me to various places in Delhi. From where they showed
 that Mohammed had purchased different things. They took
 me to Karimnagar from where we came back without doing
 anything. They made me to sign on atleast 200-300
 blank pages. This is the reality.

I was never given an chance in designated
 court to tell the real story. The Judge told me that
 I will be given full opportunity to speak at the end
 of case but at the end he even did not recorded my
 all statements neither the court gave me whatever even
 recorded. if phone numbers recorded will be seen carefully
the court would have come to know the phone numbers of STF.

Now I hope that the Supreme court will
 consider my helplessness and the reality through which
 I had passed. ~~and~~ ^{STF} made me an scape-goat in all
 this criminal act which was ^{which I don't know} designed and directed
 by STF and others. ^{which I don't know} special police is definitely the part of
 this game because ~~at~~ everytime they forced me to
 remain silent. I hope my forced silence will be
 heard - and Justice will prevail.
 I once again pay heart-felt thanks
 to you. Godself for defending my
 case. May Truth prevail!

Mohammed AFZAL
 3/2 Hazi Bulah Puru
 Ward No 6C, High security area
 Jail No 1 - Tihar New Delhi
 - 110064

Now I hope that the Supreme Court will consider my helplessness and the reality through which I had passed. STF made an [a] scapegoat in all this criminal act which was designed and directed by STF and others which I don't know. Special Police is definitely the part of this game because every time they forced me to remain silent. I hope my forced silence will be heard and justice will prevail.

I once again pay heart felt thanks to your good self for defending my case. May truth prevail!

(Sd)

Mohammad Afzal

S/O Habibullah Guru

Ward No. 6(High Security Ward)

Jail No. 1, Tihar

New Delhi 110064

THE SPECIAL AGENT

OP-ED PAGE

GIVE AFZAL JUSTICE

Mohammad Afzal has been sentenced to death for the attack on Parliament. His wife says he was framed by the STF.

Oct 11, 2002

New Delhi Thursday 4 November 2004

20 Pages Rs 6

Historical Page: 4, 11, 64

I am the wife of Mohammad Afzal, the man accused of conspiring to attack the Indian Parliament on December 13, 2001. Afzal has been sentenced to death by the sessions court Judge, S.V. Dhanraj, and his death sentence has been confirmed by the high court of Delhi. Now the case has come up before the Supreme Court of India. All over India people have condemned the attack on Parliament and agreed that it was a terrorist attack and must be continued. However, it is also important that the people accused of such a serious crime be given a fair trial and their story be fully heard before they are punished. I believe that no one has heard my husband's story and he has so far never been represented in the court properly. I appeal to you to read my story and then decide for yourselves whether justice has been done. Afzal and my story is the way of what you know through the media. My story represents the reality facing our people.

In 1990 Afzal was introduced to the resident faculty of the JALF. Like thousands of other students, he went to Pakistan for training and stayed there for a little while. However, he was introduced by the differences between different groups. He did not support the Pakistan group. He stayed there only three months without getting any training. Afzal returned to Kashmir and he went to Delhi to pursue his studies.

My husband was taken to the STF camp Pahalwan Pattan. Some days later they took him to the Haryana STF camp. In that camp the officers, DSP Vinay Gupta and DSP Darinder Singh demanded Rs 1,00,000 from him (which we gave)

Mohammad Afzal is facing the death penalty for "conspiring" to attack Parliament House on December 13, 2001. His wife says that her husband was framed by the STF (Strike Task Force)

my studies. He always wanted to study and before he joined the STF he had with that intention he studied in the STF. The STF never allowed me to give him any certificate till he had studied two years in a semester. And Afzal motivated two other militants to surrender. He was given a certificate stating that he was a surrendered militant. You will know how difficult it is to give a certificate to someone in Kashmir but he decided to take it. I is finally in Kashmir. In 1997 he started a small business of advertisement and started investments in Kashmir. The next year we were married. He was 28 years old and I was 18 years.

After we got married, we lived in Kashmir. Our father specially harassed Afzal and told him to stop all people they suspected of being militant. One Major Khan Mohd got up to 20-30 days before. He used Afzal and gave him 10000 rupees in his pocket. He was humiliated and stressed. The Indian security forces used to regularly take Afzal to these camps and return him. They wanted to extract information from him. One night the Indian security forces came to our house.

My husband was taken to the STF camp Pahalwan Pattan. Some days later they took him to the Haryana STF camp. In that camp the officers, DSP Vinay Gupta and DSP Darinder Singh demanded Rs 1,00,000 from him (which we gave)

BY TANASSUM

The STF (Strike Task Force) told my husband to bring Afzal to Delhi. I was shocked. He met Mohammad and one other man Tariq there at the STF camp. He did not know anything about the men and he had no idea why he was being asked to do the job. He has told all this to the court but the court chose to believe half his statement about bringing Mohammed and not the bit that he was told to do so by the STF.

I would not allow him. You should also know that the STF is accused in Kashmir for extorting money from the people and they have become so infamous that we can't speak because the chief minister has promised an election promise to give the STF money. The STF is known for human rights violations and it is a huge threat to their livelihoods. I would not allow him. You should also know that the STF is accused in Kashmir for extorting money from the people and they have become so infamous that we can't speak because the chief minister has promised an election promise to give the STF money. The STF is known for human rights violations and it is a huge threat to their livelihoods.

After we got married, we lived in Kashmir. Our father specially harassed Afzal and told him to stop all people they suspected of being militant. One Major Khan Mohd got up to 20-30 days before. He used Afzal and gave him 10000 rupees in his pocket. He was humiliated and stressed. The Indian security forces used to regularly take Afzal to these camps and return him. They wanted to extract information from him. One night the Indian security forces came to our house.

My husband was taken to the STF camp Pahalwan Pattan. Some days later they took him to the Haryana STF camp. In that camp the officers, DSP Vinay Gupta and DSP Darinder Singh demanded Rs 1,00,000 from him (which we gave)

SPORTS PAGE 10

■ Mumbai Test: Indians are cornered yet again

PAGE 20

■ Indo-Pak brothers try to save historical sites

Visit the world's largest online newspaper at www.asiant.com



GIVE AFZAL JUSTICE

I am the wife of Mohammad Afzal, the man accused of conspiring to attack the Indian Parliament on December 13, 2001. Afzal has been sentenced to death by the sessions court Judge, S.V. Dhanraj, and his death sentence has been confirmed by the high court of Delhi. Now the case has come up before the Supreme Court of India. All over India people have condemned the attack on Parliament and agreed that it was a terrorist attack and must be continued. However, it is also important that the people accused of such a serious crime be given a fair trial and their story be fully heard before they are punished. I believe that no one has heard my husband's story and he has so far never been represented in the court properly. I appeal to you to read my story and then decide for yourselves whether justice has been done. Afzal and my story is the way of what you know through the media. My story represents the reality facing our people.

Mohammad Afzal is facing the death penalty for "conspiring" to attack Parliament House on December 13, 2001. His wife says that her husband was framed by the STF (Strike Task Force)

my studies. He always wanted to study and before he joined the STF he had with that intention he studied in the STF. The STF never allowed me to give him any certificate till he had studied two years in a semester. And Afzal motivated two other militants to surrender. He was given a certificate stating that he was a surrendered militant. You will know how difficult it is to give a certificate to someone in Kashmir but he decided to take it. I is finally in Kashmir. In 1997 he started a small business of advertisement and started investments in Kashmir. The next year we were married. He was 28 years old and I was 18 years.

After we got married, we lived in Kashmir. Our father specially harassed Afzal and told him to stop all people they suspected of being militant. One Major Khan Mohd got up to 20-30 days before. He used Afzal and gave him 10000 rupees in his pocket. He was humiliated and stressed. The Indian security forces used to regularly take Afzal to these camps and return him. They wanted to extract information from him. One night the Indian security forces came to our house.

My husband was taken to the STF camp Pahalwan Pattan. Some days later they took him to the Haryana STF camp. In that camp the officers, DSP Vinay Gupta and DSP Darinder Singh demanded Rs 1,00,000 from him (which we gave)

BY TANASSUM

The STF (Strike Task Force) told my husband to bring Afzal to Delhi. I was shocked. He met Mohammad and one other man Tariq there at the STF camp. He did not know anything about the men and he had no idea why he was being asked to do the job. He has told all this to the court but the court chose to believe half his statement about bringing Mohammed and not the bit that he was told to do so by the STF.

I would not allow him. You should also know that the STF is accused in Kashmir for extorting money from the people and they have become so infamous that we can't speak because the chief minister has promised an election promise to give the STF money. The STF is known for human rights violations and it is a huge threat to their livelihoods. I would not allow him. You should also know that the STF is accused in Kashmir for extorting money from the people and they have become so infamous that we can't speak because the chief minister has promised an election promise to give the STF money. The STF is known for human rights violations and it is a huge threat to their livelihoods.

After we got married, we lived in Kashmir. Our father specially harassed Afzal and told him to stop all people they suspected of being militant. One Major Khan Mohd got up to 20-30 days before. He used Afzal and gave him 10000 rupees in his pocket. He was humiliated and stressed. The Indian security forces used to regularly take Afzal to these camps and return him. They wanted to extract information from him. One night the Indian security forces came to our house.

My husband was taken to the STF camp Pahalwan Pattan. Some days later they took him to the Haryana STF camp. In that camp the officers, DSP Vinay Gupta and DSP Darinder Singh demanded Rs 1,00,000 from him (which we gave)

of the 10th in the court for the most case to be done half the price from about 10000. Mohammad was told that he was told to do so by the STF. There was no case to be done in the court. He did not know anything about the men and he had no idea why he was being asked to do the job. He has told all this to the court but the court chose to believe half his statement about bringing Mohammed and not the bit that he was told to do so by the STF.

I would not allow him. You should also know that the STF is accused in Kashmir for extorting money from the people and they have become so infamous that we can't speak because the chief minister has promised an election promise to give the STF money. The STF is known for human rights violations and it is a huge threat to their livelihoods. I would not allow him. You should also know that the STF is accused in Kashmir for extorting money from the people and they have become so infamous that we can't speak because the chief minister has promised an election promise to give the STF money. The STF is known for human rights violations and it is a huge threat to their livelihoods.

My husband was taken to the STF camp Pahalwan Pattan. Some days later they took him to the Haryana STF camp. In that camp the officers, DSP Vinay Gupta and DSP Darinder Singh demanded Rs 1,00,000 from him (which we gave)

My husband was taken to the STF camp Pahalwan Pattan. Some days later they took him to the Haryana STF camp. In that camp the officers, DSP Vinay Gupta and DSP Darinder Singh demanded Rs 1,00,000 from him (which we gave)

of the 10th in the court for the most case to be done half the price from about 10000. Mohammad was told that he was told to do so by the STF. There was no case to be done in the court. He did not know anything about the men and he had no idea why he was being asked to do the job. He has told all this to the court but the court chose to believe half his statement about bringing Mohammed and not the bit that he was told to do so by the STF.

A Wife's Appeal

Asian Age: 04.11.04

I am the wife of Mohammad Afzal, the man accused of conspiring to attack the Indian Parliament on December 13, 2001. Afzal has been condemned to death by the Sessions Court judge, SN Dhingra and his death sentence has been confirmed by the Hon'ble High Court of Delhi. Now the case has come up before the Hon'ble Supreme Court of India.

All over India people have condemned the attack on Parliament. And I agree that it was a terrorist attack and must be condemned. However, it is also important that the people accused of such a serious crime be given a fair trial and their story be fully heard before they are punished. I believe that no one has heard my husband's story and he has so far never been represented in the court properly.

I appeal to you to hear our story and then decide for yourselves whether justice has been done. Afzal and my story is the story of many young Kashmiri couples. Our story represents the tragedy facing our people.

In 1990 Afzal was attracted to the movement led by the JKLF, like thousands of other youth. He went to Pakistan for training and stayed there for a little while. However, he was disillusioned by the differences between different groups and he did not support pro-Pakistan groups. He stayed there only three months without getting any training. Afzal returned to Kashmir and he went to Delhi to pursue his studies. He always wanted to study and before he joined the movement he was doing his MBBS.

My husband wanted to return to normal life and with that intention he surrendered to the BSF. The BSF commandant refused to give him his certificate till he had motivated two others to surrender. And Afzal motivated two other militants to surrender. He was given a certificate stating that he was a surrendered militant. You will not perhaps realize that it is very difficult to live as a surrendered militant in Kashmir. But he decided to live with his family in Kashmir. In 1997 he started a small business of medicines and surgical instruments in Kashmir. The next year we were married. He was 28 years old and I was 18 years.

Throughout the period that he lived in Kashmir the Indian security forces continuously harassed Afzal and told him to spy on people they suspected of being militants. One Major Ram Mohan Roy of 22 Rashtriya Rifles tortured Afzal and gave him electric shocks to his private parts. He was humiliated and abused.

The Indian security forces used to regularly take Afzal to their camps and torture him. They wanted to extract information from him. One night the Indian security forces came to our home and abused all of us and took away Afzal to their camp another time he was taken to the STF (State Task Force) camp Palhalan Pattan.

Some days later they took him to the Humhama STF camp. In that camp the officers, DSP Vinay Gupta and DSP Darinder Singh demanded Rs one lakh. We are not a rich family and we had to sell everything, including the little gold I got on my marriage to save Afzal from the torture.

Afzal was kept in freezing water and petrol was into his anus. One officer Shanti Singh hanged him upside down for hours naked and in the cold. They gave electric shocks in his penis and he had to have treatment for days.

You will think that Afzal must be involved in some militant activities that is why the security forces were torturing him to extract information. But you must understand the situation in Kashmir. Every man, woman and child has some information on the movement even if they are not involved. By making people into informers they turn brother against brother, wife against husband and children against parents. Afzal wanted to live quietly with his family but the STF would not allow him.

You should also know that the STF force is notorious in Kashmir for extorting money from the people and they have become so infamous that when Mufti Saeed became the Chief Minister he promised in his election manifesto to disband the entire force. The STF is known for human rights violations including killing people in their custody and brutal, senseless, inhuman torture.

It was under these conditions that forced Afzal to leave his home, family and settle in Delhi. He struggled hard to earn a living and he had decided to bring me and our four year old son, Ghalib, to Delhi. Like any other family we dreamed of living together peacefully and

bringing up our children, giving them a good education and seeing them to grow up to be good human beings. That dream was cut short when once again the STF got hold of my husband in Delhi.

The STF told my husband to bring one Mohammad to Delhi from Kashmir. He met Mohammad and one other man Tariq there at the STF camp. He did not know anything about the men and he had no idea why he being asked to do the job. He has told all this to the court but the court chose to believe half his statement about bringing Mohammad but not the bit that he was told to do so by the STF.

There was no one to represent Afzal in the lower court. The court appointed a lawyer who never took instructions from Afzal, or cross examined the prosecution witnesses. That lawyer was communal and showed his hatred for my husband. When my husband told Judge Dhingra that he did not want that lawyer the judge ignored him. In fact my husband went totally undefended in the trial court. When ever my husband wished to say something the judge would not hear him out and the judge showed his communal bias in open court.

In the High Court one human rights lawyer offered to represent Afzal and my husband accepted. But instead of defending Afzal the lawyer began by asking the court not to hang Afzal but to kill him by a lethal injection. My husband never expressed any desire to die. He has maintained that he has been entrapped by the STF. My husband was shocked but he had no way of changing his lawyer while being locked up in the high security jail.

It was only after the High Court judgement was pronounced he got to know about the way the lawyer had represented him. Afzal refused to accept the same lawyer for his appeal in the Supreme Court. I had no way of getting Afzal a lawyer. I do not know anyone in Delhi. Finally Afzal wrote to the Defence Committee set up for Mr. Geelani. I am annexing his letter. And the Defence Committee helped Afzal get a senior lawyer, Sushil Kumar, However, the Supreme Court cannot go into the evidence and so I do not know what will happen.

I appeal to you to ensure that my husband is not condemned to death and he is ensured a fair trial. Surely your conscience will not allow you to be a party to the death of a fellow human being who

has not been represented in the court and who has not had a chance to tell his story? The police have made him falsely confess before the media even before the trial started. They humiliated him, beat him, tortured him and even urinated in his mouth. I feel deep shame to talk about these things in public but circumstances have forced me. It has taken a lot of courage for me to put all this on paper but I do so for the sake of my child who is now six years old.

Will you speak out at the injustice my husband has faced? Will you speak out on my behalf? I am of course fighting for my husband's life, for the life of my son's father. But I also speak as a Kashmiri woman who is losing faith in Indian democracy and its ability to be fair to Kashmiri Muslims.

Tabassum

Srinagar: September 2004

Resolution Passed jointly by Kashmiri Leaders

Resolution

At a meeting of the Society for the Protection of Detainees' and Prisoners' Rights on Saturday, September 24, 2005 at Taj Hotel Budshah Chok Srinagar, we were deeply shocked to learn that Mohammad Afzal has been sentenced to death by the supreme court of India without having an opportunity to defend himself. This is one more example of how the Indian courts are used for making political statements at the cost of lives of Kashmiri people. On the one hand the Indian political leaders talk about peace process in Kashmir and taking confidence building measures on the other hand Kashmiris like Afzal are sentenced to death without even a fair trial?

The judgement of the Supreme court states that the attack on the Indian Parliament resulted in heavy casualties and has "shaken the entire nation and the collective conscience of the society will only be satisfied if capital punishment is awarded to the offender."

We the people of Kashmir ask why the collective conscience of Indians is not shaken by the fact that a Kashmiri has been sentenced to death without a fair trial, without a chance to represent himself? Throughout the trial at the sessions court Mohammad Afzal asked the judge to appoint a lawyer. He even named various lawyers but they all refused to represent him. Is it his fault that the Indian lawyers think that it is more patriotic to allow a Kashmiri to die rather than ensure he gets a fair trial?

At the High court an Indian human rights lawyer who volunteered to represent Afzal actually asked the court that Afzal wanted to be killed by a lethal injection instead of by hanging. Afzal did not know that his lawyer had filed such a petition on his behalf till after the case was over and he had been given three death sentences.

At the Supreme Court the senior lawyer and former Law Minister, Shantibhushanji, who was representing another co-accused told

the court that Afzal was guilty and deserved to die. He made such statements throughout, both inside the court and in the print media.

In Sarabjeet Singh's case the Indian Prime Minister and Indian media has been campaigning with the Pakistan authorities to spare his life. And for the sake of the Indo-Pak friendship process Sarabjeet Singh's life will be spared but is it not a contradiction that the same leaders think that Azal's life needs to be

Sacrificed at the altar of false notion of national security.

We resolve to launch a Kashmir-wide signature campaign in support of our demand that the death sentence on Afzal be commuted.

Syed Ali Geelani
Shabir Ahmad Shah
Mohammad Yaseen Malik
Mian Abdul Qayyoom
Nisar Ali

To

The Society For Protection Of Detenuess and Prisoners Rights (SPDPR)

Respected Sir, I would like to inform your SPDPR regarding the 13 Dec. 2001. parliament attack case, some facts as below:

1. After few days of my arrest at Srinagar (Kashmir) bus stand, I was forced under duress and threat by special Police (Delhi) to present myself before media. This unwanted or unwilling media presentation which was done at special Police station Delhi was confined by one of the interviewers or reporter of Aaj-Tak channel when he was summoned to session court.
2. The Session court systematically silenced my voice by:
 - a) Not providing me the Advocate of my own choice
 - b) Not giving the recorded statements of trial proceedings
 - c) The different statements and objections raised by me were never recorded by the court regarding the various witnesses and their false statements against me.
3. I was represented by ~~one~~ Human rights Activist Colin Gonzalez (Advocate) in High court. I was shocked when I came to know that from news paper Indian Express that my Advocate has requested the court that Afzal wants that he should be killed by lethal injection rather by hanging. When I contacted from High security ward of Tihar Jail to my lawyer he neither came to meet me nor informed me regarding this false request which I never did.
4. In SCourt the lawyers of my co-accused ~~was~~ ~~did not~~ brought the different allegations concerned me to such an ~~extent~~ hold where natural justice fail to make out anything for me.

Thus under these circumstances it is natural that I can get any justice. I hope that SPDPR will consider the above facts and take up the cause. Thank you.

Yours Sincerely,
Mohammad AFZAL SURU,
W.No-9, (Jail) No.5, Tihar, N-DELHI
110064

Afzal's Letter to SPDPR

To

The Society For protection of
Detenues and Prisoners Rights (SPDPR)

Respected Sir, I would like to inform your SPDPR regarding the 13,Dec.2001, parliament attack case, Some Facts as below;

1: after Few days of my arrest at Srinagar(Kashmir)bus Stand, I was Forced under duress and threat by special-cell police (Delhi). To present myself before media. This unwanted or unwilling media presentation which was done at special police Station Delhi was confirmed by one the interviewers or reporter of Aaj-Tak + v Channel. When he was summoned by session court.

2:- The Session court systemically Silenced my voice by.

- a) Not providing me the Advocate of my own Choice
- b) Not giving the recorded Statements of Trial proceedings
- c) The different Statements and objections raised by me were never recorded by the Court, regarding the various witnesses and their False Statements against me.

3:- I was represented by one Human rights activist Colin Gonzalves.(Advocate) in High court. I was shocked when I came to know that from news paper Indian Express. That my Advocate has requested the court that AFZAL wants that he should be killed by Lethal Injection rather by hanging. When I contacted From High Security ward of Tihar Jail to my Lawyer He neither came to meet me nor informed me regarding this False request which I never did.

4:- In S.Court the lawyer of my co-accused brought the different allegations concerned me to such an thresh-hold where natural Justice Fail to make out anything For me.

Thus under these circumstances it is natural that I can get any Justice. I hope that SDPDR will consider the above Facts and Take up the cause. Thank You

Your' Sincerely
Mohammad AFZAL Guru.
W.No. 9-Jail No 5,
Tihar, N.Delhi-110064

How can you help?

If you want to support SPDPR's campaign and show solidarity with Afzal you may :

- A. Contribute generously to SPDPR by sending cheques or drafts to our office address:

163, Vasant Enclave, New Delhi-110057

- B. Organise meetings and take the information regarding the facts about Afzal's case to the people.

- C. If you want any further information or our literature then you may contact us at:
rona358@gmail.com ; Tel. : 011-26152680

Mission Statement

The Society for the Protection of Detainees' And Prisoners' Rights (SPDPR) has been formed by a group of men and women who came together while campaigning for the acquittal of Syed Abdur Rahman Geelani, the Delhi University teacher framed in the parliament attack case. In the course of our campaign we became aware of the complex political issues relating to the question of political prisoners in Indian jails.

The question of political prisoners has a direct bearing on the future of Indian democracy. The most disturbing fact is that many democratic sections of our society failed to respond to the demands of our campaign because they were afraid to openly declare Mr. Geelani as a political prisoner for fear of being called anti-national. This overwhelming fear forced many to remain silent even when Mr. Geelani was sentenced to death without a shred of evidence.

We see this as a reflection of the success of the so-called war against terror in which national security doctrine undermines basic democratic norms and values. We want to expose the fact that hundreds of people have been incarcerated only because they belong to a religious community, a particular geographical area or are sympathetic to a particular movement. A growing number of these prisoners are Muslims, victims of Islamophobia, the main ideology of the war against terror.

The fight for the rights of political prisoners is integral to the fight for the preservation of democratic norms. We firmly believe that all of us who are committed to making Indian democracy vibrant and meaningful must fight to free all political prisoners and detainees in the jails all over the country.

The incident which resulted in heavy casualties, had shaken the entire nation and the collective conscience of the society will only be satisfied if the capital punishment is awarded to the offender.

—Supreme Court Judgement p.204

For there to be equivalence, the death penalty would have to punish a criminal who had warned his victim of the date at which he would inflict a horrible death on him and who, from that moment onward, had confined him at his mercy for months. Such a monster is not encountered in private life

—Albert Camus

The deliberate institutionalized taking of human life by the state is the greatest conceivable degradation to the dignity of the human personaaality.

**—Arthur J. Goldberg, former Supreme Court Justice,
The Boston Globe, 8/16/1976, p.17**