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Indien (25)

12001/71513-29 (99)

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Emne: Internal Flight Alternative, India

Im. Fl.n.sekr. 20 J.nr. 97/71511-30

21 MRS. 2002 NWL

Antal bilag

Aktnr. 36

25/302

Dear Ms. Øllgaard,

Reference is made to your fax dated 28 February 2001 concerning the issue of Internal Flight Alternative in India. Please find below the comments received from UNHCR in India on this matter. Should you need further clarifications, please do not hesitate to contact us again.

The main issue here is - what kind of trouble? If IC is legally wanted in a criminal investigation as an accused or as a witness, it is unlikely that he can evade the police where-ever he travels within India.

If IC is claiming that the police have framed him under false charges, he will still be traced elsewhere in the country. His form of redress is through the legal process, by surrendering himself to the law and presenting his defence in a legal manner, he would be entitled to bail, to even file for quashing of the complaint against him at the Punjab High Court under a Writ petition and/ or avail the support of an highly active Punjab State Human Rights Commission.

A lot of attention has been focussed on the human rights abuses that took place in Punjab in the 1980s and early 1990s with the result that the Punjab police are now claiming that they are being 'persecuted'. Many officers have been dismissed from service for the alleged charges framed against them.

The democratic political activities in Punjab have regained their lost momentum, with many former militant leaders returning to Punjab and not being harassed. It seems that the State is out to ensure that Punjab is cured of its malady of terrorism.

OCM has been travelling to interior Punjab to train Punjab Police on Refugee protection as part of the Human Rights programme, since the last three years. We have found them to be very receptive and open about issues concern them and how they have to be so careful in charging anyone as police officers are being pulled up for the slightest lapse.

Without denying that some violations may continue beneath the surface, it is essential to note that redress systems are now in place, hence any aggrieved person has various afore said fora to approach and may receive pro bono support from human rights activists and lawyers in Punjab.

Best regards
UNHCR Stockholm
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Internal Flight Alternative, India

The Danish Immigration Service is assessing a number of asylum claims from Sikhs from Punjab/India. In this connection we would appreciate your assistance on information related to the possibility for Sikhs from Punjab to relocate to another part of India.

In particular we would appreciate your information on the following questions:

1. Whether an individual who has or has had problems with the local police in Punjab should be able to reside elsewhere in India?
2. Whether Punjab police would pursue an individual they wanted to another part of India?
3. If so, whether there are differences between high-profile and low-profile people and in this connection who would be considered to be at risk ?

Yours sincerely,

Else Øllgaard
Regional Adviser (Asia)