

URGENT ACTION

CHILDREN RELEASED FROM UNLAWFUL DETENTION

Rayees Ahmad Mir and Waheed Ahmed Gojree have been released after the Jammu and Kashmir High Court quashed their detention orders on 6 and 31 December 2016 respectively. The teenagers were unlawfully detained in prison under the Jammu and Kashmir Public Safety Act (PSA), an administrative detention law that expressly prohibits the detention of anyone under 18 years of age.

Rayees Ahmad Mir, 16, was arrested on 16 September 2016 in Baramulla district under ordinary criminal procedure for allegedly throwing stones at security forces on four occasions. Two days later, to prevent his release on bail, an executive official passed an order to detain him under the PSA. He was taken to the Kot Bhalwal central jail in Jammu, about 300 kilometres from his home

On 6 December 2016, the Jammu and Kashmir High Court quashed the detention order, stating that it was illegal and any further custody would need to be in line with juvenile justice procedures. According to his lawyers, Rayees Ahmad Mir was transferred to a juvenile home on 13 December and released on bail on 20 December 2016.

Waheed Ahmed Gojree, 16, was arrested for allegedly throwing stones at security forces in Kupwara district on 18 August 2016. He was first taken to a jail in Baramulla, before being sent to the central jail in Jammu, about 380 kilometres away. On 31 December 2016, the Jammu and Kashmir High Court quashed the detention order, stating that it was “a result of non-application of mind”. Waheed Ahmed Gojree was released on bail on 3 January 2017.

Many thanks to everyone who took action. No more action is required from the UA Network.

This is the first update of UA 239/16. Further information: <https://www.amnesty.org/en/documents/asa20/5008/2016/en/>

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