

Free Davinderpal Singh Bhullar



Davinderpal Singh Bhullar is currently on death row in India. His execution by hanging is imminent. He was convicted of bombing a Youth Congress office in New Delhi in 1993. This conviction was made based solely on a confession created by the police on blank pieces of paper that Bhullar says he was threatened into signing.

Here are the facts:

- 1991 - In Chandigarh, Indian police visit Bhullar’s house seeking him, but when they cannot find him there they instead abduct his father and maternal uncle, both of whom are then tortured to death in police custody.
- 1993 - Bhullar is accused of bombing the New Delhi All-India Youth Congress office.
- 1994 - Pleading his innocence, yet fearing torture and an unfair trial if he remains in India, Bhullar seeks asylum in Germany.
- 1995 - Germany rejects Bhullar’s asylum plea and he is deported to India, where he is arrested. Indian police interrogate Bhullar and threaten him into a coerced confession of his involvement in the 1993 bombing.
- 1995 - Bhullar appeals to the court that he was “made to sign on blank pieces of paper, which were later filled by a statement written and typed in by the police, under threat that if he did not sign he would be terminated by the Punjab Police in a false encounter.”
- 1997 - A court in Frankfurt, Germany rules that Bhullar’s deportation was illegal under German law, which forbids deportation of someone facing torture or the death penalty in the receiving country. The court states: “[Germany] shall be obligated to determine that there are legal obstacles as defined in section 53 of the Aliens Act for a deportation of [Bhullar] to India.... A deportation obstacle is given, if it can be established positively that the alien is threatened with an individual concrete risk of torture in the country, to which he is to be deported.... There is another deportation obstacle as defined by section 53, paragraph 2, sentence 1 of the Aliens Act as the complainant is prosecuted for offences in India which are threatened with the death penalty.”

Take Action Now:

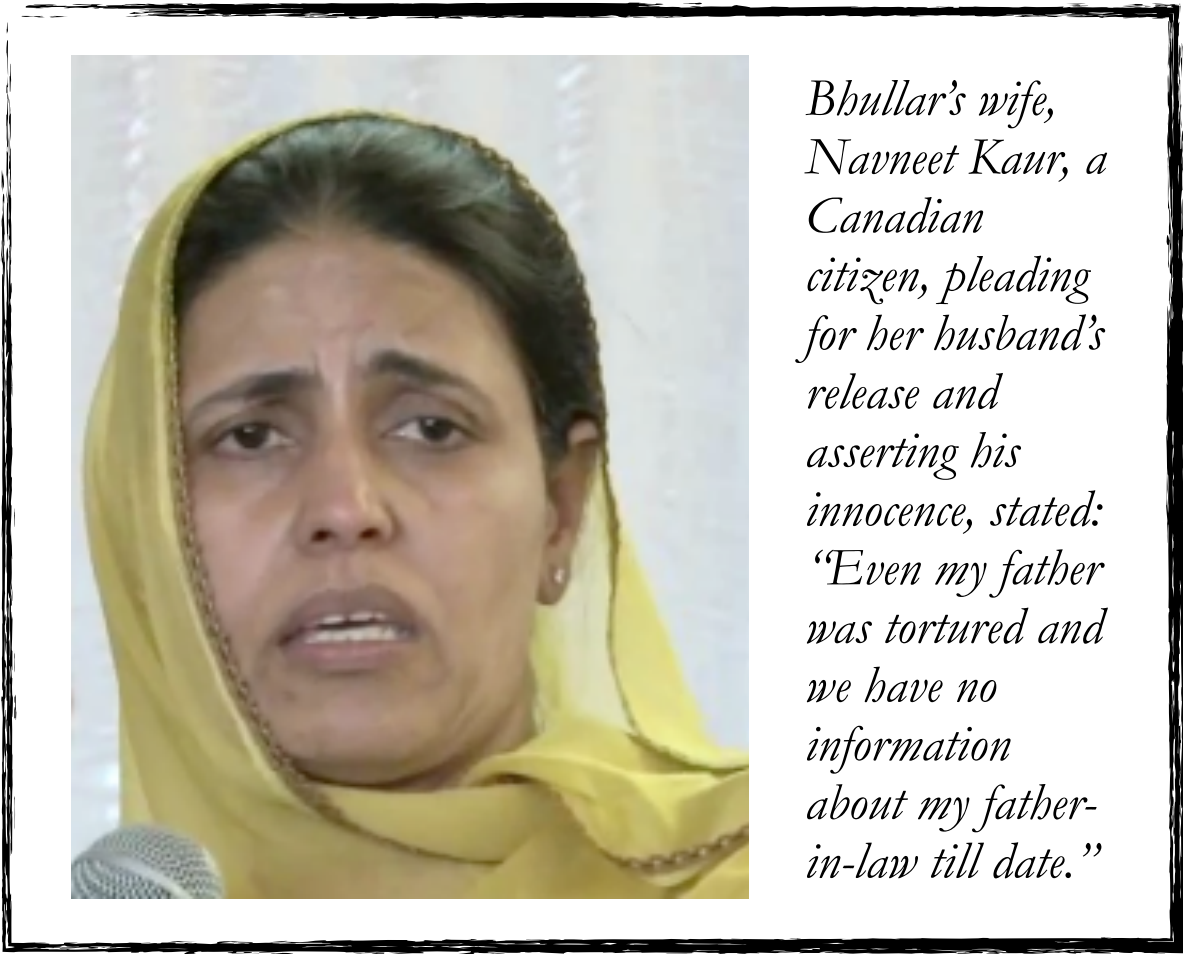
- 1) *Sign the petition to free Bhullar.*
- 2) *Call your local U.S. Representative and U.S. Senator. Ask to meet with them or someone from their office to give them the “Free Bhullar” package and respectfully ask for their help.*
- 2) *Contact Indian decision-makers to make it clear, politely but firmly, that they must release Bhullar.*
- 3) *Write to Secretary of State Hillary Clinton and President Barack Obama urging them to speak on Bhullar’s behalf.*
- 4) *Spread the news about Bhullar’s unjust trial and upcoming execution. Encourage family and friends to also contact their own local elected officials, as well as decision-makers in India.*

January 2011 - Awaiting his execution, Bhullar is admitted to a mental hospital in New Delhi because of acute depression. After 16 years of imprisonment, during which he was confined to a 7x9 foot cell for 22 hours a day, doctors report he has suffered for 6 years from depression and cervical pain and 8 years from hypertension.

“In this case the combination of the denial of access to a lawyer – which the Human Rights Committee and the UN Special Rapporteur on torture have identified as a crucial guarantee against torture – and the failure of the judicial magistrate to verify the voluntariness of the alleged confession are not minor procedural failures. These are key failures which cast doubt on the admissibility of the statement of confession which was the only evidential basis for a conviction and a death sentence.” ~ Amnesty International, June 24, 2011

Points to Remember:

- The prosecution presented zero evidence against Bhullar. Not a single one of the 133 eyewitnesses connected him to this or any other crime.
- Without any proof he was even involved, Bhullar has already served nearly two decades in prison, most of it in solitary confinement in torturous conditions.
- Bhullar is suffering from severe physical and mental illness because of his torture.
- Indian Police had already tortured and killed his father, maternal uncle and a friend, so Bhullar feared for his own life in India. He asked for asylum in Germany but was deported back to India. However, a German court later ruled the deportation as a mistake and asked India to preserve his life per the EU charter and UN conventions.



Bhullar's wife, Navneet Kaur, a Canadian citizen, pleading for her husband's release and asserting his innocence, stated: “Even my father was tortured and we have no information about my father-in-law till date.”

Sign the Petition to Free Davinderpal Singh Bhullar

Whereas, Davinderpal Singh Bhullar has been sentenced to death by hanging in India for the 1993 bombing of an All-India Youth Congress office in New Delhi;

Whereas, the prosecution presented zero evidence against Bhullar and not a single one of the 133 eyewitnesses connected him to this or any crime;

Whereas, his conviction was based solely on a coerced confession under the threat of murder and Bhullar says he was "made to sign on blank pieces of paper, which were later filled by a statement written and typed in by the police, under threat that if he did not sign he would be terminated by the Punjab Police in a false encounter";

Whereas, Bhullar was first denied access to counsel until after being forced to sign his name to blank pieces of paper under the threat of murder, and second, asked to verify the voluntariness of his confession, he was warned that if he failed to vouch for it he would be turned over to Punjab Police who would kill him in a false encounter;

Whereas, these two incidents represent repeated violations of the International Covenant on Civil and Political Rights (ICCPR), to which India is a state party, according to Amnesty International, which said, "Such treatment violates the prohibition on torture and other cruel, inhuman, or degrading treatment set out in Article 7 of the ICCPR and the right to fair trial which includes, as set out in Article 14(3) (g) of the ICCPR, the right not to be compelled to testify against oneself or to confess guilt";

Whereas, the two Supreme Court of India judges who upheld Bhullar's conviction displayed total contempt for due process of law by claiming that, in reaching a death sentence conviction, proof “beyond reasonable doubt” should be a “guideline, not a fetish” and that procedure is only “a handmaiden and not the mistress of law”;

Whereas, Bhullar initially sought political asylum in Germany, but was deported in 1995, which a German court later ruled contravened German law, which forbids deportation of someone facing torture or the death penalty in the receiving country;

Whereas, that German law states that there are "legal obstacles as defined in section 53 of the Aliens Act for a deportation of [Bhullar] to India" under two conditions, namely one, if "the alien is threatened with an individual concrete risk of torture in the country, to which he is to be deported" and two, if "the complainant is prosecuted for offences in India which are threatened with the death penalty";

Whereas, the entire Bhullar family has been assailed by the Indian state, particularly since Indian police visited Bhullar's house in 1991 and, failing to find him there, abducted his father, S. Balwant Singh, and his mother's sister's husband, Manjit Singh Sohi, both of whom were then tortured to death in police custody;

Whereas, it is well-known to other states that the Indian authorities commonly employs the use of torture and extrajudicial murder, as noted in an International Committee of the Red Cross (ICRC) cable to the U.S. embassy in New Delhi, which said that "abuse always takes place in the presence of officers and ... detainees were rarely militants (they are routinely killed)";

Whereas, without any proof of his guilt for any crime, Bhullar has already served nearly two decades in prison, most of it in solitary confinement in torturous conditions;

Whereas, Bhullar is suffering from severe physical and mental illness because of his inhumane treatment;

Therefore, be it resolved, that we the undersigned,

1) Respectfully urge the elected officials of all free countries, especially Prime Minister Harper of Canada and President Obama of the United States, to use all possible powers of their good offices to ensure the preservation of Davinderpal Singh Bhullar's life;

and

2) Demand that India provide for Bhullar's immediate and unconditional release from prison.

Learn how to help at www.SikhInformationCentre.org
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