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Michel K Guilani 05/05/2006 05:27:25 PM From DB/Inbox: Michel K Guilani

Cable Text:

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TELEGRAM

April 28, 2006

To: SECSTATE WASHDC - IMMEDIATE  
Action: SCA  
From: AMEMBASSY NEW DELHI (NEW DELHI 2911 - IMMEDIATE)  
TAGS: CJAN, CVIS, KCRM, PGOV, PHUM, PREL, PTER, IN  
Captions: SIPDIS, SENSITIVE  
Subject: FOLLOW-UP ON BARAPIND EXTRADITION ASSURANCES: GOI  
RESPONSE TO QUESTION REGARDING SANDHUS  
Ref: A. NEW DELHI 2171 B. STATE 33728

1. (SBU) Summary: On April 27, 2006; Post received MEA Diplomatic Note T-413/11/2004 answering questions regarding the 1997 extraditions of Daya Singh Sandhu and Kamaljit Kaur Sandhu, posed in USG Diplomatic Note 06/254/POL, dated March 7, 2006 (Ref A). The full text of the GOI response is included below. We also include the name and contact information for Embassy POC for any post-extradition follow-up (per Ref B). End Summary.

GOI Response to Ref A Follow-Up Question  
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2. (U) With reference to the outstanding question relating to the GOI's treatment of Daya Singh Sandhu and Kamaljit Kaur Sandhu following their 1997 extradition from the US, as it relates to the requested extradition of Kulbir Singh Barapind (referred to in the Indian note as Kulbir Singh Kulbeera aka Barapind) and USG obligation under the Convention Against Torture, the MEA has provided the following diplomatic note:

Begin text of MEA Diplomatic Note T-413/11/2004, dated April 27, 2006:

The Ministry of External Affairs presents its compliments to the Embassy of the United States of America in New Delhi and with reference to the case concerning Mr. Kulbir Singh Kulbeera aka Barapind, has the honour to state the following:

Mr. Dayasingh Sandhu and his wife Ms. Kanwaljit Kaur were handed over to the officers of the Rajasthan police on 18th January 1997 at JFK Airport, New York. After their arrival in India, they were produced before the designated Court at Jaipur and Police Custody remand was granted upto 1st March 1997. They remained in judicial custody from 24th January 1997 to 1st March 1997. During the period, they were regularly produced before the Court and before the Medical Jurist for medical examination as per Indian legal provisions. The Police did not torture them during this period either physically or mentally. The accused willingly volunteered information relating to crime, which led to recovery of important clues to these crimes. Rajasthan Police ensured that the interrogation of suspects and criminals related to the case took place upholding their human rights.

The Ministry of External Affairs avails itself of this opportunity to renew to the Embassy of the United States of America in New Delhi the assurances of its highest consideration.

End Text.

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Embassy POC

3. (U) Per Ref B Para 6, Embassy POC will be Poloff Jon Dorschner. Mr. Dorschner heads the section's internal reporting unit and supervises the human rights officer. Poloff will be with the Embassy until June 2007, at which time a replacement POC will be selected. Contact information:

-- e-mail: [redacted]

-- work phone: 91-11-2419-8140

-- mobile phone: [redacted]

4. (U) Visit New Delhi's Classified Website:  
(http://www.state.sgov.gov/p/sa/newdelhi/)  
BLAKE

Additional Addressees:  
None

CC:  
AMCONSUL CALCUTTA  
AMCONSUL CHENNAI  
AMCONSUL MUMBAI  
DEPT OF JUSTICE WASHDC  
NSC WASHDC

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SIPDIS  
SENSITIVE

L FOR JCOGAN, SPOMPER, MGUILIANI  
DRL FOR CCAMPONOVO, SGHORI

E.O. 12958: N/A  
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