

PUBLIC

AI Index: ASA 20/004/2004

16 March 2004

Further Information on UA 59/04 (ASA 20/001/2004, 13 February 2004) – Death sentences and new concern: Imminent Execution

INDIA                      Gnana Prakasam (m), aged 47 (name corrected)  
                                 Simon (m), aged 37  
                                 Meesakara Madhiah (m), aged 57 (name corrected)  
                                 Bilavendran (m), aged 53 (name corrected)

---

The four men named above are scheduled to be executed on 16 April 2004. A mercy petition was filed on their behalf with the State Governor of Karnataka on 6 March: only the President of India and State Governors have the power to commute death sentences.

They were convicted of responsibility for an April 1993 landmine blast that killed 21 and injured several others in the state of Karnataka. The explosion blew up vehicles carrying police officers and informers reportedly on their way to arrest a notorious sandalwood smuggler known as Veerappan and his accomplices.

They were originally sentenced to life imprisonment by a special court in Karnataka set up under the Terrorist and Disruptive Activities Prevention Act (TADA), but their sentences were changed to the death penalty after the State of Karnataka appealed to the Supreme Court.

**FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- urging the President to re-examine the cases of Gnana Prakasam, Meesakara Madhiah and two other men known only as Simon and Bilavendran, and to order an immediate commutation of their death sentences;
- expressing concern that the men were convicted under the Terrorist and Disruptive Activities Prevention Act (TADA), which is inconsistent with international human rights standards and does not provide for fair trial procedures;
- expressing unconditional opposition to the death penalty as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, and emphasizing that the death penalty has never been shown to have a greater deterrent effect than other punishments;
- reminding the authorities of the United Nations Commission on Human Rights resolution of April 1999 that governments should establish a moratorium on executions.

**APPEALS TO:**

President

His Excellency A J P Abdul Kalam

Office of the President

Rashtrapati Bhavan

New Delhi 110 004

India

**Telegram:            President Kalam, Office of the President, New Delhi, India**

**Fax:                    + 91 11 2301 7290**

**Salutation:        Your Excellency**

**COPIES TO:**

Governor of Karnataka

Shri T N Chaturvedi

Office of the Governor

Raj Bhavan

Bangalore 560 001

Karnataka

India

**Telegram: Governor Chaturvedi, Office of the Governor, Karnataka, India**

**Fax: + 91 80 2225 8150**

and to diplomatic representatives of India accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 16 April 2004.