

PUBLIC

AI Index: ASA 20/17/00

26 April 2000

Further information on UA 32/98 (ASA 20/02/98, 29 January 1998) and follow-up (ASA 20/22/98, 21 September 1998; ASA 20/17/99, 11 May 1999; ASA 20/20/99, 2 June 1999; ASA 20/34/99, 13 October 1999) - Death Penalty/Legal Concern/Fear of imminent execution

INDIAMurugan, aged 29

Santhan, aged 29

Perarivalan, aged 25

S. Nalini (f), aged 34

The Governor of Tamil Nadu commuted S Nalini's death sentence to life imprisonment, but dismissed the appeals of the three men named above, at a hearing on 25 April. The three are now submitting clemency petitions to the President of India.

All four were accused of involvement in the assassination of former Prime Minister Rajiv Gandhi, who died in a bomb explosion in Tamil Nadu in 1991.

FURTHER RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in English or in your own language:

- expressing concern at the Governor of Tamil Nadu's decision to dismiss the appeals filed by Murugan, Santhan and Perarivalan;
- urging the President to exercise his power of clemency under Article 72 of the Constitution of India to commute the men's death sentences;
- 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 emphasising that the death penalty has never been shown to have a special deterrent effect;
- reminding the authorities of the United Nations (UN) Commission on Human Rights recommendation that governments hold a moratorium on executions;
- urging them also, in the light of positive steps being taken worldwide to abolish the death penalty, to commute all outstanding death sentences and take steps to remove the death penalty from all legislation.

APPEALS TO:

Mr K R Narayanan
President of India
Office of the President
Rashtrapati Bhavan
New Delhi 110 004, India
Telegrams: President, New Delhi, India
Faxes: + 91 11 301 7290
Salutation: Dear President Narayanan

Mr Ram Jethmalani
Minister of Law and Justice and Company Affairs
Ministry of Law and Justice and Company Affairs
Shastri Bhavan
Dr Rajendra Prasad Road
New Delhi 110 001
Salutation: Dear Minister

COPIES 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 7 June 2000.