

AI Index: PRE 01/076/2013  
14 February 2013

## **India: Four death row prisoners at risk of imminent execution**

India must immediately halt the impending executions of four prisoners whose mercy petitions – the final course of appeal in the country’s justice system – rejected by President Pranab Mukherjee, Amnesty International said.

Gnanprakasham, Simon, Meesekar Madaiah and Bilavendran are now at high risk of imminent execution.

The President’s move came just days after the hanging of Afzal Guru – the second execution in India in fewer than three months following an eight-year hiatus.

“This government has executed more people since November 2012 than in the previous ten years. To continue such a regressive trend would be truly shameful,” said G. Ananthpadmanabhan, chief executive of Amnesty International India.

“Given the political climate and the two other recent executions, there is a real concern that these four men will be put to death soon. The Indian government must ensure that this does not happen.”

The four men were convicted in 1993 for their involvement in a landmine blast that killed 22 people, and injured many others, including members of the police who were on their way to arrest the notorious sandalwood smuggler Veerappan in the state of Karnataka.

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 on appeal their sentences were increased to the death penalty by the Supreme Court in 2004. They had filed mercy petitions in 2004.

The Supreme Court, in a different case, has said that inordinate delay in deciding on mercy petitions can be a ground for commutation of death sentence. They are reportedly in the process of filing a review petition challenging the rejection of their mercy plea.

Trials under the TADA did not uphold international fair trial standards; provisions of the TADA were also grossly abused in India to facilitate further human rights violations. The TADA was repealed in 1995.

Since November 2012, Indian authorities have not consistently made all the information about the rejection of mercy petitions and dates of execution available to the public prior to sentences being carried out. In one case, the family received the notice of the imminent execution only after it had been carried out.

“This new practice of executing in secret without prior notification to relatives is deeply worrying. We urge the Indian government to immediately establish a moratorium on executions as a first step towards abolition,” Ananthpadmanabhan said.

Amnesty International opposes the death penalty as a violation of the right to life as proclaimed in the Universal Declaration of Human Rights and as the ultimate cruel, inhuman or degrading punishment.

The organization opposes capital punishment in all cases without exception, regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution.