

AI Index: PRE 01/573/2012
21 November 2012

Kasab execution represents Indian death penalty backslide

The execution of Ajmal Kasab for his involvement in the 2008 Mumbai attacks undoes much of the progress India has made over the death penalty, Amnesty International said.

Kasab, a Pakistani national, was hanged this morning at Yerawada prison in Pune city. He was convicted in 2010 by a special court for his involvement in the Mumbai attacks during which more than 150 people were killed and in excess of 250 were injured.

The more than 80 charges he was found guilty of, included committing acts of terrorism and criminal conspiracy to commit murder.

"Today's executions means India has taken a significant step backwards and joined that minority of countries that are still executing," said VK Shashikumar, Programmes Head at Amnesty International India.

Ajmal Kasab's death sentence was upheld by India's Supreme Court on 29 August 2012, and his mercy petition was reportedly rejected by the President on 5 November.

Prior to Kasab's filing of his petition, eleven mercy petitions from persons on death row were pending before the President.

Ajmal Kasab's lawyer and family in Pakistan were not informed of the imminent execution, in violation of international standards on the use of the death penalty.

"We recognize the gravity of the crimes for which Ajmal Kasab was convicted, and sympathise with the victims of these acts and their families, but the death penalty is the ultimate cruel and inhuman form of punishment," said Shashikumar.

"We are also deeply disconcerted both by the unusual speed with which his mercy petition was rejected, as well as the secrecy that surrounded his execution."

The resumption of executions in India comes just two days after the UN General Assembly's human rights committee adopted a draft resolution calling for a global moratorium on the death penalty, with a view to completely abolishing it.

The UN GA's vote confirms the global trend moving firmly towards an abolition of the death penalty.

Amnesty International opposes the death penalty as it violates the right to life as proclaimed in the Universal Declaration of Human Rights. 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. The Indian authorities should immediately establish an immediate moratorium on executions with a view to

abolishing the death penalty, in line with UN General Assembly resolutions adopted since 2007.