

PUBLIC

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EXTRA 43/01

Death penalty/imminent execution

13 July 2001

SINGAPORE

Thiru Selvam s/o (son of) Nagaretnam, aged 28

Thiru Selvam was sentenced to death for drug trafficking in September 2000. There are grave doubts about whether he was guilty. He is now facing imminent execution, and his only hope is to petition the President, who has the power to grant clemency.

He was reportedly arrested after a friend was found in possession of approximately 800g of marijuana. The friend reportedly told the police that the drugs belonged to Thiru Selvam.

At his trial the judge reportedly told him that if he confessed he would be sentenced to 25 years in prison and 24 strokes of the cane. However he reportedly refused to confess, claiming that he was innocent. He was sentenced to death by the High Court, and his final appeal was rejected in January.

Thiru Selvam is married with two young children. He lost both his parents as a child, began using drugs and was admitted to a drug rehabilitation centre at the age of 15.

BACKGROUND INFORMATION

The death penalty is mandatory in Singapore for drug trafficking, murder, treason and certain firearms offences. Anyone over the age of 18 found in possession of more than 15 grams of heroin, 30 grams of morphine or cocaine, or 500 grams of cannabis, is presumed to be trafficking in the drug, unless the contrary can be proved, and faces a mandatory death sentence. Persistent drug addicts who have been admitted more than twice to a drugs rehabilitation centre are treated as criminals who may be imprisoned for up to 13 years and caned. Despite these draconian anti-drugs laws, drug addiction continues to be a problem in Singapore, particularly among the poorly educated, impoverished, unemployed, and young people from broken homes.

Singapore, with a population of just over three million, is believed to have one of the highest per capita rates of executions in the world. Recent government figures show that out of 340 people executed between 1991 and 2000, 247 had been convicted of drug trafficking. Executions are by hanging and take place on Friday mornings at dawn. Families of convicts are normally only informed of the impending execution one week beforehand. There is virtually no public debate about the use of the death penalty in the country. However, an internet poll conducted recently by the non-governmental Think Centre showed that out of 1,135 respondents, 68.5% opposed the death penalty.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment, as proclaimed in the Universal Declaration of Human Rights. The death penalty is an inherently unjust and arbitrary punishment, however heinous the crime for which it is inflicted. Studies have shown that it is more likely to be imposed on those who are poorer, less educated and more vulnerable than average. The death penalty is irrevocable, yet the risk of error in applying it is inescapable. While Amnesty International

recognizes the need to combat drug trafficking, there is no convincing evidence that the death penalty deters would-be traffickers more effectively than other punishments. Furthermore, there is always a risk that drug abusers may be executed, while those who mastermind the crime of trafficking evade arrest and punishment.

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

- urging the President to commute the death sentence passed on Thiru Selvam s/o Nagaretnam;
- expressing sympathy for the victims of crime, but pointing out that if the execution is carried out, it will only cause more suffering for Thiru Selvam's family;
- expressing your unconditional opposition to the death penalty as a violation of one of the most fundamental of human rights - the right to life;
- recognizing the need to combat drug trafficking, but emphasizing that there is no proof that the death penalty deters would-be traffickers more effectively than other punishments, and appealing to the authorities to find a more humane way to tackle this problem.

APPEALS TO:

The President

His Excellency S R Nathan
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Istana, Orchard Road
Republic of Singapore 0922

Telegrams: President S R Nathan, Singapore

Faxes: + 65 738 4673

Salutation: Your Excellency

COPIES TO:

The Prime Minister

The Honourable Goh Chok Tong
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Professor Shanmugham Jayakumar
Ministry of Law
250 North Bridge Road
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Ministry of Home Affairs
Phoenix Park

Tanglin Road
Republic of Singapore 247904
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and to diplomatic representatives of Singapore accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 August 2001.