

URGENT ACTION

13 PRISONERS AT RISK OF IMMINENT EXECUTION

After 43 years without using the death penalty, the President of Sri Lanka, Maithripala Sirisena, is reportedly planning to execute prisoners on death row. There is completely secrecy around the dates identities of the prisoners who are expected to be imminently executed. No information about their case histories has been shared. It is unknown whether the individuals had fair trials, access to lawyers or whether they were able to engage in a meaningful clemency process. The last execution in Sri Lanka was in 1976. 2019 cannot be the year that we see this this progress reversed.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President Maithripala Sirisena
Presidential Secretariat
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Colombo, Sri Lanka
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Email: ps@presidentsoffice.lk

Dear H.E. President Maithripala Sirisena,

I write to you to plead for the lives of the 13 prisoners whom you have said you will be executing in the coming days.

We understand that you are determined to combat drug use and drug-related crime in Sri Lanka. However, executions will not help with that.

There is no evidence that implementing the death penalty will end drug-related crime. Many of the shrinking number of countries that still use executions for drug-related crime recognize the failure of the death penalty to act as a deterrent, including Iran and Malaysia.

There is no coming back from a flawed judicial process. The punishment is absolute. The mistakes are irredeemable, which can lead to someone innocent paying the ultimate price.

If you implement the death penalty, President Sirisena, it is a line you cannot uncross.

***We implore you to reconsider your decision to hang these 13 prisoners, and commute their sentences
Please retain Sri Lanka's positive death penalty record and establish a moratorium on all executions with a view to abolish the death penalty entirely.***

Yours sincerely,

ADDITIONAL INFORMATION

By seeking executions for drug-related crimes, the death penalty in Sri Lanka is being used in circumstances that violate international law and standards. Executions have failed to act as a unique deterrent to crime in other countries, could claim the lives of people who may have been convicted through unfair trials, and could disproportionately affect people from minority and less advantaged socio-economic backgrounds.

Amnesty International is concerned that judicial proceedings in Sri Lanka may have not met international standards for a fair trial and resulted in the imposition of the death penalty. The National Human Rights Commission of Sri Lanka noted on the basis of the complaints it received that “torture is routinely used in all parts of the country regardless of the nature of the suspected offence for which the person is arrested. For instance, those arrested on suspicion of robbery, possession of drugs, assault, treasure hunting, dispute with family/spouse, have been subjected to torture.

The prevailing culture of impunity where those accused of torture is concerned is also a contributing factor to the routine use of torture as a means of interrogation and investigation.” The widespread use of torture, and possible reliance on “confessions” extracted under torture, directly affects the right to a fair trial of every individual. The denial of a fair trial denies individuals the right to equality before the law and the right to due process. The UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his mission to Sri Lanka has similarly commented on the use of torture that could lead to “confessions” extracted under torture: “Most torture survivors indicated that the acts of torture ceased after they confessed, which sometimes included signing blank papers or documents in a language they could not read.”

The possibility that a skewed justice process could lead to a cruel and irreversible sentence being handed out, and even worse, the possibility that such a sentence could be implemented, is alarming. It would lead to a grave and irreversible miscarriage of justice and would violate the right to a fair trial of those who are thus condemned to death.

The secrecy surrounding President Maithripala Sirisena’s plans to resume executions obfuscates the facts of their trials, sentencing and conviction.

No criminal justice system can decide fairly who should live or who should die. Sri Lanka has not implemented this ultimate cruel, degrading and inhumane punishment for more than four decades. It should continue to honour a tradition that chooses life instead of vengeance.

Amnesty International opposes the death penalty in all cases and under any circumstances, as a violation of the right to life and the ultimate cruel, inhuman and degrading punishment. The organization has been campaigning for global abolition of the death penalty for over 40 years.

PREFERRED LANGUAGE TO ADDRESS TARGET: Sinhala or English
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 20 May 2019
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Group