

URGENT ACTION

MALAYSIAN MAN BELIEVED AT RISK OF EXECUTION

Pannir Selvam Pranthaman is believed to be at risk of execution in Singapore, following the recent rejection of judicial appeals. A Malaysian national, he was convicted in 2017 of importing 51.84g of diamorphine (heroin). The judge found that he had only transported the drugs, but sentenced him to the mandatory death penalty as the prosecution did not issue a certificate of substantive assistance. Executions in Singapore have continued at an alarming rate, with four men hanged in November alone. We call on the government of Singapore to commute the death sentence of Pannir Selvam Pranthaman and immediately establish an official moratorium on all executions as a first critical step.

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

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Dear Prime Minister,

I urge you to immediately commute the death sentence imposed on Pannir Selvam Pranthaman and halt all executions in the country. His death sentence, like those of several others on death row, was imposed in violation of international human rights law and standards, which would render his execution unlawful and arbitrary.

International law and standards set out restrictions on the use of the death penalty to protect against the arbitrary deprivation of life. These include the prohibition against imposing this punishment as a mandatory sentence; for offences that do not meet the threshold of the “most serious crimes”, including drug-related offences; and after proceedings that do not meet the highest standards for a fair trial. Violations of all these safeguards are present in this case.

I am alarmed at the high rate of executions recorded in Singapore in recent weeks, with four men hanged in November alone. While I oppose the death penalty in all circumstances, it is particularly disturbing to see such a relentless pursuit of hangings. This is at odds with the global trend away from this cruel punishment and the overall reduction in executions reported in Singapore in recent years. Singapore is one of only five countries known to have carried out executions for drug related offences in 2023. Punitive drug policies have failed to tackle the use and availability of drugs in the country, and offer no effective protection from drug-related harm.

I call on you to immediately commute the death sentence of Pannir Selvam Pranthaman and establish an official moratorium on all executions, as a first critical step towards full abolition of the death penalty.

Yours sincerely,

ADDITIONAL INFORMATION

Pannir Selvam Pranthaman is a Malaysian talented musician and, while on death row, he has written poems and songs, including some that have resulted in collaborations with other Malaysian artists.

He was convicted on 2 May 2017, aged 29, of importing into Singapore 51.84g of diamorphine (heroin) and sentenced to the mandatory death penalty. The Court of Appeal rejected his ordinary appeal on 18 October 2018. The judge found Pannir Selvam Pranthaman to have been involved only in the transport of drugs, meeting the “courier” requirement under the law. However, the prosecution did not provide him with a certificate of substantive assistance, leaving no option to the judge but to impose the mandatory death penalty.

Following amendments to the Misuse of Drugs Act in 2013, judges in Singapore have a limited sentencing discretion where a person is found to be a “courier” and the prosecution issues a certificate of substantive assistance, or is found to have a mental or intellectual disability that substantially impaired their mental responsibility for their acts and omissions in relation to the offence. Without the certificate of substantive assistance, the court was deprived of any discretionary powers when sentencing Pannir Selvam Pranthaman as the decision shifted in practice to the prosecution. This violated his right to a fair trial, as it effectively placed the decision between a life-or-death sentence in the hands of an official who is not a neutral party in the trial and should not have such powers; it undermined the independence of the judiciary, breaking down the separation that must exist between prosecution and court; and violated the principle of “equality of arms,” namely the equal powers of prosecution and defence before the courts.

Pannir Selvam Pranthaman’s conviction relied on the legal presumption of knowledge of the drugs. The Misuse of Drugs Act allows legal presumptions to be used by the prosecution where the burden of proof is shifted onto the defendant to be rebutted to the legal standard of “on a balance of probabilities”. Presumptions of guilt effectively lower the threshold of evidence needed to secure a conviction in capital cases, undermine fair trial guarantees under international human rights law and violate the right to be presumed innocent, a peremptory norm of customary international law.

Pannir Selvam Pranthaman had his execution previously set for 24 May 2019. It was halted one day before, after the Court of Appeal allowed for the consideration of extra-ordinary appeals. Further legal appeals involving Pannir Selvam Pranthaman were recently considered and rejected, and he is now believed to be at risk of having his execution notice issued once again.

International law and standards prohibit the imposition of the mandatory death penalty. It denies the possibility of taking into account the circumstances in the case. Moreover, international law and standards require that the imposition of the death penalty be restricted to the “most serious crimes” involving intentional killing.

Amnesty International opposes the death penalty in all cases without exception. As of today, 113 countries have abolished the death penalty for all crimes and 144 are abolitionist in law or practice. Singapore remains one of a small group of countries that still carry out executions, and even fewer that apply the death penalty for drug related offences.

PREFERRED LANGUAGE TO ADDRESS TARGET: English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 1 March 2025

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Pannir Selvam Pranthaman (he/his)

LINK TO PREVIOUS UA: N/A