



**ADPAN calls on India to immediately halt the imminent executions of Akshay Thakur, Mukesh Singh, Vinay Sharma and Pawan Gupta.**

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The Anti-Death Penalty Asia Network (ADPAN) urgently calls upon the Government of India to stop the executions of Akshay Thakur, Mukesh Singh, Vinay Sharma and Pawan Gupta who are scheduled to be hanged at Tihar Jail on Saturday 1 February.

It should not be assumed that the death penalty is a common feature of the administration of justice within India. In fact, the most recent execution in India took place on 30 July 2015 and only four judicially sanctioned executions have been conducted in more than 20 years. In this period, an unmistakable international trend towards abolition of the death penalty has emerged. In these circumstances, the scheduled resumption of executions should be regarded as an unusual and retrograde step, inconsistent with upholding the dignity of human life within India.

To resume the state-sanctioned killing of prisoners, regardless of the nature of their offending, is an affront to the universal right to life and accordingly undermines the inherent dignity of all people. The inclusion of the right to life in Article 21 of the Constitution of India reflects this universal value. Having ratified the International Covenant on Civil and Political Rights (ICCPR), India is in a position to adopt the Second Optional Protocol to the ICCPR and to acknowledge that the persistence of the death penalty is an inherent contradiction to the 'enhancement of human dignity and progressive development of human rights'.

At this time, we call to mind the recommendations set out within the Law Commission of India's study of the death penalty, Report No. 262, in which it is noted that:

'The notion of "an eye for an eye, tooth for a tooth" has no place in our constitutionally mediated criminal justice system. Capital punishment fails to achieve any constitutionally valid penological goals.'

Clearly, the people of India are rightly seeking to address the terrible and distressing prevalence of sexual violence in their community and ADPAN joins with local advocates in their wholesale condemnation of the horrific death of Nirbhaya and other women across India. However, reliance upon the death penalty at this time will only serve to further entrench violence and impede the protection of human rights.

The death penalty will not ensure the protection and safety of the Indian people from sexual violence. The “low rate of conviction in rape trials, significantly high number of incidents of acquaintance rapes and under-reporting of sexual violence”, requires an extensive and nuanced institutional and cultural response that is not the province of the death penalty.

Proceeding with the executions of Akshay Thakur, Mukesh Singh, Vinay Sharma and Pawan Gupta would only illustrate the inherent futility of the death penalty. We ask that the Government of India takes action immediately, consistent with the exercise of its sovereign powers, to prevent these deaths.

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For and on behalf of **ADPAN (Anti-Death Penalty Asia Network)**

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## **ADPAN**

ADPAN is the peak regional body for organisations committed to the abolition of the death penalty across Asia-Pacific, with members from approximately 22 countries within the region. As such, ADPAN maintains that the death penalty violates the right to life, that it is the ultimate form of cruel, inhuman and degrading punishment and that the death penalty should be entirely abolished internationally.