



## Singapore: Execution of Nagaenthran Violation of International Law

28 April 2022

Kuala Lumpur, Malaysia

The Anti-Death Penalty Asia Network (ADPAN) condemns the execution of **Nagaenthran K Dharmalingam** by the Singaporean government on the morning of 27 April 2022 at Changi Prison.

Nagaenthran was a young man convicted of trafficking 42.72 grams of diamorphine (heroin). Nagaenthran had an intellectual disability and a diagnosis of Attention Deficit Hyperactivity Disorder (ADHD). His execution in Singapore was conducted in defiance of international law and norms prohibiting the execution of a person with intellectual or psychosocial disability (United Nations Convention on the Rights of Persons with Disabilities). In addition, the execution also failed to meet the international threshold of the 'most serious crimes' as the offence of which Nagaenthran was convicted of was a non-violent drug offence.

Since the execution was scheduled for October 2021 until his execution today, the Singapore government has refused to acknowledge the undisputed fact that Nagaenthran's IQ of 69, a level which is internationally recognised as an intellectual disability. Concerns raised about his recent mental health condition and his vulnerability to further deterioration in detention, particularly solitary confinement, have not been addressed by the Singapore government in any form. It is a great shame that until the end, there was no independent assessment of Nagaenthran's mental condition.

Following Nagaenthran's execution, the Singapore government scheduled the execution of **Datchinamurthy Kataiah**, another Malaysian individual on death row for drug trafficking. Datchinamurthy still has a pending legal challenge in the High Court of Singapore that has a hearing listed on [4 May 2022](#) in relation to an alleged breach of privileged communications by the Singapore Prison Service providing letters between persons on death row and their lawyers to the Attorney-Generals' Office. This injustice is compounded when the nature of the allegation that Datchinamurthy is seeking to litigate is based on a profound breach of fair trial rights in itself. Datchinamurthy represented himself in court as he was unable to secure legal representation. Fortunately, Datchinamurthy managed to secure a stay of execution with further appeals by the Public Prosecutor dismissed.

Singapore's international reputation has already deteriorated significantly with the execution of Nagaenthran. Further executions in direct violation of Singapore's international obligations will only alienate Singapore from its peers on the global stage.

ADPAN calls for Singapore to abolish the death penalty and impose a moratorium on executions pending abolition of the death penalty. Contrary to the overwhelming global trend to move away from the use of the death penalty, in the last month, Singapore has proceeded with the execution of **Abdul Kahar bin Othman** and Nagaenthran; Datchinamurthy's execution is set to take place on Friday, and three other persons are at imminent risk: **Roslan bin Bakar**, **Rosman bin Abdullah**, and **Pannir Selvam Pranthaman**.

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The common thread between these six individuals is that they came from vulnerable families with very limited resources, and all played relatively minor roles in relation to the drug trade. There is no evidence that their deaths will have any effect on the illicit drug trade in Singapore or globally; there is no proof that the death penalty has been an effective deterrent to drug-related offenses.

ADPAN would also like to extend our condolences to the family and friends of Nagaenthran. ADPAN stands in solidarity with the lawyers and activists in Singapore and Malaysia who have the unenviable task of supporting the families of those facing execution in extremely challenging circumstances.

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

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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.