

NATIONS UNIES
HAUT COMMISSARIAT DES NATIONS UNIES
AUX DROITS DE L'HOMME

UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

PROCEDURES SPECIALES DU
CONSEIL DES DROITS DE L'HOMME

Mandates of the Working Group on Arbitrary Detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

REFERENCE: UA G/SO 218/2 G/SO 214 (33-27) G/SO 214 (53-24)
IND 10/2013

21 August 2013

Excellency,

We have the honour to address you in our capacity as Chair-Rapporteur of the Working Group on Arbitrary Detention; Special Rapporteur on extrajudicial, summary or arbitrary executions; and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment pursuant to Human Rights Council resolutions 15/18, 17/5, and 16/23.

In this connection, we would like to draw the attention of your Excellency's Government to information we have received regarding the case of Mr. **Devender Pal Singh Bhullar**, who is reportedly at risk of imminent execution in India.

Mr. Devender Pal Singh Bhullar was the subject of two previous communications sent to your Excellency's Government on 10 June 2011 and 5 June 2013. We regret that no reply from your Excellency's Government has been yet received to these communications.

According to new information received,

On 14 August 2013, the Supreme Court of India dismissed the review petition on the case of Mr. Devender Pal Singh Bhullar, which included a request to commute his death sentence. By consequence, Mr. Singh Bhullar is reported to be at risk of imminent execution.

Without prejudging the accuracy of the information made available to us, we would like to reiterate our concerns as expressed in the previous communications that, according to the facts available to us, the execution of Mr. Devender Pal Singh Bhullar would constitute a violation of international human rights law. We would also like to

refer to the international duties of your Excellency's Government as mentioned in those communications, with particular regard to the international human rights law provisions on stringent respect of due process and fair trial guarantees in cases of death penalty, prohibition to impose the capital punishment against individuals with psycho-social disabilities, and prohibition of torture and ill-treatment.

In view of the irreversibility of the punishment of the death penalty, we urge your Excellency's Government to take all steps necessary to prevent the execution of Mr. Devender Pal Singh Bhullar, which, if carried out, would be inconsistent with acceptable standards of international human rights law. We call upon your Excellency's Government not to execute Mr. Devender Pal Singh Bhullar and to commute without delay the death sentence imposed against him.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government not to execute Mr. Devender Pal Singh Bhullar, and safeguard his rights in compliance with international human rights law instruments. We would also appreciate that your Excellency's Government reply addresses the questions formulated in the communications dated 10 June 2011 and 5 June 2013. We also request that your Excellency's Government adopt effective measures to prevent the recurrence of these acts.

We undertake to ensure that your Excellency's Government's response is accurately included in the report we will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

El Hadji Malick Sow
Chair-Rapporteur of the Working Group on Arbitrary Detention

Christof Heyns
Special Rapporteur on extrajudicial, summary or arbitrary executions

Juan E. Méndez
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or
punishment