

**Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Working Group on Arbitrary Detention and the Special Rapporteur on the independence of judges and lawyers**

Ref.: UA SGP 2/2025  
(Please use this reference in your reply)

17 February 2025

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions; Working Group on Arbitrary Detention and Special Rapporteur on the independence of judges and lawyers, pursuant to Human Rights Council resolutions 53/4, 51/8 and 53/12.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the mandatory death sentence against Mr. Pannir Selvam Pranthaman, a Malaysian national, on drug trafficking charges in Singapore.**

Special Procedures mandate holders have previously raised several cases of imminent executions of individuals on drug trafficking charges, including most recently the case of Mr. Rosman bin Abdullah in [SGP 2/2024](#) and Mr. Syed Suhail bin Syed Zin in SGP 1/2025. We thank your Excellency's Government for the reply to the former communication received on [23 January 2025](#) and look forward to receiving a reply to the latter. However, we strongly regret that both individuals were executed. We would like to reiterate that there is no convincing evidence worldwide that the death penalty has a particular deterrent effect on the commission of crimes, including the trafficking of large amounts of drugs. We would like to underline that executing individuals following a mandatory sentence for drug offenses is a violation of the right to life and that the notion of national sovereignty cannot be used to undermine or negate the State's obligation to protect the right to life. We also regret that despite repeated requests, no information has been received regarding the number of individuals on death row in Singapore and their respective offenses.

According to the information received:

On 3 September 2014, Mr. Pannir Selvam Pranthaman, a Malaysian national was arrested with no less than 51.8 grams of diamorphine at a border checkpoint.

Under s18(2) of the Misuse of Drugs Act, knowledge of the drugs is presumed and it is up to the defendant to prove that they were unaware of the nature of the drugs on the balance of probabilities.

Mr. Pranthaman provided information about the Singapore - Johor cross-border drug syndicate activities including information relating to another individual who was subsequently arrested and convicted. However, the Prosecution declined to issue a certificate of substantive assistance.

On 2 May 2017, he was convicted and sentenced to the death penalty. The judge found that Mr. Pranthaman had not rebutted the burden of proof regarding the nature of the drugs ([2017] SGHC 144). The judge found that Mr. Pranthaman did fall within the definition of a courier but without a certificate of substantive assistance, the death penalty was mandatory and no discretion on the sentence is given to the judge.

On 9 February 2018, the Court of Appeal rejected his ordinary appeal. The decision was not published.

On 17 May 2019, Mr. Pranthaman was informed that the President declined to grant clemency.

On 23 May 2019, Mr. Pranthaman's execution was halted, one day before it was scheduled to take place after the Court of Appeal permitted consideration of extra-ordinary appeals on the rejection of his clemency petition and the Public Prosecutor's refusal to issue a certificate of substantive assistance.

On 24 April 2020, the High Court rejected an appeal relating to the decision by the Prosecution not to issue a certificate of substantive assistance and the rejected requests to interview the other individual who was arrested based on the information provided by Mr. Pranthaman. The court noted it was only able to review the legality of the decision not to grant a certificate of substantive assistance rather than the merits.

On 21 April 2022, the Court of Appeal rejected the appeal on the same grounds. Several subsequent appeals have been dismissed, most recently on 11 October 2024.

On 16 February 2025, Mr. Pranthaman received an execution notice for 20 February 2025 at dawn.

Mr. Pranthaman is a talented musician and has written poems and songs on death row.

Since 1 October 2024, eight people have been executed on drug charges in Singapore.

While we do not wish to prejudge the accuracy of these allegations, we would like to express serious concern at the mandatory death sentence against Mr. Pannir Selvam Pranthaman, a Malaysian national, for drug offences, which do not meet the "most serious crimes" threshold which limits application of the death penalty to cases which involve intentional killing. We also reiterate concerned by the reduction in notification period for executions where the prisoner had previously been notified of a scheduled execution and had their execution stayed or halted by respite past the halfway mark of their notification period.

The above allegations appear to be in contravention of the right of every individual to life, liberty and security as set out in article 3 and 9 of the Universal Declaration of Human Rights (UDHR). We remind that the right to life is a jus cogens,

peremptory norm from which no derogation is permitted.

**In view of the urgency of the matter, and of the irreversibility of the punishment of the death penalty, we call upon the judiciary and all relevant organs of the Singaporean State to ensure Mr. Pannir Selvam Pranthaman is not executed. His execution, on the facts available to us would constitute a violation of applicable international human rights standards, and would thus be an arbitrary execution.**

We also highlight that under international law, **a death sentence may only be imposed in respect of “the most serious crimes” in cases which involve intentional killing.** We also note, based on the long experience of this mandate, and a careful review of studies and evidence, that the death penalty has never been proved to be an effective deterrent for crimes, including drug crimes ([A/HRC/42/28](#), paragraph 10).

Furthermore, we would like to stress that the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health indicated that “[t]he criminalization, overuse of incarceration, arbitrary deprivation of life, unnecessary use of lethal force in drug enforcement and application of the death penalty as punishment in the name of public health have resulted in various human rights violations” and underlined “the need for States to move from a reliance on criminal law and instead take a human rights-based, evidence-based and compassionate approach to harm reduction in relation to drug use and drug use disorders” ([A/HRC/56/52](#), paras. 54 and 80).

We emphasize that **mandatory death sentences are inherently over-inclusive and unavoidably violate human rights law.** The categorical distinctions that may be drawn between offences in the criminal law are not sufficient to reflect the full range of factors relevant to determining whether a death sentence would be permissible in a capital case. In such cases, individualized sentencing by the judiciary is required in order to prevent cruel, inhuman or degrading punishment and the arbitrary deprivation of life (A/HRC/4/20, para. 4). We re-iterate our concern that in Singaporean legislation, with the exception of limited cases where the defendant is found to be a courier and to have substantially assisted the Public Prosecutor or in cases of “abnormality of the mind,” the death sentence remains mandatory, preventing other mitigating factors from being considered. Furthermore, the decision on whether to issue a Certificate of Substantial Assistance rests with the Prosecution, placing upon them the decision as to whether the death sentence will be mandatory, in violation of the right to fair trial. We are also concerned that under s18(2) of the Misuse of Drugs Act, knowledge of drugs is presumed and it is up to the defendant to prove that they were unaware of the nature of the drugs on the balance of probabilities, in violation of the presumption of innocence and the right to a fair trial. We note that only full respect for stringent due process guarantees distinguishes capital punishment from arbitrary execution.

In relation to requests for **presidential clemency**, we would like to reiterate the importance and role of such a process. As highlighted by the previous Special Rapporteur on Extrajudicial Summary or Arbitrary Executions, it serves “(a) As a final safety valve when new evidence indicating that a conviction was erroneous emerges but in a form that is inadequate to reopen the case through normal procedures; (b) To enable account to be taken of post-conviction developments of which an appeals court might

not be able to take cognizance but which nevertheless warrant being considered in the context of an otherwise irreversible remedy; (c) To provide an opportunity for the political process, which is rightly excluded from otherwise interfering in the course of criminal justice, to show mercy to someone whose life would otherwise be forfeited,” (A/HRC/8/3). We are concerned that the lack of approval of any presidential requests for clemency raises the question of whether such requests are being perfunctorily dismissed from prisoners sentenced to death and whether mitigating factors are fully considered.

We would like to recall that under international law and human rights standards, foreign nationals are entitled to communicate with consular or diplomatic authorities of their states of origin, when they are arrested or committed to prison or custody pending trial or detained in any other manner. In this regard, we would like to refer your Excellency’s Government to article 36 of the 1963 Vienna Convention on Consular Relations, acceded to by Malaysia on 1 October 1991 and Singapore on 1 April 2005, which provides that the receiving state shall without delay inform the consulate of the arrested/detained individual and provide them with an opportunity to communicate with and arrange legal representation for the detainee.

We would further like to highlight that the Secretary-General in his 2017 report on capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty ([A/HRC/36/26](#)) noted that persons facing the death penalty abroad can be disproportionately affected by the death penalty and that access to consular assistance, as provided for in the Vienna Convention on Consular Relations, is an important aspect for their protection (section III B).

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

**In view of the urgency of the matter, we would appreciate a response as soon as possible on the initial steps taken by your Excellency’s Government to ensure Mr. Pannir Selvam Pranthaman is not executed.**

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would also be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on any efforts envisaged to remove the mandatory death penalty in Singapore at least for drug offences and/or to reduce the scope of application of the death penalty.
3. Please provide information on the number of people currently on death row in Singapore and their respective offences. Please include

information disaggregated by nationality.

4. Please provide information on the number of clemency applications from death row prisoners that the President has granted and the factors considered in the decision whether or not to grant clemency.
5. Please provide information on how the Misuse of Drugs Act complies with Singapore's human rights obligations including the right to life and the right to a fair trial.
6. Please provide information on whether Mr. Pannir Selvam Pranthaman was promptly informed of his right to consular notification.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the scheduled execution of Mr. Pannir Selvam Pranthaman.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

We would like to inform your Excellency's Government that a similar letter has been sent to the Government of Malaysia.

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

Morris Tidball-Binz  
Special Rapporteur on extrajudicial, summary or arbitrary executions

Ganna Yudkivska  
Vice-Chair of the Working Group on Arbitrary Detention

Margaret Satterthwaite  
Special Rapporteur on the independence of judges and lawyers