

A QUIET REPRIEVE: ON FORMER INDIAN NAVAL PERSONNEL AND THE QATAR COURT'S VERDICT

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The [decision of the Qatari court of appeals](#) to reduce the [capital punishment handed down in October](#) to eight former Indian naval personnel is a major reprieve for the men and their families, and spells relief for the government that has been pursuing diplomatic channels for leniency. While the detailed judgment is still awaited more than 24 hours after the pronouncement, the upholding of the conviction is a disappointment, and the government and the men's families must now reassess their legal strategy and evidence of their innocence before filing a review petition with Qatar's Court of Cassation, the highest in the system. If all avenues of judicial appeal are exhausted, the government will have three options. First, to continue to press for a review of the conviction with Qatar's ruling Emir, Sheikh Tamim bin Hamad Al-Thani. If that fails, the men could appeal for clemency and ask for a pardon, that Qatar's rulers have given in the past. A third option would be for the men to serve out their terms in India, once the length of incarceration is clarified, according to a 2015 bilateral Agreement on Transfer of Sentenced Persons. However, this option would require them to accept the conviction cannot be reversed. Through this process, the government must be seen to be pursuing diplomatic and political efforts at the highest level, to convey the extent that the men are a priority for India.

It is significant that the development comes after Prime Minister Narendra Modi made his first public outreach to the Qatari leadership — he met the Emir on the sidelines of COP28, on December 1. Whether such a political outreach, or a high-level mission to Doha, would have been more productive earlier, after the men were first arrested in August 2022, is a moot point now. It is commendable that New Delhi, in contrast to its stand with Canada over its allegations, has chosen not to react to the case with public rhetoric, especially the kind of targeting of Doha seen in some sections of the media, a move that would have been counterproductive. If the case implicating the men is in any way connected to India's intelligence services, then it is important to consider an appropriate review of any operations that could jeopardise Indians overseas. New Delhi has also done well by not allowing the case to become hostage to the growing tensions in the region, over the continuing bombardment of Gaza by Israel. It is hoped that a consistently calibrated position, careful of Qatar's sensitivities, and coupled with a quiet, but determined push, would bring the eight Indians back home safely.

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