

EXTERNAL (for general distribution)

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Death Penalty

5 August 1992

MALAYSIA:

Tan Bee Lee, female

On Monday 27 July 1992, the Supreme Court sitting in Kuala Lumpur rejected an appeal against the death sentence imposed on Tan Bee Lee by the Alor Star High Court on 7 July 1991.

Tan Bee Lee, a housewife, was found guilty of trafficking in 2.3kg of cannabis in Kuala Muda Kedah.

All death sentences in Malaysia are automatically reviewed by a Pardons Board.

As Tan Bee Lee's case was originally heard by the High Court in Kedah, her case will be reviewed by the Pardons Board for Kedah, which will pass its recommendations to the *Yang di-Pertuan Agong*, King, who has sole authority to grant pardon, suspend or commute the sentence. This is the last avenue of appeal for clemency. To Amnesty International's knowledge, however, there have been only two occasions when a Pardon's Board has commuted a death sentence.

BACKGROUND INFORMATION

The death penalty was introduced as the maximum punishment for drug offences under a 1975 amendment to the Dangerous Drugs of 1952. In April 1983 the death penalty for drug trafficking became mandatory when the Malaysian Parliament further amended the Act and withdrew a judge's discretion to impose a life term. Trafficking is presumed if the accused is convicted of possessing more than 200 grams of cannabis, 15 grams of heroin or morphine or 1,000 grams of opium.

Amnesty International opposes the death sentence in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes and airmail letters:

- expressing concern that Tan Bee Lee has been sentenced to death and that she now faces execution as the Supreme Court has upheld this decision;
- stating Amnesty International's unconditional opposition to the death penalty;
- urging that the all death sentences, including that of Tan Bee Lee, be commuted and that no more death sentences be imposed.

APPEALS TO:

1. Head of State for Kedah

Sultan DYMM Tunku Haj Abdul Halim Mu'sdsam Shah ibni
Al-Marhum Sultan Badlishah

Istana

Alor Star

Kedah

MALAYSIA

Telegrams: Head of State, Alor Star, Kedah, Malaysia

Telexes: 42265 SUKED MA

Salutation: Your Majesty

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2. Prime Minister

YAB Dato' Seri Dr Mahathir bin Mohammad

Prime Minister Mahathir

Kuala Lumpur

Malaysia

Telegrams: Prime Minister Mahathir, Kuala Lumpur, Malaysia

Faxes: + 60 3 238 3784; + 60 2 38 7214; + 60 3 238 7215

Telexes: 30098 EPUPM MA; 30091 LARAS MA; 30099 PERMA MA

Salutation: Dear Prime Minister

COPIES OF YOUR APPEALS TO:

The Ministry of Justice

YB Datuk Syed Hamid bin Syed Jaafar Albar

Ministry of Justice

21st Floor

Bangunan Kuwasa

Jalan Raja Laut

50506 Kuala Lumpur

MALAYSIA

Faxes: + 60 3 293 4754

The Attorney General

Tan Sri Abu Talib bin Othman

Attorney General's Office

20th Floor, Bangunan Bank Laut

50305 Kuala Lumpur

MALAYSIA

and to diplomatic representatives of Malaysia accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat or your section office, if sending appeals after 16 September 1992.