

URGENT ACTION

THIRD APPEAL AGAINST DEATH SENTENCE REJECTED

Yong Vui Kong's third appeal application against his death sentence was rejected on 4 April. Only an act of clemency from the President of Singapore can stop his execution from going ahead. Yong Vui Kong has already spent over four years on death row.

In January, **Yong Vui Kong's** lawyer submitted an appeal application stating that Yong Vui Kong should not be executed due to unequal treatment by the Attorney-General's Chambers. This is because while Yong Vui Kong has been sentenced to death, the 26 charges brought by the Attorney-General's chambers against his boss, a Singaporean alleged to have masterminded the crime, have been withdrawn.

In the court ruling on 4 April, Chief Justice Chan Sek Keong stated that the appeal was rejected because "it has absolutely no merit on the law and on the facts". The ruling said that the appeal contained "mere assertions" and some were "contrary to evidence".

This was the third appeal for Yong Vui Kong which has been rejected. The previous appeal applications focused on challenging the constitutionality of the mandatory death penalty for drug trafficking and seeking judicial review of the clemency process.

Yong Vui Kong was only 19 when he was arrested for trafficking 47 grams of heroin into Singapore. Under Singapore's drug laws, a defendant is automatically presumed guilty of drug trafficking in cases where possession of heroin exceeds two grams. This provision violates the defendant's right to be presumed innocent of a crime until proven guilty. In Singapore, the death penalty is mandatory for trafficking more than 30 grams of heroin. Yong Vui Kong's last hope is clemency from the President of Singapore, who can grant this only on the advice from the Cabinet. Clemency for a death sentence in Singapore has only been granted six times since independence in 1965.

Official government figures state that there were four executions in 2011, two of them for drug-related offences. Between 2004 and 2010, at least 26 Singaporeans and 12 foreigners were hanged.

Please write immediately in English, Mandarin or your own language:

- Call on the Singaporean authorities to stop the execution of Yong Vui Kong;
- Demand that they suspend all executions and the imposition new death sentences, and commute all death sentences as a step towards total abolition of the death penalty;
- Call on them to revoke legislation establishing mandatory death sentences.

PLEASE SEND APPEALS BEFORE 17 MAY 2012 TO:

President of Singapore

His Excellency Dr. Tony Tan Keng Yam

Office of the President

Orchard Road, Singapore 238823

Email:

istana_general_office@istana.gov.sg

Or fill-in the comment form at the

President's office via:

<http://www.istana.gov.sg/content/istana/feedback.html>

Salutation: Your Excellency

Foreign Minister of Malaysia

His Excellency Datuk Seri Anifah Amam

Ministry of Foreign Affairs

Wisma Putra No.1 Jalan Wisam Putra,

Precinct 2 62602 Putrajaya, Malaysia

Fax: +60 3 8889 1717

Salutation: Your Excellency

And copies to:

The Online Citizen

An online Community of Singaporeans

(an alternative news source for

Singapore)

Email: theonlinecitizen@gmail.com

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the seventh update of UA 296/09. Further information:

<http://www.amnesty.org/en/library/info/ASA36/001/2012/en>

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ADDITIONAL INFORMATION

Singaporean law makes the death penalty mandatory for trafficking more than 30 grams of heroin. In 2007, UN Special Rapporteur on extrajudicial, summary or arbitrary executions Philip Alston said, "Singapore's decision to make the death penalty mandatory keeps judges from considering all of the factors relevant to determining whether a death sentence would be permissible in a capital case."

Name: Yong Vui Kong

Gender m/f: male

Further information on UA: 296/09 Index: ASA 36/002/2012 Issue Date: 5 April 2012