

EXTRA 24/01

Imminent

**MALAYSIAMona Fandey (f), also known as Maznah Ismail  
Mohamad Affandi Abdul Rahman (m), her husband  
Juraimi Hussin (m)**

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Mona Fandey, her husband, Mohamad Affandi Abdul Rahman, and Juraimi Hussin face imminent execution after their final appeal for clemency has been rejected.

On 4 April the Pardons Board in the state of Pahang rejected Mona Fandey, Mohamad Affandi Abdul Rahman and Juraimi Hussin's appeals for clemency. This was their last opportunity to appeal against their death sentences. Their previous appeals to the Court of Appeals and the Federal Court were also rejected.

Mona Fandey, who is alleged to be a *bomoh* or traditional witchdoctor, and the two men were sentenced to death in 1995 for the murder of a state assemblyman. Mona Fandey reportedly claimed during her trial that she had been tortured by the police following her arrest in 1993. It is not known whether the torture allegations have been investigated.

#### **BACKGROUND INFORMATION**

The death penalty is mandatory in Malaysia for murder, certain firearms offences and trafficking in a number of specified drugs. Amnesty International is aware of at least 353 executions by hanging since 1970. The last executions are believed to have been carried out in November 2000, when two men were hanged for drug trafficking. It is not known how many prisoners are under sentence of death.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment, as proclaimed in the Universal Declaration of Human Rights. The death penalty is an inherently unjust and arbitrary punishment, however heinous the crime for which it is provided. Studies have shown that it is more likely to be imposed on those who are poorer, less educated and more vulnerable than average. The risk of error in applying the death penalty is inescapable, yet it is irrevocable. Furthermore, there is no convincing evidence that the death penalty deters crime more effectively than other punishments.

#### **RECOMMENDED ACTION: Please send faxes/express/airmail letters in English or your own language:**

- respectfully asking the King to urge the Pahang Pardons Board to reconsider their decision, and to commute the death sentences passed on Mona Fandey, Mohamad Affandi Abdul Rahman and Juraimi Hussin;
- expressing concern that Mona Fandey has reportedly claimed that she was tortured following her arrest in 1993, and asking whether any investigation was carried out into her allegation;
- expressing unconditional opposition to the death penalty as a violation of one of the most fundamental of human rights, the right to life;
- acknowledging the severity of the crime for which the three prisoners were convicted, but emphasizing that there is no convincing evidence that the death penalty deters crime more effectively than other punishments.

#### **APPEALS TO:**

King of Malaysia and Supreme Head of State

Yang di-Pertuan Agong  
Sultan Salahuddin Abdul Aziz Shah Alhaj  
Istana Negara  
50500 Kuala Lumpur  
Malaysia  
**Fax: + 603 230 4646 / 201 1535**  
**Salutation:Your Majesty**

**COPIES TO:**

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Chairman, Human Rights Commission (SUHAKAM)  
Ybhg. Tan Sri Musa Hitam  
Pengerusi Suruhanjaya Hak Asasi Manusia  
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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 4 May 2001.