Death Penalty

EXTRA 87/91

AI Index: ASA 28/18/91 Distr: UA/SC

11 December 1991

MALAYSIA Azman Sheikh Abdul Ghani, aged 27

On 5 November 1991 the Supreme Court in Kuala Lumpur rejected an appeal against the death sentence imposed on Azman Sheikh Abdul Ghani, aged 27, by the High Court in Kuala Lumpur on 10 November 1989. Azman Sheikh Abdul Ghani had been found guilty of trafficking in 36.83gm of heroin in Sentul on 9 November 1986.

All death sentences in Malaysia are automatically reviewed by a Pardons Board. As Azman Sheikh Abdul Ghani's case was originally heard by the High Court in Kuala Lumpur his case will now be reviewed by the Pardons Board for the Federal Territory. The board will pass its recommendations to the Yang_di-Pertuan Agong (King) who has the authority to grant pardon, suspend or commute the sentence. This is the last avenue of appeal for clemency. To Amnesty International's knowledge, there have been only two occasions when a Pardons Board has commuted a death sentence.

BACKGROUND INFORMATION: (Note for translators: this is the same as Extra 69/91 of 27 September, Index: ASA 28/14/91)

The death penalty is provided for under a variety of laws in Malaysia and is mandatory for some firearms offences, murder and for certain drugs offences. From 1985 to the end of December 1990, 84 executions took place to Amnesty International's knowledge.

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 punishment, as proclaimed in the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Telegrams/telexes/faxes and airmail letters;

- expressing concern that Azmad Sheikh Abdul Ghani has been sentenced to death and that the Supreme Court in Kuala Lumpur has upheld this decision;
- stating Amnesty International's unconditional opposition to the death penalty;
- urging that the sentences be commuted and that no more death sentences be imposed.

APPEALS TO:

1) King of Malaysia and Supreme Head of State
Yang di-Pertuan Agong (King)
DYMM Sultan Aslan Shah
Istana Negara
50500 Kuala Lumpur
MALAYSIA

Telegrams: His Majesty Sultan Aslan Shah Istana, Kuala Lumpur, Malaysia

Telex: 31107 AGONG MA Fax: + 60 3 230 4426

[Salutation: Your Majesty]

2) Prime Minister

YAB Dato' Seri Dr Mahathir bin Mohamad Prime Minister's Department Jalan Dato' Onn 50502 Kuala Lumpur MALAYSIA

Telegrams: Prime Minister Mahathir

Kuala Lumpur, Malaysia

Telex: 30098 EPUPM MA; 30091 LARAS MA;

33099 PERMA MA

Fax: + 60 3 238 3784; + 60 3 238 7214;

+ 60 3 348 7215

[Salutation: Your Majesty]

COPIES TO:

The Minister of Justice
YB Datuk Syed Hamid bin Syed Jaafar Albar
Ministry of Justice
21st Floor

Bangunan Kuwasa Jalan Raja Laut 50506 Kuala Lumpur

MALAYSIA

The Attorney General

Tan Sri Abu Talib bin Othman Attorney General's Office 20th Floor, Bangunan Bank Rakyat Jalan Raja Laut 50350 Kuala Lumpur MALAYSIA

and to diplomatic representatives of Malaysia in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 January 1992.