

URGENT ACTION

22-YEAR-OLD DUE TO BE HANGED IN SINGAPORE

A Malaysian man is at immediate risk of execution in Singapore. On 14 May, the Court of Appeal dismissed his appeal against a mandatory death sentence, which violates fair-trial rights.

Yong Vui Kong was sentenced to death in January 2009 for trafficking 47 grams of diamorphine (heroin), a crime committed when he was 19 years old.

Singapore's Misuse of Drugs Act makes the death penalty mandatory for trafficking more than 30 grams of heroin, leaving judges no discretion to consider issues such as mitigating circumstances or to hand down alternative sentences. The law presumes trafficking in all cases involving the possession of over 2 grams of heroin, which shifts the burden of proving that no trafficking was involved from the prosecution to the defendant. This violates the core human right to be presumed innocent of a crime until proven guilty.

The President of Singapore rejected Yong Vui Kong's petition for clemency on 1 December 2009. On 2 December 2009, the High Court postponed Yong Vui Kong's execution (which had been set to take place on 4 December) to allow the Court of Appeal time to hear an application for a stay.

PLEASE WRITE IMMEDIATELY in English or your own language:

- Urging President Nathan to reconsider Yong Vui Kong's clemency petition and commute his death sentence;
- Calling on the president to introduce an immediate moratorium on all executions, with a view to complete abolition of the death penalty;
- Reminding Law Minister Shanmugam, that the Misuse of Drugs Act violates international human rights law and standards concerning fairness of prosecutions and trials;
- Urging the Law Minister to recommend that Parliament revoke the mandatory death penalty for drug-trafficking and all other offences.

PLEASE SEND APPEALS BEFORE 25 JUNE 2010 TO:

President

His Excellency SR Nathan
Office of the President
Orchard Road, Istana
Singapore 0922
Fax: +65 6735 3135
Email: s_r_nathan@istana.gov.sg

Salutation: Your Excellency

Minister for Law

The Honourable K Shanmugam
Ministry of Home Affairs
New Phoenix Park
28 Irrawaddy Road
Singapore 329560
Fax: +65 6258 0921
Email: k_shanmugam@mlaw.gov.sg

Salutation: Dear Mr Minister

And copies to:

Editor-in-Chief
The Straits Times
1000 Toa Payoh North
News Centre
Singapore 318994
Fax: +65 6319 8282
Email: stonline@sph.com.sg

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the third update of UA 296/09. Further information: www.amnesty.org/en/library/info/ASA36/004/2009/en; <http://www.amnesty.org/en/library/info/ASA36/005/2009/en>; <http://www.amnesty.org/en/library/info/ASA36/007/2009/en>

**AMNESTY
INTERNATIONAL**



URGENT ACTION

22-YEAR-OLD DUE TO BE HANGED IN SINGAPORE

ADDITIONAL INFORMATION

In a 2007 drug-trafficking case, Singapore executed a young Nigerian, Iwuchukwu Amara Tochi. UN Special Rapporteur on Extrajudicial Executions, Philip Alston, condemned the sentence on human rights grounds: "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."

On 9 May, Singapore's Minister for Law, K. Shanmugam, claimed that the mandatory death penalty is a deterrent that has saved thousands of lives, according to the Straits Times. Speaking with respect to Yong's case, he said, "You save one life here, but 10 other lives will be gone."

Amnesty International opposes the imposition of the death penalty in all circumstances and irrespective of claims of utility; the organization considered the death penalty a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

FU on UA: 296/09 Index: ASA 36/001/2010 Issue Date: 14 May 2010

AMNESTY
INTERNATIONAL

