

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Singapore: President urged to grant clemency as execution looms

Amnesty International urges the President of Singapore to immediately grant clemency to Kho Jabing and halt any plans to carry out his execution, currently scheduled for 20 May. Executing him would be a regressive step and does not work as a deterrent to crime. The organization also calls on the government of Singapore to re-establish a moratorium on executions and commute all death sentences as first steps towards abolition of the death penalty in the country.

A Malaysian national, Kho Jabing is facing execution –for a second time– in Singapore on 20 May. Kho Jabing was convicted of murder and sentenced to the mandatory death penalty on 30 July 2010, together with a co-defendant. Following the 2012 review of Singapore’s mandatory death penalty laws, which introduced some sentencing discretion for the offences of murder and drug trafficking, on 14 August 2013 the High Court found that the murder of which Kho Jabing was convicted had not been intentional and resented Kho Jabing to life imprisonment and 24 strokes of the cane.

On 14 January 2015, the Court of Appeal re-imposed the death penalty on Kho Jabing on appeal, in a three-to-two split decision. While all five judges agreed that the evidence available in Kho Jabing’s case did not allow for a precise reconstruction of the murder, three judges found that Kho Jabing’s actions deserved to be punished by death and two held that the evidence available did not prove the murder had been carried out with “blatant disregard for human life”. The President of Singapore rejected his clemency application in October 2015 and ordered that Kho Jabing’s execution be set for 6 November 2015. A last minute appeal was submitted on 3 November 2015, three days before his scheduled execution, and the Court of Appeal issued a stay of execution on 5 November. On 5 April 2016 the appeal was dismissed and the execution scheduled once again.

As highlighted by the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, anxiety and foreknowledge of death affects the mental integrity of a person sentenced to death and can amount to torture or cruel, inhuman or degrading treatment. Kho Jabing and his family have already endured the distress of facing execution and Amnesty International is calling on the authorities of Singapore to spare them further suffering and grant Kho Jabing clemency.

Furthermore, Amnesty International believes that the upcoming execution of Kho Jabing goes against steps taken by the authorities of Singapore in recent years, which have resulted

in a reduction in use of the death penalty in the country. Following the official moratorium on executions established from 2012 to 2013, at least 13 people have had their death sentences reviewed and eventually commuted and new sentencing discretion has resulted in several individuals being spared the gallows.

The majority of the world's countries have now repealed the death penalty from their national legislation and 140 in total are abolitionist in law or practice. The death penalty is the ultimate cruel, inhuman and degrading punishment and a violation of the right to life as proclaimed in the Universal Declaration of Human Rights. Amnesty International supports calls included in five resolutions adopted by the UN General Assembly since 2007 for the establishment of a moratorium on executions with a view to abolishing the death penalty and urges the authorities of Singapore to immediately halt all executions and commute all death sentences—including Kho Jabing's.