

EXTERNAL (for general distribution)

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UA 124/94 Death Penalty

29 March 1994

MALAYSIA CHIN Kim Lin

On 22 March 1994 the Supreme Court upheld the conviction and death sentence on Chin Kim Lin for drug offences. Amnesty International has no information as to when the offence for which he was convicted was committed, nor does it know the date on which the High Court originally sentenced Chin Kim Lin to death.

On the same day that the Supreme Court rejected Chin Kim Lin's appeal, the judges quashed the convictions of two other prisoners who had been sentenced to death in March 1990 for drug trafficking. Furthermore, they also commuted the death sentence of a third man to life imprisonment for drug possession (he had been sentenced to death in February 1992).

Chin Kim Lin can now petition the State Pardons Board which will then make its recommendation to the *Yang di-Pertuan Negeri* (ruler) of the state of Selangor who has the power to grant a pardon or commute the sentence.

BACKGROUND INFORMATION

In Malaysia, the death penalty is mandatory for a number of offences: murder, drug-trafficking, unauthorised possession of firearms and use of firearms with intention to cause injury or death.

In 1975 the Dangerous Drugs Act of 1952 was amended, making the death penalty the maximum sentence for drug-trafficking. Since April 1983 the death penalty has been mandatory for drug-trafficking on conviction of possession of 15 grams of heroin or morphine, 200 grams of cannabis, or 1,000 grams of opium.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes and airmail letters either in English or in your own language:

- stating Amnesty International's opposition to the death penalty in all circumstances, on the grounds that it is a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment as proclaimed in the Universal Declaration of Human Rights;
- welcoming the quashing of two death sentences and the commutation of another by the Supreme Court on 22 March 1994;
- expressing concern that Chin Kim Lin's death sentence was upheld by the Supreme Court on the same day, and urging that his death sentence also be commuted.

APPEALS TO:

Ruler of Selangor:

DYMM Sultan Tunku Salahuddin
Abdul Aziz Shah Al-haj Ibni
Al-Marhum Sultan Hishamuddin Alam Shah
Al-haj
Istana

Shah Alam, Selangor, MALAYSIA

Telegrams: Ruler of Selangor, Shah Alam, Selangor, Malaysia

Telexes: 38548 SUKSEL MA; 39580 PEJIAS MA

Faxes: +60 3 331 6969

Salutation: Your Majesty

COPIES OF YOUR APPEALS TO:

1) Prime Minister

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

FAXES: +60 3 238 3784; +60 3 238 7214; +60 2 238 7215

2) Minister of Justice:

Datuk Syed Hamid bin Syed Jaafar Albar
Ministry of Justice
Bangunan Kuwasa
21st Floor
Jalan Raja Laut
50506 Kuala Lumpur, MALAYSIA

Faxes: +60 3 292 4754

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 10 May 1994.