

EXTERNAL

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EXTRA 108/95

Imminent execution

19 September 1995

SINGAPORE

Azmi bin Tuki, gardener, aged about 24

Amnesty International fears that Azmi bin Tuki may be executed on 22 September 1995 following President Ong Teng Cheong's recent rejection of his appeal for clemency.

Azmi bin Tuki, a heroin addict who comes from a poor ethnic Malay family, was arrested outside his home in December 1993 and discovered to be carrying 29.57 grams of heroin. He was convicted of drug-trafficking and sentenced to death despite his claim that the drugs were for his own and his girlfriend's consumption.

At his appeal hearing in February 1995, Azmi bin Tuki's defence maintained that there was insufficient evidence to show that he was transporting the drugs. However, according to a report in April in the *Straits Times*, the Appeal Court did not believe that all the drugs were for Azmi bin Tuki's own consumption and ruled that a person found to be physically carrying drugs is deemed to be "transporting" them. The judge is also reported to have said that if the purpose of carrying the drugs was to distribute them to others, then this amounted to trafficking under the law.

BACKGROUND INFORMATION

The death penalty was employed in Singapore during the colonial period and was retained after the country became an independent republic in August 1965. Anyone over the age of 18 who is found in possession of more than 15 grams of heroin, 30 grams of morphine, 30 grams of cocaine or 500 grams of cannabis is presumed guilty of drug trafficking and is liable to a mandatory death sentence.

Amnesty International is aware of at least 37 executions which have taken place since the beginning of 1995, the majority for drug-related offences. However, the organization fears that the real figure may be much higher as many executions are not publicized. According to the Ministry of Information, 76 people were executed in Singapore in 1994. The President has discretionary powers to commute death sentences, but clemency is rarely granted.

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 organization is concerned that the death penalty is often imposed on those with fewer resources available for their defence, or whose social status has made them vulnerable to unfair conviction. The risk of error in applying the death penalty is inescapable, yet the penalty is irrevocable.

RECOMMENDED ACTION: Please send faxes or telegrams either in English or in your own language:

- urging President Ong Teng Cheong to reconsider Azmi bin Tuki's case and grant him clemency by commuting his death sentence;
- expressing Amnesty International's opposition to the death penalty as the ultimate form of cruel punishment and a violation of the most basic of human rights - the right to life;

- urging that all existing and pending death sentences be commuted.

APPEALS TO:

The President

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and to diplomatic representatives of Singapore accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.