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Death penalty may not be mandatory

DRUG TRAFFICKING

DEATH PENALTY MAY NOT BE MANDATORY

Proposed amendment to allow judges to mete out other punishments

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DRUG traffickers could soon escape the death penalty under a proposed amendment to Section 39B of the Dangerous Drugs Act (1952).

Minister in the Prime Minister's Department Datuk Seri Azalina Othman Said said the amendment would give judges the discretion to impose other appropriate penalties, such as jail terms, instead of the death sentence, which is mandatory under the current law.

She said the cabinet decided on the amendment after deliberating a research carried out by the International Centre for Law and Legal Studies.

The research report was presented to the cabinet on March 1.

"The cabinet unanimously decided that the amendment to

Section 39B of the Dangerous Drugs Act was necessary," she said in a reply to Ramkarpal Singh (DAP-Bukit Gelugor).

She said in the past, there might have been cases where judges had no choice but to mete out the death sentence on a drug trafficker as there were no other punishments available.

Malaysia has one of the harshest drug laws in the world.

Human rights advocates have long called for a review of the mandatory death penalty for drug traffickers as first steps towards full abolition of the death penalty, which they deemed to be cruel.

In March, the cabinet agreed to review the mandatory death

penalty.

Any amendment would allow judges to take into account mitigating factors, such as the offender's age, mental capacity and role played in the offence. **Additional reporting by Wan Norlela Wan Sazali**



Datuk Seri Azalina Othman Said