

New dadah Bill for Dewan soon

23 SEP 1986

By NURAINA SAMAD

KUALA LUMPUR, Mon. — Tough new laws empowering the Government to confiscate the profits and proceeds derived from dadah trafficking are expected to be tabled in Parliament next month.

Datuk Seri Dr Mahathir Mohamad said today the Government was now finalising the draft of the Bill.

He added that the Government hoped to table the Bill at next month's sitting of Parliament.

"We will table it in Parliament as soon as we are ready. The problem now is getting the right wording," he told reporters after opening the day-long meeting of the United Nations expert group on recommended methods of testing cannabis and amphetamines here.

The Prime Minister said the proposed legislation "would leave the traffickers with nothing for those who survived them."

Asked what the Government would do with the confiscated properties, he said: "We will auction them off — the same way we deal with all confiscated properties."

Earlier, he told more than 100 delegates at the meeting that the Malaysian Government would continue to hang dadah traffickers "until no one is left who would wish to profit from this vicious crime."

He said the Government made no apology for the country's tough dadah laws as it regarded the death penalty not only as a deterrent but also as an appropriate punish-

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ment for "these criminals for they are worse than murderers who deliberately spread misery and death in their quest for easy wealth."

The Government had formulated a national narcotics action plan, which outlined the Government's strategy of placing greater emphasis on prevention while maintaining the country's aggressive enforcement of the laws.

The aim was to inculcate in Malaysian youth the total rejection of dadah as the most evil of human vices.

Dr Mahathir said the successful application of any law depended on the implementation of a chain of operations — from the preliminary information gathering, in-

vestigation, arrest of suspects and seizure of the dadah, and laboratory analysis of the dadah, to the trial and conviction of the guilty person.

To ensure that there was no miscarriage of justice, this "chain" must be performed with the highest level of competency so that it would withstand the rigorous requirements of the court.

Dr Mahathir said in this context, the examination of the dadah exhibits was a very important "link" in the chain, and scientific experts played a very crucial role in the overall Government effort.

He said forensic chemists who were responsible for analysis and providing a certificate for prosecution purposes would continue to have a very heavy moral and legal responsibility as their analytical results would be pivotal in determining the charge and penalty for the accused.

He said this was especially true in countries such as Malaysia, where there was a mandatory death sentence for dadah trafficking.

The severity of the punishment for dadah trafficking depended on the amount of dadah in the possession of the suspect at the time of arrest.

Dr Mahathir said the responsibility of the forensic chemist was enhanced and the task before him magnified by the increasing trend to apply threshold measurements or values to determine the severity of the penalty.

"As far as you experts are concerned, appropriate and accurate methodology is therefore, of paramount importance and uniformity or harmonisation in this field will go a long way to alleviating this heavy moral and legal burden of the forensic chemist."

Dr Mahathir said the ultimate acceptability of the evidence presented by forensic chemists depended not only on how accurately they performed the analysis, but also on whether they were able to convince the court of the accuracy and validity of the scientific evidence.

On April 11 last year, the Dewan Rakyat passed the Dangerous Drugs (Special Preventive Measures) Bill 1984, which provides for the detention without trial of suspected dadah kingpins for an initial period of two years with provision for the extension of the term by another two years based on cogent evidence.

It was passed after proposals to prevent abuse of the law, recommended by a special committee, were incorporated into the Bill.

The committee, which was chaired by the then Deputy Home Affairs Minister, Datuk Radzi Sheikh Ahmad, held public hearings throughout the nation to seek the people's views on the Bill.

One of the amendments recommended by the committee after the public hearings was that the

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Act would remain in force for only five years unless extended by a resolution passed by both Houses of Parliament.

This, it felt, would allow the law to be subjected to constant public scrutiny with regards to its effectiveness and possible abuse.

Earlier, the officer-in-

charge of the United Nations Division of Narcotics Drugs in Vienna, Mr Ramos Galino, called for closer international co-operation in all disciplines involved in the fight against dadah trafficking and abuse.

He said the unprecedented increase in the volume and number of dadah abuse cases had led to increased regulatory

efforts, which had resulted in the rapid growth in the number of substances under international control.

"This has resulted in an increasing challenge not only for law enforcement agencies but for the technical staff and forensic chemists who are called upon to assist law enforcement with their expertise."

He said these forensic chemists were required to analyse a growing number of substances and preparations.

"They have also got to be faster, more accurate and more specific in identifying and quantifying controlled substances."

Also present at the meeting were Home Affairs Ministry Secretary-General Azizan Zainal Abidin, Science, Technology and Environment Ministry Secretary-General Nik Mohamed Amin Abu Bakar and senior Government officers.

The meeting was organised by the United Nations Division of Narcotics Drugs (UNDND) with the co-operation of the Malaysian Government.