

Next move for Najib: Abolish death penalty
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By Hafiz Yatim

The abolition of the death penalty should be taken up by Prime Minister Najib Abdul Razak as part of his initiative on reforms, the Bar Council has suggested.

This could be one of the main issues in Najib's agenda, as he is in the mood to introduce reforms in Malaysia, council president Lim Chee Wee said.

"Abolishing the death penalty can be taken up by Najib, who has already moved to repeal the Banishment Act and the Restricted Residence Act. Najib can probably take the initiative to abolish the death penalty as well," Lim (right) said.

He was speaking to reporters yesterday, after the closure of a public event to promote the abolition of the death penalty in Malaysia. The event was organised by the Bar Council, Human Rights Commission of Malaysia (Suhakam) and the European Union delegation to Malaysia.

This is the first time that such a public event on the death penalty to be held in the country.

Lim said the Bar has always opposed the death penalty and there has been renewed interest in having capital punishment abolished following the Yong Vui Kong case.

Oct 10 is marked as the World Day against the Death Penalty. Malaysia is one of 58 countries that still impose capital punishment.

Between 1960 and 2010, a total of 441 people were put to death under the penalty in Malaysia. Another 744 people are still languishing in death row, and last year alone, 114 people were sentenced to hang until death.

Out of the 441, 52 per cent or 228 were hanged for drug trafficking offences. The other crimes for which the punishment is death in Malaysia are murder, the carrying of firearms and going against the Yang di-Pertuan Agong.

In June, the Malaysian Parliament set up an informal bipartisan group to promote the abolition of the death penalty, its report is now with the Attorney-General's Chambers.

'Majority support not needed to repeal law'

Minister in the Prime Minister's Department Nazri Abdul Aziz, who launched yesterday's event, said the government would gauge public feedback before making any move to get rid of the death penalty.

"If the majority of the people want to do away with the death sentence, like they want the Internal Security Act abolished, the government will consider it," Nazri said in his speech.

Lord Alf Dobs, chairperson of the All-party parliamentary group on the abolition of the Death Penalty in the House of Lords, United Kingdom, said Malaysia need not fall back on majority support to abolish the death sentence.

Dobs, one of the four panellists who spoke at the event, said there was no majority support from the public when the UK outlawed the penalty.

"In fact, when we initially implemented it, there was quite an uproar. I ask you this, is it all right to pull the lever to take somebody's life?" he said, and went on to admit that Malaysia's death penalty was inherited from the British.

Another panellist, vice-president of the Court of Appeal of the Netherlands, Nico Tuijn, said there was a general perception that there would be a rise in crime once the death sentence is lifted.

Capital punishment not a deterrent

"However, our experience is to contrary. There was no rise in crime. There is a general perception that the death penalty is considered a deterrent sentence to prevent crime. However, there is no truth in this claim," Tuijn emphasised.

Ambassador Vincent Pickett, the head of the EU delegation to Malaysia, said the EU holds a strong and principled position against the death penalty.

"The ban on capital punishment is enshrined in the EU's founding treaty. None of the 27 EU member states practises the death penalty. The number of countries that have abolished the death penalty has gone up from 108 in 2001 to 139 now," Pickett said.

"These countries are located on all continents of the world, Europe, Asia-Pacific, the Americas and Africa. They include developed as well as developing countries and countries with different majority religions - Islam, Buddhism, Hinduism and Christianity.

"The abolition of the death penalty is a value that transcends borders, geographic conditions and economic and spiritual causes as well," he added.

Suhakam vice-chairperson Dr Khaw Lake Tee said a point to ponder in the push to abolish capital punishment was a recent survey involving law students at Universiti Malaya - in which 79 percent of the participants said the death penalty should be retained.

"However, when you contrast this with the views of practising lawyers, most are opposed to the death penalty," Khaw said.

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