



Parliamentarians for Global Action
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PARLIAMENT OF MALAYSIA AND PGA CO-HOST
ROUNDTABLE DISCUSSION ON THE ABOLITION OF THE
MANDATORY DEATH PENALTY
17 NOVEMBER 2015 – Parliament of Malaysia, 3-6PM

Kuala Lumpur / New York / The Hague 17 November 2015:

Parliamentarians for Global Action, in collaboration with the Parliament of Malaysia, held an interactive roundtable discussion on the abolition of the mandatory death penalty in Malaysia on 17 November, from 3 to 6pm in the Parliament of Malaysia.

The event, kindly hosted by **H.E. Hon. Min. Dato Seri Mohamed Nazri Aziz, MP**, Chair PGA National Group, Minister of Culture and Tourism, was an opportunity for Members of Parliament from Malaysia, Australia, Switzerland and the United Kingdom, as well as government representatives, and experts to discuss the implications of abolishing the mandatory death penalty for drug related offenses and firearms possession in Malaysia in order to identify strategies and actions to move forward with this process. The event has notably benefited from the participation of **H.E. Hon. Min. Nancy Shukri, MP**, Vice-Chair PGA National Group, Minister of Law who had recognized during a PGA Group meeting in June 2015, the necessity to open the debate of this critical issue.

In all interventions and interactive discussions, all participants agreed that the death penalty is in contradiction with a democratic society founded on the respect and protection of Human Rights. Considering this, and in light of the inevitable error factor and its indiscriminate aspect, they particularly considered that the mandatory death penalty should not be maintained. Under the Chairmanship of **H.E. Hon. Min. Nazri** and **Hon. Kula Segaran, MP** and Secretary of PGA National

Group, the participants agreed that the abolition of the mandatory death penalty was a first step towards a broader goal of abolishing the death penalty for all crimes, as it had to be done progressively by focusing first on the capital punishment for drug-related offences and firearms offences. Indeed, all participants considered that the first necessity was to allow judges some discretion in sentencing the accused, providing room for taking into account the individual circumstances of each case and each offender.

All participants thus committed to support the introduction by **H.E. Hon. Min. Nancy Shukri** of a bill abolishing the mandatory death penalty for all offences, and most particularly drug-related offences. They also agreed to support the instatement of a *de facto* moratorium on executions, pending a study on the effectiveness of the death penalty. Within this framework, the participants agreed to encourage a review on the existing death row cases which resulted from mandatory death sentencing. Furthermore, the participants committed to create a caucus within the Parliament and under the leadership of the PGA National Group, in order to achieve a national and multi-partisan consensus to remove the barriers to abolition. They also considered a priority to reduce the number of offences carrying the death penalty and to ensure better standards for its use in accordance with UN and EU standards. In this regard, the participants agreed to urge the Malaysian Government to ratify international Human Rights instruments, such as the International Covenant on Civil and Political Rights and its Second Optional Protocol.

In addition, at the end of the Roundtable, the family and lawyers of Kho Jabing exchanged with the participants to sensitize them on the impact of the mandatory death penalty on the condemned and their families. Kho Jabing is a Malaysian national sentenced to death in Singapore whose execution scheduled for 6 November has been postponed to an undefined date, following the last-minute filing of his legal representatives.

PGA's Global Parliamentary Platform for the abolition of the death penalty supports, enhances and maximizes the impact of individual initiatives of parliamentarians worldwide on the abolition of the death penalty, as well as launches and coordinates targeted actions in selected countries, by raising awareness, strengthening political will and providing technical assistance for parliamentary initiatives aiming to generate a national political appropriation, awareness and understanding of the implications of abolition-processes.

Statements by PGA Members:

Hon. Kula Segaran, MP, Secretary General of the PGA Group in Malaysia: *"The death penalty is a hot issue which needs to be discussed and addressed by parliamentarians who should be at the forefront of those discussions on human rights, not only as policy-makers but also as leaders of opinion. The discussions yesterday thus allowed us to enlighten the debate and to address many myths and misconceptions about the death penalty with the aim of finding solutions to abolish the mandatory death penalty in Malaysia. In particular, after having worked on justice issues for many years, I believe that the non-deterrent effect of the death penalty has been proven over the years while at the same time judicial systems adopting a rehabilitation approach rather than a retributive one have witnessed lower crime rates. The death penalty can thus never be justified, in particular for non-violent crimes such as drug related offenses, and especially its mandatory aspect should be permanently removed in Malaysia".*

Hon. Melissa Parke, MP, Chair of the PGA Group in Australia: *"This roundtable in Kuala Lumpur, organised by Parliamentarians for Global Action in the framework of its Parliamentary*

Platform to abolish the death penalty, is a unique opportunity to highlight the role of parliamentarians in leading the debate and the work on abolition. I am convinced that we are on the path to the worldwide abolition of the death penalty in recognition of the necessity to protect all human rights, which begins with the right to life. As part of that effort, PGA will continue its efforts to support our Malaysian colleagues' initiative on this issue so that Malaysia can join the community of states which reject the use of the death penalty."

THE PGA PARLIAMENTARY PLATFORM AND TARGETED CAMPAIGNS FOR THE ABOLITION OF THE DEATH PENALTY RECEIVES SUPPORT AND COLLABORATION FROM AUSTRALIA AND THE UNITED KINGDOM. THIS ROUNDTABLE ALSO RECEIVED THE SUPPORT AND COLLABORATION FROM SWITZERLAND AND THE DELEGATION OF THE EU IN KUALA LUMPUR

More information on PGA Parliamentary Platform and Campaign for the Abolition of the Death Penalty: <http://www.pgaction.org/campaigns/abolition-of-the-death-penalty.html>

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