

MALAYSIA AND SINGAPORE AT A CROSSROADS: STOP EXECUTIONS, UPHOLD HUMAN RIGHTS

JOINT PRESS STATEMENT

22 SEPTEMBER 2025

As five men are now believed to be at imminent risk in Singapore, we, the undersigned civil society organisations, call on the Singaporean authorities to immediately halt all executions. We also urge the Malaysian government to take all possible steps to protect the rights of its nationals facing execution in Singapore and to press for a complete end to the death penalty, at home and internationally.

Among those who are at imminent risk of execution are Datchinamurthy a/l Kataiah, Pannir Selvam Pranthaman, Saminathan a/l Selvaraju, Lingkesvaran Rajendaren and Jumaat bin Mohamed Sayed. All of them were sentenced to death for drug trafficking, and have each spent seven to ten years on death row. While Jumaat is a Singaporean, the other four are Malaysians. The five of them had their most recent appeals dismissed, after many years of struggle for justice against all odds.

Singapore has already executed ten men, including two Malaysians, so far this year. In August 2025, Singapore's Cabinet advised the President to grant clemency to one person on death row—the first time this has been done in almost three decades. While we welcome this rare decision, it only underscores the arbitrariness and cruelty of the death penalty for all others still at risk.

Individuals on death row in Singapore and their families are only given four to seven days' notice of their execution. As we urge the authorities of both countries to protect human rights and end the death penalty, we also encourage Malaysians and Singaporeans to act now to help stop the imminent executions of these individuals; we cannot afford to wait, knowing that any of these individuals may get an execution notice in the coming days.

At this critical juncture, the Malaysian government must act decisively to protect the lives of its nationals and all those facing execution, as well as push for the abolition of the death penalty in the region. Many young Malaysians, often from disadvantaged socio-economic backgrounds, have been vulnerable to being recruited into the drug trade, and the Malaysian government has a moral duty to advocate for them, not leave them to die in foreign prisons. Having abolished the mandatory death penalty in 2023, as it continues its journey towards full abolition Malaysia must now go further by extending its advocacy to protect its nationals abroad who remain at risk under Singapore's harsh and cruel mandatory death penalty regime.

Meanwhile, Singaporeans who are horrified by these executions must speak out against this inhumane punishment. Singapore is increasingly alone in the region in implementing the mandatory death penalty and carrying out executions for drug trafficking.

The Case of Pannir Selvam Pranthaman

One of the Malaysian nationals at grave risk is Pannir Selvam Pranthaman. His case is riddled with violations of international human rights law and standards, and demonstrates fundamental flaws in Singapore's cruel capital punishment regime.

In 2017, Pannir was convicted of importing into Singapore 51.84g of diamorphine (heroin) and was sentenced to the mandatory death penalty. Despite evidence that he was a mere "courier" and had provided substantive information to the authorities, Singapore's Attorney-General's Chambers refused to issue Pannir a Certificate of Substantive Assistance. Without such a certificate, the court had no choice but to sentence him to death. Pannir, through his family, has shared information with the Royal Malaysia Police regarding syndicate operations along Malaysia's shores. His case has also been affected by the lack of legal representation during police interrogation, restrictive laws that curtailed post-conviction appeals, the denial of legal aid at the post-appeal stage, and breaches of privileged communication between those facing the death penalty and lawyers.

On 5 September 2025, the Singapore Court of Appeal dismissed Pannir's latest application for a stay of execution, even as his disciplinary complaint against his former lawyer remains unresolved. The court said in its judgment that the Law Society of Singapore may need to act urgently to "preserve" Pannir's testimony before his execution—a shocking and macabre acknowledgment of the grave cruelty of his looming execution.

The Use of Legal Presumptions of Guilt in Capital Cases: A Valiant Fight by Datchinamurthy, Saminathan, Lingkesvaran and Jumaat

In August 2022, Datchinamurthy, Saminathan, Lingkesvaran and Jumaat filed a challenge against the constitutionality of the legal presumptions of guilt in relation to trafficking, possession and knowledge under Singapore's Misuse of Drugs Act. They each had been convicted with reliance on two such presumptions contained in Section 18(1) and 18(2) of that Act.

The Misuse of Drugs Act allows legal presumptions to be used by the prosecution, whereby the burden of proof is shifted onto the defendant to be rebutted by them to the legal standard of "on a balance of probabilities". While other jurisdictions such as Canada, Hong Kong and the United Kingdom have rejected the use of legal presumptions to be rebutted on the balance of probabilities—on the basis that it allows for an accused person to be convicted despite reasonable doubt still existing—Singapore continues to apply such legal presumptions in cases of trafficking, possession and knowledge in capital drug cases. Presumptions of guilt effectively undermine fair trial guarantees under international human rights law and violate the right to be presumed innocent, a peremptory norm of customary international law. Further, the presumption of possession and knowledge can be applied together in Singapore—the use of which has been described in other courts as a severe derogation from the presumption of innocence.

It was a long, arduous journey for the four men to see this challenge through. Legal aid schemes in Singapore do not cover the filing of extra-ordinary appeals. As they had no means to engage a lawyer privately, the four men were unrepresented for a long time, forcing them to appear in court without lawyers to argue their challenge by themselves. When foreign senior counsel offered to represent them pro bono, the court ruled that they would have to argue by themselves the request to admit these foreign counsels to represent them in Singapore — creating an outrageous situation in which persons on death row had to present highly technical legal arguments while the foreign senior lawyers could only watch. In the end, the Singapore Courts rejected their application to have these lawyers represent them.

It was only about two years after their constitutional challenge was filed that some local lawyers agreed to take on the case, which was dismissed last month. With the conclusion of this case, there is no longer any pending legal proceeding to prevent the Singaporean authorities from scheduling their executions.

Grave Concerns Over Other Violations of International Human Rights Law and Standards

We remind the Singaporean authorities that international safeguards on the use of the death penalty prohibit carrying out executions while appeals or other recourse procedures are pending. Surely it can be recognised that Pannir's involvement—to instruct counsel, give testimony and respond to any evidence raised by his former lawyer—is the only way to ensure a fair outcome in his complaint lodged with the Law Society of Singapore. This is especially critical given that the complaint includes a direct conversation involving Pannir and his former lawyer; and that several other persons on death row who had also filed complaints against this same lawyer have already been executed before their testimonies could be heard.

Like Pannir, both Datchinamurthy and Saminathan also had their private correspondence copied and forwarded by the Singapore Prison Service, without authorisation, to the Attorney-General's Chambers—an act that Singapore's Court of Appeal has ruled to be unlawful.

Individuals on death row in Singapore have raised serious concerns about the extremely prohibitive barriers that they face in filing legal applications after their criminal appeal has concluded. They have also repeatedly brought up how difficult it is for them to engage lawyers in Singapore, given the risk of onerous fines, reprimands and costs that lawyers have to bear for taking up capital cases at later stages. Conditions on death row in Singapore have worsened over the years, with prisoners enduring isolation in solitary cells, severely restricted communications between them and their loved ones, and the prison authorities making it close to impossible for persons involved in the same legal challenge to confer with one another.

The death penalty for drug offences violates international human rights law and standards, which limit the use of capital punishment only to the “most serious crimes”, understood as intentional killing. Drug trafficking does not meet this threshold. Both the United Nations Human Rights Committee and the United Nations Special Rapporteurs have consistently affirmed this position. Yet the vast majority of executions that take place in Singapore are carried out as part

of the country's extremely punitive "war on drugs"—demonstrating how far out of step Singapore is with the international community when it comes to human rights and justice.

Lawrence Wong's New Premiership

As Singapore's new prime minister, Lawrence Wong has an opportunity to take the momentous step of leading Singapore away from the cruel and inhumane use of the death penalty that has taken hundreds of lives since independence. Imposing an immediate moratorium on executions and repealing the mandatory death penalty would be critical urgent steps that he could lead on, with a view towards full abolition. This will not only spare the many people currently on death row, but also ensure that Singapore is not left behind by the international trend away from the use of capital punishment.

Prime Minister Wong has so far not made any public statements on Singapore's use of the death penalty. However, the first clemency granted to a death row prisoner in 27 years—which would not have been possible without Wong's Cabinet advising President Tharman Shanmugaratnam to do so—shows that change is possible. Prime Minister Wong should not remain silent on this issue, and should demonstrate leadership in ending Singapore's use of the death penalty.

Malaysia's Role as ASEAN Chair: A Chance to Lead on Abolition

Malaysia's abolition of the mandatory death penalty came into effect in July 2023, preceding a comprehensive resentencing process in court for all individuals sentenced to the mandatory death penalty prior to the amendments, including those convicted of drug trafficking. As a result, most death sentences have been set aside and replaced with 30 to 40 years imprisonment and, when applicable, whipping.

We are encouraged by the recent announcement that the moratorium on executions continues to be observed in Malaysia and that a new study is being commissioned to consider the potential abolition of the death penalty. As the current Chair of the Association of Southeast Asian Nations (ASEAN), Malaysia is uniquely positioned to champion human rights in the region. Malaysia's intervention in these cases would not only demonstrate its commitment to support its nationals facing execution abroad, but also its leadership in advancing a human rights agenda within ASEAN.

We call on the authorities of the two countries to:

- 1) **Engage in swift and effective intervention:** Utilise all available channels, including direct diplomatic appeals to urge the Government of Singapore to halt the executions of Datchinamurthy, Pannir, Saminathan, and Lingkesvaran, and to prevent further executions from taking place in Singapore, including those that would be unlawful under international law and standards;

- 2) **Leverage ASEAN mechanisms and lead by example:** Utilise Malaysia's position as ASEAN Chair to advocate for regional cooperation to abolish the death penalty, while moving towards full abolition at home to set a strong example for the region.
- 3) **Commit to steps toward full abolition of the death penalty:** Implement or maintain a moratorium on executions, and commission independent, evidence-based and transparent studies on moving away from capital punishment.

This is not merely about saving the lives of a select few men languishing on death row in Singapore's Changi Prison. It is about ending the cruelty of the death penalty, ensuring that both Singapore and Malaysia uphold the dignity and rights of all, and demonstrating the leadership needed to move their countries and the region towards abolition.

We call on the Malaysian Government to act without delay, and on the Singaporean authorities to implement an immediate moratorium on the death penalty, and refrain from issuing any execution notices.

***On 21 September 2025, Datchinamurthy Kataiah's family received news that his execution will be carried out on 25 September, 2025 at Changi Prison.**

Signatories:

1. Anti-Death Penalty Asia Network (ADPAN)
2. Amnesty International
3. Capital Punishment Justice Project
4. Transformative Justice Collective (Singapore)
5. Student Actions for Transformative Justice (SATU, Singapore)
6. Alliance Against the Death Penalty (AADP, Singapore)
7. Function 8 (Singapore)
8. Center for Orang Asli Concerns
9. Advancing Knowledge in Democracy and Law initiative
10. Freedom Film Network
11. Sebaran Kasih Malaysia
12. ECPM (Together Against the Death Penalty)
13. MADPET-Malaysians Against Death Penalty and Torture
14. Center for Alliance of Labor and Human Rights
15. Redemption Pakistan
16. Workers Hub For Change (WH4C)
17. North South Initiative
18. Julian Wagner Memorial Fund Inc.
19. Australians Against Capital Punishment
20. The National Human Rights Society (HAKAM)
21. Centre for Independent Journalism
22. HAKAM

23. Banglar Manabadhikar Suraksha Mancha (MASUM)
24. Coalition for Clean & Fair Election (BERSIH)
25. Saya Anak Bangsa Malaysia [SABM]
26. SIS Forum (Malaysia)
27. TENAGANITA
28. Maldivian Democracy Network
29. Bersih
30. KLSCAH Youth
31. Puerto Rico Bar
32. ALIRAN
33. International Federation of Journalists