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PETALING JAYA

Get the kingpins!

Suspension of death penalty for drug offences welcomed, but stakeholders want tougher alternatives that target drug lords and manufacturers

THE recently-announced moratorium on the mandatory death penalty for drug pushers puts Malaysia in the right direction in improving its human rights record but at the same time begs the question if there are more effective alternatives in the war against drugs, as those who are caught are mainly mules while the kingpins continue laughing all the way to the bank.

Former CID and prisons department director Tan Sri Zaman Khan said the death penalty for trafficking and other drug-distribution offences is ineffective.

"There are over 900 people on death row, with 640 convicted of drug trafficking. Some have been there for years, waiting to be executed," said the Malaysian AIDS council president.

"Despite having the death penalty for drug offenders, there are still people committing the offence and also others waiting to be hanged in this country," he said, adding that instead, anyone found guilty for drug trafficking should be imprisoned for life, to ensure they do not benefit from their ill-gotten gains.

"In my opinion, life-imprisonment is an equally-detering sentence.

"Besides, there are varying types of drug offenders, such as pushers and traffickers, who ought to be punished accordingly. The severity of the sentence should depend on the drug type and the amount."

Zaman said the law must

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not "shackle" the discretion of judges to mete out adequate sentences.

If the sentence meted out is felt to be inadequate, the attorney-general can always appeal, he said.

"It may be time consuming and incur more expenses, but we must remember that we are dealing with a man's freedom. This is about human rights," he added.

He also said that most offenders convicted of drug trafficking are mules who are used by organised crime syndicates.

"Some are lured by the attractive gratification for the delivery of the drug consignment. Some are driven by

greed.

"In quite a number of cases when a Malaysian is sentenced to death for drug trafficking in foreign countries, parents would appeal to the government to help bring them home.

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Death penalty no deterrent

Until and unless we abolish the death penalty for the trafficking of drugs, we have no reason to request another country to bend its laws," he said.

Malaysian Crime Prevention Foundation vice chairman

Datuk Kamaruddin Ali pointed out that the death penalty has not been an effective deterrent.

"Statistics show that drug mules don't fear death. We are also not tackling the root of the problem. We need to hunt down the masterminds. What we really need is another preventive law," he said.

"When we had the Emergency Ordinance Act, hardcore criminals could be detained by the police without trial or evidence.

"Now, they are still out there, the police know they are hardcore criminals but there is no evidence to stop them."