

JOINT STATEMENT

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SINGAPORE: CALL FOR DEATH PENALTY MORATORIUM RENEWED AFTER FIRST CLEMENCY SINCE 1998 AND THIRD EXECUTION IN THREE WEEKS

In a welcome move, on 14 August 2025 the President of Singapore, Tharman Shanmugaratnam, granted the first clemency in a death penalty case in the country since 1998. However, it is gravely concerning that this positive outcome came closely after the announcement of the third execution being carried out by the Singapore authorities within a period of three weeks – all for drug-related offences.¹ The use of the death penalty for drug-related offences violates international human rights law and standards.² The undersigned organizations urge the Government of Singapore to immediately establish a moratorium on all executions, and commute all existing death sentences as the first critical steps towards fully abolishing the death penalty.

FIRST CLEMENCY IN CLOSE TO THREE DECADES EXPOSES NEED TO REPEAL REQUIREMENT FOR CERTIFICATES OF SUBSTANTIAL ASSISTANCE

On 14 August, the President of Singapore, Tharman Shanmugaratnam, acting on advice from the Cabinet commuted the death sentence of a 33-year-old man from Singapore, reducing it to life imprisonment.³ This was the first clemency granted in a death penalty case in close to 30 years, a decision that is as welcome as long-overdue.

The power of granting clemency is a discretionary prerogative of the executive, but the lack of a positive outcome in a clemency petition for such a long interval had given rise to the question of whether UN safeguards guaranteeing the protection of the rights of those facing the death penalty, which provide the right to apply for clemency and for such applications to be granted in any cases, were meaningfully implemented in Singapore.⁴ As noted by the UN Human Rights Committee, clemency petitions must be meaningfully considered, and “[n]o category of sentenced persons can be a priori excluded from such measures of relief, nor should the conditions for attainment of relief be ineffective, unnecessarily burdensome, discriminatory in nature or applied in an arbitrary manner.”⁵ We call on the President of Singapore and the government to ensure that this first, and overdue, commutation marks the beginning of a new approach, leading to lives being spared from the gallows through the exercise of this power.

It is further significant that the justification provided by the Ministry of Home Affairs, as reported in the media, for the commutation of the death sentence in this case was to reduce the disparity in the sentencing outcomes between this case and that of another man arrested in connection to the same offence but tried separately, who was not sentenced to death.⁶ Our organizations have long held that an inherent arbitrariness affects death penalty cases worldwide, with sentencing outcomes shaped by many factors relating to the circumstances and background of the individual facing the death penalty, as well as structural and systemic challenges embedded in the criminal justice system itself – turning the death penalty inevitably into a “lethal lottery”. Full protection against the arbitrary deprivation of life can only come through the full abolition of this cruel punishment.

¹ Central Narcotics Bureau, “Execution of a Convicted Drug Trafficker - 13 August 2025”, 13 August 2025

<https://www.cnb.gov.sg/NewsAndEvents/News/Index/execution-of-a-convicted-drug-trafficker--13-august-2025>

² UN Human Rights Committee, General Comment No. 36 – Article 6: right to life, UN Doc.CCPR/C/GC/36, 3 September 2019, para.35.

³ The Straits Times, “Drug trafficker gets death sentence commuted after President Tharman grants clemency”, 15 August 2025, <https://www.straitstimes.com/singapore/courts-crime/man-on-death-row-granted-clemency-in-rare-move-to-reduce-disparity-between-outcomes>; South China Morning Post, “In rare move, Singapore commutes drug trafficker’s sentence from death to life in prison”, 15 August 2025, <https://www.scmp.com/week-asia/people/article/3322038/rare-move-singapore-commutes-drug-traffickers-sentence-death-life-prison>

⁴ UN Safeguards guaranteeing protection of the rights of those facing the death penalty, adopted by the UN Economic and Social Council in resolution 1984/50 of 25 May 1984. The safeguards were endorsed by the UN General Assembly in 1984 without a vote.

⁵ UN Human Rights Committee, General Comment No. 36 – Article 6: right to life, UN Doc.CCPR/C/GC/36, 3 September 2019, para.47.

⁶ The Straits Times, “Drug trafficker gets death sentence commuted after President Tharman grants clemency”, 15 August 2025, <https://www.straitstimes.com/singapore/courts-crime/man-on-death-row-granted-clemency-in-rare-move-to-reduce-disparity-between-outcomes>

Our concern about the inherent arbitrariness of the death penalty applies directly to its use in Singapore. In particular, the requirement for a prosecution-issued Certificate of Substantive Assistance needed for individuals to be spared the death penalty is one example of great concern. Following amendments to the Misuse of Drugs Act in 2013, there are two scenarios that allow for limited sentencing discretion: first, where a person is found to be a “courier” and to have a mental or intellectual disability that meet the legal threshold of “abnormality of the mind” which substantially impaired their mental responsibility for their acts and omissions in relation to the offence; or second, where a person is found to be a “courier” and the prosecution issues a Certificate of Substantive Assistance confirming that they assisted the Central Narcotics Bureau in disrupting further drug trafficking activities. In respect of the second scenario, without the Certificate of Substantive Assistance, the court has no option but to impose the mandatory death penalty.

This certificate requirement effectively shifts the sentencing decision to the prosecution. This violates the right to a fair trial, as it effectively places the decision between a life-or-death sentence in the hands of an official who is not a neutral party in the trial and should not have such powers; it undermines the independence of the judiciary, breaking down the separation that must exist between prosecution and court; and violates the principle of “equality of arms,” namely the equal powers of prosecution and defence before the courts.⁷

Our organizations have also long denounced the lack of transparency that surrounds this process, as well as the fact that the decision on the assistance is based on statements made by the defendant during interrogation without a lawyer present, and limited information shared on the outcome of the investigations into the submitted information.⁸ The Certificate of Substantive Assistance requirement introduced a systemic disparity and compounded unfairness in the determination of life and death decisions in capital cases. To address that, we renew our call on the Government of Singapore to immediately halt all executions and bring national legislation in line with international law and standards, as the first critical steps.

THIRD EXECUTION IN THREE WEEKS AMONG CONTINUED VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS LAW AND STANDARDS

The positive clemency decision came the day after the Singapore authorities announced that they had carried out the third execution in three weeks. The Central Narcotics Bureau announced that a 60-year-old Singaporean man was executed on 13 August;⁹ a 44-year-old Malaysian on 30 July;¹⁰ and a 56-year-old Malaysian on 25 July.¹¹ All three individuals were convicted of drug-related offences, bringing the number of drug-related executions recorded for 2025 to eight, out of the 10 total.

The use of the death penalty for **drug-related offences** violates international human rights law and standards, which restrict its use to the “most serious crimes”, most recently interpreted as referring to “crimes of extreme gravity involving intentional killing”.¹² Several UN bodies, including the International Narcotics Control Board, have repeatedly clarified that drug-related offences **do not** meet this threshold.¹³

We also remain alarmed by the continued resort to the **mandatory death penalty**, which removes judges’ power to consider the particular circumstances of the offence and the background of the convicted person, also in violation of international law and standards;¹⁴ and the reliance on the **legal presumption of trafficking** under the Misuse of Drugs Act, based on the amount of drugs a person is found with. When these legal presumptions are invoked, the burden of proof is shifted onto the defendant to be rebutted to the reversed and therefore higher legal standard of “on balance of probabilities”. Legal presumptions of guilt

⁷ UN Human Rights Committee, General Comment No. 32, Article 14: Right to equality before courts and tribunals and to a fair trial, UN Doc. CCPR/C/GC/32, 23 August 2007, para.8.

⁸ Amnesty International, “Cooperate or die – Singapore’s flawed reforms to the mandatory death penalty” (ACT 50/7158/2017), 11 October 2017, <https://www.amnesty.org/en/documents/act50/7158/2017/en/>

⁹ Central Narcotics Bureau, “Execution of a Convicted Drug Trafficker - 13 August 2025”, 13 August 2025, <https://www.cnb.gov.sg/NewsAndEvents/News/Index/execution-of-a-convicted-drug-trafficker---13-august-2025>

¹⁰ Central Narcotics Bureau, “Execution of a Convicted Drug Trafficker - 30 July 2025”, <https://www.cnb.gov.sg/NewsAndEvents/News/Index/execution-of-a-convicted-drug-trafficker---30-july-2025>

¹¹ Central Narcotics Bureau, “Execution of a Convicted Drug Trafficker - 25 July 2025”, 25 Jul 2025, <https://www.cnb.gov.sg/NewsAndEvents/News/Index/execution-of-a-convicted-drug-trafficker---25-july-2025>

¹² Article 6(2) of the International Covenant on Civil and Political Rights; Safeguard No.1 of the UN Safeguards guaranteeing protection of the rights of those facing the death penalty, adopted through UN Economic and Social Council resolution 1984/50.

¹³ UN Human Rights Committee, General comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life, UN Doc. CCPR/C/GC/36, 30 October 2018, para.35; Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (2012), UN Doc. A/67/275, para.122; UN Chief Executives Board, “What we have learned over the last ten years: A summary of knowledge acquired and produced by the UN system on drug-related matters”, UN Doc. E/CN.7/2019/CRP.10; UN Chief Executives Board, “What we have learned over the last ten years: A summary of knowledge acquired and produced by the UN system on drug-related matters”, UN Doc. E/CN.7/2019/CRP.10; Report of the International Narcotics Control Board for 2021, UN Doc. E/INCB/2021/1, para. 90.

¹⁴ UN Human Rights Committee, General comment No. 36 (2018) on article 6 of the International Covenant on Civil and Political Rights, on the right to life, CCPR/C/GC/36, 30 October 2018, para.37.

violate the right to be presumed innocent – a peremptory norm of customary international law – and other fair trial guarantees under international human rights law that mandate that the burden of proving all charges rests on the prosecution.¹⁵ In addition, presumptions of guilt have also had the effect of lowering the threshold of evidence needed to secure a conviction in capital cases.

WANING EXECUTIONS FOR DRUG-RELATED OFFENCES IN ASEAN COUNTRIES UNDERScore URGENCY OF MORATORIUM ON ALL EXECUTIONS IN SINGAPORE

In recent years, only two countries in the Association of Southeast Asian Nations (ASEAN) were known to have carried out executions – Singapore and Viet Nam. With the recent abolition of the death penalty for drug transporting in Viet Nam on 25 June 2025, Singapore is poised to be the last ASEAN country to carry out executions for this offence.¹⁶

Singapore is also isolated at a global level. In 2024, Amnesty International and Harm Reduction International recorded only four countries known to have carried out drug-related executions: China, Iran, Singapore, and Saudi Arabia.¹⁷ Civil society monitoring also suggests that drug-related executions were carried out in the Democratic People's Republic of Korea (North Korea) and Viet Nam, but these could not be confirmed due to restrictive state practices.

Recent developments in several other Asian countries also suggest that, with sufficient political will, a significant decrease in the resort to the death penalty, including for drug-related offences, is possible. In July 2023, Pakistan repealed the death penalty for drug-related offences.¹⁸ Also in 2023, Malaysia repealed the mandatory death penalty, which resulted in the commutation of more than 1,000 death sentences, with none of the more than 50 sentences confirmed by the Federal Court relating to drug trafficking.¹⁹

Following the global trend towards the abolition of the death penalty, especially for drug-related offences, and to bring Singapore into line with international human rights law and standards, we renew our call on the Government of Singapore to immediately establish a moratorium on all executions; commute all death sentences; and review national legislation to bring it in line with international human rights law and standards, pending full abolition of the death penalty.

This statement is co-signed by:

Amnesty International

Anti-Death Penalty Asia Network

Capital Punishment Justice Project

Harm Reduction International

¹⁵ UN Human Rights Committee, General Comment No. 24: Issues relating to reservations made upon ratification or accession to the Covenant or the Optional Protocols thereto, or in relation to declarations under article 41 of the Covenant (Art. 41), para.8.

¹⁶ UN Office of the High Commissioner for Human Rights, "Viet Nam: Parliament votes to abolish death penalty for some offences", 27 June 2025, <https://www.ohchr.org/en/press-releases/2025/06/viet-nam-parliament-votes-abolish-death-penalty-some-offences>

¹⁷ Amnesty International, "Death sentences and executions in 2024" (ACT 50/8976/2025), April 2025, <https://www.amnesty.org/en/documents/act50/8976/2025/en/>; Harm Reduction International, "The Death Penalty for Drug Offences: Global Overview 2024" March 2024. <https://hri.global/flagship-research/death-penalty/the-death-penalty-for-drug-offences-global-overview-2024/>

¹⁸ Pakistan today, "Pakistan ends capital punishment for drug trafficking convicts", 26 July 2023, <https://www.pakistantoday.com.pk/2023/07/26/pakistan-ends-capital-punishment-for-drug-trafficking-convicts/>

¹⁹ Amnesty International, "Death sentences and executions in 2024" (ACT 50/8976/2025), April 2025, p.25; "Malaysia: Two years since mandatory sentencing repeal, government urged to fully abolish the death penalty" (ACT 50/9557/2025), 4 July 2025, <https://www.amnesty.org/en/documents/act50/9557/2025/en/>