



Singapore

Foreign Nationals and the Death Penalty

Death Penalty Overview

Singapore, like the United States, is one of the world’s most economically developed countries to still retain and use the death penalty and has the highest per capita execution rate globally. Singapore is also one of just four countries who regularly execute people for non-violent drug offences. Singapore regularly refuses to accede to the UN moratorium against the death penalty and has even signed a statement against the resolution, stating that state sovereignty in these matters is of the utmost importance.

The death penalty can be imposed for murder, terrorism and drug trafficking, though it is drug trafficking where most sentences are made. It was also available for rape and mutiny until the Penal Code (Amendment) Act of 2007. At least 44 individuals have been executed since 2013, most of whom were were foreign nationals, who were all executed for drug trafficking. Executions are carried out by hanging, the most recent of which was on 26 April 2023, when [Tangaraju Suppiah](#), a 46-year-old Singaporean man, was executed for possession of 1kg of cannabis.

Year	Drug Trafficking	Murder	Total
2016	2	2	4
2017	8	0	8
2018	11	2	13
2019	2	2	4
2020	0	0	0
2021	0	0	0
2022	11	0	11

Executions in Singapore

Public discourse around the death penalty in Singapore is virtually non-existent, as it is considered a taboo subject, although many seem to believe that harsh punishments serve as effective deterrents against crimes such as murder and drug trafficking.

All eight executions in 2017 were for drug-related offences, as were 11 of 13 executions in 2018. After a two-year

moratorium on executions, all 11 executions in 2022 were for drug-related offences.

As [Kirsten Han](#), abolitionist journalist and advocate and leader of the [Transformative Justice Collective](#) in Singapore argued:

'The Singapore government has repeatedly insisted, for decades, that the death penalty deters the drug trade in Singapore, thus keeping us safe from drugs. This is a widely accepted narrative in Singapore, because it is pushed so hard and so consistently by the government. I think it's completely wrong. There's no clear evidence that the death penalty is more effective than any other punishment in deterring drug offences.'

Executions were put on hold in 2011 while the Government reviewed the death penalty regime. On 1 January 2013, a new law came into effect giving judges discretion to sentence drug offenders to life imprisonment instead of the mandatory death penalty for those who are certified by the prosecutions as couriers who have substantively assisted the authorities or found to be suffering from a mental abnormality. However, there continue to be cases where people in those categories are sentenced to death.

Death sentences continued to be handed down during the Covid 19 pandemic, with some cases even being held over online video conferencing, against international fair trial standards.



Changi Prison, where death row prisoners are held.

Foreign Nationals

Foreign nationals only constitute [27% of the population](#) of Singapore and yet 48% of the executions during 2016-2021, 67% of which were for drug offences.

Of the 36 cases of foreign nationals sentenced to death during this period, all of them were men and 30 were sentenced to death for drug trafficking. 87% of them were Malaysian, with the others coming from West Africa.

A number of cases are marked by mitigating factors, such as intellectual disability or mental illness, although these have not been adequately considered by Singaporean judges.

Case Studies

Punithan Genasan

A 37-year-old Malaysian man was sentenced to death in May 2020 via Zoom during Covid for trafficking 28g heroin. Abuse of fair trial processes to conduct remote hearings,



Nagaenthran Dharmalingam



which Chiara Sangiorgio, of Amnesty International called '[cruel and inhumane](#)'.

In April 2009, Nagen, a 23-year-old Malaysian man, with intellectual disability, was arrested at the Woodlands

Checkpoint entering Singapore with 43g of heroin strapped to his thigh. He was sentenced to death in November 2010. Although considered to have intellectual disability, the court held that it was not severe enough so that he must have known what he was doing at the time of the offence

and that no other evidence of his disability was required. Nagaenthran was [executed on 27 April 2022](#), despite pleas against this from many [nations around the world](#).

Prabakaran Srivijayan



25-year-old Malaysian man was arrested in April 2012 when 22g of heroin was found in the car he was driving, which he had borrowed from a friend.

There was evidence of an unfair trial and a failure by the authorities to investigate evidence which could exonerate him. His lawyers were not permitted to visit him in Changi prison. And although he co-operated with the investigating authorities they did not provide him with a certificate of assistance which would have allowed for his death sentence to be commuted to a life sentence. The [DPP began an appeal](#) in the Malaysian courts in January 2017, however, Praba was [executed in July 2017](#), while an appeal was still pending.

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