



Statement urging Singapore to Halt Impending Execution of Nagaenthran K Dharmalingam for a Drug Offence

8 November 2021 – The Network of Asian People who Use Drugs (NAPUD) and the International Network of People who Use Drugs (INPUD), with the Asia Pacific Network of People Living with HIV (APN+), the Asia Pacific Network of Sex Workers (APNSW), the Asia Pacific Transgender Network (APTAN), Youth Lead Asia Pacific, APCOM alongside 12 organisations and networks, urge the Government of Singapore to immediately halt the impending execution of Nagaenthran K Dharmalingam and calls upon UN entities, the European Union, and all relevant stakeholders to take urgent action.

Nagaenthran, a 32-year-old Malaysian citizen, was arrested in 2009, and sentenced to death in 2011 for importing with intent of trafficking 42.72 grams of diamorphine. The Singapore Court of Appeal upheld the sentence in November 2011, and further re-sentencing applications were dismissed. On 26th October 2021, Nagaenthran's family was informed that he would be executed on 10th November and was advised to start making travel and funeral arrangements. Nagaenthran, who was reportedly pushed to import drugs in exchange of RM 500 (USD 120) needed to pay for his father's upcoming heart surgery, also experiences mental health issues and has an intellectual disability: he was diagnosed with mild ADHD, his I.Q. of 69 meets the international clinical characteristics for intellectual disability, and his functioning skills (including verbal fluency, abstract reasoning, and problem solving) are impaired. Nevertheless, judges concluded that his impairment was not sufficient to grant re-sentencing, and in 2017 upheld his death sentence.

The use of the death penalty for drug offences is a clear violation of international human rights as well as drug control standards, as reiterated by the [UN High Commissioner for Human Rights](#), the [Human Rights Council](#), the [UN Office on Drugs and Crime](#) (UNODC) and the [International Narcotics Control Board](#) (INCB). Contrary to the Government's claims, there is no proof that the death penalty has a unique deterrent effect on drug use or trafficking. Like many capital drug defendants, Nagaenthran was evidently at the low end of the drug supply chain, was tricked – if not coerced – to carry drugs and did not stand to make a sizeable profit in return for the incredibly high-risk activity of carrying drugs across international borders. Rather, the use of death penalty, and punitive drug policies more generally, work to deepen stigma and discrimination against people who use drugs and entrench cycles of poverty and marginalisation. As more countries move away from using the death penalty as a tool of drug control, research by [Harm Reduction International](#) shows Singapore is one of few countries that regularly sentence individuals to death for drug offences.

In addition, the imposition of capital punishment against persons with mental or intellectual disabilities is prohibited by international law and a violation of the Convention on the Rights of Persons with Disabilities, which Singapore ratified.

We urge the Government of Singapore to suspend Nagaenthran's execution and to commute his sentence, as a first step towards abolition of the death penalty. We also urge to practice towards progressive drug policies which centre health and human rights.

Co-signatories:

1. Afghan Network of People Living with HIV (ANP+)
2. Bridge Hope Health Organisation, Afghanistan
3. Network of People who Use Drugs in Bangladesh (NPUD)
4. Indian Drug Users' Forum (IDUF)
5. Persaudaran Korban Napza Indonesia (PKNI)
6. SEED, Malaysia
7. National Alliance of PLHIV & PUDs (NAPP), Nepal
8. IDU Care, Philippines
9. Millennium Development Goals (MDG) Achieving Organisation, Pakistan
10. HIV Buddies, Pakistan
11. Thai Drug Users' Network (TDUN)
12. Vietnam Network of People who Use Drugs (VNPUD)