

# MALAYSIAN MAN ESCAPES THE DEATH SENTENCE IN SINGAPORE

- Harsh Mahaseth

The Apex Court of Singapore has overturned its own decision in a case of drug importation of an indicted Indian-Malaysian man Gobi Avedian who worked as a security guard. Quite surprisingly, he escaped the gallows for a second time after the Apex Court setting aside the capital punishment, but still convicting for attempted drug importation with a lesser sentence.

In dire need of money for the operation of his daughter, Gobi agreed to deliver the drugs to Singapore from Malaysia. He was informed that the drugs he carried are “not serious” but disco drugs - “ordinary” per Singaporean laws which would entail a fine or small punishment if caught. He also checked with his friend who worked in a disco as to whether these were drugs known as “disco drugs” and was assured that they were not dangerous. On eight to nine different occasions, Gobi delivered the drugs from Malaysia to Singapore. In 2014, he was caught at the Woodlands checkpoint and given a death sentence for importing 40.22-grams of heroin.

In 2017, Gobi contented before the High Court that he thought that he was carrying just a mild form of “disco drugs” and was not aware of the contents of heroin in the drug. Agreeing with Gobi’s contention, the High Court convicted him on a reduced charge of attempted importation of a Class C drug and sentenced him to 15 years of jail and 10 strokes of the cane. However, in 2018 on an appeal filed by the prosecution, a three-judge bench of the Court of Appeal convicted him for the death penalty stating that he had failed to deny the presumption of knowledge as per Section 18(1) of the Misuse of Drugs Act, 1973.

In 2019, in Adili’s case, the Court had decided on the doctrine of willful blindness and that legal concepts of actual knowledge and willful blindness were “separate and distinct.” On this legal position, Gobi appealed to get his decision reviewed on the death sentence, and a five-judge bench of the Court of Appeal overturned the decision. The death sentence was set aside, and Gobi was given a backdated sentence of what he was given by the High Court in 2017.



Picture Courtesy: Malaysia Now

## HIGHLIGHTS OF 37TH ASEAN SUMMIT 2020

- Dishant Choudhary

The biannual summit of the Association of Southeast Asian Nations (ASEAN), chaired by Vietnam’s Prime Minister Nguyen Xuan Phuc, took place online on November 12, 2020, and ended on November 15, 2020. The summit was held via video conference due to the pandemic.

In his opening remarks, the prime minister highlighted that the obstacles posed this year is unprecedented that has led to a global health crisis and regional instability. He also indicated that despite several attempts over the past decades, peace and security has been a critical issue in the region. He attributed these challenges to major power rivalry and political differences amongst global powers that are continuously reshaping the international multilateral system.

To this end, he called for unity and solidarity among nation-states to maintain security and stability in the region at a time when the world is still struggling to recover from the disruptions caused by the COVID-19 pandemic.

Major themes discussed in the summit were the tensions in the SCS as China has asserted its claim over most of the disputed waterway with other ASEAN member states and tackle plans for economic recovery in light of the pandemic. Although after much hue and cry, not much has finalized and implemented on actual terms with regards to the two agendas. However, a free-trade agreement, namely, RCEP was signed at the end of the three-day summit by ASEAN members, China, Japan, South Korea, Australia, and New Zealand. This deal will bolster the economic co-operation and ease of doing business in the Asia-Pacific region.



Picture Courtesy: asean.org