



Singapore: End the judicial harassment of Jolovan Wham; repeal Public Order Act

(Bangkok/Singapore, 29 May 2020) – The summoning of activist Jolovan Wham by the Singaporean authorities for posting a picture on social media, including on Facebook, Instagram and Twitter, points to an escalating repression of human rights defenders in the country.

In a joint statement, the Asian Forum for Human Rights and Development (FORUM-ASIA), and Singapore-based civil society organisations Think Centre and Function 8, said that the Government of Singapore should instead ensure open spaces for people to peacefully express their opinions.

On the contrary, the Government maintains a tight rein on civil society with repressive laws that bar them from exercising their fundamental civic freedoms of expression through judicial harassment.

Wham was summoned to the Tanglin Police station on 24 May as part of an investigation into his alleged infringement of the Public Order Act, and had his mobile phone confiscated.

The investigation is centred on a photo that Wham had posted on social media in March which shows him holding a placard with a smiley face in front of the Toa Payoh Central Community Club in Singapore. Wham was expressing support with two climate activists who were taken into police custody for posting photos of themselves with placards calling for climate action.¹

In recent years, Wham has been the subject of judicial harassment for his activism, facing multiple charges for his activism in Singapore.

In 2018, he was charged with contempt of court for criticising a court decision on political cases.² In 2019,³ he was convicted for violating the Public Order Act after organising a public event without a permit. He served a one-week jail sentence in the same year, for charges of contempt of court, after he criticised the judiciary.⁴

Other pending charges against Wham include one for refusing to sign police statements under the Penal Code and another for vandalism. The recent summons is a continuation of the Government's continuous use of intimidation against Wham.

Singapore has a track record of using the Public Order Act to criminalise dissidents and suppress civic space. Under Section 2 (1) of the law,⁵ a demonstration by an individual person could constitute an assembly.

Further, a court precedent allows the law to be interpreted to include online assembly, which subjects Wham to a charge for organising an indoor forum that saw the participation of a foreign activist via video call without a permit.

¹ <http://theindependent.sg/netizens-post-smiley-photos-as-a-show-of-solidarity-with-activist-jolovan-wham/>

² <https://www.forum-asia.org/?p=26865>

³ <https://www.forum-asia.org/?p=27968>

⁴ <http://theindependent.sg/jolovan-wham-starts-1-week-prison-sentence-for-criticising-judiciary/>

⁵ <https://sso.agc.gov.sg/Act/POA2009>

The broad definition of what constitutes an assembly enables the Singaporean authorities to target any individual exercising their rights, effectively curtailing legitimate means of expression.

A person who fails to obtain permission to organise an assembly could be subjected to a fine of up to USD 5,000 under Section 7 and 16 (1) of the Public Order Act. Under Section 16(3), a repeated offender could be slapped with a fine of up to USD 10,000 and six-month imprisonment.

FORUM-ASIA, Think Centre and Function 8 call on the Singaporean Government to end the judicial harassment of Jolovan Wham and other human rights defenders who are targeted merely for exercising their rights legitimately.

The Government needs to repeal the Public Order Act, and ensure all laws governing peaceful assembly are up to par with international human rights standards, including the International Covenant on Civil and Political Rights.

Fundamental rights are enshrined under Article 14 (1) of the Constitution and should be guaranteed by the Government. The continuous weaponisation of repressive laws, such as the Public Order Act, proves Singapore's lack of accountability to its own constitutional commitments to human rights.

The Asian Forum for Human Rights and Development (FORUM-ASIA) is a Bangkok-based regional network of 81 member organisations across 21 Asian countries, with consultative status with the United Nations Economic and Social Council, and consultative relationship with the ASEAN Intergovernmental Commission on Human Rights. Founded in 1991, FORUM-ASIA works to strengthen movements for human rights and sustainable development through research, advocacy, capacity-development and solidarity actions in Asia and beyond. It has sub-regional offices in Geneva, Jakarta, and Kathmandu. www.forum-asia.org

Think Centre is an independent non-governmental organisation (NGO) in Singapore. First registered as a business (RCB) on 16 Jul 1999 and today as a society (under ROS) on 20 Oct 2001, the Centre aims to critically examine issues related to political development, democracy, rule of law, human rights and civil society. Think Centre's activities include research, publishing, organising events and networking. www.thinkcentre.org/

Function 8 is an initiative by a group of citizens who believe that there is a need to facilitate the sharing of social, political and economic experiences of those who had contributed, or are eager to contribute, to society through reflection and civic discussion. fn8org.wordpress.com/

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