

Singapore yet to address civic freedom gaps ahead of UN review

Human rights groups CIVICUS and FORUM-ASIA call on UN member states to urge the government of Singapore to protect civic freedoms as its human rights record is examined by the UN Human Rights Council on 12 May 2021 as part of the 38th session of the Universal Periodic Review (UPR).

At the country's second UPR in April 2016, UN member states made 22 recommendations that directly related to civic space. Singapore subsequently accepted eight recommendations, committing to taking concrete measures to, among others, "ensure that freedom of opinion and expression including for individuals and organizations communicating via online public platforms", "protect freedom of the press" and ensuring "the full enjoyment of the right to freedom of peaceful assembly."

In a [joint submission](#) to the Human Rights Council this UPR cycle, our organisations assessed implementation of these recommendations and compliance with international human rights law and standards over the last five years. The submission found that since 2016, Singapore has persistently failed to address unwarranted restrictions on civic space, specifically related to the rights to the freedoms of peaceful assembly and expression.

Singapore has yet to ratify the International Covenant on Civil and Political Rights (ICCPR), which imposes obligations on states to respect and protect the freedoms of association, peaceful assembly, and expression. Further, numerous recommendations to establish a national human rights institution have been ignored.

Despite commitments to freedom of expression which are guaranteed in the Constitution, the government has continued to use restrictive laws such as criminal defamation provisions under sections 499 to 502 of the Penal Code to criminalise criticism of the authorities. Civil defamation lawsuits have also been deployed to sue and seek hefty financial compensation in terms of damages from individuals who express dissent.

The 2017 Administration of Justice (Protection) Act, a vaguely worded contempt of court law, has been used to prosecute human rights defenders for criticism of the courts, under the guise of protecting the judicial system. The authorities have also failed to reform laws restricting media freedom and introduced the 2019 Protection from Online Falsehoods and Manipulation Act (POFMA) to harass the political opposition, activists, journalists and civil society.

'States must take the opportunity of Singapore's human rights review to hold the government to account for violations. The authorities have not only failed to deliver on the human rights commitments it made, but has continued to use the judicial system to silence dissent and introduced additional laws to restrict freedom of expression,' said David Kode Advocacy & Campaign Lead at CIVICUS

The 2009 Public Order Act (POA), which aims to regulate assemblies and processions in public places, has been systematically used to restrict peaceful assembly in Singapore. It has been used regularly to

harass and investigate activists and critics for no other reason than expressing their views and organising peaceful gatherings, and even towards solo protests. The POA law was further amended in 2017 to stipulate that organisers must apply for a permit at least 28 days in advance of an event and also provided the police commissioner with specific authority to reject any permit application for an assembly “directed towards a political end” if any foreigner is found to be involved. Such restrictions are inconsistent with international law and standards.

‘The right to peacefully protest is an essential part of a democracy, which Singapore claims to be. It is absurd that such acts are consistently disrupted under the guise of public order. This clearly shows the lengths the Singaporean authorities are willing to go to silence dissent and must be reflected in recommendations made during the country’s UPR,’ said Shamini Darshni Kaliemuthu, Executive Director of FORUM-ASIA.

As highlighted in our joint submission, CIVICUS and FORUM-ASIA urge states to make recommendations to Singapore which if implemented would guarantee the freedoms of association, peaceful assembly and expression, and the state’s duty to protect.

Key recommendations that should be made include:

- Ensure that human rights defenders are able to carry out their legitimate activities without fear or undue hindrance, obstruction, or legal and administrative harassment.
- Repeal or amend repressive laws including the POA and the 2017 Administration of Justice (Protection) Act, the Sedition Act, in accordance with the ICCPR and the UN Declaration on Human Rights Defenders.
- Reform defamation provisions in the Penal Code, in conformity with Article 19 of the ICCPR, and refrain from abusing civil defamation provisions to curtail the freedoms protected under Article 19.
- Allow unfettered access to online information resources by repealing the POFMA, which criminalises and imposes arbitrary restrictions on the right to the freedom of expression and the right to access information, and adopting a law on accessing information, in line with international human rights standards.
- Amend the Public Order Act 2009 in order to guarantee fully the right to the freedom of peaceful assembly, in line with the ICCPR and other international human rights standards.
- Drop charges or quash convictions against human rights defenders, government critics, journalists and bloggers for exercising their fundamental rights to the freedoms of association, peaceful assembly and expression, and review their cases to prevent further harassment.
- Ratify international human rights treaties in particularly the International Covenant on Civil and Political Rights and ensure its implementation in law and practice.
- The examination of Singapore will take place during the 38th Session of the UPR. The UPR is a process, in operation since 2008, which examines the human rights records of all 193 UN Member States every four and a half years. The review is an interactive dialogue between the

State delegation and members of the Council and addresses a broad range of human rights topics. Following the review, a report and recommendations are prepared, which is discussed and adopted at the following session of the Human Rights Council.

The Asian Forum for Human Rights and Development (FORUM-ASIA) is a 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

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