

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

Index: ASA 36/7076/2017
8 September 2017

Singapore: Investigation into peaceful assembly is the latest effort to intimidate human rights defenders

The police investigation of ten anti-death penalty activists solely for participating in a vigil outside Changi Prison is the latest attempt to intimidate human rights defenders in Singapore.

Police officers informed Kirsten Han, Jolovan Wham, Terry Xu and Jason Soo and at least six others by letter that they are being investigated for “taking part in a public assembly without a permit” under Section 16(2)(a) of the Public Order Act after holding a vigil for Prabakaran Srivijayan, a Malaysian national sentenced to death and executed on 14 July.

On the eve of his execution, anti-death penalty activists as well as friends and family of Prabakaran gathered outside Changi prison, where they held a candlelight vigil and displayed pictures of him. Police officers subsequently informed the group that they could not light candles and confiscated the candles and photographs.

The human rights activists have stated that they complied with these orders and handed the candles and photographs over to the police. According to them, the police permitted the group to remain outside the prison provided they did not light any more candles, and did not further interfere with the gathering.

Public assemblies are subject to heavy restrictions in Singapore. The Public Order Act, first promulgated in 2009, regulates public talks, religious assemblies and political protests. In April 2017, amendments to the Act gave police and other officials further powers to unduly restrict or ban peaceful protests and increased the risks of criminalizing peaceful assembly.

Apart from investigation by police, the human rights defenders are also subject to an arbitrary travel ban, preventing them from leaving the country. On 6 September, Terry Xu was stopped by immigration officials as he attempted to cross into Malaysia at the Woodlands Checkpoint and told by the investigating officer that he was banned from international travel.

There was no information provided with regards to the duration of the travel ban or if it would be lifted once the investigations were completed.

The imposition of arbitrary travel bans is in contravention of the right to freedom of movement. Article 13(2) of the Universal Declaration of Human Rights states: “Everyone has the right to leave any country, including his own, and to return to his country.”

Travel bans against human rights defenders further stigmatize their work and stifle the rights to freedom of expression and association.

Amnesty International calls on Singapore authorities to guarantee the rights to freedom of expression, peaceful assembly, association and movement by ending all investigations on human rights defenders related to their peaceful activism and immediately removing the arbitrary travel restrictions imposed on them. In addition, the organisation calls for the government to repeal or amend all restrictive laws which limit public assembly, including Section 16 of the Public Order Act and bring laws and policies into line with international standards.

Background

Amendments to Singapore’s Public Order Act adopted by its parliament give police and other officials broad and arbitrary powers to further limit or ban public assemblies and protests.

As of 3 April 2017, organizers of public events have had to adhere to even stricter measures including applying for a permit at least 28 days in advance and informing the police of the estimated size of the gathering. Failure to do so will result in a fine of SGD \$20,000 (USD 14,297) or imprisonment for up to a year, or both.

In February 2017, a fine of SGD \$3,100 (USD \$2,281), was imposed against political activist and government critic Han Hui Hui for the peaceful exercise of her right to freedom of expression. This prevents her from standing in the next parliamentary election. The fine followed a peaceful demonstration she organised at Hong Lim Park in 2014, protesting the use of government pension funds.

In July 2017, organisers of Pink Dot - an annual gathering for lesbian, gay, bisexual and transgender (LGBT) people, their friends, families and supporters of LGBT rights – were forced to construct barricades around the perimeter of Hong Lim Park, where the event was scheduled to be held, and subject participants to ID checks, in order to ensure no foreigners would take part in the event.

Prabakaran Srivijayan, a Malaysian national, was convicted of **attempting to import diamorphine** and given a mandatory death sentence in 2012 after police found 22.24 grams of the substance in the armrest of a borrowed car he was driving. Prior to his execution, Prabakaran consistently maintained his innocence and his legal team raised serious concerns about the fairness of his trial, alleging that the authorities failed to follow up leads and call on key witnesses that could have corroborated Prabakaran’s version of events.