

## AMNESTY INTERNATIONAL PUBLIC STATEMENT

16 May 2023

ASA 36/6788/2023

# SINGAPORE: SUPPRESSION OF ACTIVISTS, CRITICS CONTINUES AHEAD OF ELECTIONS

The Singapore government continues to silence human rights defenders and other critics ahead of upcoming elections, Amnesty International said today. In recent months, well-known activists and critics of the government have been subjected to further investigation and harassment by Singapore authorities, solely for freely expressing their views and opinions. In addition, the introduction of new legislation on 8 May, the Online Criminal Harms Bill, threatens to further decrease the space for free speech in the country. Singapore is due to hold Presidential elections by September, which is setting the conditions for a wider crackdown.

In April, editor Terry Xu was made to pay SGD 30,000 (USD 22,474) in fines and other costs for contempt of court. The High Court found Xu guilty of “impugning the reputation of the Singapore judiciary” for the publication of an open letter in 2021 on his website, The Online Citizen (TOC). The letter criticised a speech by the Chief Justice of Singapore for failing to mention a case involving the current Prime Minister’s brother Lee Hsien Yang and his wife Lee Suet Fern. Xu was charged after he refused to submit an apology to the Attorney General’s Chamber for publishing the letter and remove it from TOC’s website.

In March, the Singapore Court of Three Judges suspended the practicing licence of human rights lawyer M Ravi who specialises in death penalty cases. The court suspended M Ravi’s licence for five years in response to statements he made outside a courthouse and posts he shared on Facebook in 2020 about his client, Gobi Avedian, after he was spared the death penalty. M Ravi criticised the Public Prosecutor and the government for their “overzealous” prosecution of Gobi and called for an apology to his client. When the Attorney General’s Chamber sent him a letter calling on him to apologise and renounce his statements, he refused and posted the letter on Facebook. While a disciplinary tribunal had already found M Ravi guilty of misconduct and imposed a fine of SGD 6,000 (USD 4,500), he then faced further penalties for the same comments. M Ravi’s suspension, the latest in a series of sanctions against him, came a year after Singapore resumed executions of people on death row. His latest sanction appears timed to further stifle criticism of the death penalty, a practice the current government vigorously defends amidst intensified criticism domestically and abroad.

The suspension of M Ravi and the conviction of Xu are emblematic examples of the way in which the authorities are undermining the peaceful exercise of human rights, including the right to freedom of expression and the right to a fair trial. This poses serious challenges at any time but especially in the context of elections, where the right to freedom of expression enables meaningful public debate, ensures that all individuals are able to freely express their opinions, and gives everyone the freedom to seek sufficient information to exercise their right to participate in public affairs.

The latest case against Xu and his website TOC is also another example of the attacks on independent media outlets, now almost completely absent in Singapore. The case also signals the misuse of the Administration of Justice (Protection) Act and other laws to stifle criticism. This Act, under the guise of protecting the judicial system, has been used to criminalise those who question court decisions or the administration of justice in Singapore. The Act prevents human rights defenders, government critics and members of the public from discussing any judicial proceeding, including cases of public interest and of crucial importance to the enhancement of human rights in the country.

M Ravi’s suspension over his comments on the Gobi case, particularly in a context in which Amnesty International has documented fair trial violations in death penalty cases, appears to be directly intended to silence a human rights defender; such comments should not warrant disbarment. Contrary to the Singaporean authorities’ insistence, the legal profession and decisions by the judiciary are not beyond critique. The UN Human Rights Committee, a mechanism of independent human rights experts who monitor the implementation of the International Covenant on Civil and Political Rights, has clearly established that as a branch of the state, the judiciary has an equal obligation to respect and protect the right to freedom of expression while it is legitimately subject to criticism.

Both M Ravi and Xu have been subjected to repeated harassment and intimidation by the authorities. Xu has faced numerous charges, convictions and fines for previous articles published on TOC, many for their critical stance towards the government. In 2021, the popular website was shut down by the Media Development Authority in Singapore for refusing to submit details of its subscribers, in an attack on media freedom that would have also violated the right to privacy of their subscribers. Due to the continued harassment, TOC moved its operations out of Singapore and resumed publishing in September 2022 from Taiwan, where it has continued to scrutinize the Singaporean authorities.

Attacks against lawyers, particularly those defending people on death row, have been increasing for some time. M Ravi, who is well known for representing people facing imminent execution and who has long been subject to harassment by the authorities, was also issued with cost orders in 2022 to pay more than SGD 70,000 (USD 52,700) in relation to the filing of several post-conviction appeals, after he was found to have allegedly abused the court process. Other lawyers have received similar orders that directly hinder or inhibit their human rights work over the years, but especially since Singapore resumed executions in April 2022. The recent passing of the Post-appeal Applications in Capital Cases Bill opens the way for further orders to be issued against other lawyers working to defend the rights of people on death row, potentially undermining also their right to fair trial.

The most recent crackdown has also targeted other prominent critics. In March, the government revealed that Lee Hsien Yang, the brother of Prime Minister Lee Hsien Loong, and his wife Lee Suet Fern were under police investigation for perjury and accused them of absconding. The charges come as Lee Hsien Yang has become increasingly critical of his brother's government amid a long-running feud over the estate of their late father, Singapore's first Prime Minister Lee Kuan Yew. In March, Lee Hsien Yang confirmed that he and his wife have left Singapore due to fear of reprisals. Their son, Li Shengwu, was previously convicted of contempt of court after expressing critical views of the judiciary in 2020 and has been living outside the country for fear of further sanctions.

On 8 May, the government introduced further legislation that would limit online free speech by tabling for a first reading the "Online Criminal Harms Bill", which gives the government further discretion to criminalise online offences "relating to harmony between different races, religions and or classes of population," and offenses "counselling disobediences of the law" – provisions which are broad and vague to cover a wide range of peaceful expression.

Ahead of the Presidential elections, Amnesty International calls on the Singapore government and the judiciary to stop the harassment, intimidation and unjust prosecution of human rights defenders and other government critics under repressive laws, and to respect the rights to freedom of expression, fair trial and due process for all people in Singapore. The organization also urges the Singapore government to focus its efforts on engaging in and encouraging public discussion of human rights issues, rather than attacking and silencing critics and introducing new legislation to further stifle freedom of expression.