

Singapore Must Stop Targeting HR Defenders and Media that Highlight Injustice and Wrongdoings

-Immediately withdraw POFMA Notices and Investigate Allegations Highlighted-

We, the **37 undersigned groups and organizations**, and 3 individuals, are appalled by Singapore's denial and response to the highlighting of alleged unjust 'barbaric' unlawful practices in Singapore's execution method that was highlighted vide a media statement dated 16/1/2020 issued by the Malaysian Human Rights Defender group, Lawyers for Liberty(LFL). Singapore claims that it is "untrue, baseless and preposterous".(Straits Times, 22/1/2020).

We are also shocked by Singapore's invoking of the **Protection from Online Falsehoods and Manipulation Act (POFMA)**, and the issuing of notices/directions ordering Lawyers for Liberty (LFL) and three parties that have shared the allegations - Singaporean activist Kirsten Han, The Online Citizen website and Yahoo Singapore - to correct the false statements. To comply with this POFMA Order, '..."They will be required to carry a correction notice alongside their posts or articles stating that their posts or articles contain falsehoods," MHA said...' (Straits Times, 22/1/2020).

Not compliance with the POFMA notice is a crime, and if convicted an individual may be liable to '...a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 12 months or to both;..", whereas others will be liable to a fine not exceeding \$500,000. Then it also can lead to an access blocking order, whereby service providers will have '...to disable access by end-users in Singapore to the online location...' It is not a defence even if one has applied to the Minister to withdraw/vary the order, appealed to court or is '...subject to a duty under any written law, any rule of law, any contract or any rule of professional conduct, that prevents the person from complying...' with the POFMA Notice.

It is totally deplorable to ask any human rights defender or media agency to publicly take a position that the alleged rights violations and/or injustices that they highlighted or reported on are FALSE or 'contains falsehood'.

Where there is an allegation of a wrongdoing or a crime, it is the duty of a human rights defender or any concerned person is to highlight it, and thereafter, it falls on the relevant government, and/or relevant national, regional or international or UN bodies to conduct the needed independent and determine whether what was alleged was true or baseless. Note that many investigations may even come to no conclusions due to sufficiency of evidence, and this should in no way lead to the assumption that the allegations were untrue.

A perusal of the LFL statement shows that the source of their information, amongst others, is from a credible source – '....a Singapore Prison Services (SPS) officer who had served at the execution chamber in Changi prison, and himself carried out hangings...' This would reasonably be someone

who had first-hand knowledge of what was being alleged. In the LFL statement, it also says that '...This officer is prepared to come forward and testify at the appropriate forum...'

LFL also did highlight this allegation earlier, in their 23/11/2019 statement, where they said, '.... Finally, we have also received shocking information relating to the process of execution at Changi prison. We have incontrovertible evidence that unlawful and extremely brutal methods are secretly used in carrying out hangings by the Singapore Prison Services (SPS). We are prepared to reveal this evidence, supplied by prison officers, in due course...'

LFL, in their 16/1/2020 statement, also said '...We had also written to the Singapore authorities and informed them that we are prepared to meet them and handover the evidence in our possession. However, the Singapore government has met our disclosures with deafening silence. Significantly, they have also not denied our allegation of brutality in carrying out hangings, which has been widely reported...'

Singapore government should have rightfully met with LFL, received the evidence and conducted a proper investigation and disclosed its findings.

According to law, police are not supposed to torture detainees, but the fact is that some police officers do torture and even kill those in their custody. It may not be the fault of government, but the fault of these errant officers who did wrong. But, if a government, after receiving information of such wrongdoings, chooses to do nothing about it, then it can be said that the government who 'covers-up' wrongdoings of public servants or simply ignores it may be just as guilty of the said wrongdoings.

Media is obliged to report to the public, and that includes statements and positions of ordinary people and human rights defenders. Most media, would as a matter of good practice, try to get a response from the alleged perpetrator or other relevant parties but the news ought never be stifled simply because the perpetrators (or interested parties) or in this case Singapore does not provide an immediate response. Of course, most media will carry even a late response from alleged perpetrator and/or other interested parties.

Obligations imposed on media should not be the same as imposed on individuals using social media. Many good person who share news/views on social media, if they do get a response from alleged perpetrator or interested parties, they usually will also share that response with their readership.

In Malaysia, many human rights violations and even crimes that were highlighted by HR Defenders or media were investigated by the government.

As an example, in Malaysia, it was the investigation by the New Straits Times Special Probes Team into the mass killings in Wang Kelian in 2015 that highlighted and suggested a massive, coordinated cover-up. It revealed the human trafficking death camps had been discovered months earlier, but police only announced the discovery on May 25. It also questioned why the police ordered the destruction of these camps, which were potential crime scenes, before they could be processed by forensics personnel?

The Malaysian government's response was to investigate this case, and on 16/1/2020, it was reported that the Home Ministry will present a report by the Royal Commission of Inquiry (RCI) on

the Wang Kelian human trafficking incident to the Cabinet next week.(New Straits Times, 16/1/2020). Hopefully, thereafter the report will be made public.

Like Malaysia, Singapore too should have conducted a comprehensive investigation on the allegations raised by LFL, and not try to 'force' LFL and others who highlighted and/or reported this issue to publicly admit that it was contained FALSEHOOD.

Publicly highlighting allegations and/or facts of wrongdoings, rights violations and injustices today is a means of ensuring that justice be done, for otherwise relevant governments and enforcement authorities can sometimes chose to simply 'cover-up' such allegations.

It is wrong for any government to use laws and crimes (with serious penalties) to prevent human rights defenders, media and others from highlighting allegations of wrongdoings. Such laws that undermine the responsibilities of human rights defenders, including media, ought to be repealed. Freedom of expression, opinion and peaceful assembly ought to be protected.

The courage of human rights defenders, including media, in highlighting possible human rights violations, injustices and wrongdoings of the powerful and government without fear or favour should be applauded, not stifled or penalized.

Media reports that the Singapore Minister of Communications and Information(MCI) on Thursday (Jan 23) directed Infocomm Media Development Authority (IMDA) to get Internet service providers here to block the website of Lawyers for Liberty (LFL) who did not comply with a correction direction issued under the fake news law(POFMA).(Straits Times, 23/1/2020).

Therefore, we

- **Call on Singapore to immediately and unconditionally withdraw that notice/directions and internet access blocking orders pursuant to Protection from Online Falsehoods and Manipulation Act (POFMA) that were directed at Lawyers For Liberty, Kristen Han, The Online Citizen, Yahoo Singapore and/or any other;**
- **Call on Singapore to ensure an independent and thorough investigation be conducted concerning allegations of unjust and barbaric practices that allegedly happen during the hanging of persons in Singapore;**
- **Call on Singapore to respect Human Rights Defenders and media agencies, and not to stifle them from carrying out their responsibility and duty to highlight allegations of human rights violations and injustices; and**
- **Call on Singapore to abolish the Death Penalty.**

Charles Hector

For and on behalf of the following 37 groups and 3 individuals listed below

ALIRAN

Anti-Death Penalty Asia Network (ADPAN)

Asian Federation Against Involuntary Disappearances (AFAD)

Association of Parents of Disappeared Persons from Indian Administered Jammu and Kashmir
Association of Human Rights Defenders and Promoters- HRDP in Myanmar
Asociación de Trabajadoras del Hogar a Domicilio y de Maquila–Atrahdom, Guatemala
Australians Against Capital Punishment
Banglar Manabadhikar Suraksha Mancha (MASUM), India
Dutch League For Human Rights
Empower Foundation Thailand
Families of Victims of Involuntary Disappearance (FIND) – Philippines
German Coalition to Abolish the Death Penalty (GCADP)
Global Women's Strike(GWS), United Kingdom
Japan Innocence and Death Penalty Information Center
Karapatan Alliance Philippines
LAW, United Kingdom
MADPET(Malaysians Against Death Penalty and Torture)
Malaysian Trade Union Congress(MTUC)
Manushya Foundation, Thailand
MAP Foundation (Migrant Assistance Program), Thailand
North South Initiative (NSI)
Odhikar, Bangladesh
Payday Men's Network, United Kingdom
Persatuan Komuniti Prihatin Selangor dan Kuala Lumpur
Programme Against Custodial Torture & Impunity (PACTI), India
People's Empowerment Foundation, Thailand
Sarawak Dayak Iban Association(SADIA)
Singapore Anti Death Penalty Campaign (SADP)
SUARAM, Malaysia
Terai Human Rights Defenders Alliance (THRD Alliance), Nepal
The Advocates for Human Rights
The Day of the Endangered Lawyer Foundation
The Julian Wagner Memorial Fund, Australia
Union for Civil Liberty, Thailand
Workers Assistance Center, Inc. Philippines
World Coalition Against the Death Penalty/ Coalition mondiale contre la peine de mort
WH4C (Workers Hub For Change)

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