

AMNESTY INTERNATIONAL PUBLIC STATEMENT

22 February 2019

ASA 36/9895/2019

SINGAPORE: JOINT STATEMENT ON THE SENTENCING OF HUMAN RIGHTS DEFENDER JOLOVAN WHAM

We, the undersigned human rights organisations, strongly condemn the politically-motivated prosecution of Singaporean human rights defender Jolovan Wham. After convicting Wham in January 2019 of ‘organising a public assembly without a permit,’ the State Court sentenced him, on 21 February, to a fine of S\$3,200 (US\$2,367), or by default, 16 days in prison.

The imposition of a criminal punishment that stems solely from the peaceful exercise of the right to peaceful assembly directly contravenes international human rights law and standards and is a blatant attempt to silence an outspoken human rights defender.

Activists and human rights defenders in Singapore regularly face harassment, investigation, and unfounded charges for no other reason than expressing their views and organising peaceful gatherings. The sentencing of Jolovan Wham on charges violating his fundamental rights is emblematic of the lengths to which the Singaporean authorities are willing to go to silence and punish peaceful dissent.

On 26 November 2016, Wham organized an event titled ‘Civil Disobedience and Social Movements’ at the Agora, an indoor event space and bookstore in Sin Ming Lane. The event featured speakers including Hong Kong pro-democracy activist Joshua Wong, who joined the discussion via Skype. Wham was subsequently charged with ‘organising a public assembly without a permit,’ under the Public Order Act.

A long-time human rights defender, Wham has gained prominence for highlighting issues concerning the right to freedom of expression. His criminal punishment is clearly meant to deter others in the country from sharing differing views or criticising the government.

Wham was previously convicted on spurious charges of contempt of court. In October 2018, the High Court of Singapore found Wham guilty of contempt for a Facebook post in April 2018 in which he stated that “Malaysia’s judges are more independent than Singapore’s for cases with political implications.” Opposition politician John Tan was also convicted of contempt of court for stating on Facebook in May 2018 that Wham’s prosecution “only confirms that what he said is true.” The sentencing of both men, set to take place on 20 March 2019, is part of the Singaporean authorities’ continued campaign to silence government critics.

Wham’s sentencing and the further charges he is facing for peaceful expression and assembly, reflect Singapore’s ongoing crackdown on these rights, which looks set to worsen ahead of possible elections. The cases below underscore the breadth of the crackdown.

In October 2018, the State Court of Singapore convicted artist and activist Seelan Palay for carrying out an “illegal assembly” under the Public Order Act, imposing a fine of S\$2,500 (US\$1,849). Seelan Palay had stood outside Parliament in October 2017 with a piece of art commemorating former political prisoner Chia Thye Poh. The lone protestor was arrested by seven police officers.

In December 2018, Prime Minister Lee Hsien Loong filed defamation charges against blogger Leong Sze Hian, after he shared an article on his Facebook page, which alleged that Prime Minister Lee Hsien Loong had links to the Malaysian 1MDB financial scandal.

That same month, the Attorney General’s Chamber charged Terry Xu, the editor of the internet news outlet The Online Citizen, with defamation for publishing an article in September 2018 that linked the government to corruption allegations. The Online Citizen regularly publishes articles critical of the government. If convicted, Xu faces a maximum sentence of two years’ imprisonment or a fine, or both. The author of the article, Daniel Augustin De Costa, faces the same charge, as well as a further charge of “unauthorised access to computer material” under the Computer Misuse Act.

These examples show the systematic harassment and intimidation faced by a wide spectrum of actors, including artists, journalists, bloggers, human rights defenders and political activists simply for the peaceful expression of their views.

In hope of reversing this alarming trend, we call on the Singaporean authorities to:

- Quash the convictions against Jolovan Wham and Seelan Palay, who were prosecuted solely for peacefully exercising their rights to freedom of expression and peaceful assembly.
- Drop the defamation charges pending against Leong Sze Hian, Terry Xu, and Daniel Augustin De Costa.
- Repeal or substantially amend all repressive laws that unduly curtail the rights to freedom of expression and peaceful assembly, and put in place adequate legal mechanisms and procedures to ensure that these rights are enjoyed by all and not subject to unlawful restrictions.
- End the intimidation and harassment of human rights defenders, including through the misuse of the criminal justice system, and ensure they can pursue their human rights work without fear of reprisals.

Amnesty International

ARTICLE 19

ASEAN Parliamentarians for Human Rights

CIVICUS: World Alliance for Citizen Participation

Human Rights Watch