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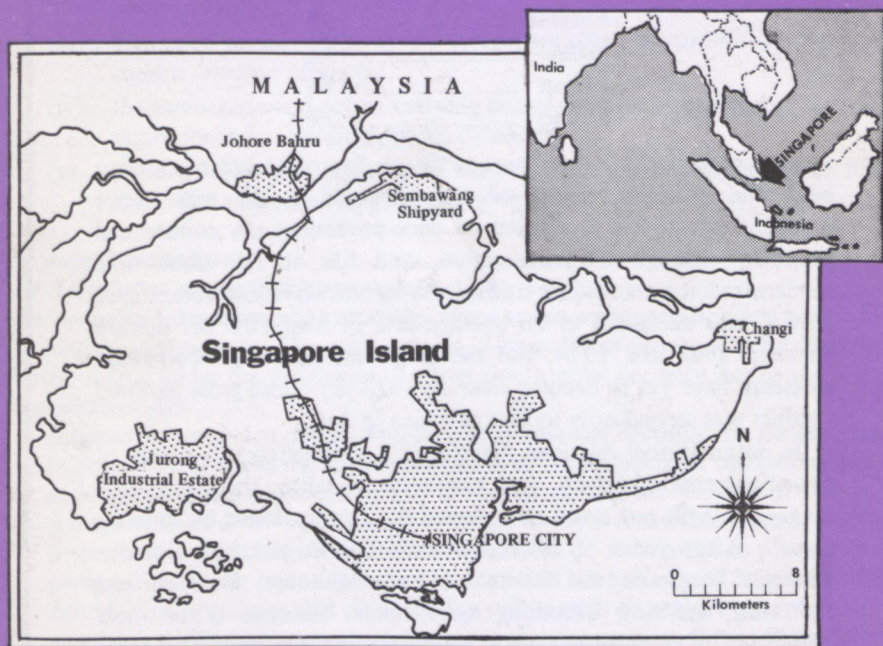
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*Amnesty International Briefing*

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# SINGAPORE



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February 1976

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## SINGAPORE IN OUTLINE

The island of Singapore gained independence from British colonial administration through merger with the Federation of Malaysia in 1963. It left the Federation abruptly in 1965 and since then has stood as a small independent republic of considerable economic and political importance. Singapore is a member of the British Commonwealth and of the United Nations.

Singapore has a total land area of only 586 square kilometers. The total population in December 1974 was 2,236,000. The ethnic balance of the population is approximately as follows:

Chinese .....	76%
Malay .....	15%
Indian .....	7%
Others .....	2%

Singapore is the largest port in South East Asia and has always been the principal center of *entrepôt*-trade in the area. Since independence it has diversified its once predominantly commercial economy through industrialization, and has at the same time modernized the traditional trade, banking and service sectors. Rapid growth was sustained at an average rate of over 10% per annum between 1968 and 1974, but the long-term effects of worldwide recession have yet to become clear. In 1973 per capita gross national product was second only to that of Japan in Asia.

In international relations, Singapore is committed to a policy of non-alignment, although the government takes the view that Singapore "will not stand non-aligned if . . . threatened by superior force". After years of bitterness and tension political relations between Singapore and its two close neighbours, Malaysia and Indonesia, are now becoming more stable. Malaysia is the most important of Singapore's four major trading partners, the other three being Japan, the United States and the United Kingdom. Together with Malaysia, Indonesia, Thailand and the Philippines, Singapore is a member of the Association of South East Asian Nations (ASEAN). Of the ASEAN countries, only Singapore and Indonesia have not yet extended diplomatic recognition to the People's Republic of China.

The President of Singapore is Dr Benjamin Henry Sheares. The Prime Minister is Lee Kuan Yew.

# The Republic of Singapore

## 1. Introduction

Singapore presents a number of issues which are of particular concern to Amnesty International. These are:

- (i) the application of internal security legislation, which originated in laws enacted largely to deal with armed communist insurrection during the Malayan Emergency of 1948-60, to repress legitimate, non-violent political opposition;
- (ii) the use of deprivation of citizenship and banishment as a means of political repression;
- (iii) the use of caning, which leaves permanent scars, as punishment for certain criminal offences;
- (iv) the imposition and actual carrying out of the death penalty as punishment for certain criminal offences;
- (v) the control and intimidation of the press by the government, which has led to the arrest and detention of journalists.

## 2. Legal Situation

### (i) Legislation under which prisoners are held

To Amnesty International's knowledge there are no sentenced political prisoners in Singapore at present. The usual pattern is for political prisoners to be detained without trial under the provisions of either the Internal Security Act or the Banishment Act.

*Internal Security Act, 1960*—The Malaysian Internal Security Act became law in Singapore in stages during the island's brief membership of the Federation of Malaysia (1963-65). Section 8 of the act empowers the Minister of Home Affairs to serve a two-year detention order, which is renewable, on any person if the President is satisfied that it is necessary to do so in order to prevent that person from acting in any manner prejudicial to the security of Singapore. The Act of 1960 stipulates that all detention orders shall be subject to review by an advisory board at intervals of not more than six months. But in Singapore, while the Emergency (Internal Security and Detention Orders) Regulations, 1964, remain in force, detention orders are subject to review at intervals of not more than 12 months. The advisory board has powers of recommendation only and cannot direct the release of a detainee.

*Banishment Act (Banishment Ordinance, 1959)*—Under Article 61 of the constitution, the Singapore government may by order deprive any citizen who is a citizen by registration or naturalization of his citizenship if the government is satisfied that it is not conducive to the public good that the person should

continue to be a citizen of Singapore. Under the Banishment Act, the minister has power to order the banishment or expulsion from Singapore of any person who is not a citizen, if such an order is conducive to the good of the republic. The exact number of detainees deported under the provisions of the Banishment Act is not known, but it is believed that about 30 may have been deported since 1965, mostly to the People's Republic of China.

**(ii) Legal/administrative detention procedures**

**(a) The Judiciary**—The Supreme Court of Judicature Act established a Supreme Court consisting of the High Court, the Court of Appeal and the Court of Criminal Appeal. The lower courts comprise magistrates' courts, criminal district courts and civil district courts. Trial by jury for capital offences was abolished by an act of 1969 (see below: 9). Trial by jury in cases other than for capital offences was abolished in 1959. Whilst we would hesitate to claim that the whole judicial system is subject to general government interference, it is certainly true that individual lawyers are not immune from political pressure. In recent years, two lawyers who have been particularly active in the legal defence of political prisoners have been suspended from practice for "improper conduct". One of the two has been released recently after himself being detained without trial for 18 months.

**(b) Arrest process**—Under Section 74 of the Internal Security Act, any police officer may without warrant arrest and detain pending inquiries any person in respect of whom he has reason to believe that there are grounds which would justify his detention under Section 8, and that he has acted or is about to act or is likely to act in any manner prejudicial to the security of Singapore. In all, no person may be detained under the provisions of Section 74 for a period exceeding 30 days.

**(c) Conduct of trials**—On 22 February 1975, Tan Wah Piow, president of the University of Singapore Students' Union, was imprisoned for one year after being found guilty of rioting. Two factory workers arrested with him were also found guilty and sentenced to one month each. Tan, who conducted his own defence, alleged that the charge of rioting was a "frame-up". This case probably represents a rare instance in Singapore of political imprisonment following a trial, as opposed to political detention without trial.

An observer's report drew attention, *inter alia*, to the following features of the trial:

— On 5 December 1974, the Singapore High Court admitted John Platts-Mills, a British lawyer from London, as an advocate and solicitor for the specific purpose of defending Tan and the two other accused. Two days later, application was made for the trial to be adjourned until early in the new year, when Mr Platts-Mills would be able to travel to Singapore. This application was refused by the trial judge and the hearings began on 11 December.

— By the time that certain witnesses, whom Tan had made several requests to

call, had been brought to the court, Tan had already begun his defence without having had any opportunity to confer with them. The witnesses had been arrested on the morning of 11 December and deported to Malaysia.

— During the trial, Tan was not afforded a proper opportunity of testing the evidence against him in relation to the alleged riotous incidents in which he was accused of being involved.

**(d) Release process**—Under the Internal Security Act, the minister may at any time after a detention order has been made direct that the operation of the order be suspended, subject to certain restrictive conditions which may severely limit freedom of movement, residence, employment and association. Although there are exceptions to the rule, the suspension of a detention order has in the past usually coincided with some form of political confession and recantation on the part of the detainee. Detainees may also be released on the orders of the President, at the recommendation of the advisory board.

Under the Banishment Act, a banishment or expulsion order may at any time be revoked by the minister.

**(iii) International legal instruments**

Although a member of the United Nations, Singapore has not signed or ratified the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights, nor the Optional Protocol to the covenant on Civil and Political Rights. These instruments are designed to make more specific the obligations implied in the Universal Declaration of Human Rights.

**3. Number and Analysis of Prisoners**

We would estimate that at least 40 men and women are presently held without trial in various detention centers and holding centers in Singapore. Their periods of detention range from 13 years without trial to less than one year. Arrests of groups of communist suspects are continuing. The prisoners may broadly be grouped as follows:

- (i) Three men who were first served with detention orders in February 1963 during "Operation Cold Store", a massive security operation (intended to stifle leftwing opposition to the merger of Singapore into the Federation of Malaysia on the terms proposed) in which more than 100 opposition leaders, students, journalists, trade unionists and others were arrested. To Amnesty International's knowledge, these three are the only "Operation Cold Store" detainees still in prison today. One of the three, Said Zahari, former editor of the *Utusan Melayu*, is well-known as a poet; another, Dr Lim Hock Siew, whose brother is also in detention, was a leading member of the *Barisan Sosialis* (Socialist Front) opposition party.
- (ii) Eight men detained on various dates between 1966 and 1973, with a possible ninth prisoner, a woman. One of the eight, Chia Thye Poh, is a

former opposition member of parliament who resigned his seat shortly before his arrest; one, Lee Eu Seng, is the managing director of the *Nanyang Siang Pau*, a leading Chinese-language newspaper; the remainder were students, former students or workers involved in trade union activities at the time of their arrest.

- (iii) Five or six men held in Queenstown Remand Prison under banishment orders (see 2 (i) above), and one woman held under a banishment order in Changi Female Prison. It is known that two of the men were born in China, two in Malaya, and that one was born in Singapore but has no birth certificate. Since they refuse banishment to China or Malaysia, they are detained indefinitely awaiting deportation. One of the men, Lee Tse Tong, was originally detained in October 1963 shortly after being elected member of parliament for the Bukit Timah constituency representing the *Barisan Sosialis*. Another was a student at a Chinese high school at the time of his arrest.
- (iv) A still indeterminate number of men and women detained in 1974 in a wave of arrests which began in June. It is clear that arrests continued after June, and by the end of 1974 the total certainly exceeded the figure of 30 generally quoted in connection with the security operations. At the time of writing Amnesty International estimates that some 20 to 30 people who were arrested in June 1974 or in following months are still in detention. There may be one or two women among the remaining detainees of this group. The detainees arrested in 1974 were of very varied backgrounds; those remaining include a translator who was working for the *Sin Chiew Jit Poh* newspaper, businessmen, construction workers, students and civil servants.
- (v) An unknown number of persons who have been detained under the Internal Security Act since the major wave of arrests in 1974. Although more than 20 men and women detained in 1974 were released during 1975, arrests of communist suspects continued. In August 1975, for example, the Ministry of Home Affairs announced the arrest of five people described as being leading members of the underground Malayan Communist Party, who were said to have been involved in "various acts of violence". The arrest of a further group of three alleged communist activists was reported in November. Amnesty International does not have sufficient information at present to make individual assessments of these particular cases.

Political detainees at present include those who have criticized the Singapore government for curtailing the application of the rule of law, restricting freedom of the press and of speech, and denying opportunities for normal trade union activity, for free political activity and for the establishment of a true parliamentary opposition.

Of the detainees arrested between the years 1963 and 1974, the majority are of Chinese ethnic origin. This pattern to some extent reflects the underlying

assumption of the government allegations made against those detained, namely that they are revolutionaries, or potential revolutionaries, who draw inspiration from the mainland Chinese Maoist example. Most of the detainees were born in Singapore and have (or had) Singapore citizenship, although some of those arrested in 1974 were known to hold Malaysian citizenship. Said Zahari, the best-known of the "Operation Cold Store" detainees, is a Malay who was born in Singapore.

#### 4. The Political Context of Detention Without Trial

The People's Action Party (PAP) headed by Prime Minister Lee Kuan Yew, which first emerged as an anti-colonial party avowedly committed to the creation of a democratic and socialist society, has remained in power since 1959. There are no opposition members in the 65-seat parliament. Having brought the PAP to power in 1959 by "riding the tiger" of leftwing groups (particularly in the trade unions), Lee Kuan Yew would seem to be convinced of a need to incapacitate potential political opponents, on the basis that they would displace him if given the opportunity.

The Internal Security Act invests the Singapore government with sweeping powers of arbitrary arrest and detention by executive order. Political prisoners in Singapore are almost invariably held without trial under the act's provision, for preventive detention on the grounds that, as alleged members or sympathizers of the banned underground Malayan Communist Party (MCP) or of MCP-front organizations, they threaten the security of the country.

In 1948 the MCP was responsible for launching a campaign of guerrilla attacks in Malaya in an attempt to disrupt and eventually overthrow the British administration. This was the beginning of the period known as the Malayan Emergency, which formally came to an end in 1960. In what is now West Malaysia there has been a significant escalation of guerrilla violence by the MCP since the early months of 1975.

From 1963 into the early 1970s, the number of political prisoners in Singapore fluctuated between a maximum of more than 200 and a minimum of just under 100. By early 1974, however, the total had apparently dropped to about 20. Detainees were released in the period January 1973 to May 1974 on the grounds that Singapore had made great social and economic progress, such that they no longer posed a threat to the life of the country. In June 1974, however, the apparent trend towards freeing political detainees was reversed when more than 30 persons were arrested under the Internal Security Act in the first phase of a security operation which was said to be the largest since "Operation Cold Store" in 1963. The detainees in this new group were alleged by the government to be members of the Malayan National Liberation Front, an arm of the MCP.

When announcing the arrest of three alleged communist activists in November 1975, the Singapore government claimed that the MCP was consolidating and expanding its structure through underground satellite organizations with the ultimate objective of staging armed revolution in Singapore.

From the evidence of many cases in the past it is clear that, as distinct from the function suggested by its title, the Internal Security Act has very frequently been employed as a means of repressing and discouraging legitimate, non-violent

political opposition in Singapore. As noted above, political prisoners in Singapore are almost invariably detained on the grounds of two basic allegations, namely that they are members or sympathizers of some branch of the illegal MCP and that, as such, they pose a threat to national security.

### 5. Location of Detention Centers

Newly-arrested detainees are held initially for interrogation either in the Whitley Road Holding Center or on the top floor of the Central Police Station. They are held in solitary confinement under extremely stringent conditions.

Since May 1970, almost all long-term political prisoners have been held in the newly-built Moon Crescent Center, a special wing of Changi Prison. Once it has been decided to serve a two-year detention order on a person, that person is likely to be transferred to the Moon Crescent Center.

Most of those held under banishment orders are imprisoned in the Queenstown Remand Prison awaiting deportation.

### 6. Conditions of Detention

- (i) *Moon Crescent Center*—Prisoners are separated in small groups of three to five, with no contact between groups. Most of the time they are confined to single cells, where they are locked up for a total of four hours during the day and from 1900 hours until 0630 hours the next day. The cells are small and poorly ventilated. Six books (magazines are counted as books) and one newspaper are permitted at any one time, but all reading material is censored. Writing materials are restricted; one censored letter can be sent out each week. Food is said to be poor, with only limited supplement by the families allowed. There is one family visit of half-an-hour each week conducted by telephone across thick soundproof glass. A prison officer monitors all conversations, which are terminated if prison conditions are mentioned.
- (ii) *Queenstown Remand Prison*—This is a large remand prison, but it contains only a few political detainees. These are political prisoners who have been served with banishment orders but who refuse to be deported. It is believed that in at least one case family visits are limited to one in five weeks, and it would seem that all those held under banishment orders have minimal contact with the outside world.
- (iii) *Solitary confinement*—While under detention, political prisoners are subjected to periodic interrogations. During these periods, they are put under solitary confinement on the top floor of the Central Police Station for months at a time: a period of one to six months is the norm. Some ex-detainees claim to have been held in solitary confinement in secret holding centers.

### 7. Allegations of Torture

In 1966 a constitutional commission chaired by the Chief Justice recommended that the Singapore constitution should be amended so as to provide guarantees

against torture and inhuman and degrading punishment or other treatment. This recommendation was not taken up by the government.

- (i) There have been consistent claims by ex-detainees and detainees' families that political prisoners are subjected to "mental and physical tortures", primarily for the purpose of breaking their resistance and securing statements of political confession and recantation. It is alleged consistently that:
  - ♦ solitary confinement with all its deleterious effects is used as a psychological pressure to try to induce recantation.
  - ♦ prisoners wearing only light clothing are interrogated in very cold air-conditioned rooms. They are sometimes forced to strip and cold water is poured over them.
  - ♦ during round-the-clock interrogations they are often forced to do repeated and strenuous exercises, resulting in severe strain and fatigue.
  - ♦ while in solitary confinement, lights are switched on in the cell throughout the night to prevent sleep.
  - ♦ although much of the maltreatment is essentially psychological in nature, some detainees are also physically assaulted.

This evidence suggests that most ill-treatment of detainees takes place while they are in the custody of the Internal Security Department rather than of the Prisons Department.

Allegations of ill treatment very similar in points of detail to the above were again made following the release in December 1975 of a group of eight political detainees.

- (ii) In September 1974, the Director of Prisons described at a specially-called news conference how certain convicted criminals are caned so badly that they are scarred for life. Caning may be imposed for rioting, trafficking in drugs, rape and certain crimes of violence in addition to other punishments. A maximum of 24 strokes may be ordered by the courts. The prisoner is strapped naked over a special trestle which has padding to prevent accidental injury to the spine. The cane is more than one meter long and more than one centimeter thick, and strokes are inflicted "with the full weight of the body" by robust, specially-trained prison officers, at intervals of half a minute. Normally, after three strokes the skin at the point of contact splits open and the buttocks are covered in blood. Prisoners are said to struggle violently at first, but at the end those who have received more than three strokes are in a state of shock. Many collapse, but the medical officer and his assistants are on hand to revive them and apply antiseptic to the wound. Caning is intended to give criminals "a taste of the violence they had inflicted on their victims".

### 8. Released Prisoners

The Internal Security Act empowers the minister to suspend a detention order subject to all or any of a number of restrictive conditions, including the determination of residence and employment. The minister may prohibit an individual from being out of doors during certain hours, require him to notify the police of his movements, prohibit him from travelling without permission, and prohibit him from participating in any political activities. Released detainees remain under strict surveillance, and they live under the constant threat of rearrest. They are also supervised through the Ex-Detainees Association, which they join to find employment.

### 9. Capital Punishment

Trial by jury for capital offences was abolished largely because it was claimed that juries were reluctant to pass sentence of death in murder trials. In all cases where the accused is charged with an offence for which punishment by death is authorized by law, the accused is now tried by a court consisting of two High Court judges, whose decision must be arrived at unanimously.

It is common for execution to be carried out when the death penalty has been imposed. In July 1973, for example, a woman cabaret star was hanged in Changi Prison after being found guilty of murder. In February 1975, eight men convicted of murder were hanged on one day. In June 1975, two convicted murderers were hanged.

### 10. The Press in Singapore

Journalists and others involved in the running of newspapers in Singapore have often been among those detained in security operations, and a number are presently held without trial (see above: 3).

All printing presses in Singapore must be licensed by the government. A publisher also requires a separate licence for a newspaper, and both licences must be renewed each year. In 1971, the government detained four members of the staff of the *Nanyang Siang Pau*, deported the editor of a new English-language daily, the *Singapore Herald*, and revoked its licence to print, and closed down the *Eastern Sun*. It was subsequently announced that a press council was to be formed to "guard against any newspaper . . . taking a subversive line which might endanger the Republic's security". Further restrictions have been placed on journalists by the Newspaper and Printing Presses Act, 1974.

In November 1974, a local correspondent of the American magazine *Newsweek* was fined 1,500 Singapore dollars on being found guilty of contempt of court following the appearance of a "scandalizing" article in the magazine earlier that month. The article commented on the verdict in a slander suit brought by the opposition Workers' Party against a government member of parliament. The Singapore circulation manager of *Newsweek* and the retail sales agent were also fined. The prosecution had sought jail terms for the defendants.

### 11. Action by Amnesty International

(i) Individual groups of Amnesty International were active in January 1976

on the cases of 39 men and women who were believed to be detained without trial in Singapore, including a number held under banishment orders.

In cases where it is clear after extensive investigation that men and women are imprisoned for the non-violent expression of their political or other conscientiously held beliefs, Amnesty International adopts such political detainees as "prisoners of conscience".

Amnesty International urges the Singapore government either to present any evidence which it has against adopted prisoners of conscience in a fair trial, openly and in full accordance with recognized norms to ensure a fair trial, or to release them immediately and unconditionally.

Full publicity is given to the cases of all adopted prisoners of conscience.

- (ii) Amnesty International opposes the practice of caning in Singapore. This cannot but be regarded as a violation of Article 5 of the Universal Declaration of Human Rights, which states that no one shall be subjected to torture, or to cruel, inhuman or degrading treatment or punishment. Amnesty International has protested strongly to the Prime Minister of Singapore against the use of caning.
- (iii) In accordance with its object of opposing by all appropriate means the imposition and infliction of death penalties, Amnesty International has protested to the Singapore government against the imposition of death sentences as punishment for certain crimes in Singapore.

Research Department  
January 1976

*These papers are intended to summarize available information on political imprisonment, torture and capital punishment in a single country. They are designed to be concise and factual and are written primarily for reference purposes.*

*Since AI is limited by its statute to act only in specific human rights situations, reference will be made to the political, economic and social situation in each country only where this has direct relevance to particular human rights problems. The information contained in each paper is accurate at the time of publication.*

AMNESTY INTERNATIONAL is a worldwide human rights movement which is independent of any government, political faction, ideology or religious creed. It works for the release of men and women imprisoned anywhere for their beliefs, colour, ethnic origin or religion, provided they have neither used nor advocated violence. These are termed "prisoners of conscience".

AMNESTY INTERNATIONAL opposes torture and capital punishment in all cases and without reservation. It advocates fair and speedy trials for all political prisoners.

AMNESTY INTERNATIONAL seeks observance throughout the world of the United Nations Universal Declaration of Human Rights and the UN Standard Minimum Rules for the Treatment of Prisoners.

AMNESTY INTERNATIONAL has consultative status with the United Nations (ECOSOC) and the Council of Europe, has cooperative relations with the Inter-American Commission on Human Rights of the Organization of American States, is recognized by UNESCO, and has observer status with the Organization of African Unity (Bureau for the Placement and Education of African Refugees).

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