

Joint Statement

Singapore: Drop investigations and cease harassment against human rights defenders

28 June 2022

7 human rights organizations urgently call on the Singaporean authorities to drop their criminal investigations of human rights defenders Kirsten Han and Rocky Howe and cease harassing them through legal processes for their work.

On 24 June 2022, the police [interrogated](#) Kirsten Han and Rocky Howe for potential offences under the Public Order Act 2009 in relation to their work advocating against the death penalty in Singapore.

The Singaporean authorities have [frequently invoked](#) the Public Order Act to investigate, prosecute and convict human rights defenders for the legitimate exercise of their right to freedom of expression, peaceful assembly and association.

Han and Howe were questioned about a four-person peaceful vigil on 30 March 2022 outside Changi Prison, and a photograph taken outside Changi Prison on 25 April 2022. The vigil was held the night Abdul Kahar Othman was hanged and the photograph was taken two nights before Nagaenthran K Dharmalingam was hanged. Both had been convicted of drug-related offences.

Both Han and Howe had worn t-shirts with anti-death penalty slogans to the investigation. They were informed by the police that because they had met at a food court and walked over to the police station in the t-shirts, they could face an additional offence for an illegal procession in violation of the Public Order Act. Their t-shirts were seized during the investigation. The police later [confirmed](#) that the Attorney-General's Chamber advised that they did not commit any offence for wearing the t-shirts.

Our organizations have [repeatedly expressed concern](#) that the Public Order Act imposes impermissible interferences with the exercise of human rights and fundamental freedoms, and is incompatible with international human rights law and standards. The Act contains an overly expansive definition of what constitutes a “public assembly” or “public procession”, and imposes disproportionately harsh criminal sanctions on those found guilty of organizing or taking part in a public assembly or procession without a permit to present to the police.

Our organizations are also concerned that Han was reportedly asked to surrender access to her Facebook, Twitter and Instagram accounts for the duration of the investigation without any

legitimate basis. This appears to be aimed at harassing and intimidating her and restricting her rights to privacy and freedom of expression. When she refused, she was informed that she may be further investigated under section 39(3) of the Criminal Procedure Code for obstructing the police's exercise of its powers to access her computer. Anyone found guilty under this provision may be subject to a fine not exceeding S\$5,000 and/or to imprisonment for a maximum term of 6 months.

We call on the Singaporean authorities to immediately drop their investigations of Han and Howe, and to cease the targeting and harassment of human rights defenders through the Public Order Act and other repressive laws.

We also call on the Singaporean authorities to repeal or substantially amend all laws that are not compliant with international human rights law and standards, including the Protection Against Online Falsehoods and Manipulation Act and the Administration of Justice (Protection) Act.

Background

On 24 June 2022, Kirsten Han and Rocky Howe were investigated by the police for potential offences under the Public Order Act 2009. They were questioned about a [gathering of four persons](#) that they organised outside Changi Prison on 30 March 2022 – when they had held tea lights in a vigil on the night Abdul Kahar Othman was executed. They were also questioned about [a photograph](#) that they had taken on 25 April 2022 outside Changi Prison, a few days before Nagaenthran K. Dharmalingam was executed on 27 April 2022. They left immediately after taking the photograph, and the photograph was later posted online. Both Abdul Kahar Othman and Nagaenthran K. Dharmalingam were hanged for drug-related offences.

Under section 16 of the Public Order Act, anyone who organizes a public assembly or public procession without a permit from the police is liable on conviction to a fine not exceeding S\$5,000. Repeat offenders are liable on conviction to a fine up to S\$10,000 and/or imprisonment of up to six months. Anyone who takes part in an assembly held without a permit can be punished with a fine up to S\$3,000 for the first offence, and S\$5,000 for repeat offences.

In [October 2020](#), a group of UN Special Rapporteurs expressed serious concerns about the use of the Public Order Act to severely restrict civic space, and to prosecute the legitimate exercise of the rights to freedom of expression, peaceful assembly and association. The UN Human Rights Council independent experts are: the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; and the Special Rapporteur on the situation of human rights defenders.

Signatories

Access Now

Amnesty International
ARTICLE 19
CIVICUS: World Alliance for Citizen Participation
FORUM-ASIA
Human Rights Watch
International Commission of Jurists