

URGENT ACTION

ACTIVIST FACES SEVEN CHARGES FOR PEACEFUL PROTEST
Singapore activist **Jolovan Wham** is facing seven charges for organizing several peaceful assemblies over a one year period, including a vigil protesting the execution of Malaysian national **Prabakaran Srivijayan** in July 2017. If found guilty, he could face up to 3 years imprisonment and a maximum fine of **SGD\$11,000 (USD\$ 8,100)**

Jolovan Wham was taken into police custody for several hours on 28 November 2017 before being released on police bail and informed that he would be facing seven charges in court the following day.

On 29 November the court confirmed that Jolovan Wham faces seven charges consisting of: three charges under Section 7 of the Public Order Act; three charges for the refusal to sign cautioned statements under Section 180 of the Penal Code on different occasions; and one charge under Section 3 of the Vandalism Act. He was released on bail the same day for the amount of SGD\$ 8,000 (USD\$ 5, 941). The case has been set for a Pre-Trial Conference on 13 December 2017.

The three charges under Section 7 of the Public Order Act relate to his alleged failure to obtain a permit for three different and distinct peaceful assemblies over the course of a year. Regarding one of the events, held on 26 November 2016, Jolovan Wham was accused of organizing a public assembly without a permit, with Hong Kong student activist, Joshua Wong, who spoke at the event via Skype.

The prosecution of Jolovan Wham reinforces a climate of intimidation and the use of the criminal justice system to harass peaceful activists within the country. This charge also violates his universal rights to freedom of expression and peaceful assembly. The Singapore Constitution provides for the right to peaceful assembly but allows the state extensive powers to impose restrictions on it, which go far beyond those permitted under international human rights law and standards.

Please write immediately in English or your own language urging authorities to:

- Immediately and unconditionally drop all charges against Jolovan Wham as he has been prosecuted solely for peacefully exercising his right to freedom of expression and peaceful assembly;
- Repeal or amend all legal provisions that violate the right to freedom of expression and assembly, including Section 7 of the Public Order Act;
- End the penalization, intimidation and harassment of peaceful activists in the country.

PLEASE SEND APPEALS BEFORE 10 JANUARY 2018 TO:

Prime Minister
 Lee Hsien Loong
 Prime Minister's Office
 Orchard Road
 Istana, 238823
 Singapore
 Fax: +65 6835 6621
 Email: pmo_hq@pmo.gov.sg
Salutation: Dear Prime Minister

Attorney General
 Lucien Wong
 Attorney-General's Chambers
 1 Upper Pickering Street
 058288, Singapore
 Fax: +65 6538 9000
 Email: agc@agc.gov.sg
Salutation: Dear Attorney General

And copies to:
Minister of Law and Home Affairs
 K. Shanmugam
 100 High Street #08-02
 The Treasury
 Singapore 179434
 Tel: +65 6332 8810
 Email: k_shanmugam@mlaw.gov.sg

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation
 Please check with your section office if sending appeals after the above date.



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ADDITIONAL INFORMATION

One of the charges under Section 7 of the Public Order Act and the Vandalism Act relate to a public assembly organised by Jolovan Wham in June 2017 to commemorate the 30th Anniversary of 'Operation Spectrum', an event remembering those who have been arrested and detained without charge or trial under Singapore's Internal Security Act (ISA). This protest took place on the Mass Rapid Transit (public train).

Another one of the public assemblies listed among the alleged offences was a vigil held for Prabakaran Srivijayan, a Malaysian national sentenced to death and executed on 14 July. Several activists were investigated by police in connection with this vigil, however Jolovan Wham is the only activist who has been charged for organizing this public assembly without a permit. Jolovan Wham also faces charges of "vandalism" and of failing to sign several statements as required by the Singapore authorities.

The offence of failing to obtain a permit carries a fine not exceeding SGD\$5,000 (\$3700 USD), while the failure to sign a statement is punishable by a maximum 3 months imprisonment and a fine which may extend to SGD\$2,500 (USD\$1800) or both. The offence of vandalism under the Singaporean Vandalism Act carries a maximum imprisonment term of 3 years and a fine not exceeding SGD\$2,000. (USD \$1487 USD)

Amnesty International remains concerned that there are several other individuals who have been investigated under the Public Order Act following the vigil of Prabakaran Srivijayan and remain at risk of being investigated and charged for the peaceful exercise of their right to freedom of expression and assembly.

A single charge under Section 7 of the Public Order Act carries a maximum fine of SGD \$10,000 (USD \$7427), imprisonment for not more than 6 months or both. It is deeply concerning that Jolovan Wham is being prosecuted for peacefully criticizing the actions of the Singapore government in its use of the death penalty, the detention of its political opponents and for providing a platform for Hong Kong based pro-democracy activist, Joshua Wong.

The Singapore Police Force has also issued a 'Stern Warning' regarding several offences allegedly committed in November 2016, which include 'allowing the Flag (national flag) to touch the ground, the display of national emblems in public and the refusal to sign a statement. In an official statement, the Singapore Police Force has called Jolovan Wham 'recalcitrant' and stated that he has shown 'blatant disregard' for the law. He has been warned that if he commits the same offence in the future, he would not be shown the same leniency by the police.

The Public Order Act, first promulgated in 2009, regulated public talks, religious assemblies and political protests. In April 2017, Singapore's Public Order Act was adopted by Parliament and gave police and other official's broad and arbitrary powers to further limit or ban public assemblies and protests. The new amendments required organizers of public events to apply for permits at least 28 days in advance and the failure to do so will result in a fine of SGD\$ 20,000 (USD\$ 14, 297) imprisonment for up to a year or both.

Name: Jolovan Wham Kwok Han
Gender m/f: m

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