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Singapore: Defamation case threatens press freedom

The Singaporean parliament should enact new legislation protecting freedom of expression, Amnesty International said today, after a magazine and its editor agreed to pay S\$405,000 (Approximately US\$290,000) following a fine by the country's highest court for alleged defamation.

The Dow Jones Company-owned Far Eastern Economic Review (FEER) magazine and its editor Hugo Restal had published an article critical of Prime Minister Lee Hsien Loong and his father, former Prime Minister Lee Kuan Yew.

The 2006 article entitled "Singapore's 'Martyr', Chee Soon Juan", contained allegations against the two leaders, including of corruption, which the Singapore Court of Appeal ruled as defamatory.

Dow Jones Company denied any wrongdoing but said they had to pay the fine.

In its ruling, the Singapore Court of Appeal held that "constitutional free speech in Singapore is conferred on Singapore citizens only." It further held that Singapore does not recognize a special function for the press as a "watchdog".

"Laws that allow the authorities to impose restrictions on freedom of expression together with a pattern of politically motivated defamation suits, have created a climate of political intimidation and self-censorship in Singapore." said Sam Zarifi, Amnesty International's Asia Pacific Director. "This ruling further illustrates how press freedom is under threat in Singapore and sets a dangerous precedent for freedom of expression and journalism in the region."

Amnesty International urges the Singapore parliament to enact legislation that would ensure the media's ability to perform its vital function as a watchdog while removing discrimination and undue restrictions from the laws on freedom of expression, to bring them into line with international law and standards.

The government of Singapore has a history of using civil defamation actions to stifle political opposition. Such defamation suits place unreasonable restrictions on the right of Singaporeans to peacefully express their opinions and to participate fully in public life.

Amnesty International remains concerned about the continuing use of restrictive laws and civil defamation suits in Singapore to penalise and silence peaceful critics of the government.

"If Singapore has pretensions to being an international commercial center, especially in the age of the internet, its legislature must immediately act to bring the country in line with commonly accepted concepts of free expression and media activity,"

said Sam Zarifi.

Journalists are finding it increasingly difficult to work without interference from the governing People's Action Party.

Background

International law recognizes limitations to the right to freedom of expression as enshrined in Article 19 of Universal Declaration on Human Rights however these restrictions must be demonstrably necessary for and proportionate to certain permissible purposes. The permissible purposes for such restrictions include “securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.”

However, it is well established under international law that public officials must tolerate more, rather than less, criticism than private individuals.