

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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SINGAPORE: DROP CHARGES AGAINST PEACEFUL ACTIVIST

Amnesty International calls on the Singapore government to immediately drop its absurd case against human rights defender Jolovan Wham who is facing two charges of “illegal assembly” for posing on his own for a photo with a placard of a smiley face. Wham has persistently been targeted by the authorities for his peaceful activism and human rights work.

On 23 November, Wham was charged under the Public Order Act for posing for a photo on his own outside of a police station in March 2020. His action was in solidarity with two climate change activists, who faced police questioning after posing in a similar manner. The court confirmed that Wham faces two charges under the Public Order Act. He was released on bail the same day for the amount of SGD\$ 15,000, (USD\$ 11, 205). The court ordered Wham to post a higher amount of bail, rather than the usual sum of SGD\$ 8,000 (USD\$5, 975), as he was deemed by the court as “re-offending” while out on bail for earlier charges. If found guilty, Wham faces a fine of up to SGD\$5,000 (USD\$ 3,725).

The charges against Wham have sparked international attention because of the absurdity of calling an “illegal assembly” the act of standing alone while holding a placard of a smiley face. The charges are emblematic of how restrictive laws such as the Public Order Act are routinely used as tools for intimidation, harassment and political repression by the Singaporean government.

Wham is currently facing other charges for his peaceful exercise of the rights to freedom of expression and peaceful assembly. These include more charges under the Public Order Act for posing outside the state courts with a placard in solidarity with online editor Terry Xu and article writer Daniel de Costa in 2019 and holding a peaceful vigil for a death row inmate in 2017.

The prosecution of Wham reinforces a climate of repression of dissent, and is indicative of the frequent use of the criminal justice system to harass peaceful activists in the country. This oppressive climate has intensified as the government has increasingly harassed and pressed criminal charges against people simply for peacefully exercising their human rights, including those calling on the authorities to respect human rights or criticizing or challenging government policies.

Amnesty International has repeatedly expressed alarm at the tightening of civic space in the country, which includes the use by authorities of provisions of the Public Order Act to unduly restrict peaceful assembly.

The Public Order Act, promulgated in 2009, regulates public discussions, religious assemblies, political protests and other gatherings. In April 2017, amendments to the Act were adopted by Parliament, giving police and other officials further broad and arbitrary powers to limit or ban public assemblies and protests. Exercise of the rights to freedom of expression and peaceful

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assembly is restricted to only one specific area in the country – a small hectare of land - Hong Lim Park. Amnesty International views such restrictions as grossly disproportionate to the exercise of such rights.

Singapore has an international obligation to respect, ensure the protection and promotion of the rights to freedom of expression, and freedom of peaceful assembly, as set out in the Universal Declaration of Human Rights. The Singapore Constitution provides for the right to peaceful assembly but allows the state extensive powers to impose restrictions on it. Such powers go far beyond those permitted under international human rights standards.

Amnesty International calls on the government to immediately drop all charges against Jolovan Wham. It also urges the government of Singapore to repeal or amend all laws that violate human rights, including the rights to freedom of expression and assembly, such as the Public Order Act. The government of Singapore should immediately put an end to the climate of repression of dissent and stop intimidating and harassing peaceful activists and human rights defenders in the country.