



**JANUARY 2010**

**COUNTRY SUMMARY**

## **Singapore**

Singapore's legal framework continues to perpetuate an authoritarian state tightly controlled by the ruling People's Action Party (PAP). Although the party has won all elections since 1959 and is currently represented by 82 of the 84 parliamentarians with full voting rights, it is concerned that the next election, slated for no later than 2011, may demonstrate significant erosion of its popular support. To bolster its standing, the PAP has touted a relaxation of curbs on free expression, assembly, and association, and has expressed intent to introduce amendments to the constitution and the Parliamentary Elections Act to guarantee a minimum of nine opposition members of parliament.

Appearances, however, are deceiving. In the interests of security, public order, morality, national harmony, or friendly foreign relations, Singapore law authorizes censorship of content and distribution of print material and films, severe limits on public processions and assemblies, and prolonged detention of suspects without trial. Mindful of the disruptions by civil society organizations at the 2006 World Bank–International Monetary Fund meetings in Singapore, parliament passed the draconian Public Order Law 2009 to preempt any such disruption at the Singapore-hosted November 2009 Asia-Pacific Economic Cooperation (APEC) summit.

### **Freedom of Assembly, Expression, and Association**

In April 2009, seven months after the government rescinded the need for a police permit if more than four people wished to gather or stage a rally at Singapore's Speakers' Corner, parliament passed the Public Order Act 2009, effectively negating the earlier move. The new Act requires permits for any "cause-related activity"—such as a procession or assembly—no matter how many people are involved (a "cause related activity" is defined as a show of support for or against a position, person, group, or government). For "major" events, the Act permits police to issue "move-on" orders and to prohibit filming of their own activities.

Despite the October acquittal of three leaders and two supporters of the opposition Singapore Democratic Party, space has not opened up for political opponents. The five were tried for conducting a procession without a permit on September 17, 2007, while wearing T-shirts reading "Democracy Now" and "Freedom Now." The judge first noted that although the

home minister could make bylaws regulating assemblies and processions, nothing in the act defined what constituted either, and then ruled that the “natural and ordinary” meaning of procession was not applicable to the five walking casually on pedestrian pathways, taking breaks and impeding no one. However, the judge refused to rule the act unconstitutional, leaving in place a de facto police ban on outdoor political activities by opposition political parties. On October 12, 2009, the Attorney General’s Chambers filed an appeal.

Some of those involved in that “procession” are defendants, along with other Singapore Democratic Party members and supporters, in four other trials for “assembly without a permit,” “attempted procession without a permit,” or “speaking in public without a permit.” Fines imposed after earlier trials have bankrupted the party’s secretary-general, Dr. Chee Soon Juan, and his sister, Chee Siok Chin.

In March a judge found *Wall Street Journal* senior editor Melanie Kirkpatrick in contempt of court for allegedly impugning the independence of Singapore’s judiciary. In October the *Far Eastern Economic Review* and its editor-in-chief Hugo Restall lost an appeal in a defamation suit brought by Singapore founder Lee Kuan Yew and his son Prime Minister Hsien Loong Lee for a 2006 article they said implicitly suggested they may have abused the public’s trust. Damages and legal fees filed on November 13 totaled Singapore \$405,000 (US\$292,438).

The Newspaper and Printing Presses Act requires yearly renewal of licenses and empowers authorities to limit circulation of foreign newspapers alleged to “engage in the domestic politics of Singapore.” Internet content is less tightly controlled. Some political films and videos such as *Singapore Rebel*, a film biography of Chee Soon Juan, are approved, in part because their circulation cannot be controlled. But films containing “partisan or biased references to or comments on any political matter” are prohibited.

State law and political repression, including the threat of defamation suits and attendant bankruptcy, prevent the establishment of human rights NGOs and limit individual willingness to challenge the government. The Societies Act requires that most organizations of more than 10 people register with the government but limits engagement in “political activities” to registered political parties. Trade unions may not contribute to political parties, and the National Trade Union Congress, with which most unions affiliate, does not permit members supportive of opposition policies to hold office.

## **Criminal Justice System**

Singapore's Internal Security Act (ISA), Criminal Law (Temporary Provisions) Act (CLA), Misuse of Drugs Act (MDA), and Undesirable Publications Act permit arrest and detention without warrant or judicial review. The ISA and CLA also authorize preventive detention. The MDA permits the Central Narcotics Bureau chief to detain suspected drug users for three years in "rehabilitation centers" without recourse to trial; those who relapse face extended prison terms and caning (even though relapse is a common milestone on the road to recovery from drug dependence).

Singapore's penal code mandates caning along with imprisonment for some 30 offenses, including drug and security offenses. Its use is optional for other crimes involving force. From January to September 2008, courts reportedly sentenced 4,078 males between ages 16 and 50 to caning. Women may not be caned.

Singapore is believed to have one of the world's highest per capita execution rates, although statistics are not made public. Most sentences involve some 20 drug-related offenses for which execution is mandatory and which, according to the MDA, require the alleged perpetrator to prove his innocence to escape conviction. Singapore remains vocal in its defense of the death penalty. In March 2009 Singapore defended the death penalty for drug offenses at the United Nations Human Rights Council, notwithstanding conclusions by UN human rights mechanisms and UN drug and human rights agencies that the death penalty for drug offenses violates international law.

## **Sexual Orientation and Gender Identity**

Although Singapore law bans private and consensual sexual relations between men, movement toward acceptance is noticeable. A May 2009 rally at Speakers' Corner, which drew some 2,500 gay rights supporters, proceeded without government interference despite the deputy prime minister cautioning against stridency. In July Singapore's law minister, referencing the state's conservative leanings and affirming that Singapore would not follow India's example and decriminalize its own law, nevertheless stated that the courts were free to interpret it as they saw fit.

## **Migrant Domestic Workers and Trafficking**

Although progress has been made on successfully prosecuting abusive employers and on recovery of back wages for foreign domestic workers, Singapore has failed to regulate recruitment fees. Out of a two-year contract, repayment costs workers 8-11 months' wages.

The US Trafficking in Persons 2009 report listed Singapore on Tier 2: countries that are not doing enough to address trafficking. Women are trafficked to Singapore for domestic work and commercial sexual exploitation. Singaporean authorities misrepresent the number of trafficking victims by eliminating those who were deceived into migrating by false promises.

### **Key International Actors**

Singapore is a key member of the Southeast Asia Regional Centre for Counter-Terrorism along with the United States, Malaysia, and others, and is an active participant in regional and sub-regional security issues including maritime and aviation security and combating of money laundering.

At a March 2009 meeting of the Association of Southeast Asian Nations (ASEAN), Singapore's prime minister raised the issue of the region's inability to solve the problem of a safe haven for stateless Rohingyas fleeing persecution in Burma (see also Burma and Thailand chapters). However, a senior minister of state for foreign affairs later clarified that Singapore would not accept refugees or asylum seekers but could only offer humanitarian aid "so they could depart for a third country."

As an important financial center for Southeast Asia, Singapore faced criticism for reportedly hosting bank accounts containing ill-gotten gains of corrupt leaders and their associates. Two banks named as holding the proceeds of Burma's sales of natural gas, which are not duly reflected in official Burmese budgets, denied the allegations.