

**STATEMENT**  
**UPR Pre-Session on SINGAPORE**  
**Delivered by: Community Action Network (CAN)**

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1. Presentation of the organisation

This statement is delivered on behalf of the Community Action Network (CAN), a Non-Governmental Organisation (NGO) concerned with the freedom of expression and civil and political rights in Singapore.

2. National consultations for the drafting of the national report

The Ministry for Foreign Affairs led the development of the National Report, and held consultations with selected Civil Society Organisations (CSOs). CAN was not invited to these meetings.

3. Plan of the statement

This statement addresses the following issues: (i) freedom of expression and assembly, and (ii) privacy.

4. Statement

**i. Freedom of expression and assembly**

A. Follow-up to the first review

The previous review saw many countries making general recommendations about protecting the right to freedom of expression and assembly. Among these countries were: Belgium, Canada, Costa Rica, the Czech Republic, France, Ireland, Italy, Japan, Latvia, and the United States of America. Some concerns included the use of criminal defamation laws to silence dissent under the Defamation Act, and the *de facto* ban on peaceful public assemblies and processions under the Public Order Act. While Singapore supported or noted these recommendations, no substantive reforms to the law ensued.

B. New developments since the last review

With regard to the freedom of expression, not only do criminal defamation laws and repressive media laws persist, new “anti-fake news” legislation, the Protection from Online Falsehoods and Manipulation Act (POFMA), was passed in 2019. POFMA allows Ministers to issue take-down orders of internet content, and compel internet service providers and platform providers to block access to online material—even transnationally. It has primarily been used against political opponents and critics of the Singapore government.

The harassment of individuals who express political opinion continues. The Prime Minister of Singapore is engaged in ongoing criminal defamation suits against media writers and editors; and a civil defamation suit against a blogger who shared an article on Facebook without additional comment. Other activists and opposition politicians were charged for scandalising the judiciary under contempt of court laws revised in 2016.

With regard to the freedom of assembly, the Public Order Act (POA) continues to criminalise even single-person public assemblies and processions. A significant number of individuals, from student activists to artists, have been investigated or charged for this.

### C. Recommendations

We recommend that the Government of Singapore:

- a. Repeals or otherwise amends the Protection from Online Falsehoods and Manipulation Act (POFMA) to comply with Singapore's international legal obligations.
- b. Ends the criminalisation of peaceful assemblies and processions under the Public Order Act (POA).

## ii. Privacy

### A. Follow-up to the first review

There were no recommendations made with regard to privacy rights in the last review.

### B. New developments since the last review

Singapore makes use of an extensive surveillance infrastructure, including the widespread use of CCTV cameras; drones; internet monitoring; access to communications data; and the use of big data analytics for governance initiatives, as noted in a stakeholder report submitted by Privacy International in the last review. Since then, the use of facial recognition and verification technology in public spaces and for accessing public services has intensified. Other biometric data is increasingly collected and used for identity verification, and the adoption of untransparent contact tracing technologies has been mandated following the Covid-19 pandemic.

A range of laws allow various state agencies intrusive access to personal data. Under the Telecommunications Act, telecommunications providers can be ordered to take control of telecommunications equipment, and censor or stop messages. The Computer Misuse and Cybersecurity Act (CMCA) allows the collection of information from any computer, including in real time. The Criminal Procedure Code (CPC) allows police officers or appointed third parties to obtain any data deemed necessary, without judicial authorisation. This same law allowed contact tracing data to be used in a police investigation in 2020, both breaking earlier promises and contravening privacy recommendations that contact tracing technologies be used only for public health reasons.

### C. Recommendations

We recommend that the Government of Singapore:

- a. Recognises the right to privacy in the Constitution of the Republic of Singapore.
- b. Institutes a Freedom of Information Act, that allows citizens to access the personal information that public agencies have collected on them.
- c. Requires independent, impartial judicial authorisation before personal information is accessed by law enforcement authorities.