

# UPR INFO PRE-SESSION ON SINGAPORE

## AMNESTY INTERNATIONAL WRITTEN STATEMENT

Amnesty International is an international organization campaigning for the end to abuses of human rights. It has been participating in the UPR since its inception and Singapore's UPR since 2016.

Amnesty International was not invited to consultations the Ministry of Foreign Affairs held with select CSOs prior to the submission of the government's National Report.

This statement addresses the following issues: (i) the death penalty (ii) human rights defenders

### (I) DEATH PENALTY

#### FOLLOW UP FROM THE PREVIOUS REVIEW

During the last review, numerous countries made recommendations to Singapore on establishing a moratorium on executions with a view to abolishing the death penalty or abolishing the death penalty immediately outright. These countries included: The Netherlands, Spain, Norway, France, Italy, Mexico, Argentina, and Sierra Leone among others. The government rejected all recommendations on the death penalty.

#### DEVELOPMENTS SINCE 2016

The death penalty in Singapore continues to be retained as the mandatory punishment for several offences, including drug trafficking, murder and discharge of firearms with intent to kill or harm in certain circumstances.

In recent years the death penalty has been imposed mainly for murder and drug-related offences, including possession of controlled drugs above certain amounts. The death penalty remains imposed in murder cases even when judicial discretion is available; and for the trafficking of relatively low amounts of prohibited substances, meaning that many of those being sentenced to death hold low-ranking positions in drug trafficking chains.

Amnesty International's research has found more than two-thirds of the 39 executions carried out in the past ten years (2010-2019) were drug-related (30). The use of the death penalty for crimes that do not meet the threshold of the "most serious crimes", as well as the imposition of mandatory death sentences, is prohibited under international law.

Death penalty reforms introduced in 2013, while reducing the number of people sentenced to death, do not go nearly far enough. The reforms were a step in the right direction and have allowed some people to escape the gallows, but in key respects were flawed from the outset. Since amendments to the Misuse of Dangerous Drugs Act, drug carriers should be able to avoid mandatory death sentences by co-operating sufficiently with the state prosecutor during the investigation phase or trial. However, decisions on who meets this criteria rests fully with the public prosecutor and not the judge, and are taken behind closed doors in a murky and non-transparent process, introducing new flaws into the criminal justice system.

#### RECOMMENDATIONS

Pending full abolition of the death penalty, we urge the government to:

- Establish an official moratorium on executions with a view to abolishing the death penalty.
- Bring provisions in national legislation that allow for the use of the death penalty in line with international human rights law and standards, including by removing the mandatory death penalty and restricting the scope of this punishment to intentional killing.

## **(II) HUMAN RIGHTS DEFENDERS**

### **FOLLOW UP FROM THE PREVIOUS REVIEW**

During the last review, many countries made recommendations to Singapore on ensuring legislation and policies that effectively guarantee the rights of freedom of expression, freedom of assembly and association, including for human rights defenders and civil society organisations working to promote and protect human rights. These countries included: Mexico, Canada, Costa Rica, France, and Ireland among others. Singapore accepted some of these recommendations however, these rights continue to be heavily restricted.

### **DEVELOPMENTS SINCE 2016**

Throughout the review period, the government has continued to harass, intimidate and prosecute human rights defenders and critics that organise peaceful assemblies and exercise their right to freedom of expression. Indeed, the situation is getting worse.

The government has also enacted or amended several laws which have been used to further limit these rights. In April 2017, amendments to the Public Order Act, which imposes further restrictions on organizers of public events, were passed into law. The Administration of Justice (Protection) Act, which came into effect in October 2017, has also been used to target human rights defenders and other individuals for criticizing the courts. The Protection of Online Falsehoods and Manipulation Bill (POFMA), enacted in 2019, has repeatedly been used by authorities to silence human rights defenders and government critics online. Independent media outlets, including The Online Citizen (TOC) and New Naratif, are among those who have been targeted with POFMA orders.

The government has repeatedly sought to make an example of individual human rights defenders to deter those who may criticize the government. Jolovan Wham for example have been convicted multiple times under the Public Order Act and other laws for his work as a human rights defender.

### **RECOMMENDATIONS**

We urge the government to:

- Amend or repeal the Protection from Online Falsehoods and Manipulation Act and Public Order Act to ensure that they comply with international human rights standards.
- End the criminalization of human rights defenders, social media users and government critics, through the misuse of the criminal justice system.

**AMNESTY INTERNATIONAL ALSO INCLUDES THE FOLLOWING OTHER RECOMMENDATIONS IN OUR [UPR SUBMISSION](#):**

#### **THE NATIONAL HUMAN RIGHTS FRAMEWORK**

- Ratify international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Establish a National Human Rights Institution in line with the Paris Principles.

#### **THE DEATH PENALTY**

Pending full abolition of the death penalty:

- Ensure rigorous compliance in all death penalty cases with international fair trial standards, including by ensuring those facing the death penalty have legal representation from the time of arrest.

- Regularly publish full and detailed information, disaggregated by gender, age, offence, nationality and ethnic background, about the use of the death penalty which can contribute to a public debate on the issue.

#### FREEDOM OF EXPRESSION

- Amend or repeal the Sedition Act, the Administration of Justice Act, the Protection from Online Falsehoods and Manipulation Act and all other legislation that unduly restricts the right to freedom of expression to ensure that they comply with international human rights standards.

#### FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

- Revise or repeal the Public Order Act and relevant sections of the Penal Code to allow peaceful demonstrations without undue restrictions, and to guarantee the right to peaceful assembly to all people in Singapore, without discrimination.
- Repeal all laws and regulations that impose an authorization requirement prior to the holding of public demonstrations, and ensure that organizers are not penalized for the mere act of organizing peaceful assemblies.

For further information please contact:

Rachel Chhoa-Howard

Southeast Asia Researcher, Amnesty International

[rachel.chhoahoward@amnesty.org](mailto:rachel.chhoahoward@amnesty.org)