



Note No. 033/13

The Permanent Mission of the Republic of Singapore to the United Nations Office and other International Organisations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to refer to the communication referenced Joint Allegation letter AL Cultural rights (2009) G/SO 214 (67-17)SGP 3/2012 dated 21 November 2012 from the Special Rapporteur in the field of Cultural Rights Ms Farida Shaheed and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression Mr Frank La Rue to the Permanent Representative of Singapore to the United Nations, Ms Tan Yee Woan.

The Permanent Mission has the further honour to seek the assistance of the Office in transmitting the enclosed reply from Permanent Representative Tan to Ms Farida Shaheed and Mr Frank La Rue.

The Permanent Mission of the Republic of Singapore to the United Nations Office and other International Organisations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

GENEVA

1 February 2013

Special Procedures Branch  
Office of the High Commissioner for Human Rights





PERMANENT REPRESENTATIVE  
OF THE REPUBLIC OF SINGAPORE  
TO THE UNITED NATIONS

1 February 2013

Ms Farida Shaheed  
Special Rapporteur in the Field of Cultural Rights

Mr Frank La Rue  
Special Rapporteur on the Promotion and Protection of the Right  
to Freedom of Opinion and Expression  
Office of the High Commissioner for Human Rights  
Palais Wilson  
Rue des Paquis 52  
CH-12-1 Geneva

Dear Ms Shaheed and Mr La Rue,

**COMMUNICATION FROM SPECIAL PROCEDURES  
JOINT ALLEGATION LETTER AL Cultural rights (2009) G/SO 214 (67-  
17) SGP 3/2012**

We refer to your letter dated 21<sup>st</sup> November 2012 [Reference: AL Cultural Rights (2009) G/SO 214 (67-17) SGP 3/2012]. Your letter refers to (a) the purported cancellation of a play-reading/book launch, which was organised by Function 8 and was to be held at the Substation Theatre (the “Substation”); and (b) the dropping of the same play from a festival that had been scheduled in 2013. We have made enquiries into these two events, and address your queries in turn below.

In relation to the Function 8 event that was to take place on 26<sup>th</sup> August 2012 at the Substation, the National Arts Council (“NAC”) did not initiate any communication with the Substation in respect of the book launch and reading event entitled “Square Moon” by Wong Souk Yee. Before the reading, it was the Substation’s artistic director who sought advice from NAC.

At this juncture, we note that it is not at all unusual for organisers of arts festivals or arts venue managers to seek NAC's advice or comments on proposed productions. The NAC is a national body that was formed in 1991 to develop Singapore as a distinctive global city for the arts. Among its initiatives is providing grants, including those classified as "major" and "general" to support the arts in Singapore. The NAC's advice and comments are sought on an ongoing basis in several key areas including matters of artistic merit, arts housing schemes, public funding grants and guidelines. As a general approach, while the NAC will offer its advice or comments when solicited, it does *not* intervene in the decisions made by bodies that seek its advice or comments.

The Substation is a venue that enjoys the NAC's major grant support. When the NAC's opinion was sought by the Substation on 16<sup>th</sup> August 2012 for the book launch and reading event, the NAC commented that the decision taken by the Substation should follow the public funding guidelines that apply to NAC grants and schemes. However, it also emphasised that it was the Substation's prerogative whether or not to proceed with the holding of the play-reading/book launch. The following day, the artistic director of the Substation informed the NAC that he had cancelled the rental of the venue for the play-reading/book launch. For your reference, we have reproduced the public funding guidelines that apply to NAC grants and schemes in the **Annex**. This information is also publicly available on NAC's website. Venues or organisations that receive grant support are aware of the public funding guidelines at the time they apply for (and receive) grant support from the NAC.

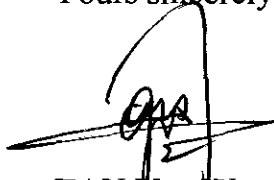
In relation to the withdrawal of the play "Square Moon" from a festival in 2013, we have confirmed that the festival organiser, also a major grant recipient, sought the NAC's comments on the play on 13<sup>th</sup> July 2012. In response, NAC also referred the festival organiser to the public funding guidelines, and similarly informed the festival organiser that the decision whether to include the play in the festival was the organiser's prerogative. On 10<sup>th</sup> August 2012, the NAC was informed by the festival organiser that it had decided not to include the play in the festival and would instead include a play that would feature excerpts from their body of work over their 25-year history.

The information you received on the two events misrepresents the important fact that it was the festival organiser and the Substation Theatre that initiated communications with the NAC. At no time did the NAC pressurise the Substation or the festival organiser to reject the booking or to withdraw the play from the festival programme, as is alleged in your letter. We would also like to

clarify that at no point did the Internal Security Department or the Ministry of Home Affairs query or pressure either The Substation regarding Function 8's booking or the festival organiser regarding their programme line-up. At all times, the NAC reiterated to the Substation and the festival's organiser that it was their prerogatives whether to run the respective events. The decisions in relation to both events were taken by the Substation and the festival organiser respectively.

Singapore is committed to respect fundamental freedoms, including the right to freedom of speech and expression in accordance with the principles of the UN Charter and the Universal Declaration of Human Rights (UDHR). The right to freedom of speech and expression is also guaranteed by Article 14, paragraph 1 (a) of Singapore's Constitution which states that "every citizen of Singapore has the right to freedom of speech and expression."

Yours sincerely,



TAN Yee Woan

## **ANNEX**

### *Major Grant Application Form & Guidelines*

#### *Annex D: Funding Guidelines*

*While artistic merit is a key factor in funding decisions, as a statutory body disbursing public funds in line with Government policies, the Council gives consideration to whether the work is potentially a negative influence to society. NAC will prioritise funding to proposals which do not:*

*a) Advocate or lobby for lifestyles seen as objectionable by the general public;*

*b) Denigrate or debase a person, group or class of individuals on the basis of race or religion, or serve to create conflict or misunderstanding in our multicultural and multi-religious society;*

*c) Undermine the authority or legitimacy of the government and public institutions, or threaten the nation's security or stability.*

*Under the Major Grant Scheme, NAC will not fund organisations constituted for non-secular purposes.*

*. . . . .*