



PERMANENT MISSION OF THE REPUBLIC OF SINGAPORE
UNITED NATIONS | GENEVA

PERMANENT REPRESENTATIVE

24 March 2016

Mr Michel Forst
Special Rapporteur on the situation of human rights defenders

Dear Mr Forst,

**REPORT OF THE SPECIAL RAPPORTEUR ON THE SITUATION OF
HUMAN RIGHTS DEFENDERS (A/HRC/31/55/Add.1)**

1. We refer to your report A/HRC/31/55/Add.1 (the "Report") submitted under Agenda Item 3 of the 31st regular session of the Human Rights Council, pursuant to resolution 25/18 of the Human Rights Council. In your report, you commented on the responses provided by the Government of Singapore to communications from the Special Procedures Branch on (a) the civil defamation suit filed against Roy Ngerng Yi Ling ("Mr Ngerng") by Lee Hsien Loong in his personal capacity; (b) the prosecution and conviction of [REDACTED] on charges of disseminating an obscene video and posting a video containing remarks against Christianity with the deliberate intention to wound the religious feelings of Christians; and (c) the ongoing case involving Ms Han Hui Hui ("Ms Han") in relation to an incident in Hong Lim Park that occurred on 27 September 2014.

2. We deeply regret that despite our detailed explanations on the legal grounds for the cases brought against Mr Ngerng, [REDACTED] and Ms Han in our responses of 23 and 24 December 2015, the observations in the Report continue to contain inaccurate facts and wrong assertions. We reiterate the detailed grounds of explanation set out in our earlier responses and correct some further erroneous assertions within the Report.

3. The Report repeated an allegation that Ms Han faced some difficulty acquiring adequate legal assistance. This is false. Ms Han was given opportunity to engage legal counsel but chose to represent herself without the assistance of legal counsel. Our detailed explanation to the same is already set out in our letter dated 24 December 2015.

4. Second, the Report asserted that there is a "current trend in Singapore to persecute human rights defenders...for expressing their opinions...the Special Rapporteur reiterates that insults to a public figure are not sufficient grounds to justify the imposition of penalties and restrictions on the right to freedom of expression." This is not true. The Singapore Government welcomes vibrant public discourse as it encourages greater civic participation in the country. In recent years, there have been more vigorous debates on policies and politics on various platforms in Singapore, particularly on social media. [REDACTED] and Ms Han were charged for acts that were criminal offences at the time they were committed. Neither [REDACTED] nor Ms Han were charged for insulting a public figure. Their cases were heard in open Court and they were accorded due process and all rights in accordance with Singapore law. Mr Ngerng was the subject of a civil defamation suit which was filed against him privately and the Government is not party to this suit.

5. Third, the Report asserted that there is a "de facto ban on public demonstrations." Again, this is incorrect. From 2012 to 2015, 88 peaceful demonstrations were registered at the Speakers' Corner (an outdoor venue for public speeches in Singapore) over a range of topics, including politics.

6. Singapore is fully committed to the protection and promotion of the human rights of our citizens. However, we are cognizant and sensitive that accommodation must be reached among the competing rights of individuals who make up the nation and the interests of society as a whole. We note in this regard that Article 17 of the Declaration on Human Rights Defenders (Ref: A/RES/53/144) acknowledges that in the exercise of the rights and freedoms referred to in the Declaration, **everyone**, acting individually and in association with others, shall be subject to such limitations as are in accordance with applicable international obligations and are determined by law for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

7. As emphasized in our responses of 23 and 24 December 2015, Singapore takes its international human rights obligations seriously and ensures that its laws are in compliance with applicable international human rights law. Singaporeans have a constitutionally-protected right to freedom of speech, assembly and association, which are subject to certain limits. As in other nations, and under international law, the limits on these rights are for the protection of national security, public order or public health or morals. Singaporeans are free to express their views on any matter, including on government policies or the conduct of public figures – so long as it is done in accordance with the law. In Singapore, we also place great importance on the credibility of public institutions and political leaders. Trust and reputation are invaluable assets in Government which we would not want to see debased. Libellous allegations will be challenged in court.

Yours sincerely,



Foo Kok Jwee
Ambassador and Permanent Representative

