



PERMANENT MISSION OF THE REPUBLIC OF SINGAPORE  
UNITED NATIONS | GENEVA

PERMANENT REPRESENTATIVE

17 January 2023

Ms Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Mr Morris Tidball-Binz  
Special Rapporteur on extrajudicial, summary or arbitrary executions

Ms Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Mr Clement Nyaletsossi Voule  
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Dear Special Procedures Mandate Holders,

I refer to your joint communication dated 17 November 2022 [Ref: AL SGP 11/2022]. I wish to clarify several misconceptions in it about the ongoing police investigations into Ms Kirsten Han and Mr Rocky Howe, as well as about Singapore's approach to freedom of expression and peaceful assembly.

**Investigations into Kirsten Han and Rocky Howe**

2 You had expressed concern that the police investigations into Ms Han and Mr Howe were "an attempt to criminalise and intimidate" both individuals.

3 Ms Han and Mr Howe are being investigated for possible offences under Singapore's Public Order Act ("POA"). Under the POA, those organising or participating in a public assembly or procession must obtain a permit from the Singapore Police Force. Ms Han and Mr Howe had allegedly organised and participated in the following alleged public assemblies this year without the necessary Police permits:

(a) On 29 March 2022, the Police received a report which led to an investigation into an alleged demonstration outside Singapore's Changi Prison Complex ("CPC") involving Ms Han, Mr Howe and two others. None of the individuals had obtained a Police permit for the demonstration. Investigations into this report are ongoing.

(b) On 26 April 2022, the Police received a report about a post on Facebook with a photograph of Ms Han, Mr Howe and three others involved in an alleged demonstration outside the CPC that same day. None of the five individuals had obtained a Police permit for the demonstration. Investigations into this report are also ongoing.

4 These investigations are carried out in accordance with the law. I hope you can understand that in a country which upholds the rule of law, we would, and indeed should, investigate reports of possible offences. They are in no way an attempt to intimidate any individual.

5 You may also wish to note that at the time of the incidents, there were, and continue to be, avenues for Ms Han and Mr Howe to carry out demonstrations within the law. These include the Speaker's Corner in Singapore – an outdoor park in the middle of the city where Singapore citizens like Ms Han and Mr Howe can hold public demonstrations without a Police permit. Demonstrations on a wide range of issues, including capital punishment, have taken place there.

### **Singapore respects the right to freedom of expression and peaceful assembly**

6 Singapore fully respects the fundamental human rights enshrined in the United Nations Charter and the Universal Declaration of Human Rights ("UDHR"). Article 14 of the Constitution of Singapore protects the rights to freedom of speech and expression, freedom of peaceful assembly, and to form associations.

7 These rights, however, are not unqualified, even under international human rights law. These rights carry with them duties and responsibilities, and may be subject to certain restrictions as necessary, and as provided for by law. The POA ensures that individuals can exercise their right to peaceful assembly and political expression, while preserving public order in our delicately balanced multi-racial, multi-religious, and densely populated city state. The POA applies equally to all individuals and groups, in line with the rule of law, which is a fundamental principle that Singapore upholds.

## **No international consensus on capital punishment**

8        There is no basis to assert that the imposition of capital punishment for drug offences is a breach of international law. There is no international consensus against the use of capital punishment when it is imposed according to the due process of law and with judicial safeguards. Every country has the sovereign right to determine its own criminal justice system, considering its own circumstances and in accordance with its international law obligations. This right should be respected.

9        I have reiterated Singapore's position on capital punishment and its use against drug-related offences on numerous occasions to the Special Procedures, most recently in a reply dated 16 September 2022. You may wish to refer to those statements again.

Yours sincerely,



**UMEJ BHATIA**  
Ambassador and Permanent Representative