

Singapore: ICJ urges authorities to refrain from legal harassment of human rights defenders

21 August 2020

The ICJ today condemned the conviction and imprisonment of human rights defender Jolovan Wham following the dismissal of his appeal by Singapore's highest court in connection with a conference he had organized in 2016. The ICJ urged the Singapore's authorities to take action to quash the conviction and immediately release Wham from prison.

The ICJ further called on the authorities to refrain from targeting human rights defenders for harassment through unwarranted legal proceedings and to amend the country's Public Order Act which formed the basis for the charges against Wham.

"Wham will now be in jail for organizing an indoor private discussion, in violation of his rights to free expression and freedom of association and peaceful assembly," said Ian Seiderman, the ICJ's Legal and Policy Director.

In November 2016, Wham organized a discussion entitled "Civil Disobedience and Social Movements" for approximately 50 participants in an indoor event venue, which included Hong Kong activist Joshua Wong as a speaker who called in via a video call. Prior to the event, Wham had not applied for a police permit to conduct the discussion, which was required under the Public Order Act (POA) as Wong is not a citizen of Singapore.

In 2019, Wham was convicted of violating section 16(1) of the POA and sentenced to a fine of S\$2,000 (approx. USD 1,463) or ten days' imprisonment in default by the District Court, following which his appeal was dismissed by the High Court. Yesterday, his appeal against the High Court decision was dismissed by Singapore's apex Court of Appeal. Today, Wham began his prison term of ten days.

"The highly flawed Public Order Act was initially adopted to regulate public assemblies and processions, but has now perversely expanded in its scope of application to cover even private discussions," said Seiderman.

In January 2019, the [UN Special Rapporteurs](#) on the right to freedom of opinion and expression, the situation of human rights defenders and the rights to freedom of peaceful assembly and association issued a joint statement expressing concern that the conviction was "clearly neither a necessary nor a proportional response to the actions of Jolovan Wham." The Special Rapporteurs noted that the action had wrongly targeted the "legitimate exercise of the right to freedom of expression and freedom of peaceful assembly in Singapore."

"The conviction and imprisonment of Wham marks a continued trend of abuse of poorly conceived laws to limit free expression, association and peaceful assembly in Singapore and harass individuals who seek to bring human rights violations to light in the country," said Seiderman.

The ICJ calls on Singapore's legislators also to act to amend other non-human rights compliant laws, including the Protection from Online Falsehoods and Manipulation Act (POFMA), Administration of Justice (Protection) Act (AJPA), and criminal defamation provisions under its Penal Code.

Wham was previously convicted in 2018 under the AJPA for alleged contempt of court following a comment on Facebook that "*Malaysian judges are more independent than Singapore's in cases with political implications*". He currently has active charges under the POA relating to the organizing of a vigil for a death row inmate and the holding of a silent protest on an MRT

train and is being investigated under the POA for holding signs silently in solidarity with other activists.

See also

In a 2019 regional report, the ICJ found that in Singapore, non-human rights compliant provisions in POFMA, AJPA and other contempt of court provisions, civil and criminal defamation laws have been used to curtail freedom of expression and information online.

ICJ, [Dictating the Internet: Curtailing Free Expression, Opinion and Information Online in Southeast Asia](#), December 2019

Similarly, the ICJ and other human rights organizations have called on Singapore authorities to drop investigations of human rights lawyer M Ravi and others under the contempt of court law and cease their harassment of human rights defenders. On 13 August, in relation to a death penalty case M Ravi is defending, the Court of Appeal [opined](#) that a statement made by the Attorney-General's Chambers against the lawyer could have been "reasonably construed as intimidating", offering a recent glimpse into the trend of legal harassment faced by human rights defenders in the country.

ICJ, [ICJ and other groups call on authorities to drop investigations under abusive contempt of court law](#), March 2020