



General Assembly

Distr.
GENERAL

A/HRC/9/G/7
24 September 2008

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Ninth session
Agenda item 4

HUMAN RIGHTS SITUATIONS THAT REQUIRE THE COUNCIL'S ATTENTION

**Letter dated 17 September 2008 from the Permanent Mission of the
Republic of Singapore to the United Nations Office at Geneva
addressed to the President of the Human Rights Council**

I refer to the oral statement delivered by Ms. Giyoun Kim, on 16 September 2008, on behalf of Asian Forum for Human Rights and Development (FORUM-ASIA) during the general debate on item 3, which was subsequently posted on the Extranet of the Council. In particular, I refer to Ms. Kim's statement, where she said:

*"In Singapore, for instance, although the Government has announced to relax its rules to allow outdoor demonstrations, these demonstrations are still nevertheless restricted at the Speaker's Corner. There have also been events this year that underline a restrictive environment in which human rights defenders are not able to enjoy the freedom of expression and opinion and the freedom to be informed. In May 2008, a private film screening of *One Nation Under Lee* was interrupted by representatives from the Media Development Authority, who demanded that organizers of the screening hand over the film. They cited the Films Act, which states that it is an offence to exhibit or distribute any film without a valid certificate. This provision therefore makes almost all Singaporeans hosting private screenings of private events violators of the said Act. Moreover, the Government has filed charges against 20 human rights defenders who took part in various peaceful protests and distributed flyers to the public."*

My delegation did not respond to Ms. Kim's statement during the general debate because, at the time of delivery, Ms. Kim restricted herself to the portion in italics. We were, therefore, not aware of the rest of her statement. However, we have now read her full statement as posted on the Extranet and deem it necessary to respond to it to clarify and put forward our position on the issues raised.

Singapore, like the vast majority of countries, subscribes to the Universal Declaration of Human Rights, but universality applies only to a core of basic human rights. Beyond this core, there is no universal agreement, and human rights are interpreted and implemented according to the specific circumstances of each country. Every society must decide and find the appropriate balance given its historical, social and economic context, and the rule of law is necessary in order that it is able to achieve this balance within a framework of good governance.

Outdoor demonstrations

We are pleased to note that Ms. Kim acknowledges that the Government of Singapore has announced that it will relax its rules to allow outdoor demonstrations. However, she states that these demonstrations are restricted at Speaker's Corner. We would like to point out that these constitutional restrictions are in place to ensure that assemblies do not hurt the security of the nation, or cause damage to persons and property. Indeed, the Universal Declaration of Human Rights and many other international instruments accept that freedom of expression is not an absolute right, but rather there can be constraints for meeting the requirements of "morality, public order and the general welfare".

Experiences in other countries have shown that demonstrations can often spiral out of control, resulting in violence. Singapore itself has experienced such violence. The 1950 Maria Hertogh riots and the 1964 race riots both started as peaceful assemblies but ended up with 54 dead, 736 injured and significant damage to property. We have worked hard since then to promote harmony among the different racial and religious groups in Singapore. While we have been fairly successful, we cannot take it for granted. The restrictions we have in place are necessary to safeguard the interests of the wider community from the actions of the few that may jeopardize the safety and security of the nation.

Films Act

Ms. Kim refers also to the Films Act and cites the case when the Media Development Authority "interrupted" a private film screening of *One Nation Under Lee* in May 2008. In Singapore, under section 21 (1) of the Films Act, it is an offence to possess, exhibit or distribute any film without a valid certificate approving the exhibition of the film. Any film for exhibition or distribution is required to be submitted to the Board of Film Censors, where the film may be approved without alteration or excision, or approved with such alterations or excisions as may be required, or prohibited.

On 15 May 2008, the Board of Film Censors learned that a film entitled "One Nation Under Lee" was to be screened on 17 May 2008 at the Peninsula Excelsior Hotel. As no film of that title had been submitted to the Board for classification, and the Board had not issued any certificate approving the exhibition of any film of that title, it had to investigate the issue, as it was a potential breach of the law. Following which, the Board proceeded to serve notice to the appropriate person that it would be an offence to screen a film that had not been submitted to the Board for classification and that is not approved for exhibition.

On 17 May 2008, Board officials proceeded to the venue of the event to investigate, as the organizers had persisted in screening the film despite having been advised earlier by the Board that they would be breaking the law. The officials were refused entry into the room where the

screening was held, and were only allowed in much later. A DVD copy of the film was handed over to the Board officials. The Board's investigation into the screening of this film is ongoing.

Charges against 20 human rights defenders

Ms. Kim refers to the charges filed "against 20 human rights defenders who took part in various peaceful protests and distributed flyers to the public". It is unfortunate that Ms. Kim does not provide details as to who these "human rights defenders" are and the circumstances under which they were charged and instead makes a very vague allegation. But generally, the fact is that there are many lawful means for Singaporeans to express their views and many have done so, be it through forums and meetings, Internet discussions, letters to the press and so on, and including on issues relating to unhappiness with Government policies and measures. However, if Singaporeans choose to express themselves through unlawful means, the authorities must surely uphold the rule of law.

My delegation requests that you circulate the present letter to the Council as a document of the ninth session.

Syed Nouredin Syed Hassim
Chargé d'affaires a.i.
