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CIVIL AND POLITICAL RIGHTS

**Letter dated 18 March 2004 from the Permanent Representative of
Singapore to the United Nations Office at Geneva addressed to the
Chairperson of the Commission on Human Rights**

In its written statement (E/CN.4/2004/NGO/44) submitted to the sixtieth session of the Commission on Human Rights, the Asian Legal Resource Centre (ALRC) states that “when the police are given freedom to act as they see fit to deal with alleged violations of the law, it is usually because politicians and other powerful persons are using them to deal with opponents”. The ALRC goes on to allege that “in Singapore and Malaysia, the police follow the orders of political authorities to arrest and detain their opponents under national security legislation”, but does not provide any evidence to substantiate its accusation. We can only conclude that the allegation is baseless and that the ALRC’s sole intention is to try and smear the good reputation of the Singapore Government.

It is also not clear what the ALRC means by Singapore’s “national security legislation”. We presume that the ALRC is referring to our Internal Security Act (ISA). If so, the ALRC should note that the ISA is not used to suppress political opposition. No opposition member of Parliament in Singapore today has been detained under the ISA. For that matter, the ISA has never been used against anyone who operates within constitutional means. The ISA is only used against individuals or groups who participate in unlawful acts against public order and in subversive activities that undermine the fabric of our nation. For instance, the ISA has been invoked against individuals who rejected the democratic process and resorted to violent means of overthrowing the lawfully and democratically elected Government. It has also been used against individuals engaging in activities that incite religious and racial hatred.

The Singapore Government recognizes that the ISA is a powerful law which impacts greatly on individuals arrested and detained. It is for this reason that the law is used sparingly and only as a last resort. Important safeguards are built into the law to prevent abuse. All persons detained under the ISA are served with formal charges against them and the facts upon which these charges are made. This is to enable the detainee to defend himself against these charges directly or through a lawyer of his own choice to an independent Advisory Board. The Board comprises a Supreme Court Judge and two prominent citizens appointed by the President of Singapore. It has all the powers of a court for the summoning and examination of witnesses and for compelling the production of documents. The Board submits its findings and recommendations to the President. It is further required to undertake yearly reviews of every ISA detention case and submit further recommendations to the Minister for Home Affairs. Where the Board recommends the release of a detainee, the detainee shall not be detained or further detained without the President's concurrence.

Like all laws and institutions of any independent and sovereign nation, the ISA in Singapore has evolved in response to our own needs, circumstances and socio-political realities. Political stability and communal peace are not necessarily the natural order of things for a small, multiracial and religious city-State like Singapore. The ISA, therefore, continues to be necessary so long as these threats and vulnerabilities remain relevant to Singapore's stability and security.

I would like to request that this letter be circulated as an official document of the sixtieth session of the Commission on Human Rights under agenda item 11.

(Signed): Vanu Gopala MENON
Ambassador
Permanent Representative
