

UNIVERSAL PERIODIC REVIEW – SINGAPORE

Submission by Function 8

1 November 2010

A Summary

Function 8¹ submits on a draconian law of the Singapore government – indefinite detention under the Internal Security Act (ISA).

B Recommendation

Abolish the ISA.

C Background

The Internal Security Act (1960) was formerly known as the Emergency Regulations (1948) and the Preservation of Public Security Ordinance (1955).

The present government of the People's Action Party (PAP) has been in power since 1959. The party was formed in 1954. In the struggle for independence from British rule, many of its members were arrested by the British and detained without trial. Almost the entire left wing of the PAP was arrested under the ISA in October 1956 and August 1957. The PAP leadership blocked the release of nine political detainees.²

When the PAP came into power in 1959, it embraced the ISA and continued the trend of repression of human rights defenders and civilians during its rule. In fact the arrests in its early days of independent rule can be said to be unprecedented.

Table of ISA Arrests³

Year	Name of operations	Number arrested and detained
1963	Operation Coldstore ⁴	About 120 people including members of the opposition, trade unionists, doctors, lawyers and journalists.

¹ Function 8 is an initiative by a group of citizens who believe that there is a need to facilitate the sharing of social, political and economic experiences of those who had, or are eager to contribute to society through reflection and civic discussion.

² Poh Soo Kai, Tan Jing Quee and Koh Kay Yew eds. *The Fajar Generation*, Petaling Jaya: SIRD 2010, p 269.

³ Tan Jing Quee, Teo Soh Lung and Koh Kay Yew eds. *Our Thoughts Are Free: Poems and Prose on Imprisonment and Exile*, Singapore: Ethos Books 2009.

⁴ Said Zahari. *Dark Clouds at Dawn: A Political Memoir*, Petaling Jaya: Insan 2001; *The Long Nightmare: My 17 Years as a Political Prisoner*, Petaling Jaya: Utusan Publications and Distributors Sdn Bhd, 2007.

Year	Name of operations	Number arrested and detained
1967	-	Unknown numbers including opposition MP Chia Thye Poh (who was detained for 32 years)
1976	-	Six Singapore Polytechnic student leaders, an unknown number of students from the Singapore Polytechnic Chinese Language Society, and Art practitioners (including cultural icons, Kuo Pao Kun and Goh Lay Kuan)
1977	-	35 people ⁵ including lawyers, doctors, journalists, teachers, trade unionists and unknown numbers of students
1987	-	Four Muslims
1987	Operation Spectrum ⁶	22 people including lawyers, arts practitioners, church workers, students, businessmen, senior media executives, journalists, and engineers were arrested in May and June 1987.
1988	-	Eight recently released detainees from Operation Spectrum and two of their defence counsel, Francis Seow ⁷ and Patrick Seong.
2001	-	Unknown numbers of alleged members of Jemaah Islamiyah

Problems and Impact of detentions under the ISA

1. Elimination of political opponents and activists resulting in the concentration of political power in the PAP today with no effective checks and balances in Parliament.
2. The absence of effective checks and balances has resulted in the PAP government legislating absurd laws such as The Public Order Act 2009 which defines illegal assembly to include a one-person public protest.⁸

⁵ Interview with Tan Jing Quee in October 2010

⁶ Fong Hoe Fang, ed. *That We May Dream Again*, Singapore: Ethos Books, 2009; Teo Soh Lung. *Beyond The Blue Gate: Recollections of a Political Prisoner*, Petaling Jaya: SIRD 2010

⁷ Lawyer Francis T. Seow was Solicitor General in Singapore and was also President of the Singapore Law Society. He was persecuted under the ISA, and now lives in Boston, USA. He is author of *To Catch a Tartar: A Dissident in Lee Kuan Yew's Prison* (Yale Southeast Asia Studies Monograph Series, 1994); *The Media Enthralled: Singapore Revisited* (Westview Press, March 1998); *Beyond Suspicion? The Singapore Judiciary* (Yale Southeast Asia Studies Monograph Series, 2006)

⁸ This law was enacted pursuant to a two-man protest in Singapore
http://www.engagemedia.org/Members/Seelan/videos/Activists_arrested_in_Singapore.AVI/view

3. Detention without trial under the ISA is an affront to the rule of law and the basic right to a fair trial.
4. The ISA continues to be a real threat to opposition parties and human rights defenders, thus effectively eliminating all forms of dissent, speech and free association and assembly of citizens.
5. Fear of arrest under the ISA has resulted in many citizens living in exile today, and losing their citizenship under Part X of the Singapore Constitution.⁹

Teo Soh Lung
For and on behalf of Function 8
email: sohlung@function8.org
Tel: +65 92960031
www.function8.org

⁹ Some of those living in exile or deprived of their citizenship include Francis T. Seow, Tan Wah Piow, Francis Khoo Kah Siang, Tang Fong Har, Tang Liang Hong and Ho Juan Thai.