**3rd UNIVERSAL PERIODIC REVIEW**

**MINISTRY OF LAW’S INTERVENTION ON FREEDOM OF EXPRESSION AND ASSEMBLY**

**Madam President,**

1. I am Seraphina Fong, from the Ministry of Law.
2. I will address how Singapore respects and protects freedom of expression and freedom of assembly. Both are fundamental liberties guaranteed under our Constitution, in line with international standards. Societies have to find the right balance between individual freedom and liberty on the one hand, and the interests of society on the other.

***Freedom of Expression***

1. We believe that free and responsible speech is vital to our democracy. Vigorous debates on a wide range of issues take place openly and frequently, both online and offline. Our information landscape is cosmopolitan: the BBC, Bloomberg, Google, Facebook, and others – have made Singapore their base for operations in Asia. International publications, such as the New York Times, print and distribute their Asian editions through Singapore.

*Online falsehoods*

1. Modern technology has brought new challenges for free speech, by enabling discourse to be more easily influenced and manipulated by online falsehoods. Falsehoods misinform citizens and polarise society. This is especially detrimental to a compact and highly diverse society like Singapore.
2. In response to this challenge, we have adopted a whole-of-society approach, with measures such as public education, public communication, and legislation. This includes the Protection from Online Falsehoods and Manipulation Act, or POFMA, which Belgium, Canada, Sweden and the USA had submitted questions on, and which [**list delegations**] have spoken on.
3. I have three clarifications on POFMA.
	* + 1. First, POFMA relies primarily on correction directions which allow us to attach health warnings to falsehoods, that draw the readers’ attention to the facts. The directions do not require removal of the statement, and are not sanctions The public may compare both accounts and make up their own minds. In this way, the democratic process is aided, because the antidote to falsehoods is more speech, more information. This approach should also be compared with how Twitter affixes labels on misinformation. Alerting readers and giving links to other information, may help readers come to their own conclusions.
			2. Second, POFMA applies only to false statements of fact that affect the public interest. It does not apply to opinions, and cannot be used just because the Government disagrees with a statement.
			3. Third, POFMA provides for checks and balances, as a POFMA direction may be challenged in Court. The Courts will be the final arbiter of whether there is a false statement of fact.
4. My colleague from the Ministry of Health had earlier mentioned that the use of POFMA complemented a robust public communications effort during the pandemic. Over half of POFMA cases were in response to COVID-19-related falsehoods. For example, in April this year, falsehoods were made that a person had died and another had a stroke, from COVID-19 vaccinations.

*Contempt of Court*

1. **[List delegations]** spoke about our laws on contempt of court.
2. The Administration of Justice (Protection) Act, which was enacted in 2016, is based on the common law of contempt. The law of contempt does not shield the judiciary from fair criticism. It deals with personal attacks on judges, and the courts. It seeks to protect what is fundamental to the rule of law – which is trust in the Judicial system. Many countries have similar contempt laws.
3. Singapore’s civil and criminal justice systems are regularly ranked highly in leading international indices on Rule of Law.

***Freedom of Assembly***

1. **[List delegations]** commented about the right to freedom of assembly in Singapore.
2. We aim to balance the right to freedom of assembly, and the right to safety and security, the right of people to go about their business without disamenities that might arise from protests. Organisers of cause-based assemblies and processions are required to obtain a Police permit for events. The Police will assess the likelihood of disruption to law and order, amongst others, when deciding on the application for a permit.These rules apply regardless of the cause or personality behind the activity. Since 2009, we have approved over 8,500 applications for permits, or over three-quarters of applications submitted.
3. There is also a Speakers’ Corner, which is in the heart of the city, in the business district, where people can assemble, without having to apply for a permit. While it has been necessary to temporarily suspend activities at the Speakers’ Corner due to COVID-19 public health concerns, debate and discourse continue online.

***International Human Rights Treaties***

1. In response to the questions by Liechtenstein, Panama and Belgium, and which [**list delegations**] spoke on, about Singapore’s accession to human rights treaties, we reiterate our full commitment to protecting the human rights of our people. We engage seriously with treaty bodies, review our reservations where appropriate, and welcome learning opportunities on implementing human rights. Singapore may not be party to certain human rights treaties, but our domestic policies are generally in compliance with their substance and we continually strive to achieve better outcomes for our people. Our policy is to keep core human rights treaties under review. Thank you.

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