

Singapore

The government of the Republic of Singapore engages in minimal Internet filtering, blocking only a small set of pornographic Web sites as a symbol of disapproval of their contents. However, the state employs a combination of licensing controls and legal pressures to regulate Internet access and to limit the presence of objectionable content and conduct online.



Background

Singapore's government uses restrictive laws, political ties to the judiciary, and ownership and intimidation of the media to suppress dissenting opinion and opposition to the ruling People's Action Party (PAP). Provisions of the Internal Security Act (ISA), the Criminal Law (Temporary Provisions) Act (CLA), the Undesirable Publications Act (UPA), and other statutes prohibit the production and possession of "subversive" materials and permit the detention of suspected offenders without judicial review.¹ Citizens, including Singapore Democratic Party (SDP) leader Chee Soon Juan, have been arrested for speaking publicly without a permit,² and foreign activists from civil society organizations have

been detained, interrogated, and deported.³ Government plaintiffs have been able to levy civil liability and heavy damages through defamation suits against independent and critical voices, including those of opposition politicians and of regional publications with domestic circulation.⁴ Moreover, virtually all domestic newspapers and television and radio stations are owned by corporations with economic ties to the government; hence they adhere closely to the PAP line when reporting on sensitive issues.⁵ Taken together, these economic and legal controls contribute to a climate of pervasive self-censorship of political commentary. These mechanisms of control and influence allow the Singapore government to

RESULTS AT A GLANCE

Filtering	No evidence of filtering	Suspected filtering	Selective filtering	Substantial filtering	Pervasive filtering
Political	●				
Social			●		
Conflict/security	●				
Internet tools	●				
Other factors	Low	Medium	High	Not applicable	
Transparency			●		
Consistency			●		

KEY INDICATORS

		worst	best
GDP per capita, PPP (constant 2000 international \$)	26,764		
Life expectancy at birth (years).....	79		
Literacy rate (% of people age 15+).....	93		
Human development index (out of 177)	25		
Rule of law (out of 208).....	10		
Voice and accountability (out of 208).....	129		
Digital opportunity index (out of 180).....	16		
Internet users (% of population)	57.9		

Source (by indicator): World Bank 2005, 2006a, 2006a; UNDP 2006; World Bank 2006c, 2006c; ITU 2006, 2004

cripple basic freedoms of expression and assembly under the guise of protecting public security and preserving order.

Internet in Singapore

In 2005, the number of Internet users in Singapore reached 2.42 million, or 67.2 percent of the population,⁶ giving the country one of the highest Internet penetration rates in the world. Home access is commonplace, with residential dialup and broadband subscriptions totaling more than 2.1 million.⁷ Over 70 percent of businesses use the Internet,⁸ and public access is widespread and expanding. In December 2006, a three-year national wireless service was launched, providing laptop users with free Wi-Fi Internet access in high-traffic areas across the island.⁹ Terminals in cybercafés and libraries supply the public with additional connectivity.

Three main Internet Access Service Providers (IASPs)—SingNet, StarHub, and Pacific Internet—serve as the “gateways” to the Web, providing access to Internet service resellers (ISRs) for sale to the public.¹⁰ Though all three IASPs are public corporations, Temasek Holdings (the government’s holding company)

remains the majority shareholder in SingNet and StarHub.¹¹

Legal and regulatory frameworks

Singapore’s Media Development Authority (MDA) claims to have instituted a “light-touch” regulatory framework for the Internet, promoting responsible use while giving industry players “maximum flexibility.”¹² In addition to promoting self-regulation and public education, the MDA maintains license and registration requirements that subject Internet content and service providers to penalties for noncompliance with restrictions on prohibited material. The MDA is charged with ensuring that “nothing is included in the content of any media service which is against public interest or order, or national harmony, or which offends good taste or decency.”¹³ The core of this framework is a class license scheme stipulated by national statute (the Broadcasting Act)¹⁴ and by industry policies and regulations issued by the MDA.

Under the class license scheme, all Internet service providers (ISPs) and those Internet content providers (ICPs) determined to be political parties or persons “engaged in the propagation, promotion or discussion of political or religious

issues relating to Singapore” must register with the MDA.¹⁵ As licensees, ISPs and ICPs are also bound by the MDA’s Internet Code of Practice. The Code defines “prohibited material” broadly, specifying only a few standards for sexual, violent, and intolerant content.¹⁶ Where filtering is not mandated at the ISP level, the Code requires that ICPs deny access to material if so directed by the MDA. Licensees that fail to comply with the Code may face sanctions, including fines or license suspensions or terminations, as authorized under the Broadcasting Act. In 2005, one Web site titled “Meet Gay Singapore Friends” was reportedly fined USD5,000 by the MDA for being in violation of the Code.¹⁷

Threats of civil and criminal liability under other laws further deter Internet users from posting comments or content relating to sensitive issues. In May 2005 the state-funded agency A*STAR accused Jiahao Chen, a Singaporean doctoral student in the United States, of posting “untrue and serious accusations against A*STAR, its officers and other parties,” and threatened Chen with “legal consequences unless the objectionable statements were removed and an acceptable apology published.”¹⁸ Chen complied with A*STAR’s demands and replaced the posts with an apology, thereby avoiding a potential defamation suit.¹⁹ The high-profile case prompted caution²⁰ in the Singapore blogosphere and discussion²¹ on how to avoid suit under the nation’s defamation laws.²²

In October 2005 two men were jailed under the Sedition Act²³ for the first time in nearly forty years. One received a one-month sentence and the other a nominal one-day sentence and a USD5,000 fine for posting racist remarks denigrating Muslims and Malays.²⁴ In January 2006, a twenty-one-year-old was also charged with violating the Sedition Act after he posted four cartoons of Jesus on his blog. The charges were eventually dropped, but not before Singaporean

authorities had confiscated the individual’s computer and removed the cartoons from his blog.²⁵

In November 2006 SDP activist Yap Keng Ho was sentenced to ten days in jail after he refused to pay a fine for speaking at an illegal SDP rally, held in April 2006. Yap had posted a video of the speech on his blog and was ordered to remove it by a judge.²⁶

The above incidents appeared to presage further repressive legislation and policies against Singaporean Internet users. In 2007 the Ministry of Home Affairs (MHA) is expected to table before parliament a slate of amendments to the Penal Code. The proposed amendments expand the scope of nineteen offenses to cover acts perpetrated via electronic media, including “uttering words with deliberate intent to wound the religious feelings of any person” (§298); defamation (§499); and making “statements conducing to public mischief” (§505).²⁷ Section 298 is being modified further to cover “the wounding of racial feelings,” so that offenders may be prosecuted under the Sedition Act or the Penal Code.²⁸ The MHA amendments also introduce nineteen new offenses, including abetting “an offense which is committed in Singapore, even if any or all of the acts of abetment were done outside Singapore,” as via Internet or mobile phone (§108B).²⁹

ONI testing results

ONI conducted testing on Singapore’s two major IASPs, SingNet and StarHub, and on a third ISP, SysTech. A common perception of the Singaporean Internet community points to the existence of a list of 100 banned Web sites purportedly maintained by the Media Development Authority (MDA). ONI found that only seven Web sites tested, all relating to pornography, were blocked, including www.sex.com, www.playboy.com, and www.penthouse.com. The blocking of only these high-profile sites suggests that filtering is indeed mandated for symbolic, rather than preventative, purposes. Moreover, the seven

sites blocked on SingNet and StarHub were all accessible on SysTech.

Conclusion

The Singapore government implements a limited filtering regime, relying mainly on nontechnological measures to curb online commentary and content relating to political, religious, and ethnic issues. The purported purpose of these measures is “to promote and facilitate the growth of the Internet while at the same time safeguarding social values and racial and religious harmony.”³⁰ The threats of lawsuits, fines, and criminal prosecution inhibit more open discourse in an otherwise vibrant Internet community.

NOTES

1. U.S. Department of State, Country Reports on Human Rights Practices 2006: Singapore, at 1.e., <http://www.state.gov/g/drl/rls/hrrpt/2006/78790.htm>; see also Singapore Statutes Online, <http://statutes.agc.gov.sg/>.
2. Human Rights Watch, “Singapore: Release opposition leader,” December 8, 2006, <http://hrw.org/english/docs/2006/12/08/singap14792.htm>.
3. Asian Forum for Human Rights and Development, “Detained civil society activists suffer cruel, inhuman and degrading treatment before deportation,” October 15, 2006, http://www.forum-asia.org/index.php?option=com_content&task=view&id=83&Itemid=32.
4. U.S. Department of State, Country Reports on Human Rights Practices 2006: Singapore, at 1.e., 2.a., 2.d., 3, <http://www.state.gov/g/drl/rls/hrrpt/2006/78790.htm>.
5. U.S. Department of State, Country Reports on Human Rights Practices 2006: Singapore, at 2.a., <http://www.state.gov/g/drl/rls/hrrpt/2006/78790.htm>.
6. Asia Internet Usage and Population Statistics, <http://www.internetworldstats.com/stats3.htm> (citing International Telecommunication Union data).
7. InfoComm Development Authority (IDA), Statistics on Telecom Services for 2006 (Jul. – Dec.), <http://www.ida.gov.sg/Publications/20061205181639.aspx> (listing 1,489,500 residential dialup subscriptions and 657,900 residential broadband subscriptions as of October 2006).
8. InfoComm Development Authority (IDA), Measuring Infocomm Usage by Companies, 2005, <http://www.ida.gov.sg/Publications/20061205110753.aspx>.
9. InfoComm Development Authority (IDA), “Media Release: Free access to Wireless@SG Network extended from two to three years,” <http://www.ida.gov.sg/News%20and%20Events/20061204103552.aspx?getPagetype=20>.
10. See Media Development Authority (MDA), Internet Industry Guidelines, http://www.mda.gov.sg/wms.file/mobj/mobj.496.internet_industry_guide.pdf.
11. See SingTel, Board & Management, http://home.singtel.com/about_singtel/board_n_management/default.asp; StarHub, Investor Relations – Stock Information, <http://www.starhub.com/corporate/investorrelations/index.html>.
12. See Media Development Authority (MDA), Internet, <http://www.mda.gov.sg/wms.www/devnpolicies.aspx?sid=161>.
13. Media Development Authority Act of Singapore, Part III, 11.1(h), <http://statutes.agc.gov.sg/>.
14. Broadcasting Act (Cap. 28), <http://statutes.agc.gov.sg/>.
15. Broadcasting (Class License) Notification 2001, July 15, 1996, <http://www.mda.gov.sg/wms.file/mobj/mobj.487.ClassLicense.pdf>.
16. “Prohibited material is material that is objectionable on the grounds of public interest, public morality, public order, public security, national harmony, or is otherwise prohibited by applicable Singapore laws.” Media Development Authority (MDA), Internet Code of Practice, http://www.mda.gov.sg/wms.file/mobj/mobj.497.internet_code.pdf.
17. See “MDA bans gay website and fines another one,” *The Straits Times*, October 28, 2005.
18. A*STAR, Press Statement, May 6, 2005, http://www.a-star.edu.sg/astar/about/action/pressrelease_details.do?id=0fc8783e9bY1.
19. See *Singapore News*, “Student shuts down blog after A*Star threatens to sue,” May 6, 2005.
20. See, for example, “A sad day for the Singapore blogosphere,” April 25, 2005, <http://singaporeangle.blogspot.com/2005/04/sad-day-for-singapore-blogosphere.html> (expressing views of over thirty bloggers).
21. See *South China Morning Post*, “Bloggers cautiously test the limits of free speech,” July 18, 2005.
22. See Defamation Act (Cap. 75), <http://statutes.agc.gov.sg/>.
23. See Sedition Act (Cap. 290), <http://statutes.agc.gov.sg/>.
24. See “Racist bloggers jailed,” *The Straits Times*, October 8, 2005.
25. Reporters Without Borders, “Government drops charges against blogger who posted Jesus cartoons,” July 20, 2006, http://www.rsf.org/article.php3?id_article=18106.

26. Reporters Without Borders, "Blogger belonging to democratic party jailed for ten days," November 24, 2006, http://www.rsf.org/article.php3?id_article=19702.
27. See Ministry of Home Affairs, Consultation Paper on the Proposed Penal Code Amendments, p. 6, http://www.agc.gov.sg/publications/docs/Penal_Code_Amendment_Bill_Consultation_Paper.pdf.
28. *Ibid.*, p. 9.
29. *Ibid.*, p. 17.
30. See Media Development Authority (MDA), Internet, <http://www.mda.gov.sg/wms.www/devnpolicies.aspx?sid=161>.