

24 September, 2018

Mr. See Kee Oon  
Judicial Commissioner and Presiding Judge of the State Courts  
No. 1 Havelock Square  
Singapore 059724

**Re: Trial and detention of artist Seelan Palay**

Dear Mr. See Kee Oon,

Artists at Risk Connection (ARC) and Freemuse call upon the Singapore government to drop all charges against artist Seelan Palay in relation to his 1 October 2017 peaceful performance in front of the Speakers Corner in Hong Lim Park and the Parliament House in Singapore.

The Constitution of Singapore states that “every citizen of Singapore has the right to freedom of speech and expression” and that “all citizens of Singapore have the right to assemble peaceably and without arms”. However, a concerning trend has emerged where Singaporean authorities are criminalizing protests of all magnitudes and punishing dissenting opinions that are expressed through art, such as those expressed by Mr. Palay.

Freedom of expression in Singapore is guaranteed by Article 23 of the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights, which states that: “Every person has the right to freedom of opinion and expression, including freedom to hold opinions without interference”. Furthermore, the January 2018 report by the United Nation’s Special Rapporteur in the field of cultural rights outlines the importance of artistic freedom providing significant contributions towards creating, developing and maintaining societies in which all human rights are increasingly realized.

Singapore’s Parliament states that it may impose restrictions on the right to free expression of peaceful assembly in the interest of the country’s national security, public order, relations with other countries, or morality. However, Seelan Palay’s performance does not fulfill any of these criteria.

As a talented artist, Mr. Palay contributes to Singapore’s vibrant arts scene and champions human rights in his home country. However, on 26 and 27 September 2018, Seelan Palay will stand trial under Section 7 of the Public Order Act on the charge of ‘staging an unlawful performance without a permit’ at the State Court in Singapore. He faces a potential fine of 3,000 Singapore dollars and imprisonment if he does not pay the fine.

The charge was issued in response to Mr. Palay’s 1 October 2017 ‘32 Years: The Interrogation of a Mirror’ performance outside the Singapore Parliament House, which aimed to commemorate the 32-year



detention of Singapore political activist, Dr. Chia Thye Poh—the longest serving prisoner of conscience in the world.

In advance of his performance, Mr. Palay successfully applied for and received a permit to perform at the Speakers Corner in Hong Lim Park. He hence began his performance at the Speakers Corner, but after walking to Parliament House to continue the performance he was asked to leave and was arrested by seven police officers. Following his arrest, authorities confiscated items used during the 10-minute performance, including a mirror, a banner, and a book, and detained Mr. Palay overnight for questioning until his release on 2 October 2017. Until he appears before the court, Mr. Palay is prohibited from travelling outside Singapore unless permitted by the Attorney General.

The Artists at Risk Connection (ARC) and Freemuse call on Singaporean authorities to immediately drop all the charges against Seelan Palay. We also ask that the authorities work to uphold the human right to freedom of expression to enable artists like Mr. Palay to create art without fear, as freedom of expression and peaceful protest are essential components in the creation of a functioning and vibrant society.

Thank you for your attention to this matter. We look forward to your response.

Yours Sincerely,

A handwritten signature in blue ink, appearing to be 'Julie Trebault', written in a cursive style.

Julie Trebault  
Director of the Artists at Risk Connection  
PEN America

A handwritten signature in blue ink, appearing to be 'Dr. Srirak Plipat', written in a cursive style.

Dr Srirak Plipat  
Executive Director  
Freemuse