

A Singapore
SAFE for all

SINGAPORE IS a safe place to live, work and play in. We can raise our families in peace. We do not have to worry about their safety. We are friends with other countries near and far.

We can do this because we are careful and are able to stop harmful activities before they happen. Those who try are caught and punished according to our laws.

But we cannot think that this safety comes easily. We must work hard to take care of our families, our homes and our country.

Who does this work?

Everybody does. People like you help the Central Narcotics Bureau fight drug abuse, help the police arrest four out of 10 criminals and help the families of people in prison.

For some, keeping Singapore safe is their full-time job.

The Singapore Police Force maintains law and order and works closely with the public to protect life and property.

The Internal Security Department is an intelligence agency that counters security threats to Singapore's internal stability and ensures that Singapore is safe and secure.

The Singapore Civil Defence Force provides 24 hours emergency response to incidents and equips people with knowledge and skills required for handling emergencies and civil disasters.

The Central Narcotics Bureau works to take drugs off the streets and save the lives of addicts and their families.

The Singapore Immigration and Registration identifies individuals and groups in Singapore and manages the entry, stay and exit of people.

The Prisons Department helps change the lives of offenders, working with their families to help them become responsible citizens.

Together, these agencies form a group we call our Home Team.

Threats to
Singapore's
**INTERNAL
SECURITY**

LIKE ANY OTHER country in the world, Singapore faces threats to her internal security. This means threats to our safety and the stability of our country. These threats can come from foreign subversion, sabotage, spying, terrorism or politically-motivated violence by other countries, or when our citizens are intolerant of or cannot accept the differences in each other's race or religion and their actions undermine the multi-ethnic harmony and social cohesion of our nation.

Can Singapore be sabotaged by other countries?

The Communist Party of Malaya (CPM) wanted Malaya and Singapore under communist rule in the early 1950s. Its Singapore branch instigated workers to strike and resort to violence. They also used students to start riots. CPM killer squads targeted policemen, government officials and anyone they thought was a threat to them.

Indonesia started a fight with Malaysia and Singapore in 1963. During this period of Konfrantasi or Confrontation, Indonesian saboteurs were sent to destabilise Singapore by planting bombs.

One of the bombs they planted killed three people on 10 March 1965. Because the saboteurs could not get close to the important places they had targeted, they planted bombs in public areas. Two saboteurs were caught, tried and executed.

Are racial and religious conflicts still possible in Singapore?

In the early 1960s, the Angkatan Revolusi Tentara Islam Singapura (ARTIS), a Malay extremist group, wanted to make Singapore an Islamic state. They got people ready to fight by spreading rumours of race riots. And in 1964 and 1969 (long after ARTIS was gone), people again fought and killed because of race.

The *Nanyang Siang Pau* Chinese newspaper also tried to stir up Chinese feelings against the Government in the early 1970s. It carried news that the Chinese language and culture were in danger of being destroyed in Singapore.

Religion was used again in the 1980s. The Singapore People's Liberation Organisation hatched a plan to sabotage the Port of Singapore warehouses, People's Action Party (PAP) branches, cinemas, community centres and shopping complexes. They felt the Government treated Muslims badly and wanted to overthrow the Government.

Has Singapore ever been a target or haven for terrorists?

Four terrorists bombed oil tanks in the Shell oil refinery on Pulau Bukom in 1974 so that oil from Singapore could not go to the countries that were “unfriendly” to the terrorists’ organisations. Two of the terrorists were from the Japanese Red Army and two were from the Popular Front for the Liberation of Palestine.

The terrorists hijacked a ferry, the *Laju*, with hostages. They demanded that the Singapore Government provide a plane to fly them to another country. When they got on their plane, officials from Singapore and Japan took the places of the hostages. One of these officials was Mr S.R. Nathan, now President of the Republic of Singapore. The terrorists escaped and were never caught.

In 1991, four terrorists hijacked a Singapore Airlines plane, SQ 117, from Kuala Lumpur to Singapore. They were not as lucky. When they threatened to kill the co-pilot, Singapore Armed Forces (SAF) commandos stormed the plane and killed all four of them.

Sometimes, Singapore itself is not a target, but our home is used by some as a base to fight other countries, some of whom are our friends.

In the 1980s, Singapore was used to support the objectives of the Liberation Tigers of Tamil Eelam (LTTE). The LTTE network in Singapore raised money for the LTTE's fight against the Sri Lankan Government. Although this local network was stopped, another one grew up in its place in 2000.

In December 2001 and August 2002, a total of 36 persons were arrested for involvement in terrorism-related activities. 32 of them were members of a secret group called the Jemaah Islamiyah (JI). Except for one, all the others arrested are Singaporeans. As of September 2002, 31 are under detention while five have been released on Restriction Orders.

Several of the detainees had been to Afghanistan where they were trained in Al-Qaeda terrorist camps. The Al-Qaeda are the alleged masterminds of the September 11 attacks in the United States.

The JI members had bomb-making instructions, photographs and videos of local targets such as Yishun MRT station, Changi Naval Base and water pipelines. Some were planning to bomb embassies in Singapore when they were arrested. This is a plot conceived by foreign terrorists. From information given by Singapore, one of the foreign terrorists was arrested in Manila. He was found to have obtained more than one ton of explosives (TNT) for this Singapore operation.

Does anyone spy on Singapore?

In the late 1970s, a code clerk working in the Singapore Embassy in Moscow, the then Soviet Union, was seduced by a Soviet spy. He started giving her decoded messages and eventually gave her the secret codes he worked with. This meant that the Soviets were able to decode and read all the messages sent and received by the Singapore Embassy in Moscow.

The spying can take place in Singapore too.

In the 1980s, a Soviet intelligence officer made friends with an SAF officer in a computer store while shopping for computer parts. To bribe him into giving secret information on the SAF, the Soviet spy promised the SAF officer money to continue his education and to start his own small business.

In 1997, a woman civil servant was detained for passing on classified government information to a man who was working under deep cover for a foreign intelligence service.

In another case in 1998, four Singaporean men were detained for collecting classified government information for a foreign intelligence service. One of the four had also acted as a recruiter.

Foreign subversion, terrorism and spying — these are just three ways in which the sovereignty, peace, prosperity, racial and religious harmony of Singapore can be threatened.

The Internal
SECURITY
Act

ONE OF THE LAWS that allows the Government to act against dangers to the safety and security of Singapore is the Internal Security Act.

What does the ISA allow the Government to do?

The Internal Security Act (ISA) is a law that allows the Government to stop illegal groups that can harm the internal security of Singapore from forming and growing. In an emergency, the ISA allows the Government to declare that an area is under a security threat and control it with measures to ensure public safety.

The ISA is used by the Internal Security Department to investigate security threats like international terrorism, foreign subversion, espionage and acts of violence or hatred using race or religion.

One of the features of the ISA is that of 'preventive detention'. This means that the ISA allows the Government to detain a person who poses an active threat to Singapore without going to court for a period of up to two years.¹

¹The detention is reviewed by an Advisory Board appointed by the President under the Constitution of Singapore.

'Preventive detention' under the ISA is used only as a last resort.

For example, before the World Trade Organisation Ministerial Conference opened in Singapore in 1996, a suspected foreign terrorist hiding in Singapore was removed — without the use of preventive detention.

The ISA's powers let the Government act promptly and decisively against dangers to the security of Singapore and our people.

What are the origins of the ISA?

The ISA can be traced back to the Emergency Regulations introduced in 1948 by the British in Malaya and Singapore. These Regulations were used to deal with communists, terrorists and subversives as well as with racial and religious extremists.

In 1955, the Preservation of Public Security Ordinance replaced the Emergency Regulations. The Ordinance was used against those who started the 1956 riots that killed 13 people. It was also used in 1961 against the Angkatan Revolusi Tentara Islam Singapura, a group that wanted to overthrow the Government by violence.

In 1963, the ISA replaced the Ordinance.

Common
QUESTIONS
about the ISA

SOME PEOPLE say that the Internal Security Act is not needed anymore. It was designed to fight communism and the communist threat is now over. However, this is not correct. The Internal Security Act, the Preservation of Public Security Ordinance and the Emergency Regulations were used to fight communist agitators as well as others such as racial and religious extremists.

As Singapore does not have laws to deal with subversion and racial and religious extremism, the Internal Security Act is used to deal with these problems too.

Does the ISA mean only 'preventive detention'?

The ISA is more than just a law for 'preventive detention'.

The other powers of the ISA allow, for example, the prosecution of those who spread false information to cause public alarm. In 1982, the Internal Security Department took to court five members of a secret Muslim group, the Singapore People's Liberation Organisation, for trying to pass around pamphlets containing statements calculated to arouse resentment in the community. The aim of the group was to overthrow the Government.

'Preventive detention' is also provided for in the Criminal Law (Temporary Provisions) Act.²

²'Preventive detention' is also provided for in the Criminal Law (Temporary Provisions) Act which deals with secret society and drug syndicate leaders who cannot be prosecuted in court because the victims fear reprisal by other members of the secret societies and drug syndicates.

When is the ISA power of preventive detention used?

The power of preventive detention in the ISA is used when prosecution is not practical and the threat is real and must be dealt with.

Some reasons why prosecution might not be practical are:

- The identity of witnesses may be exposed and they may be put in danger.
- Secret sources of intelligence or undercover investigations may be exposed.
- Relationships with other countries may be affected (in spy cases).
- Racial and religious feelings may be provoked in a prolonged trial.

Whenever possible, the Government will charge and prosecute an ISA offender under another related law.

For example, in 1977, two communists got into the Chartered Industries factory and stole explosives and weapon parts. They were charged under the Corrosive and Explosive Substances and Offensive Weapons Act and Arms Offences Act.

In the case of the code clerk in Moscow, he was charged in 1980 for giving information to a foreign agent under the Official Secrets Act.

The use of preventive detention must fit the threat. In the case of the Singaporean who led the Liberation Tigers of Tamil Eelam (LTTE) network in 2000, he was not detained but given a Restriction Order which prevents his continued involvement with the LTTE.

Five of the 36 persons arrested for terrorism-related activities in the Jemaah Islamiyah case were released with Restriction Orders prohibiting them to have any contact with any terrorist organisation.

The ISA is a powerful law and even though it is used to protect our national security, it is recognised that the individuals detained have their normal rights of a trial suspended.

The Government is well aware of this. Thus, the ISA is used sparingly and only when there is no better option.

Between 1989 and 1998, the ISA was used only twice, in 1997 and 1998. All six people arrested were spying for foreign intelligence agencies. They have since been released.

What safeguards are there to prevent abuse?

The ISA itself contains clear legal limits, requirements and accountabilities.

- A person arrested under the ISA can be detained for up to 48 hours.
- Any detention beyond that must be approved by at least a Superintendent of Police.
- This must also be reported to the Commissioner of Police.
- If someone is to be detained for more than 14 days, the Commissioner of Police must report the case to the Minister for Home Affairs.
- No one can be detained for more than 30 days from the time of arrest unless the Minister for Home Affairs approves an Order of Detention. The permission of the President of the Republic of Singapore is also needed.

- If the offence is not serious enough for an Order of Detention, a Restriction Order may be issued instead and the person is released but placed under some restrictions. For example, he cannot leave the country without permission.
- Orders of Detention and Restriction Orders can be renewed, but they must still be approved by the Minister for Home Affairs and the President. Each renewal cannot exceed two years.
- Each Order of Detention and Restriction Order must be reviewed by the ISA Advisory Board.
- The Advisory Board is an independent board headed by a Supreme Court Judge and two prominent citizens appointed by the President in consultation with the Chief Justice. The Advisory Board has all the powers of a court of law in summoning and examining witnesses, administration of oaths and compelling the production of documents. The detainee's case is therefore thoroughly examined. The Board's findings are then presented to the President.

Does a detainee have any rights at all?

Although a person detained under the ISA loses his freedom, he still keeps very important rights.

- Detainees must be informed in writing, within 14 days of being given the Order of Detention, the grounds why they are detained and their right to argue against the Order of Detention to the ISA Advisory Board.
- Detainees have the right to be represented by a lawyer of their choice, or by any other person they may choose.
- Detainees are not held in secret detention. Family members are informed and are assisted by a family support and liaison officer.
- Visits may be denied during investigations, but after 30 days, the detainee has the right to see family visitors regularly and also lawyers to prepare his case before the Advisory Board.

- A Board of Inspection, made up of over 50 Justices of the Peace and community leaders, also make unannounced visits to the detention centre. They make sure the detainee is well and they have to report any ill-treatment of the detainee. The report is sent to the Minister for Home Affairs.
- The detainee's religious obligations are observed. For instance, food must be appropriate to his religious requirements.
- A doctor examines detainees regularly. They are also examined before and after each time they are interviewed by the investigators in order to ensure their well-being. A detainee may also ask for a doctor at any time. The doctor must report any injuries to the Permanent Secretary (Home Affairs).

Is there any check on the use of the ISA?

The President of the Republic of Singapore has veto power over preventive detentions. This means the President has the power to reject the Government's proposal to detain someone if the ISA Advisory Board is also against the detention.

Finally, the greatest check against the abuse of the ISA is a political one.

Although the law allows the Minister for Home Affairs to approve an Order of Detention, such decisions have always been made by the Prime Minister and his Cabinet (his Ministers). They must be satisfied that the Order of Detention is necessary before they approve it.

As Singapore is a parliamentary democracy, the Government is elected by the people. The Government will be held responsible by all Singaporeans if it abuses the powers of the ISA.

The people of Singapore are therefore the greatest check on any abuse of the ISA's powers of preventive detention.

1 **Order of Detention**

Within three months of the issue of the Order of Detention, the Advisory Board has to sit to consider the detainees' representations. The detainees have the right to make representations to the Board —directly or with legal counsel of their choice. The representations are prepared and submitted to the Advisory Board.

3 **Detention or Release?**

The President considers the Advisory Board's recommendations. The President will then direct the Minister for Home Affairs on the detention or release of the detained person. Where the Board recommends the release of the detained person, the person shall not be detained or further detained without the President's concurrence.

2 The Advisory Board

The Advisory Board sits. It examines the evidence and listens to the representations, examines witnesses and ISD officers. The Advisory Board has all the powers of a court for the summoning and examination of witnesses and for compelling the production of documents. The Advisory Board considers all that it has examined. It submits its findings and recommendations to the President.

4 Review

At intervals of not more than 12 months from the date of the detainees' last representation, the Advisory Board is required to review every ISA detention case. The Advisory Board is also required to review the case of those released on an ISA Restriction Order at intervals of not more than 12 months. At the end of the two-year detention period (NB: An Order of Detention cannot exceed a period of 2 years), if the preventive detention of the person is still warranted, an application must be made to extend the period of detention. The same process of independent review by the Advisory Board will apply.

© November 2002, Ministry of Home Affairs, Singapore.

Photographs on pages 6 & 7, 9, 10, and 24 & 25 courtesy
of *The Straits Times*.

Published by Times Books International
An imprint of Times Media Private Limited
A member of the Times Publishing Group
Times Centre, 1 New Industrial Road, Singapore 536196
Tel: (65) 62139288 Fax: 62854871

All rights reserved. No part of this publication may be reproduced,
stored in a retrieval system, or transmitted, in any form or by any
means, electronic, mechanical, photocopying, recording or otherwise,
without the prior permission of the copyright owner.

Printed in Singapore.

ISBN 981 232 3996