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I haven't been able to find the actual text of the Foreign Interference (Countermeasures) Bill yet, but the Ministry of Home Affairs has put out a press release with some info about how the proposed law is supposed to work.

A thread:

FICA is ostensibly meant to address foreign meddling through hostile information campaigns. Like POFMA, FICA will give the government the power to issue directions.

Not yet clear how the bill will define whether a Singaporean is an "agent of a foreign principal". <https://t.co/vih2AcmoWs>

10. Under the Bill, the Minister for Home Affairs will have the powers to issue directions to various entities such as social media services, relevant electronic services, internet access services, as well as persons who own or run websites, blogs or social media pages, to help the authorities investigate and counter hostile communications activity that is of foreign origin.¹

11. These provisions do not apply to Singaporeans expressing their own views on political matters, unless they are agents of a foreign principal. Singaporeans have the right to discuss politics. Nor do they apply to foreign individuals or foreign publications reporting or commenting on Singapore politics, in an open, transparent and attributable way, even if their comments may be critical of Singapore or the Government.

These directions can include Technical Assistance Directions, which will require social media platforms, internet access services, or admins of social media/websites, to give information to the authorities for investigations into whether there's a "foreign principal" behind it.

Other directions have to do with stopping communications or blocking content from end users in Singapore. "Relevant electronic services" includes chat apps and search engines. <https://t.co/hpQsGT6DmC>

14. If there is reason to believe that social media or relevant electronic service user accounts are being used, or being set up with the intent of being used for HICs, the Minister will be able to issue **Account Restriction Directions** to the providers of these services. These directions will require them to block content in these accounts from being viewed in Singapore.

- a. A **Stop Communication (End-User) Direction** will require the communicator to cease communication of specific HIC content to viewers in Singapore.
- b. A **Disabling Direction** will require Internet intermediaries to stop the communication of specific HIC content in Singapore.
- c. In the event that Internet intermediaries or communicators fail to comply with these directions, the Minister may order Internet access service providers to block access to the HIC content through an **Access Blocking Direction**.

There's also the App Removal Direction, which can stop apps from being downloaded in Singapore, if those apps are known to be used by foreign principals to conduct hostile information campaigns.

(Again, not yet clear how they are going to define/determine such things.)

FICA will also allow the government to issue Disgorgement Directions, which will order individuals/locally registered entities who have published "harmful online content" (defined how?) to return \$/material support to either the "foreign principal" or to the authorities.

Apart from hostile information campaigns, FICA will also zero in on "Politically Significant Persons". This includes political parties, political office holders, MPs, NCMPs, NMPs, the Leader of the House and the Leader of the Opposition, plus election candidates and their agents.

But FICA will also allow authorities appointed by the Minister for Home Affairs to *designate* groups or individuals who don't fall into the above-mentioned categories as "Politically Significant Persons". Additional requirements can be imposed on these people/groups. <https://t.co/0TIXiQjfT3>

22. In addition, a competent authority, appointed by the Minister for Home Affairs, can designate other individuals and non-individuals as PSPs if their activities are directed towards a political end, and the competent authority assesses that it is in the public interest that countermeasures be applied. We call these "designated PSPs".

23. The countermeasures on defined and designated PSPs will cover the following vectors of foreign interference – (i) donations, (ii) volunteers, (iii) leadership and membership, and (iv) affiliations. If there are increased risks of foreign interference, the competent authority can step up countermeasures on the defined and designated PSPs.

27. A designated PSP will be required to:

- a. Report single donations of \$10,000 or more from local and foreign donors, and multiple donations from the same local or foreign donor that amount to \$10,000 or more during the relevant period; and
- b. Disclose affiliations with foreign entities.

28. If there is an increased risk of foreign interference, the competent authority can issue stepped up countermeasures ranging from more disclosures or prohibitions to match that of defined PSPs, including:

- a. Only receive donations from permissible donors, and not allowed to receive anonymous donations beyond the cap of \$5,000 in a calendar year;
- b. Maintain a separate bank account to receive political donations;
- c. Prohibit foreigners from holding leadership positions and/or membership in the organisation;
- d. Not to allow foreigners to volunteer in their political activities; and
- e. Prohibit designated individuals and non-individuals from affiliating with foreign principals.

Unhappy about being designated a "Politically Significant Person"? You can appeal the decision to the authorities who made the designation in the first place, or to the Minister who gave them that power. No mention of being able to challenge this in court. <https://t.co/Sm21vGCHYI>

36. Separately, PSPs that wish to challenge their designation or stepped up countermeasures imposed on them may submit an application for the competent authority's reconsideration or an appeal to the Minister for Home Affairs. The Minister for Home Affairs may consult an advisory body when he hears appeals regarding designation and stepped up countermeasures.

In fact, the press release says that appeals against directions related to alleged hostile information campaigns *will not* be heard in open court. There will be a tribunal chaired by a High Court judge + two persons outside of the government.

<https://t.co/AokhO6gAEU>

34. An independent Reviewing Tribunal, chaired by a sitting High Court Judge and comprising two other persons outside of the Government, will be set up to hear appeals against HIC directions issued by the Minister. The decisions made by the Reviewing Tribunal will be final and binding on all parties.

35. The Government is proposing that such a Tribunal hear appeals against HIC directions instead of having such appeals heard in open court, because sensitive intelligence with national security implications may be involved.

As mentioned, I haven't seen the actual text of the bill yet (it'll hopefully be made available online soon), so there are lots of gaps that need to be filled in with regard to details and definitions.

FICA was introduced in Parliament today. Given how things go in Singapore, it will likely be up for its second and third readings quite quickly. So if this is something you care about, then you'll have to pay attention and bring up your questions/comments/concerns publicly ASAP!

Here's the text of the Foreign Interference (Countermeasures) Bill, happy reading: <https://t.co/qywqy7oD37>

This is how the bill defines engaging in conduct on behalf of a foreign principal. If I'm understanding it correctly, this could apply to all sorts of legitimate activity undertaken by civil society organisations and independent media outlets, just 'cos they got a non-SG grant. <https://t.co/HQFtT5BRGH>

5.—(1) In this Act, unless the context otherwise requires, a person undertakes an activity or engages in conduct on behalf of a foreign principal if —

- (a) the person undertakes the activity or engages in that conduct —
 - (i) under an arrangement with the foreign principal;
 - (ii) in the service of the foreign principal;
 - (iii) on the order or at the request of the foreign principal;
 - (iv) under the control, direction or supervision of the foreign principal;
 - (v) with funding from the foreign principal; or
 - (vi) in collaboration with the foreign principal; and
- (b) at the time the arrangement or service is entered into, or the order, request or direction is made, or the funding, supervision or collaboration is carried out, both the person and the foreign principal knew or expected that the person would or might undertake the activity or engage in that conduct.

This needs to also be read in context with the fact that there are very few (as in, almost none) local grants or philanthropy available for independent civil society/media work, especially if said work is critical of the ruling party or government policies.

Also, how broad is "in collaboration"? Remember **@MFAsg** got upset about local NGO **@oogachaga** co-hosting a webinar with the US embassy **@RedWhiteBlueDot**. <https://t.co/Te9WkuvXI3> Does this mean that such activity will be considered conducted on behalf of a foreign principal?

■■■■ <https://t.co/tyS7WdLk8U>

Designating individual as politically significant person

48.—(1) The competent authority may designate a relevant individual to be a politically significant person if —

- (a) any of the following circumstances exists:
 - (i) the relevant individual is a member of a foreign legislature or a foreign political organisation;
 - (ii) the activities of the relevant individual (whether alone or in collaboration or under any arrangement with another individual) are directed in part towards a political end in Singapore within the meaning of section 8; and
- (b) in the competent authority's opinion, it is in the public interest that countermeasures in Part 5 or 6 ought to be applied in relation to that relevant individual.

(2) In deciding whether a relevant individual should be designated (or continue to be designated) a politically significant person under subsection (1), or a relevant individual's designation as a politically significant person should be cancelled under subsection (3), the competent authority must have regard to, and give such weight as the competent authority considers appropriate to, such matters and evidence as may be relevant, including the giving of a disgorgement direction against the individual or any associates of the individual.

Sections 17 & 18 of FICA are about "clandestine" communication of info on behalf of a "foreign principal", but can someone please explain what is going on with Section 19, which criminalises the intent of prepping to do a Thing even if you don't actually end up doing the Thing <https://t.co/zI6BxEY2aE>

Preparing for or planning an offence under section 17 or 18

19.—(1) A person commits an offence if —

- (a) the person engages in conduct; and
- (b) the person does so with the intention of preparing for, or planning, the commission of an offence under section 17 or 18.

(2) Subsection (1) applies —

- (a) whether or not an offence under section 17 or 18 is committed;
- (b) whether or not the person engages in the conduct in preparation for, or planning, a specific offence under section 17 or 18; and
- (c) whether or not the person engages in the conduct in preparation for, or planning, more than one such offence.

(3) Section 38 of the Interpretation Act 1965 and section 511 of the Penal Code 1871 do not apply in relation to an offence under section 17 or 18.

(4) A person who is guilty of an offence under subsection (1) shall be liable on conviction —

- (a) where the offence involves an intention of preparing for, or planning, the commission of an offence under section 17 —
 - (i) if the person is an individual, to a fine not exceeding \$30,000 or to imprisonment for a term not exceeding 5 years or to both; or
 - (ii) in any other case, to a fine not exceeding \$300,000; and
- (b) where the offence involves an intention of preparing for, or planning, the commission of an offence under section 18 —
 - (i) if the person is an individual, to a fine not exceeding \$60,000 or to imprisonment for a term not exceeding 9 years or to both; or
 - (ii) in any other case, to a fine not exceeding \$600,000.