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Report of the Working Group on the Universal Periodic Review*

Singapore

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document was not edited before being sent to the United Nations translation services.

Addendum of the Republic of Singapore to the Report of the Working Group on the Universal Periodic Review (A/HRC/WG.6/11/L.9)

1. The Singapore Government has carefully reviewed the 112 recommendations made by Member States during its Universal Periodic Review (UPR).
2. The Singapore delegation had in May 2011 accepted 52 recommendations, rejected 21, and deferred 39 for further consideration. This Addendum addresses the 39 recommendations by categories.

Treaties and Human Rights Framework

3. The following recommendations enjoy our support, in part:
 - 96.1–96.11 and 96.13–96.19. Singapore agrees, in part, with the recommendations to consider ratifying other core international human rights instruments. Singapore takes its treaty obligations very seriously and is focused on ensuring the full and effective implementation of its treaty obligations. While Singapore may not be a party to a particular treaty yet, it does not mean that in practice, its policies are not already fully or largely in compliance with its provisions. At the same time, Singapore will continue to study the technical and resource implications of acceding to further major human rights treaties in keeping with its policy to keep core international human rights instruments under constant study. At the UPR in May, Singapore has confirmed its intention to consider accession to the International Convention on Elimination of All Forms of Racial Discrimination (ICERD) among other instruments.
 - Singapore supports recommendations for it to accede to the Convention on the Rights of Persons with Disabilities as made in 96.2, 96.3, 96.6 and 96.13. As a demonstration of its commitment to integrating the disabled into society together with the rest of the international community, Singapore intends to accede to the Convention by 2012.
 - 96.20. This recommendation is consistent with the stated Singapore policy to keep the declarations and reservations made upon ratification of CEDAW and the CRC under constant review. However, Singapore cannot support this recommendation to the extent that it implies that the declarations and reservations made upon ratification of CEDAW and the CRC are inconsistent with treaty law.
4. The following recommendation does not enjoy our support:
 - 96.12. This recommendation does not enjoy the support of Singapore due to the position provided by Singapore in our National Report and Statements on capital punishment.

Scope of International Obligations

5. The following recommendation enjoys our support:
 - 96.21. Singapore fully supports the goals of CEDAW and the CRC. To this end, Singapore is committed to implement the recommendations of the CEDAW Committee and the Committee on the Rights of the Child, consistent with the CEDAW and CRC treaty obligations applicable to Singapore.

6. The following recommendation enjoys our support, in part:
- 96.36. Singapore will continue to engage with the relevant UN Special Procedures. As seen from Singapore's past record of interaction with UN special rapporteurs and experts, Singapore is open to the possibility of discussions with the various Special Procedures. Request for visits will be considered positively on the merit of each proposal.

Human Rights Infrastructure

7. The following recommendations do not enjoy our support:
- 96.22, 96.23, 96.24. Singapore notes that UN member countries continue to have different approaches to the idea of a National Human Rights Institution. Singapore prefers a decentralized, but inter-locking and mutually-reinforcing system of human rights protection. In Singapore's experience, such a system has worked well.

Labour and Migrant Workers

8. The following recommendations enjoy our support:
- 96.26. Singapore agrees that the responsibility for protecting migrant workers must be undertaken by both sending and receiving countries. The Singapore Government works closely with representatives of labour sending countries on a variety of issues. All foreign workers are required to apply for proper work passes before entering Singapore for work. Singapore takes efforts to ensure that all foreign workers are documented to protect them from potential exploitation. Singapore will continue its efforts to improve protection for foreign workers in Singapore.
 - 96.27. Singapore has taken action against employment agencies for withholding the passports of foreign workers. Action taken includes stern warnings, licence revocation, fines and prosecutions. There are also processes in place to look into complaints about employers withholding a foreign worker's passport against his will. When notified of such incidents, the Singapore Government will contact the employer and instruct him to return the passport. The employer will be barred from hiring new foreign workers until he returns the worker's passport. If the employer refuses to comply, the Singapore Government will also refer the case to the Police for investigations under other legislation. Thus far, all employers have complied with the Singapore Government's warnings and no further action was required.
 - 96.28. The protection of the Employment of Foreign Manpower Act is extended to all forms of domestic workers.
 - 96.29. Singapore has continuously sought to offer better protection to foreign workers. The measures are comprehensive and include legislative protections addressing the prompt payment of wages, working hours, and requirements for rest, as appropriate. Some of the measures are as follows:
Excessive agency fees Singapore has recently implemented a new employment agency regulatory framework. The cap for agency fees payable by foreign workers to Singapore agencies was revised to not more than one month of the worker's salary, for each year of the duration of the approved Work Pass or employment contract, whichever is shorter. This is subject to a maximum of two months' salary. The new regulatory framework also requires employment agencies to refund 50% of the agency fees collected to workers whose employment have been prematurely terminated within their first six months.

Forced detention by repatriation companies The number of complaints against companies who assist employers to repatriate their workers has remained small over the years. Singapore takes such complaints seriously and investigates all of them. Under the Penal Code, persons found guilty of wrongfully confining another person can be punished with imprisonment of up to one year and/or fined up to S\$1,500. In addition, companies will be debarred from recruiting foreign workers if they are found to have wrongfully confined their workers or allowed their third-party contractor to perform such practices.

- 96.30. The Singapore Government proactively reaches out to foreign workers to ensure they understand their employment rights and responsibilities, and know their avenues of recourse. Collaterals, in the form of guidebooks and brochures, are printed in various languages that the foreign workers understand.
- 96.31. Currently, foreign workers with a labour-related claim or complaint are able to approach the Singapore Government for assistance. These foreign workers are assigned a case officer who will assist him/her in following through on his/her claim or complaint, including dispensing free legal advice and making referrals for medical treatment if necessary. An interpreter is provided where necessary. Most cases are mediated without having to incur Labour Court fees. The Migrant Workers Centre, a bipartite initiative of the National Trades Union Congress and the Singapore National Employers' Federation with the support of the Singapore Government, also provides free advice to foreign workers on their employment rights via its hotline and service centre. In addition, the Migrant Workers Centre provides humanitarian assistance such as food and lodging to those who require it.

Children's Rights

9. The following recommendations enjoy our support:

- 96.37. Singapore will continue to further its efforts in upholding the welfare and rights of children in Singapore. This includes looking at how various national planning efforts may be better developed, co-ordinated and communicated. Singapore is also actively studying the requirements of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
- 96.38. The principle of equal protection is enshrined in the Constitution. This guarantees that there shall be no discrimination against any citizen, including children. Singapore remains committed to ensuring non-discrimination of children and is open to considering strategies to address non-discrimination of children in national level planning efforts for children.

10. The following recommendation does not enjoy our support:

- 96.39. Singapore addresses children's rights and issues as part of an integrated approach through legislation, policies and services. There are currently avenues to receive and to deal with any complaints or concerns with regard to children's issues. Independent monitoring mechanisms to safeguard the welfare of children are already in place where necessary. These include the Review Board for Children and Young Persons' Homes that will be appointed under the amended Children and Young Persons Act, and the Juvenile Court, which is assisted by a Panel of Advisors. The Singapore government will continue to work closely with NGOs and other organisations that advocate for children.

Political and Civil Rights

11. The following recommendation enjoys our support, in part:
- 96.35. As a multi-cultural society, ethnicity, language, race, and religion are emotive issues and have the potential to cause friction and divide Singaporeans. Boundaries therefore have to be set, within the limits authorised by the Singapore Constitution, to ensure that those who engage in public discourse on such issues act responsibly and to minimise the risk of these issues sparking off wider social hostilities, including violence. This is not unlike laws against hate speech in many countries. Nonetheless, the Singapore Government acknowledges that such boundaries will evolve with time. The Singapore Government constantly reviews them to ensure that they remain relevant to social realities.
12. The following recommendation does not enjoy our support:
- 96.34. While Singapore recognises in principle, the merits of the Bangkok Rules, each country should determine the best approach in ensuring the proper treatment of women prisoners, taking into consideration its domestic situation and other relevant factors.

Other Recommendations

13. The following recommendation enjoys our support, in part:
- 96.32. The Singapore Government was pleased to address the UN Special Rapporteur Githu Muigai's concerns during the 17th session of the Human Rights Council (HRC), when he presented his report of his mission to Singapore to the HRC. The Singapore Government's additional comments have been circulated as a HRC document (A/HRC/17/G/12).
 - 96.33. Singapore is committed to tackling the Trafficking-In-Persons (TIP) issue, and our efforts in dealing with this issue have stepped up over time. The Singapore Government has set up an interagency taskforce to deal with TIP that is exploring future accession to the Palermo Protocol. Trafficking is robustly addressed for both sex and labour cases via effective Prevention, active Prosecution and victim Protection. The Singapore Government has also developed a 4th P - 'Proactive problem solving' together with NGOs and embassies of source countries to share information on possible cross-border syndicate activity.
TIP victims are not prosecuted for immigration or other offences as a direct result of being trafficked. Police procedures require an interview to decide whether that individual could, first of all, be a trafficking victim. Regardless of the avenue through which victims are identified, whether at checkpoints, by frontline officers or through raids and other operations, once a person claims to be a victim of trafficking or is identified to be a victim due to the presence of elements of TIP, they will be treated as victims of trafficking. TIP victims are not deported but handed to a dedicated unit specially trained to identify and deal with victims of sex trafficking. The Singapore Government works actively with a network of NGOs, hospitals and schools to ensure that shelter and protection, including legal, financial, medical, psychological and counselling assistance are extended to all victims of trafficking. The movement of victims at such shelters is not restricted. There are also appropriate witness protection measures in place for TIP victims. The embassies of the countries of the victims are also notified so that the victims can be provided with the full range of humanitarian and consular assistance.

14. The following recommendation does not enjoy our support:
- 96.25. Singapore is unable to support this recommendation for the reasons given in paragraph 91 of the report of the UPR Working Group (A/HRC/WG.6/11/L.9). Elections in Singapore have always been conducted fairly. The electoral system and its procedures are clearly spelt out in Singapore law which applies to all political participants, regardless of affiliation. The Singapore Elections Department, staffed by civil servants, adheres to the Parliamentary Elections Act and conducts elections in a fair and transparent manner. During the conduct of elections, there are equal opportunities for all political participants to observe and monitor voting operations. The result is an electoral system of integrity that has enjoyed high public trust and served Singapore well.
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