



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

Thirty-ninth session

23 July-10 August 2007

### Concluding comments of the Committee on the Elimination of Discrimination against Women: Singapore

1. The Committee considered the third periodic report of Singapore (CEDAW/C/SGP/3) at its 803rd and 804th meetings, on 1 August 2007 (see CEDAW/C/SR.803 (A) and 804 (A)). The Committee's list of issues and questions is contained in CEDAW/C/SGP/Q/3, and the responses by Singapore are contained in CEDAW/C/SGP/Q/3/Add.1.

#### Introduction

2. The Committee expresses its appreciation to the State party for its third periodic report, which follows the Committee's guidelines for the preparation of periodic reports and takes into account some of the Committee's previous concluding comments. The Committee notes, however, that the report does not contain sufficient statistical data disaggregated by sex in all areas covered by the Convention.

3. The Committee commends the State party for its extensive written replies to the list of issues and questions raised by the pre-session working group and for the oral presentation and further clarifications offered in response to questions posed orally by Committee members. It expresses its appreciation for the frank and constructive dialogue held between the delegation and the members of the Committee, which provided further insights into the situation of women in Singapore.

4. The Committee expresses its appreciation to the State party for its high-level delegation headed by the Minister of State for Community Development, Youth and Sports, and which included the Chair of the Inter-Ministry Committee on CEDAW and representatives of a number of ministries and government offices, as well as the Syariah Court, the National Trades Union Congress and non-governmental organizations involved in the implementation of the Convention.

5. The Committee commends the State party on the withdrawal of its reservation, made upon ratification, with regard to article 9. The Committee notes that the State



party maintains its reservations to articles 2, 11, paragraph (1), and 16 of the Convention.

#### **Positive aspects**

6. The Committee commends the State party for its efforts to ensure implementation of the Convention through establishing the Women's Desk within the Ministry of Community Development, Youth and Sport and the Inter-Ministry Committee on CEDAW, the cooperation with tripartite committees and women's organizations, and the development of a number of guidelines in areas such as gender stereotyping in the media and fair employment practices.

7. The Committee welcomes the various efforts made by the State party to combat domestic violence, including through the establishment of Family Violence Dialogue Group, which brings together representatives from different ministries, courts, prisons, social services and women's organizations. The Committee also commends the State party for the introduction of counselling orders which provide for mandatory counselling for perpetrators and victims.

8. It also welcomes the removal of the discriminatory quota for women students entering the faculty of medicine and the revisions within the medical scheme for civil servants, which now allows both women and men to claim medical benefits for their spouses and unmarried children under the age of 18.

9. The Committee commends the State party on the progress made in other areas, namely the increase in women's representation in Parliament; the measures taken to strengthen the protection of foreign domestic workers; and the provisions made to support the employment and financial security of older women.

#### **Principal areas of concern and recommendations**

**10. While recalling the State party's obligation to systematically and continuously implement all the provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls on the State party to submit the present concluding comments to all relevant ministries and to Parliament so as to ensure their full implementation.**

11. The Committee reiterates its deep concern about the State party's general reservations to articles 2 and 16 and its reservation to article 11, paragraph 1, of the Convention. The Committee draws the attention of the State party to the fact that it considers reservations to articles 2 and 16 to be contrary to the object and purpose of the Convention.

**12. The Committee urges the State party to exert its efforts towards the withdrawal, within a concrete time frame, of its reservations to article 2, article 11, paragraph (1) and article 16 of the Convention. The Committee encourages the State party to engage in a multi-stakeholder consultation, with women fully represented in each group, on the extent and scope of its reservations and their impact on all women's enjoyment of the rights enshrined in the Convention, and to work towards the necessary revisions to relevant laws in order to**

**facilitate withdrawal of the reservations. It requests the State party to include in its next report an analysis of the precise scope of these reservations and their impact on different groups of women.**

13. The Committee is concerned that, although the Constitution guarantees equality of all persons in article 12 (1), it does not explicitly recognize equality on the basis of sex and there is no definition of discrimination against women in accordance with article 1 of the Convention in the State party's legislation, including the Women's Charter.

**14. The Committee encourages the State party to incorporate in its Constitution or other appropriate legislation a definition of discrimination against women, encompassing both direct and indirect discrimination, in line with article 1 of the Convention, and also to include provisions to prohibit discrimination against women on other grounds, in particular marital status, age, disability and national origin. The Committee encourages the State party to work towards the practical realization of the principle of equality between women and men, as required under article 2 of the Convention, and not solely towards achievement of equality of opportunities. It also calls upon the State party to provide systematic and sustained training for lawyers, judges, law enforcement officers, educators, leaders of the People's Association, non-governmental organizations and trade unions on the Convention and its concept of de facto or substantive equality in order to build a culture in support of human rights, gender equality and non-discrimination in the country.**

15. While welcoming the proposed bill on raising the minimum age of marriage for Muslim women to 18 years, the Committee is concerned about the existence of the dual legal system of civil law and sharia law in regard to personal status, which results in continuing discrimination against Muslim women in the fields of marriage, divorce and inheritance.

**16. The Committee urges the State party to undertake a process of law reform to remove inconsistencies between civil law and sharia law, including by ensuring that any conflict of law with regard to women's rights to equality and non-discrimination is resolved in full compliance with the provisions of the Convention and the Committee's general recommendations, particularly general recommendation 21 on equality in marriage and family relations. In this regard, it encourages the State party to study comparative jurisprudence and legislation of other countries with similar legal systems as regards the interpretations of Islamic law and its codification, and to ensure that Muslim women have full, easy and affordable access to civil law in all matters. It also encourages the State party to take all necessary steps to increase support for law reform, including through partnerships and collaboration with Islamic jurisprudence research organizations, civil society organizations, in particular women's non-governmental organizations, and religious and other community leaders.**

17. While appreciating the accomplishments of the Women's Desk, i.e. the national machinery for the advancement of women, the Committee is concerned about its location within the Family Development Group of the Ministry of Community Development, Youth and Sports, its limited authority, human and financial resources and its capacity to ensure that gender equality policies are

properly developed and fully implemented throughout the work of all ministries and government offices.

**18. The Committee encourages the State party to elevate the status of the national machinery for the advancement of women, to strengthen its mandate and provide the necessary human and financial resources so that it has the capacity to develop gender equality policies and monitor their implementation, as well as act as catalyst for the effective use of the gender mainstreaming strategy across all ministries, and to do so in collaboration with the Inter-Ministry Committee on CEDAW. The Committee also requests the State party to give necessary attention and allocate sufficient resources to strengthen the collection and use of sex-disaggregated data in all sectors, including their public availability.**

19. While noting the progress made in the representation of women in Parliament, the Committee is concerned that the proportion of women parliamentarians is still low, especially given Singaporean women's educational achievements and competence. While noting the State party's use of a "principle of gender-neutral meritocracy" in its nomination, selection and promotion procedures, the Committee is also concerned that there are still no women ministers in the Cabinet, and that women continue to be underrepresented at senior levels within the public administration, including the diplomatic service, the judiciary and educational institutions, as well as the private sector, thus limiting women's equal participation in decision-making processes in all areas.

**20. The Committee encourages the State party to intensify its efforts towards strengthening women's representation in leadership roles, including elected and appointed positions, in the Cabinet, Parliament, public administration, the judiciary and the private sector. The Committee recommends that the State party strengthen its nomination, selection and promotion procedures with temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendations 25 and 23 so as to accelerate the achievement of women's full and equal participation in political and public life and decision-making at all levels and in all areas.**

21. The Committee is concerned at the narrow definition of trafficking employed by the State party. It is further concerned that women and girls who have been trafficked may be punished for violation of immigration laws and be treated as offenders rather than victims.

**22. The Committee recommends that the State party ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing the United Nations Convention against Transnational Organized Crime. It encourages the State party to review its current legal and policy measures in the light of the definition of trafficking contained in the Protocol in order to better identify victims of trafficking and prosecute traffickers. The Committee urges the State party to ensure that women and girl victims of trafficking are not punished for violations of immigration laws and have adequate support so that they can provide testimony against their traffickers and have access to adequate assistance and remedies.**

23. While recognizing the strengthened measures to protect foreign domestic workers, including the demerit point system against abusive employers, the

Committee is concerned about the situation of foreign domestic workers, in particular the regular pregnancy testing, the prohibition to marry Singaporeans and the lack of a mandatory day off. It is concerned that the Employment Act does not cover foreign domestic workers, and the Employment of Foreign Workers Act deals mainly with the issue of work permits rather than providing the necessary protection of the rights of foreign domestic workers. The Committee is also concerned that the security bond deposited by employers often results in a restriction on the freedom of foreign domestic workers.

**24. The Committee calls upon the State party to review the legal protection afforded to foreign women domestic workers under the Employment of Foreign Workers Act. It calls upon the State party to ensure that such workers benefit from wider protection whether under the Employment Act or under separate legislation on foreign domestic workers, especially with regard to their contractual status, and that the State party, rather than private associations, directly supervises compliance by employment agencies and employers. It recommends that foreign domestic workers be entitled to adequate wages, decent working conditions, including a day off, benefits, including medical insurance, and access to complaint and redress mechanisms. The Committee requests that the State party raise the awareness of employers of foreign domestic workers concerning the purpose of the security bond so that they would not limit foreign domestic workers' freedom of movement under any circumstances.**

25. The Committee is concerned about the situation of foreign wives of Singaporean citizens, especially with regard to violence and abuse, their right to work and their residence status in the country.

**26. In line with the recent withdrawal of the reservation to article 9, the Committee calls upon the State party to provide foreign wives of Singaporean citizens, in cases of abuse and violence, with prompt access to information and sufficient shelters for the time period required. It also requests the State party to provide a work permit to foreign wives with a social visit pass and develop a system of granting citizenship to foreign wives within a clear and reasonable time frame after marriage, rather than considering citizenship applications case by case.**

27. The Committee is concerned about the reluctance of the State party to criminalize marital rape, and notes that current reform proposals would recognize marital rape as a crime only in very narrowly defined circumstances.

**28. The Committee requests the State party to enact legislation criminalizing marital rape, defined as lack of consent of the wife/spouse.**

29. While recognizing the State party's achievements in the area of women's employment, the Committee reiterates its concern about the reservation, made upon ratification, to article 11, paragraph (1), of the Convention and remains concerned about the continuing vertical and horizontal occupational segregation; the persistent wage gap between women and men; and the lack of a legal definition and prohibition of sexual harassment.

**30. The Committee urges the State party to withdraw its reservation to article 11, paragraph (1), and to adopt effective measures to eliminate occupational segregation, both horizontal and vertical. To this end, the Committee requests**

that the State party should evaluate its gender-neutral provisions, such as the guidelines produced by the Tripartite Alliance for Fair Employment Practices, for their potential impact and possible indirect discrimination against women. The Committee further requests the State party to also ensure that women in managerial, executive and confidential positions, who are not covered by the Employment Act, are guaranteed the full legal maternity leave protection in the public and private sectors. The Committee calls upon the State party to ensure that paid family, maternity and paternity leave is guaranteed to all employees in the public and private sectors so as to ensure the equal sharing of family and work responsibilities by women and men. In the light of the State party's recent ratification of the Convention concerning Equal Remuneration (Convention No. 100 of the International Labour Organization), the Committee calls upon the State party to adopt legislation guaranteeing equal pay for work of equal value so as to narrow and close the wage gap between women and men. The Committee also encourages the State party to take steps to enact legislative provisions on sexual harassment at the workplace as well as in educational institutions, including sanctions, civil remedies and compensation for victims.

31. The Committee reiterates its concern about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men within the family and society at large. These stereotypes present a significant obstacle to the implementation of the Convention, are a root cause of violence against women in the private and public spheres, put women in a disadvantaged position in a number of areas, including in the labour market, and limit their access to leadership positions in political and public life.

32. The Committee recommends that the State party take measures to bring about changes in traditional patriarchal attitudes and in gender-role stereotyping. Such measures should include awareness-raising and public education campaigns, with a special focus in the curriculum on human rights education and women's rights and children's rights issues, in cooperation with a wide range of stakeholders, including the national machinery for the advancement of women, women's organizations, trade unions, the National Employers Federation, the media, educational institutions and the People's Association, with a view to eliminating stereotypes associated with traditional gender roles in the family and in society, in accordance with articles 2 (f) and 5 (a) of the Convention. It recommends that the State party expand its current awareness-raising efforts and training activities to leaders of political parties and senior managers in the private sector. The Committee calls upon the State party to ensure that all measures to enhance work/life balance are targeted at both women and men in the public and private sectors, so as to further support the equal sharing of family and work responsibilities between women and men.

33. The Committee encourages the State party to ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.

34. The Committee urges the State party to utilize fully in its implementation of the obligations under the Convention the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.

35. The Committee emphasizes that the full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and the explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals and requests the State party to include information thereon in its next periodic report.

36. The Committee notes that States' adherence to the seven major international human rights instruments<sup>1</sup> enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of Singapore to consider ratifying the treaties to which it is not yet a party, namely the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

37. The Committee requests the wide dissemination in Singapore of the present concluding comments in order to make the people, including government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women, and the further steps that are required in that regard. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".

38. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention, which is due in November 2009.

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.