

Universal Periodic Review Mid-Term Report (2018)

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1. We acknowledge that the Singapore government has ratified the International Convention on the Elimination of All Forms of Racial Discrimination; acceded to the United Nations Trafficking in Persons Protocol; completed a review of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OP-CRC-SC); and acceded to the UN Convention on the Rights of Persons with Disabilities. We also applauded the government's recognition of the need for tertiary education reform and lifelong learning.
2. The civil society actors of Singapore are pleased to partake in the Universal Periodic Review mid-term review process. We note that the Singapore government has supported some recommendations. However, most of the recommendations have only been "noted", especially on those related to civil and political rights of the people. This approach by the Singapore government is not in keeping with the universal principles of the International Convention on the Civil and Political Rights (ICCPR), which Singapore has not agreed to recommendations made for ratification. Some of the actions taken by the government show that Singapore is not observing the fundamental human rights of the people with regard to their civil and political rights of the people. This recommendation by the next UPR session will be one that the Singapore government ought to support, moving beyond "noted".
3. In this combined report, we² highlight several key issues that are of deep interest and concern to us, in relation to what has been supported by the Singapore government as well as what has been noted. The report is organised thematically and touches on areas with the most serious human rights challenges, such as political security, economic and social cultural issues. They reflect on the recommendations made to Singapore as also indicated in the Appendix.
4. This UPR mid-term review covers the period from 29 January 2016, when the Human Rights Council accepted the response from the Singapore government, to the present time. This report³ assesses progress made on the recommendations, raises related concerns and makes recommendations. We submit this report as a coalition of Civil Society Organisations (CSOs) and Civil Society Individuals (CSIs) who are not members of any political parties.

A Safe and Secure Singapore

¹ This is a collective report of civil society organisations (CSOs), social media units and individual activists who were involved in a consultative process coordinated and led by MARUAH, a human rights organisation in Singapore, which is run and managed by volunteers. This collective comprises: Community Action Network, Disabled People's Association, Function 8, The Independent Singapore, Ms Kirsten Han, Dr Thum Pingtjin, Mr M. Ravi, Mr Ravi Philemon. Other CSOs and individuals have contributed in the consultation but would prefer not to be named here.

² The report is a collation of key issues in relation to the recommendation as we thank our intern for all the hard work. As she is embarking on her further studies and possible future, she prefers not to be named here. We thank her. This is also a norm that MARUAH has found since it began in 2007. And we say, without any tangible evidence to link the lack of securing of a job with being involved in MARUAH. Yet they have found work in the region or in international organisations.

³ See appendix where ratings of 'Good, Average, Weak and Poor' are given on government's support on recommendations or the lack thereof, as well as the rate of implementation on the recommendations, based on a human rights assessment of assessing people's needs, meeting them and fulfilling their rights. There is also an expression of what we hope can be achieved by the next UPR reporting session on Singapore.

Contempt

5. Until recently, contempt in Singapore was based on case law and not part of the statute. In August 2016, the controversial Administration of Justice (Protection) Bill⁴ was passed, codifying a number of ‘contempt of court’ offences. The new law, which came into effect in October 2017, provides penalties of up to S\$100,000 and three years in prison for four main forms of conduct. These are: (1) scandalising the court, (2) interfering with the administration of justice, (3) disobedience of court orders, and (4) *sub judice* contempt. The two which attracted the most contention are scandalising contempt, which is the offence of making allegations of bias against the judges or the court, and *sub judice* contempt, which is the publishing of material that interferes with ongoing proceedings. The former has been used on multiple occasions against those who allegedly made baseless criticisms of Singapore’s judiciary, even before the Act came into operation.
6. Contempt has been made an arrestable offense, which means that suspects can be subjected to searches and arrests without a warrant. In addition, contempt and its forms of conduct are so broadly worded as to allow for easy abuse. These laws are concerning as they arguably have the potential of chilling public discussion and criticisms of the administration of justice.

Scandalising the Court

7. Under the Administration of Justice (Protection) Act, it is deemed contempt to publish anything that: (1) imputes improper motives to or impugns the integrity, propriety, or impartiality of any court; and (2) poses a risk that public confidence in the administration of justice would be undermined. While the accompanying explanatory notes state that “fair criticism” is not contempt, what constitutes “fair criticism” is not defined and the determination of what is in essence a subjective test is left to the discretion of the court. Moreover, under the act it is not an acceptable defense to contend that one did not intend to scandalize the court.
8. Although it is stated that “fair criticism” is not contempt, what constitutes “fair criticism” is not defined and its determination is left to the discretion of the court. The statute is also broader than the common law it claims to codify. According to the interpretation by Singapore’s courts, the common law offense of “scandalising the court” required the government to prove that the publication posed a “real risk” - not a remote or fanciful risk - of undermining public confidence in the administration of justice.⁵ However, under the Administration of Justice (Protection) Act, it is only required that the publication “poses a risk”, however remote, of undermining confidence in the administration of justice. In addition, the scope of violation is uncertain as it relies on interpretation by individual judges. The lack of clarity as to what expression may be considered as acceptable or unacceptable leaves a wide range of possibilities for the restriction of speech by hinging on the basis that it is critical of the court and its rulings. Combined with harsh potential penalties, the vagueness of the offense encourages self-censorship to avoid possible prosecution,

⁴ Administration of Justice (Protection) Act, <http://statutes.agc.gov.sg/aol/search/display/printView.w3p;page=0;query=Compld%3Aaae1c9e6-46e5-4db1-8f6d-3ade2f2ab6cc;rec=0;resUrl=http%3A%2F%2Fstatutes.agc.gov.sg%2Faol%2Fbrowse%2FyearResults.w3p%3BpNum%3D1%3Btype%3DactsSup%3Byear%3D2016>.

⁵ Shadrake v. Attorney-General, Court of Appeal [2011] 3 SLR 778, para.30.

thus stifling open discussion of the administration of justice in Singapore. The UN Human Rights Committee has stated that “all public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition... States parties should not prohibit criticism of institutions, such as the army or the administration.”⁶

9. *Contempt Proceedings Against Lawyer Eugene Thuraisingam, before the Act came into effect*

Lawyer Eugene Thuraisingam, who has represented a number of individuals on death row in Singapore, posted a poem on Facebook on 19 May 2017 after a client of his had been scheduled for execution for heroin trafficking. On 26 May, the attorney general’s chambers filled an application to begin contempt proceedings against him, on the grounds that the poem was in contempt of court.

10. *Contempt Proceedings Against Li Shengwu, before the Act came into effect*

On 15 July 2017, following a public dispute between his parents and Prime Minister Lee Hsien Loong over the disposition of the late founding Prime Minister Lee Kuan Yew’s home, Lee Hsien Loong’s nephew Li Shengwu wrote in a private Facebook post that the Singapore government was “litigious” and has a “pliant court system”. On 21 July, Li received a letter from the Attorney-General’s Chambers (AGC) demanding that he “purge the contempt” by deleting the post and issuing a public apology. Li responded in a letter stating that he had amended the post to remove any misunderstanding but refused to take it down. The AGC then filed an application for permission to start contempt of court proceedings in the High Court, which was granted on 21 August. Four months later in December, Li filed an application challenging the order that the AGC obtained from the High Court before the proceedings were launched against him. His application has been dismissed by the court, paving the way for contempt of court proceedings against him to commence.

Sub Judice Contempt

11. The law states that a person is guilty of contempt if he or she intentionally publishes any matter that:

prejudges an issue in a court proceeding that is pending and such prejudgment prejudices, interferes with, or poses a real risk of prejudice to or interference with, the course of any court proceeding that is pending; or otherwise prejudices, interferes with, or poses a real risk of prejudice to or interference with, the course of any court proceeding that is pending.⁷

While it is permissible under international law to restrict speech that poses a substantial risk of prejudice to a fair trial, the restrictions should be narrowly tailored so as to minimise any interference with good faith reporting.

⁶ UN Human Rights Committee, General Comment No. 34.

⁷ Administration of Justice Act, sec. 3(1)(b).

12. While citizens are prohibited from discussing ongoing proceedings, the government is permitted to comment whenever it feels it “is necessary in the public interest,” regardless of whether doing so could prejudice the ongoing proceedings and the presumption of innocence.⁸ This provision, combined with the broad scope of *sub judice* contempt which can obstruct good faith reporting, may lead to the situation where the defendants and others involved in the case are silenced while the government’s perspective dominates.

Sedition

13. Singapore’s broadly worded Sedition Act is incompatible with international standards on the freedom of expression and equality. While international law provides for some restrictions against certain types of hate speech, the threshold for such restrictions is much higher than that set by the government.

14. *Prosecution of Nalla Mohamed Abdul Jameel*

A police investigation was launched in March 2017 following reports that Nalla Mohamed Abdul Jameel, an Indian imam, had made insensitive remarks about Christians and Jews in a Friday sermon. In February 2017, a video was circulated online of the imam reportedly reciting a prayer in Arabic that said “God help us against Jews and Christians”, among other things. The imam made a public apology for his remarks in front of a multi-faith audience in March, and pled guilty to promoting enmity between different groups on the grounds of religion and to committing an act prejudicial to religious harmony. He was fined S\$4,000 and was subsequently asked to leave the country.

Public Order and Safety (Special Powers) Act

15. In March 2018, the Public Order and Safety (Special Powers) Act (POSSPA) was passed, giving the police special powers to deal with “any incident or likely incident involving serious violence or large-scale public disorder.”⁹ For instance, they can order people in the vicinity of the incident to stop taking or sharing pictures or videos of the area; question individuals; and restrict entry and exit. The Bill provides five illustrations of “serious incidents” that can invoke this law¹⁰; among them, two are especially worrying. Member of Parliament Sylvia Lim raised concerns over these “more controversial” examples in Parliament, saying that “illustration (d) covers a sit-down peaceful protest that grows in size such that there is impediment to paths, roads and normal business,” while “illustration (e) is about a group protesting in the street that grows in size and then starts to commit violent acts, which sounds to me like rioting.”¹¹ It is disturbing that such

⁸ Administration of Justice Act, sec. 3(4) (“A statement made by a person on behalf of the Government about the subject matter of or an issue in a court proceeding that is pending is not contempt of court ... if the Government believes that such statement is necessary in the public interest.”). Public interest is defined broadly in section 3(5) to include “matters that are necessary in the interests of the security of Singapore or any part of Singapore, public order, public health or public finances.”

⁹ Public Order and Safety (Special Powers) Act, <https://sso.agc.gov.sg/Acts-Supp/26-2018/Published/20180420?DocDate=20180420#pr3->

¹⁰ Public Order and Safety (Special Powers) Act, sec. 3.

¹¹ How ‘serious’ must an incident be for Singapore to invoke new special powers act? MPs debate,” *Channel NewsAsia*, March 21, 2018, <https://www.channelnewsasia.com/news/singapore/serious-incident-singapore-special-powers-possipa-10063766> (accessed August 5, 2018).

cases are perhaps unjustifiably compared to armed attacks or hostage situations, which differ in severity. Because of this comparison the punitive measures taken against non-compliance in these instances are imprisonment or even the use of “lethal weapons” by the police.¹²

Death Penalty

16. During the 2011 Universal Periodic Review, Singapore accepted a recommendation from Finland to “[m]ake available statistics and other factual information on the use of the death penalty” and a recommendation from France to “[m]odify its legislation in such a way as to shift the burden of proof of the guilt of a person facing the death penalty, to the prosecution instead of requesting the person to prove its own innocence”.¹³ To date, these recommendations have not been substantially implemented. And eight executions were carried out in 2017, double the number of executions that took place in the previous year. All eight cases were for drug trafficking.¹⁴ Though the Singapore Prison Service publishes the number of executions that take place each year in its annual report, these executions are not always made available to the public via press releases from government agencies. There is a lack of accessible information related to the use of the death penalty in Singapore, for example, the total number of inmates on death row, for instance, is not made public¹⁵.
17. Disregarding the agreement made by Singapore to the UPR recommendations, since mid-2016, it is noted that there is now less time between the rejection of a death row inmate’s appeal for clemency, and the scheduling of an execution. Previously, there was a gap of over a week or two between the rejection of clemency and the scheduling of an execution. However, as families of death row inmates have observed, in recent cases, the inmates had been executed either on the same day of the rejection of clemency or very soon after the failed appeal for clemency. There appears to be a change in procedure and this is an area of concern for the person to be executed and their family members. We are concerned about this lack of obligation in adhering to the 2011 recommendations as agreed upon by the government.

Detention Without Trial

18. The Universal Declaration of Human Rights declares that every person is innocent until proven guilty in a fair and open trial. Though Singapore is not at war with any country, three of its laws permit indefinite detention without trial. These are the Internal Security Act (ISA), Criminal Law (Temporary Provisions) Act (CLTPA) and the Misuse of Drugs Act.” In addition there are many laws that lay many restrictions on the individual’s freedom of expression, information and

¹² Public Order and Safety (Special Powers) Act, sec. 18(8); sec. 19(5); sec. 20(4); sec. 48(2), <https://sso.agc.gov.sg/Acts-Supp/26-2018/Published/20180420?DocDate=20180420>

¹³ UPR Info, “List of all recommendations made to Singapore and its responses,” May 11, 2011, https://www.upr-info.org/sites/default/files/document/singapore/session_11_-_may_2011/recommendationstosingapore2011.pdf

¹⁴ Singapore Prison Service, Annual Report 2017, available online at [http://www.sps.gov.sg/docs/default-source/publication/singapore-prison-service-ar-2017-\(interactive---apr-30\).pdf](http://www.sps.gov.sg/docs/default-source/publication/singapore-prison-service-ar-2017-(interactive---apr-30).pdf) (accessed August 5, 2018).

¹⁵ This point has been often publicly cited by Ms Kirsten Han, an activist from ‘We Believe in Second Chances’ without any correction from the government. Till proven otherwise it will be taken as the normal practice of ‘inaccessible information’ for the public.

association¹⁶. There are also three laws that govern over security issues in relation to terrorism: Terrorism (Suppression of Financing) Act; Terrorism (Suppression of Bombings) Act; Terrorism (Suppression of Misuse of Radioactive Material) Act. There is much governance and severe restrictions placed on individual space.

19. The Internal Security Act is a law that continues to be used. It is one of detention without trial. Section 8 in the ISA permits detention without trial and the issuance of detention and restriction orders whilst, under the Miscellaneous section, the police can hold the detainee beyond the 48 hours¹⁷ and the advisory board of appointed persons have up to 3 months to assess the case, once the detainee has made a representation on the alleged offences, and make a representation to the President of Singapore¹⁸. This form of detention without a trial has to stop - despite the government's reason as shared at the 2015 UPR State reporting session - that there are governance and procedures through the appointed advisory board and presiding judges of the court which as institutional representatives, attend to the cases of the detainees, who are not put on trial but who have to make representations on the allegations they are charged with. People have been imprisoned without trial for alleged charges of different political beliefs or presently, as suspected terrorists. The Ministry of Home Affairs occasionally issues press releases on the number of detainees who received detention orders and those who were released on restriction orders. As of today, there are 22 prisoners, 3 of them have been detained since 2001/2002. They are all Muslims."
20. It is unfortunate that the government did not accept the recommendations pertinent to eliminating preventive detention without trial, amendments on the ISA and the CLTPA to ensure that those detained have access to their own lawyers, be charged in court and be put on trial, if necessary, with certain parts of the hearing, pertaining *only* to sensitive information, be heard as 'in camera' evidence with information-sharing and video-witnessing by family¹⁹. This recommendation to amend the ISA or to repeal it have been given before. There is a necessity to review the ISA, given the many restrictive laws that Singapore has. With the newly-minted enactment of the Public Order and Safety (Special Powers) Act (POSSPA), we assert that the ISA in its current form, is redundant and ought to be done away with as it is a violation to have people being detained without a trial through an open court.

Recommendations

21. The Administration of Justice (Protection) Act should be amended to narrow the scope of violation for the offence of "scandalising the court". We also ask that legislative changes are made to allow for defences for scandalising contempt. The restriction on statements that "prejudge" a pending proceeding should be narrowed to those that create a substantial risk of

¹⁶ Please see Paras 33-46

¹⁷ See Chapters II, Clause 11 and Chapter VI Clause 44; , https://sso.agc.gov.sg/Act/ISA1960#P1II-P4VI_44-

¹⁸ <https://sso.agc.gov.sg/Act/ISA1960#pr12->

¹⁹ Function 8 (<https://fn8org.wordpress.com/advocacy/recommending-the-abolition-of-isa/>) asks for abolishment of the ISA and has expressed its reservations on having an open court hearing with the possible provision of 'in-camera' hearing on sensitive information. Like Function 8, many of us do ask for the abolishment of the ISA and at least to go to an open trial, a recommendation that Singapore has not supported.

seriously impending or prejudicing the course of justice in the proceedings in question. In addition, the rule should be made equally applicable to the government and to private citizens.

22. It is unfortunate that the government did not accept the recommendations pertinent to eliminating preventive detention without trial or the amendments on the ISA and the CLTPA²⁰ to ensure that those detained have access to their own lawyers, be charged in court and put on trial. We ask of the government to support such a recommendation, at the next UPR session, as suggestions have been made to replace the ISA as the enactment of the Public Order and Safety (Special Powers) Act (POSSPA)²¹ and the anti-terrorism laws do make the ISA in its current form, redundant.
23. Please refer to the Appendix for the list of relevant UPR recommendations supported or noted by Singapore and the above report on the progress and concerns.

Elections

Parliamentary Elections Act

24. Under Singapore's Parliamentary Elections Act, it is a criminal offense to publish any election advertising on polling day or the day preceding polling day.²² There are a few exclusions to this ban. For instance, the law does not apply to the telephonic or electronic transmission of personal political views by individuals to other individuals, on a non-commercial basis.²³ It also excludes the publication and broadcasting of news related to the election, but only when the publisher is licensed to do so under the Newspaper and Printing Presses Act, or the Broadcasting Act.²⁴ Violations of the restrictions on election advertising are considered arrestable offences, and the law has been used against several activists who were vocal in their support of the opposition.

25. *Investigation of Activists Roy Ngerng and Teo Soh Lung*

In May 2016, Murali Pillai of the ruling party PAP and Chee Soon Juan of the opposition SDP ran for a by-election in Bukit Batok constituency. Blogger and social activist Roy Ngerng and lawyer and former Internal Security Act (ISA) detainee Teo Soh Lung showed support for Chee's campaign through multiple posts on their personal Facebook pages, both before and on the cooling-off day. Several weeks after the election, they received notices to appear at the police station for investigation into alleged violations of election advertising rules. Teo was represented by counsel, but Ngerng had no lawyer present during his interrogation. They were not allowed to

²⁰ Singapore notes recommendations 166.173, 166.193, 166.194 and 166.195 as the Criminal Law (Temporary Provisions Act) and the Internal Security Act remain relevant to enable the Government to take swift pre-emptive action to counter serious threats against public order or national security.

²¹ <https://maruahsg.files.wordpress.com/2018/03/maruahs-statement-for-the-second-reading-of-the-bill-on-public-order-and-safety.pdf>; also see para 15 in this report.

²² Parliamentary Elections Act, sec. 78B(1), <http://statutes.agc.gov.sg/aol/search/display/view.w3p;ident=71bf2e6d-737f-462c-b60e-0ee2f33630af;page=0;query=DocId%3A%228cc6883c-c5f5-4e3c-bad4-e3b6992999a5%22%20Status%3Ainforce%20Depth%3A0;rec=0#pr78B-he->.

²³ Parliamentary Elections Act, sec. 78B(2)(c).

²⁴ Parliamentary Elections Act, sec. 78B(2)(b). By limiting the venues that can post "news" about the election during the cooling-off period to newspapers covered by the Publication and Printing Presses Act and radio and television stations covered by the Broadcasting Act, all of which are required to be controlled by individuals approved by the government, the law effectively tips the balance in favor of pro-government news coverage during the cooling-off period.

make any phone calls while the police searched their homes. According to Teo, the police seized several electronic devices, including a phone and a laptop that were not used for any of the postings in question, despite the fact that she had already admitted to making the posts.²⁵ According to the Elections Department’s own website, the Cooling-off Day rules do not apply to “the transmission of personal political views by individuals to other individuals, on a non-commercial basis, using the Internet, telephone or electronic means”. Ngerng and Teo’s posts on their personal Facebook pages fall under this exclusion. Singling out Ngerng and Teo for investigation was an act of harassment and intimidation.

Online News

26. Investigation of Online News Website “The Independent Singapore”

The police also launched an investigation of the website *The Independent Singapore* in May 2016 for the alleged violation of the Cooling-off Day rules during the Bukit Batok by-election. The website published two articles on cooling-off day, and another article on polling day, that the Elections Department said to have breached the election advertising ban. The police eventually issued a warning to the directors and editors of the news website.

27. Rejection of registration of Singaporean publication subsidiary

The application to register a Singaporean subsidiary of the UK company that publishes *New Naratif*—which describes itself as a “platform for Southeast Asian journalism, research, art and community building”—was denied in April 2018, despite both the director and editor-in-chief of the publication being Singaporeans. In a press release, the Accounting and Corporate Regulatory Authority stated that the “purposes of the proposed company are clearly political in nature” and pointed out that *New Naratif* had received foreign funding in the form of a grant, stating that the Singaporeans running *New Naratif* were “being used by foreigners to pursue a political activity in Singapore”. Thus, the authorities said that allowing the registration of the company would be “contrary to Singapore’s national interests”.²⁶

Recommendations

28. Amend section 78B of the Parliamentary Elections Act such that violations of the restrictions on election advertising are no longer arrestable offenses, so as to stop the use of warrantless search, arrest and seizure. In addition, section 78B(2) should be amended to allow online news sites to publish news about an election during the cooling off period, just as how newspapers covered by the Newspaper and Printing Presses Act are permitted to do.

29. Authorities should also improve their engagement with responsible online news outlets; for instance, by responding to their queries. Although Singapore has not supported the

²⁵ Teo Soh Lung Facebook post, June 3, 2016.

²⁶ Accounting and Corporate Regulatory Authority, “Rejection of application by OSEA Pte Ltd to register as a private company limited by shares,” April 11, 2018, https://www.gov.sg/~sgpcmedia/media_releases/acra/press_release/P-20180411-1/attachment/11042018_Media%20statement_Rejection%20of%20application%20by%20OSEA%20pte%20ltd%20to%20register%20as%20a%20pte%20ltd%20company%20by%20shares.pdf (accessed August 5, 2018).

recommendations made at the last reporting session, it is necessary that these violations against the civil and political rights of the people are addressed at the next reporting session.

30. Please refer to the Appendix for the list of relevant UPR recommendations supported or noted by Singapore, and the above report on the progress and concerns.

Freedom of Expression and Freedom of Peaceful Assembly and Association

Public Order Act

31. The right to the freedom of assembly is heavily restricted by the Public Order Act (POA), which requires a police permit for any “public assembly” or “public procession”.²⁷ The POA defines an assembly as:

a gathering or meeting (whether or not comprising any lecture, talk, address, debate or discussion) of persons the purpose (or one of the purposes) of which is (a) to demonstrate support for or opposition to the views or actions of any person, group of persons or any government; (b) to publicize a cause or campaign; or (c) to mark or commemorate any event, and includes a demonstration by a person alone for any such purpose referred to in paragraph (a), (b) or (c).²⁸

In March 2017, the Ministry of Home Affairs introduced the Public Order (Amendment) Bill that proposed the following key changes: (1) all event organisers are required to notify the police if they are reasonably expecting more than 5,000 persons at any point in time for public events and 10,000 for private events, (2) the Commissioner of Police has the power to declare any event as a Special Event after the assessment of the risk of terror attack and public disorder, which will allow the police to issue directions to the event organiser to ensure that appropriate security measures are put in place, and (3) the Commissioner of Police is given explicit powers to reject permit applications for assemblies or processions directed towards a political end and organized by, or involving the participation of, anyone who is not a citizen of Singapore or a Singapore entity.²⁹ The law came into operation in October 2017.

32. These amendments in the Public Order Act contravene the right to the freedom of assembly and is inconsistent with international legal standards. In particular, Section 16 of the Public Order Act authorizes the imposition of criminal penalties for organizing or participating in a public assembly for which no permit has been issued even if the assembly was peaceful and caused no disruption of public order. Furthermore, the Minister of Home Affairs has the discretion to prohibit any assembly, even if it has been granted a permit, if the minister deems that it is in the “public interest” to do so.³⁰

33. *Prosecution for a One-Man “Procession”*

²⁷ Public Order Act of 2009 (Revised 2017), chapter 257(A) § 5(1), available online at <https://sso.agc.gov.sg/Act/POA2009?ValidDate=20180516&Provlds=P1II-#pr5-> (accessed July 17, 2018).

²⁸ Public Order Act of 2009 (Revised 2017), chapter 257(A) § 2(1).

²⁹ Public Order (Amendment) Act, Act No. 23/2017.

³⁰ Public Order Act, sec. 13(1).

Artist and activist Seelan Palay was arrested on 1 October 2017 while performing an art piece titled *32 Years: The Interrogation Of A Mirror*.³¹ The performance was a tribute to former Member of Parliament Chia Thye Poh, who was detained without trial and placed under house arrest for a total of 32 years. Carrying a mirror that he would draw on, Palay started the performance in Hong Lim Park, then made his way to the National Gallery Singapore and subsequently the Parliament House, where he was arrested by seven police officers even though he was acting alone. Palay has been charged on 18 May 2018 with taking part in a public procession without a permit.³²

34. *Prosecution for Silent Protest*

On 3 June 2017, Jolovan Wham and eight other people held a “silent protest” on a Mass Rapid Transit (MRT) train to commemorate the thirtieth anniversary of the 1987 arrest and detention of 22 activists under the Internal Security Act.³³ The nine people, each blindfolded, held copies of a newly-released book, “1987: Singapore’s Marxist Conspiracy 30 Years On,” in the train car. Two pieces of paper calling for justice for the former ISA detainees were taped inside the train car during the protest. Two days later, the Singapore Police Force announced an investigation was launched. Wham was eventually charged with organizing a public assembly without a police permit. Wham was also charged with vandalism, which carries a penalty of up to three years in prison, for allegedly taping the two sheets of paper inside the train.

35. *Prosecution for Candlelight Vigil*

On 13 July 2017, a small group held a candlelight vigil outside Changi Prison Complex for Malaysian national S. Prabakaran who was scheduled for execution the following day. Within 15 minutes, the police arrived and confiscated the candles and photographs of Prabakaran that had been hung on a fence.³⁴ The participants were told that they were allowed to stay if they did not light any more candles. More than six weeks later, Jolovan Wham, who allegedly organised the vigil, and 16 others were investigated for holding an assembly without a permit.³⁵ Those under investigation were told that they were not allowed to leave the country until after their questioning, and that the travel ban could last for the duration of the investigation.³⁶

36. *Alleged Strip Search Following Prosecution of Activist*

Activist and blogger Han Hui Hui published an online article on her blog on 23 February 2017 describing her experience in a State Courts Cell following her failed appeal against a fine for co-organising a protest rally at Hong Lim Park. Among her allegations was that she was subjected

³¹ “Activist arrested for ‘unlawful protest’ outside Parliament,” *The Straits Times*, October 1, 2018, <https://www.straitstimes.com/singapore/activist-arrested-for-unlawful-protest-outside-parliament> (accessed August 3, 2018).

³² “Artist charged over ‘public procession’ from Hong Lim Park to Parliament House,” *The Straits Times*, May 18, 2018, <https://www.straitstimes.com/singapore/courts-crime/artist-charged-over-public-procession-from-hong-lim-park-to-parliament-house> (accessed Aug 3, 2018).

³³ “Police looking into silent protest on MRT train,” *The Straits Times*, June 5, 2017, <http://www.straitstimes.com/singapore/police-looking-into-silent-protest-on-mrt-train> (accessed July 18, 2018).

³⁴ “17 people under police investigation over possible illegal assembly outside Changi Prison,” *The Straits Times*, September 9, 2017, <https://www.straitstimes.com/singapore/seventeen-people-under-police-investigation-over-possible-illegal-assembly-outside-changi> (accessed July 18, 2018).

³⁵ Civil activist Jolovan Wham to be charged with organising illegal gatherings, vandalism,” *Today Online*, July 18, 2018,

³⁶ Kirsten Han Facebook page, September 8, 2017.

to a “humiliating” strip search that was “done in front of about ten female officers with male officers passing by at the gate.”³⁷ The Ministry of Home Affairs has claimed that her allegations were “baseless and false.”³⁸ The article in question was one of several online posts that the Attorney-General’s Chambers asked her to remove. Han has not taken down the article and has challenged the authorities to release CCTV footage of the events leading up to and during her confinement. To our knowledge the authorities have not responded to her request for the footage. The alleged strip search is an infringement of human rights; every person has the right to be treated decently even under the circumstances of alleged wrongdoing. This alleged search, as described, was crudely conducted and raises more questions on the circumstances for a strip search and how a search is to be carried out.

Restrictions on Rights of Non-Citizens to Assemble

37. A key impact of the 2017 amendment of the POA is to restrict the ability of foreigners residing in Singapore to exercise their right to freedom of assembly. This contravenes the Universal Declaration of Human Rights which states that “everyone shall have the right to peacefully assemble” with no distinction made between citizens and non-citizens.³⁹ The UN Human Rights Committee has also clearly stated that “aliens receive the benefit of the right of peaceful assembly.”⁴⁰

38. The Commissioner may refuse to grant a permit as long as he has reason to believe that the “assembly or procession may be directed towards a political end”. The phrase “directed towards a political end” is defined extremely broadly. Also, by imposing the above restrictions on public speakers, the right of Singaporeans to seek and receive information is impinged.

39. *Prosecution for Participation of a Foreign Speaker in a Forum*

Community Action Network, a Singapore NGO focusing on civil and political rights, held a forum on civil disobedience and social movements in an indoor venue in November 2016. The event was open to the public and advertised on social media, but attendees were asked to RSVP. The event was streamed live on Facebook. The police contacted one of the organizers, Jolovan Wham, a few days prior the event to inform him that the event needed a permit because one of the speakers, Joshua Wong, was a foreigner. Wham was unable to get a permit in time and the organisers proceeded with the event as they felt it was “a harmless and straightforward discussion of social movements”.⁴¹ A few weeks later, Wham was summoned for police questioning for having a foreign speaker without a permit. On 29 November 2017, Wham was charged with

³⁷ Han Hui Hui blog post, “Alone in cell,” February 23, 2017.

³⁸ “Blogger Han Hui Hui’s allegations that she was mistreated in State Courts cell baseless and false: MHA,” *The Straits Times*, March 14, 2017, <https://www.straitstimes.com/singapore/blogger-han-hui-huis-allegations-that-she-was-mistreated-in-state-courts-cell-baseless-and> (accessed July 25, 2018)

³⁹ UDHR, art. 21.

⁴⁰ UN Human Rights Committee, General Comment no. 15, The Position of Aliens Under the Covenant, UN Doc. HRI/GEN/1/Rev.1 at 18 (1994), <http://www1.umn.edu/humanrts/gencomm/hrcom15.htm> (accessed July 18, 2018), para. 7.

⁴¹ “Police launches investigation on public forum on civil disobedience for possible legal violation,” *The Online Citizen*, December 23, 2016, <http://www.theonlinecitizen.com/2016/12/23/police-launches-investigation-on-public-forum-on-civil-disobedience-for-possible-legal-violation/> (accessed July 18, 2018).

violation of the Public Order Act for failing to obtain a police permit for the participation of Joshua Wong.

Speakers' Corner

40. The only outdoor venue where an assembly is allowed without a police permit is the Speakers' Corner located in Hong Lim Park. Prior to October 2016, the law distinguished between participants and observers, and non-citizens could thus be present in the park in support of an event as long as they did not "participate in the demonstration."⁴² On 31 October 2016, the regulations on the use of Speakers' Corner were further tightened with the Public Order (Unrestricted Area) (Amendment) Order 2016. Under the new rules, non-citizens are not permitted to "participate" in any "assembly or procession". The law does not define "participation," but the police have stated that the mere presence of a non-citizen at an assembly will be regarded as participation and thus in violation of the law.⁴³ In addition, under the new amendments, even sponsorship of an assembly by a non-Singapore entity now requires a police permit.

41. *Increased Regulations for Pink Dot*

In May 2017, the organisers of Pink Dot, an annual event that expresses support for lesbian, gay, bisexual and transgender (LGBT) people, were told by the police that they were required by the new regulations to place barricades around Speakers' Corner and check the identity cards of every participant.⁴⁴ The tighter regulations lead to a considerable increase in the cost and difficulty of holding events at the Speakers' Corner. The Pink Dot organisers reported that the cost of security for the 2017 event was four times that of previous events.⁴⁵ A group of 10 foreign companies wrote to the Singapore police for permission to sponsor 2017's Pink Dot event but their application was refused by the authorities.⁴⁶

Select Committee on Deliberate Online Falsehoods

42. The Select Committee on Deliberate Online Falsehoods (DOF), convened to look into the problem of falsehoods being spread online, with the intent of finding probable approaches and solutions⁴⁷. The open hearings were held in March 2018.⁴⁸ The process has come across as

⁴² Public Order (Unrestricted Area) (No. 2) Order 2015, sec. 4(2)(c).

⁴³ "Announcement on Speakers' Corner Restrictions for Pink Dot SG 2017," posted on the official Facebook page of Pink Dot SG, May 14, 2017 ("As organisers, we were reminded by the Singapore Police Force that with these changes, the law no longer distinguishes between participants and observers, and regards anyone who turns up to the Speakers' Corner in support of an event to be part of an assembly.")

⁴⁴ "Pink Dot 2017 to have barricades, ID checks by security personnel," *Channel NewsAsia*, May 30, 2017, <https://www.channelnewsasia.com/news/singapore/pink-dot-2017-to-have-barricades-id-checks-by-security-personnel-8896310> (accessed July 19, 2018).

⁴⁵ "Pink Dot rally draws thousands of people," *The Straits Times*, July 1, 2017, <https://www.straitstimes.com/singapore/pink-dot-rally-draws-thousands-of-people> (accessed July 19, 2018)(citing Pink Dot spokesman Paerin Choa).

⁴⁶ "Foreign Companies' Application to Support Pink Dot Rejected," *Today Online*, June 16, 2017, <https://www.todayonline.com/singapore/foreign-companies-application-support-pink-dot-rejected> (accessed July 19, 2018).

⁴⁷ The Select Committee's terms of reference are to examine and report on:

(a) the phenomenon of using digital technology to deliberately spread falsehoods online;
 (b) the motivations and reasons for the spreading of such falsehoods, and the types of individuals and entities, both local and foreign, which engage in such activity;

antagonistic/combative/confrontational and insulting⁴⁹, with criticisms or suspicions sometimes levelled at certain civil society representatives, journalists and academics, who had submitted their views on DOF in “good faith”. This case is included here in the report as it was against the grain of fundamental civil and political rights of citizens who partook in the process willingly and by invitation of the government, whose mandate by the terms of reference was to be consultative in nature.⁵⁰

43. During the open hearings, academic Dr Thum Pingtjin faced a six-hour interrogation by Minister for Law K Shanmugam, as has been captured on video.⁵¹ The questions were focused on Dr Thum’s own historical research - of which a part was used in the submission - to cite that politicians in government too had used “fake news” to state that the many persons who were detained without trial, in a procedure called Operation Coldstore (1963)⁵², were deemed to be communists. The Select Committee did not address the suggestions⁵³ made in the submission on dealing with DOF, but remained, solely, focused on disproving Dr Thum’s point that the Singapore government had spread “fake news”.
44. The Select Committee’s appointees - all of whom are elected Parliamentarians with one selected as a Nominated Member of Parliament - and the committee’s mandate were both approved by Parliament. Yet the Select Committee’s conduct, in this case, went beyond the pale, of staying within its mandate. If Dr Thum’s theses in his research papers are an issue, it is one for an academic debate, or even the court, if need be. In this case, sadly, it was almost a purposeful intent to discredit the academia of Dr Thum, which is not the way a Select Committee of any government, should work. Freedom of speech and freedom of information are arenas that can be contested but such discussions do not preclude decorum and respect for parties at the table. The level of disrespect and mockery levelled at Dr Thum has also been criticised by other academics⁵⁴

(c) the consequences that the spread of online falsehoods can have on Singapore society, including to our institutions and democratic processes; and

(d) how Singapore can prevent and combat online falsehoods, including:

- (i) the principles that should guide Singapore’s response; and
- (ii) any specific measures, including legislation, that should be taken;

<https://www.parliament.gov.sg/sconlinefalsehoods>

⁴⁸ Parliament of Singapore, “Select Committee on Deliberate Online Falsehoods - Causes, Consequences and Countermeasures,”

<https://www.parliament.gov.sg/sconlinefalsehoods>.

⁴⁹MARUAH’s statement:

https://maruahsg.files.wordpress.com/2018/04/press-statement-from-maruah-on-sc-and-dofs_3rd-april-2018.pdf; and reported in the media - <https://www.todayonline.com/singapore/maruah-slams-select-committees-confrontational-stance>

⁵⁰ Community Action Network, Singapore, “Civil society activists criticise Singapore’s Select Committee hearings,” April 2, 2018, <https://singaporecan.wordpress.com/2018/04/02/civil-society-activists-criticise-singapores-select-committee-hearings/> (accessed August 5, 2018); “Civil society activists criticise public hearings by Select Committee on deliberate online falsehoods,” *The Straits Times*, April 2, 2018, <https://www.straitstimes.com/politics/civil-society-activists-criticise-public-hearings-by-select-committee-on-deliberate-online#> (accessed August 6, 2018).

⁵¹ Official Singapore government’s videos of the hearing show the six hours of incessant personal attacks and cross-examinations on Dr Thum. The videos are available at: https://www.youtube.com/playlist?list=PLH2CR4s1lqygTiZqGHpuLxXfeVq_hPR-d

⁵² <http://eresources.nlb.gov.sg/history/events/79b177e2-4d1f-4692-9a95-d2be1510495b>; Coldstore was the arrest and detention without trial of over 111 politicians, activists, and trade unionists in 1963, some of whom were detained for decades without trial, a fundamental violation of their human rights.

⁵³<https://medium.com/submissions-to-the-select-committee-on-deliberate/submission-to-the-select-committee-on-deliberate-online-falsehoods-parliament-of-singapore-984a7a2d6ee3>

⁵⁴ 284 academics from around the world signed an open letter. Similar letters were also written by Dr Thum’s colleagues in Oxford and by the Canadian Association of University Teachers. “Oxford academics say Thum Ping Tjin ‘is and remains an academically

Many asked for an apology on behalf of Dr Thum, and also expressed that the government was, through its treatment of Dr Thum, establishing its broader goal of intimidating researchers and academics in order to suppress freedom of expression and enquiry in Singapore. This led to a response from the Select Committee's Chair, Dr Charles Chong, who responded that this was "a coordinated attempt, with foreign actors involved, to try to influence and subvert our parliamentary processes."⁵⁵ There has not been any apology issued by the Select Committee to Dr Thum, despite the ensuing protests and reservations expressed by academics. There has been no response to the letters sent in by human rights organisations in Singapore.

Academia and the Government

45. Restricting academic spaces is of deep concern. Al-Jazeera interviewed Dr Thum Pingtjin as part of "The House That Lee Built", a documentary aired in March 2018.⁵⁶ In his interview, Dr Thum stated that when he was a Research Fellow at the National University of Singapore (2012-14), he published and gave lectures about his research, which showed that Singapore's founding Prime Minister (and father of current Prime Minister Lee Hsien Loong) Lee Kuan Yew "had lied about his use of detention without trial from the 1960s onward." According to Dr Thum, shortly afterwards a senior staff member at the University privately informed him that he "would never be able to work in Singapore as an academic...again". When asked, the National University of Singapore declined to comment.⁵⁷ This allegation follows a blog post by former *Straits Times* journalist Tan Tarn How in October 2017, in which he states that he knows of at least 18 academics, activists and artists who believe they "have been denied jobs in academia or asked to leave their full-time or part-time jobs in our universities, polytechnics and sometimes schools" because they are out-spoken and critical of the government.⁵⁸ He specifically named Dr Cherian George, who was controversially denied tenure at the Nanyang Technological University in 2013.

Recommendations

46. While we recognise that some regulation of public assembly and procession is necessary to safeguard public order and safety, the regulatory need should be legitimate and restrictions should be compatible with international standards. In view of this, we ask that the Public Order Act be amended to uphold the government's obligation to facilitate peaceful assemblies. Specifically, sections 12 and 13 of the act should be amended to limit the discretion of the Minister of Home Affairs to ban public assemblies to instances where the ban is necessary to prevent imminent

trained historian'," *The Straits Times*, May 2, 2018,

<https://www.straitstimes.com/politics/oxford-academics-say-thum-ping-tjin-is-and-remains-an-academically-trained-historian> (accessed August 5, 2018); "Allegations of conspiring with historian Thum to subvert parliamentary processes 'preposterous': Oxford academic," *Today Online*, May 2, 2018, <https://www.todayonline.com/singapore/allegations-conspiring-historian-thum-subvert-parliamentary-processes-preposterous-oxford> (accessed August 5, 2018).

⁵⁵ "Historian Thum Ping Tjin appears to be involved in coordinated attempt to subvert parliamentary processes: Charles Chong," *The Straits Times*, April 30, 2018, <https://www.straitstimes.com/politics/historian-thum-ping-tjin-appears-to-be-involved-in-coordinated-attempt-to-subvert> (accessed August 6, 2018).

⁵⁶ <https://www.youtube.com/watch?v=c27vAhUJQdc> (accessed August 5, 2018).

⁵⁷ "NUS responds to Al Jazeera interview," *The Straits Times*, March 15, 2018, <https://www.straitstimes.com/politics/nus-responds-to-al-jazeera-interview> (accessed August 5, 2018).

⁵⁸ Tan Tarn How blog post, "The mystery: Are activists and artists being locked out of academia?" October 30, 2017, <https://tantarnhow.wordpress.com/2017/10/30/the-mystery-are-activists-and-artists-being-locked-out-of-academia/> (accessed August 5, 2018).

violence or harm, or serious public disorder. Also, criminal penalties are disproportionate for indiscretions rooted in peaceful assembly. As such, sections 15 and 16 of the act should be repealed to eliminate criminal penalties for organising or participating in peaceful assemblies or processions without a permit or holding them at a date and time that deviate from the notice. In addition, the Public Order (Unrestricted Area) (Amendment) Order 2016 should be amended to eliminate restrictions on participation by non-citizens.

47. Parliamentarians and Ministers ought to respect and have regard for civil society, the media, academics as they are all part of the community in the country. Freeing up space for expression means diverse views, some even unacceptable. We recommend that all stakeholders have more capacity building on negotiation and on human rights value system.
48. Please refer to the Appendix for the list of relevant UPR recommendations supported or noted by Singapore and the summary made in the above paragraph on the state of progress and our concerns.

Censorship

Films Act

49. Under the Films Act, the government has the discretion to determine what films can be shown in Singapore. Every film must be submitted to the Board of Film Censors created by the Media Development Authority (MDA), which has the discretion to decide if it will be approved, banned or approved with modifications.⁵⁹ The law prohibits the “making, distribution and exhibition” of any “party political film” that is defined broadly to include any film that is “directed towards any political end in Singapore”.⁶⁰ Films made by the government are exempt from the act. Moreover, the minister has the power to prohibit the distribution or possession of any film that he or she views as “contrary to the public interest”.⁶¹

Warrantless Search and Seizure

50. An Amendment Bill was proposed in December 2017 that greatly enhances the powers of Info-communications Media Development Authority (IMDA) officials to, among other things, break into homes without a warrant and seize evidence to enforce any breach of the films act.⁶² Following heated public debate and a public consultation, several adjustments were made to the bill, such as confining the without-warrant powers to more serious offences.⁶³ What constitutes a “more serious” offence is not defined. Under the amendments, IMDA officers would have the power to enter premises and search without warrant not only unclassified and obscene films, but also films prohibited by the Minister for Communications and Information on grounds of public

⁵⁹ Films Act, sec. 15(1).

⁶⁰ Films Act, sec. 2 and 33.

⁶¹ Films Act, sec. 35(1).

⁶² Films (Amendment) Bill, Bill No. 10/2018.

⁶³ Films (Amendment) Bill, Bill No. 10/2018, Explanatory Statement.

interest, as well as the unlicensed public screening of films.⁶⁴ The bill was passed in Parliament in March 2018.

51. It is of concern that too much power may be given to IMDA officers who, unlike the police, are not specialists in law enforcement. These new powers, when exercised under the new and extremely broad language in the amendments, risk easy abuse.

Banning of Films

52. Films about arbitrary detention, ill-treatment, and torture under Singapore's Internal Security Act are commonly not allowed for all ratings (NAR) by the Board of Film Censors. Multiple films have been banned as "against national interest" over the years. One such instance is the film *Zahari's 17 Years*. In 2015, Singaporean filmmaker Jason Soo's documentary *1987: Untracing the Conspiracy* that was submitted by Singapore's Freedom Film Fest was given a rating of R21, permitting it to be shown only to an audience of age 21 and over.⁶⁵ The film features interviews with ex-detainees and political exiles who were arrested under the ISA and focuses on the first 30 days of their detention without trial. Likewise, films that "promote or justify a homosexual lifestyle" are often banned or given restrictive ratings.⁶⁶

Recommendations

53. Restrictions on the creation, exhibition and distribution of a "party political film" should be loosened. Section 35 of the Films Act should be repealed to remove the discretionary power of the Minister for Communications to ban the showing and possession of films. We also ask for the removal of the restriction on films that "promote or justify a homosexual lifestyle".
54. Please refer to the Appendix for the list of relevant UPR recommendations supported or noted by Singapore and the summary made above on the state of progress and our concerns.

Social Cohesion

Income Inequality

55. Singapore is one of the few high-income countries that lack a minimum wage provision. In place of a national minimum wage, the Progressive Wage Model (PWM) aims to increase the salaries of low wage workers by enhancing skills and productivity. There is, however, concern that wages at the bottom of the economic ladder are not increasing fast enough to keep up with rising costs of living. Labour chief Ng Chee Meng himself has stated that although the key strategies to transform businesses, change mindsets and upskill workers "have been mentioned numerous

⁶⁴ "Parliament passes change to Films Act, expanded powers given to IMDA officers." *Today Online*, March 22, 2018, <https://www.todayonline.com/singapore/parliament-passes-changes-films-act-expanded-powers-given-imda-officers> (accessed July 20, 2018)

⁶⁵ "Documentary on Marxist conspiracy detainees given R21 rating," *The Straits Times*, November 14, 2015, <https://www.straitstimes.com/lifestyle/documentary-on-marxist-conspiracy-detainees-given-r21-rating> (accessed July 20, 2018).

⁶⁶ Classification Guidelines, sec. 11(d) ("Films that depict a homosexual lifestyle should be sensitive to community values. They should not, promote or justify a homosexual lifestyle.").

times", they have not been carried out quickly enough.⁶⁷ In 2017, Singapore ranked 86 out of 152 countries in the "Commitment to Reducing Inequality Index" released by Oxfam in association with Developmental Finance International.⁶⁸ In addition, although the government does not collect data on social mobility, it appears to be "moderately low" in comparison to other countries.⁶⁹ Chua Mui Hoong, opinion editor at *The Straits Times*, postulated in an article that the poor in Singapore are poor because of our country's system that limits them to "a poor range of choices to choose from in the first place."⁷⁰ In particular, she noted that a consequence of inequality is that family background, affluence or social networks, rather than ability, can help some people to get a foothold over others. In this unequal playing field, resources and opportunities are underallocated to those who are deserving but poor.

Homelessness

56. In response to a parliamentary question, the Ministry of Social & Family Development (MSF) revealed that it provided three types of shelters for families and individuals that are homeless. They are: (1) transitional shelters, for families and individuals who have exhausted all means of accommodation options, (2) welfare homes, for destitutes, and (3) crisis shelters, which provide temporary accommodation for women who are victims of domestic violence and their families.⁷¹ The government has certainly done more to address the issue of homelessness since the last Universal Periodic Review in 2015. However, as homelessness is a complex issue, the government has to address it in a more holistic manner. It has also been noted that the number of shelter beds does not meet current needs - 233 individuals and 467 families were admitted into the shelters over the last four years, but the present three government-funded shelters can accommodate only about 150 families.⁷² Also, statistics on homelessness are not readily available in an aggregated manner for the NGOs working with the homeless to complement their programmes and advocate for better options for displaced families and individuals.
57. Homeless persons, due to their frequent moving from one place to another, often misplace or lose important documents. Some victims of loan sharks, for example, would not have documents to prove their predicament. The response of government and its related agencies to people who are homeless should be to first provide acceptable relief. Also, the transitional shelters run by the Voluntary Welfare Organisations would often require two to three families to share a two-bedroom, one-living room apartment. Such arrangements, even though transitional, add to

⁶⁷ National Trade Union Congress, "Debate on President's Address - Speech by Ng Chee Meng Deputy Secretary-General, NTUC Minister in Prime Minister's Office on 15 May 2018," news release, May 15, 2018, https://www.ntuc.org.sg/wps/portal/up2/home/news/speeches/speechesdetails?WCM_GLOBAL_CONTEXT=/Content_Library/ntuc/home/about%20ntuc/newsroom/speeches/16e2e439-f2e1-4f64-91ef-0b2dea30d5aa (accessed July 24, 2018)

⁶⁸ Oxfam, "Commitment to Reducing Inequality Index", July 2017, <https://www.oxfam.org.nz/sites/default/files/reports/CR1%20Index%20-%20Report.pdf> (accessed July 24, 2018).

⁶⁹ Bertelsmann Stiftung, BTI 2018 Singapore Country Report, available online at <https://www.bti-project.org/en/reports/country-reports/detail/itc/sgp/ity/2018/itr/aso/> (accessed July 24, 2018).

⁷⁰ "Inequality is not just unfair, it's also bad economics," *The Straits Times*, July 21, 2018, <https://www.straitstimes.com/opinion/inequality-is-not-just-unfair-its-also-bad-economics> (accessed 27 July, 2018).

⁷¹ Ministry of Social and Family Development, "Statistics On Shelters," press release, January 8, 2018, <https://www.msf.gov.sg/media-room/Pages/Statistics-on-shelters.aspx> (accessed August 4, 2018).

⁷² "A fresh look at homelessness," *The Straits Times*, February 8, 2017, <https://www.straitstimes.com/singapore/a-fresh-look-at-homelessness> (accessed August 4, 2018).

the problems of the homeless who need temporary shelters. Some major issues include the privacy and dignity of the individual.

Recommendations

58. The government has supported some recommendations to improve the social welfare of people but there are still some gaps. Those who fall through the cracks include people who are homeless, single parents and divorcees with families. The government needs to accept a recommendation that ‘adequate standard of living’ means having a roof over one’s head and having a sustainable livelihood. This recommendation needs to be accepted as it is a core human rights value and is also part of the Sustainable Development Goals.
59. Please refer to the Appendix for the list of relevant UPR recommendations supported or noted by Singapore and our concerns on the progress made.

LGBTQ Community

60. Section 377A of the Penal Code, which criminalises sex between mutually consenting adult men, remains despite multiple public appeals to the authorities to call for its repeal. Even though Singapore’s constitution guarantees all Singaporeans equality before the law and the right to life and personal liberty, the courts have ruled Section 377A as being constitutional.⁷³ Amid rising tensions between religious conservatives and LGBTQ activists in Singapore, the government needs to assert a position on equality for all persons, instead of the current balancing act of being placatorily neutral and peaceful in its statements.. While the views of religious groups should not be ignored, as a secular state, Singapore, should maintain its secularity and not allow any single religion to dominate the discourse on LGBTQ, nor should any single religion be allowed to shape the laws regarding LGBTQ issues. Presently, no laws exist specifically to protect LGBTQ Singaporeans from discrimination in the workplace, military, health, housing and other relevant areas. Previous attempts to claim damages for alleged discriminatory conduct in the workplace have been dismissed in Singaporean courts.⁷⁴

Voiding of Marriage of Straight Turned Same-Sex Couple

61. The Registry of Marriages voided a marriage in February 2017 by unilaterally removing it from the State Marriage Register after one partner underwent gender affirming surgery and changed the gender on her identification card from “male” to “female” in accordance with Singaporean law.⁷⁵ The Ministry of Social and Family Development justified this move by arguing that Singaporean law states that, “[a]t the point of marriage, a couple must be man and woman, and must want to

⁷³ “Court of Appeal rules that Section 377A that criminalises sex between men is constitutional,” *The Straits Times*, October 29, 2014, <https://www.straitstimes.com/singapore/courts-crime/court-of-appeal-rules-that-section-377a-that-criminalises-sex-between-men-is> (accessed July 25, 2018).

⁷⁴ *Wee Kim San Lawrence Bernard v. Robinson & Co (Singapore) Pte Ltd*, [2013] SGHC 279. Wee, a former Robinsons employee, sued the departmental store for forcing him to resign due to his homosexuality. His claim was rejected on grounds of unsustainability in law and abuse of the Court process.

⁷⁵ A straight married couple became a same sex one and Singapore’s famous efficiency broke down,” *Quartz*, June 15, 2017, <https://qz.com/988514/a-straight-married-couple-became-a-same-sex-one-and-singapores-famous-efficiency-broke-down/> (accessed August 6, 2018).

be and want to remain as man and woman in the marriage”, Singaporean lawyers have pointed out that the requirement to “want to be and want to remain as man and woman in the marriage” is not actually stated in the law. The couple was also denied the public housing flat they had paid a deposit for before their marriage, as Housing Development Board’s criteria states that such flats are reserved for married Singaporeans. The couple filed an application for a judicial review in January 2018, but later withdrew the case after they failed to get an anonymising order, which meant that their names would be in the public domain in all case-related documents.⁷⁶ In comments online, the trans partner also said that the Attorney-General’s Chambers had indicated that they would request “original and unredacted copies of all documents surrounding my transition including (but not limited to): deed polls, psychiatric assessments, surgery certificates, and et cetera.”, all of which would then be a matter of public record.⁷⁷

Recommendations

62. We ask again that Section 377A be repealed and anti-discrimination laws protecting LGBTQ Singaporeans be enacted.
63. There must be a legal recognition of a marriage between two persons even if the the gender affirming surgeries take place, later in the marriage. No state can predict the course of a marriage and how two persons relate to themselves and to each other. There are enough psychometric tests that any individual needs to undertake to ascertain the need for a gender affirming surgical process and that professional assessment needs to be taken on board. In addition the current law, according to lawyers, in its interpretation can allow for such marriages to continue.
64. Singapore has not supported any of the UPR recommendations on LGBTQ issues. Please refer to the Appendix for the list of recommendations noted by Singapore and note the lack of progress in this area.

Education

Higher Education Reform

65. We applaud the government for taking measures for higher education reform. Their approach focuses on five key areas: (1) experiential learning, (2) digital literacy, (3) diversification of higher education pathways, (4) lifelong learning, and (5) broadening of role of universities. Singapore’s education system needs to move in tandem with changes brought about by technology and ensure the viability of skills to meet changing workforce needs. More alternative pathways should also be made available to students whose personal interests and strengths deviate from traditional academics. Although the Education Ministry has in the last few years attempted to stress the importance of skills over academic qualifications alone, there is still an urgent need

⁷⁶ “An LGBT couple whose marriage was wiped off the books in Singapore is going to court,” *Quartz*, January 29, 2018, <https://qz.com/1129883/an-lgbt-couple-whose-marriage-confounded-singapore-is-going-to-court-after-their-union-was-nixed/> (accessed August 6, 2018).

⁷⁷ Trans partner’s Reddit post, https://www.reddit.com/r/singapore/comments/8nob75/about_that_romsamesex_couple_case_im_the_one_whos/dzx4jh2/ (accessed August 6, 2018).

for change in traditional attitudes and beliefs, including the students', parents' and educators' notions about the relationship between academics and employment.

Credentials and Actual Employability

66. Education is inextricably linked to employability. Through its own hiring practices, the government - the largest employer in Singapore - could shift the public's fixation on academic achievements. Yet, the civil service sector often recruits and rewards employees according to their education level, the class of their honours degree and the reputation of their universities; for instance, civil service job postings often offer attractive salaries to those with a "good honours degree".⁷⁸ In January 2017, the Public Service Decision announced that they would stop grouping civil servants by their education levels.⁷⁹ Division I officers were graduates; Division II, diploma and A-level certificate holders; Division III, secondary education; and Division IV, primary education. However, no statistics were given as to what percentage of Division I, II, III and IV officers have made it to senior positions. We also note that Singapore still does not have anti-discrimination law and much of the worker discrimination or dispute negotiations are conducted through a confidential mediated process, such as the Tripartite Alliance for Fair Employment Practices (TAFEP)⁸⁰ or the Tripartite Alliance for Dispute Management (TADM).⁸¹

Recommendations

67. Singapore should ratify the Convention against Discrimination in Education. Please refer to the Appendix for the list of relevant recommendations supported or noted by Singapore. We ask for an anti-discrimination law and to have transparency on how the Ministry of Manpower of the National Trade Union Congress redresses the woes of employees who have asked for assistance.

Rights of Women

68. Singapore has achieved some progress in protecting the rights of women and promoting gender equality, including legislative measures such as revisions to the Women's Charter⁸²; accession to international instruments such as the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and ratification of the ASEAN Convention against Trafficking in Persons, Especially Women and Children.⁸³ Several measures have also been welcomed, such as the introduction of two weeks of paternity leave, extension of child care and elderly care facilities to support those with caregiving responsibilities, establishment of the

⁷⁸ Ministry of Finance, Scheme of Service, <https://www.mof.gov.sg/About-Us/Careers/Schemes-of-Service> (accessed July 25, 2018).

⁷⁹ "Civil servants no longer grouped by education level," *The Straits Times*, January 5, 2017, <https://www.straitstimes.com/singapore/civil-servants-no-longer-grouped-by-education-level> (accessed July 27, 2018).

⁸⁰ Tripartite Alliance for Fair Employment Practices, Fair Employment Practices, <https://www.tafep.sg/fair-employment-practices> (accessed July 28, 2018).

⁸¹ Ministry of Manpower, Employment Practices, <http://www.mom.gov.sg/employment-practices/managing-employment-disputes> (accessed July 28, 2018).

⁸² Ministry of Social and Family Development, "Women's Charter To Support More Complex Family Needs," press release, February 29, 2016, <https://www.msf.gov.sg/media-room/Pages/Women%27s-Charter-to-Support-More-Complex-Family-Needs.aspx> (accessed July 25, 2018).

⁸³ Ministry of Social and Family Development, International Obligations, <https://www.msf.gov.sg/policies/Women-Celebrating-Women/International-Obligations/Pages/default.aspx> (accessed July 25, 2018)

Diversity Action Committee to address underrepresentation of women on corporate boards, and the introduction of two religious edicts to assure the financial welfare of Muslim women and their dependents by increasing their options in inheritance matters.⁸⁴

69. However, more incisive action is necessary to bridge civil law and Syariah law in Singapore. In particular, Singapore still has partial reservations to CEDAW's Article 2 - which requires state parties to pursue and undertake various measures to condemn discrimination against women in all forms - and Article 16 - which requires states to afford equal rights to men and women in all matters relating to marriage, childcare and administration of property; also makes child marriage illegal - for Muslim women.⁸⁵ In addition, marital rape is yet to be criminalised⁸⁶ in Singapore and the main form of protection for persons who are domestically abused is the Personal Protection Order (PPO), which can only be granted when an application is made by the victim, unless the victim is a child or incapacitated person.⁸⁷ This is problematic as victims may be reluctant to take action on a family member, or averse to implicating a family member out of fear.

Recommendations

70. Remaining reservations to articles 2 and 16 should be removed. In relation to education, measures should be taken to eliminate gender stereotypes and structural barriers for girls and boys to choose non-traditional study and career paths. The current school curricula should also be modified to include age-appropriate education on sexual and reproductive health. In addition, domestic violence and marital rape should be explicitly criminalised.
71. Singapore has not ratified or acceded to multiple treaties and international instruments. Please refer to the Appendix for the list of relevant recommendations supported or noted by Singapore.

Rights of Children

Sexual Exploitation and Sexual Abuse

72. We acknowledge Singapore's recent efforts to enhance the laws addressing the protection of children from sexual exploitation. Among these efforts is the amendment of the Women's Charter to target perpetrators of child sex tourism who utilise the internet in their activities, by making it an offence for any person in Singapore to operate or maintain a remote communication service that offers or facilitates the provision of sexual services.⁸⁸ In December 2017, Minister for Home Affairs and Minister for Law K Shanmugam announced on his Facebook page that the

⁸⁴ Ministry of Social and Family Development, "Opening Statement By SPS Muhammad Faishal Ibrahim At 68th Session Of UN CEDAW," press release, October 26, 2017, <https://www.msf.gov.sg/media-room/Pages/Opening-Statement-by-SPS-Muhammad-Faishal-Ibrahim-at-68th-session-of-UN-CEDAW-.aspx> (accessed July 25, 2018).

⁸⁵ UN Women, Declarations, Reservations and Objections to CEDAW, <http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm> (accessed July 25, 2018)

⁸⁶ <https://www.channelnewsasia.com/news/singapore/behind-closed-doors-rape-and-marriage-in-singapore-7931028>

⁸⁷ Women's Charter, sec. 65, <https://sso.agc.gov.sg/Act/WC1961#pr65->

⁸⁸ Women's Charter, sec. 146A.

government is reviewing punishments for sexual offences and new penalties for sexual crimes targeting women and children on the Internet.⁸⁹

Minimum Working Age, Corporal Punishment, and Juvenile Justice System

73. Singapore's minimum legal working age of 13 years old is still considered as too young by the United Nations Committee on the Rights of the Child. In fact, it is lower than the mandatory school age; education is compulsory for those who have not attained 15 years of age. Even though Singapore has the legal framework for the protection of children's rights, there is still a need for further progress. The minimum age of criminal responsibility is fixed at 7 years old; it is therefore possible for children between the ages of 7 and 16 to be punished by beatings, corporal punishment and through isolation. It is also possible for a person who is considered a juvenile at the time of crime to be held to the standard of an adult if the case was heard after he or she had turned 16.⁹⁰

Recommendations

74. Singapore has yet to ratify the Optional Protocol on the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OPSC). However, the MSF has stated in its Fourth and Fifth UNCRC Periodic Report in November 2017 that Singapore is considering ratifying the OPSC and that "current efforts are geared towards reviewing whether necessary legislation and resources are in place such that obligations may be implemented smoothly."

75. Please refer to the Appendix for the list of relevant recommendations supported or noted by Singapore.

Equal Rights

Migrant Workers

76. The Singapore government accepted, albeit partially, the recommendation that it would "improve the situation of work migrants by enabling them to easily switch employers and to have access to decent housing. The provisions of the Employment Act should also apply to foreign domestic workers." While there have been instances of workers being allowed to switch employers, especially those with salary claims, large numbers of migrant workers are still unable to do so when they have been exploited. For example, domestic workers who are subjected to long working hours without days off, are not considered to have a valid complaint when it is filed at the Ministry of Manpower. Similarly, those who endure poor living conditions with no privacy are also not allowed to switch employers when they are terminated for filing a complaint. Those

⁸⁹ "Singapore to review penalties for sexual offences, to consider new offences: Shanmugam," *Channel NewsAsia*, November 27, 2017, <https://www.channelnewsasia.com/news/singapore/singapore-to-review-penalties-for-sexual-offences-to-consider-9444494> (accessed 25 July, 2018)

⁹⁰ Children and Young Persons Act, sec. 33(6).

who are able to also find it difficult to find employers as they would incur costly recruitment fees or have to give illegal kickbacks to employers.

77. While Singapore has accepted the recommendation that it would ensure that migrant workers not be forcefully repatriated without access to justice, this still happens on a regular basis because employers have the right to cancel work permits unilaterally, and the Humanitarian Organization for Migration Economics (HOME) has documented cases of immigration officers at the airport discouraging workers from filing claims at the Ministry of Manpower. Migrant workers continue to be paid meagre wages for their labours despite this recommendation being taken up the government. Singapore does not have a minimum wage law for both migrants and locals despite Singapore being one of the most expensive cities in the world to live in. For domestic workers, the exercise of their cultural rights is severely limited because a weekly day off is not mandatory as employers can pay compensation in lieu.

People with Disabilities

78. Overall, there is still an urgent need to recognise the factors contributing to social inequality and a lack of cohesion through the lack of inclusive education, and by extension, a lack of access to employment opportunities.

Social Cohesion & Inequality (CRPD⁹¹ Article 5: Equality and non-discrimination)

79. Currently, students with moderate to severe disabilities are not included under the Compulsory Education Act (CAE). According to the Ministry of Education, with effect from 2019, the CAE will include children with moderate-to-severe disabilities. However, CAE will not address the fact that the education system remains segregated between the government schools and the special education (SPED) schools that are government-funded but run by social service organisations. The CAE 2019 also does not address the lack of parity of school fees between SPED schools - which charge varying fees affecting primarily lower income families even if they do apply for means-tested subsidies - and children in government schools - which provide free primary education, apart from small miscellaneous fees, to Singaporeans regardless of income.
80. There are also concerns, which are not limited to SPED schools, over the current teacher-training curriculum for non-special needs teachers who are to be posted to government schools - it is inadequate training to be effective in supporting children with disabilities. Additionally, when working with students with severe disabilities, a lower student-to-staff ratio is ideal. With the present shortage of qualified teachers, the quality of education is bound to be affected. These combined factors also lower students' self-esteem and academic ranking, widening their academic gap. In recent years, the Government has been putting a stronger emphasis on life skills, as opposed to relying solely on academic qualifications. However, the social system has yet to catch up. Schools will need to overhaul their curriculum to cater for more diverse learning styles and the needs of children with disabilities. We also note that the lack of nationwide statistics on disability makes it difficult to test the effectiveness of national inclusive education campaigns and

⁹¹ CRPD - Convention on the Rights of People with Disabilities

initiatives. It is crucial to have and for the government to share disability specific data, utilising the Washington Group Short Set of Disability Questions, so that accurate statistics can be recorded.

Education & Employment (CRPD Articles 24: Education; and 27: Work and employment)

81. The absence of an Anti-Discrimination Act encourages inequality and undue discrimination in the employment of persons with disabilities. A recent study done by the Disabled People's Association (DPA) on "Discrimination In The Workplace" highlighted cases of blatant discrimination from employees who have openly disclosed their disabilities. A lack of social cohesion, due to negative attitudes towards disability, was also a factor in individuals having low employment satisfaction. There is a need, as recommended in the study, for stronger social and collegial relations between employers and employees, an understanding that a person with disability CAN do the job. This form of capacity building for all - Human Resource management, employers, employees - will enable employees with disabilities to build relationships and get to know their colleagues better,⁹² and increase inclusivity.
82. Whilst there are current support mechanisms such as the Open Door Programme⁹³, the Ministry of Manpower need to do more to provide continued support beyond the hiring stages of employment to ensure that funding supports the employment history of the person with disabilities.
83. In a recent review of the Employment Act, two CSOs - DPA and women's group, AWARE - called for stronger punitive measures for unfair treatment in the workplace which means imposing punitive measures on cases of discrimination such as unfair dismissals. Currently cases are mediated upon, which means that employers may get away without facing punitive consequences despite having a complaint lodged against them.

Reservation on CRPD Article 25(e) - Health

84. The Singapore government's reservation on Article 25(e) propagates the notion that people with disabilities are adequately covered by the national insurance scheme. However, this is not the case. The lack of weight by the government in underwriting decisions of private insurers leaves private insurance companies free to deny coverage of people with disabilities. This affects the employment opportunities of people with disabilities as employers use the lack of insurance coverage as a reason not to employ them. Despite the newly launched Eldershield, a severe disability national insurance scheme, the coverage is still inadequate. To offer effective coverage: premiums need to be waived for those with severe pre-existing disabilities who cannot secure employment; lower premiums for those in employment as the Eldershield premium rates are

⁹² "We can explain 101 things as to why we cannot hire you...I'll just say you don't fit the culture, [and] you can't fine me...There are no policies on how to help someone [with disability]...The policy is 'Let's get rid of them'... for both private and public companies." An ex-HR staff respondent with a physical disability.

⁹³ The Open Door Programme (ODP) is a government funded grant initiative by the Ministry of Social and Family Development (MSF), and Workforce Singapore (WSG). It is administered by SG Enable. The ODP aims to encourage employers to hire, and train up people with disabilities. The grant supports redesigning of jobs, skills upgrading, and recruitment of persons with disabilities.

unaffordable to many. There is a need to conduct a thorough analysis to determine if current payouts are sufficient for the assistance that people with severe disabilities require. Though there is Medishield - the government's reply to universal health coverage - it only includes persons with pre-existing conditions and only covers co-payment of hospital fees and not outpatient care.

Recommendations

85. People with disabilities need to be given their rightful place in our society, as equals.

Ratification of Treaties

86. Singapore has not committed to ratifying any of the specific treaties currently, apart from the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OP-CRC-SC), for which a review has already been completed.
87. We urge the government to ratify the International Covenant on Civil and Political Rights (ICCPR) and to remove the remaining reservations to the CEDAW Convention.
88. We urge the government to comply with its State Obligations to CEDAW, CRC and CRPD with greater emphasis on implementation and targeted monitoring and evaluation processes to measure how well people's needs are met in terms of their sustainable livelihoods to meet the rising costs of living.
89. We ask for a National Action Plan on Human Rights, the setting up of a National Human Rights Commission, the appointment of an Ombudsman, whilst inviting UN Special Rapporteurs - on Human Rights Defenders and Civil and Political Affairs - to Singapore.

Appendix: Recommendations

A Safe and Secure Singapore		RATING	MUST-HAVE
Supported by Singapore	<p>166.191 Preserve its criminal justice system to reinforce rule of law;</p> <p>166.236 Intensify fighting radicalization and terrorism at its early stage to sustain the enjoyment of human rights and basic freedoms of all Singaporeans</p>	Good:	
Noted by Singapore	<p>166.173 Ensure that nobody can be detained without trial and revise relevant laws (ISA, CLTPA, MSA, UPA) accordingly;</p> <p>166.193 Adapt its legislation to ensure that all arrested and detained persons can swiftly appear before a judge and in conformity with international law;</p> <p>166.194 Replace the Internal Security Act and the Criminal Law (Temporary Provisions) Act with laws that mandate that an accused person has a trial in court (United Kingdom of Great Britain and Northern Ireland);</p> <p>166.195 Adopt legislation to ensure that all cases of arrest and detention without warrant, also those under the Internal Security Act, are subject to speedy, independent and regular judicial review;</p> <p>166.11 Become a party to the International Covenant on Civil and Political Rights and its Optional Protocols;</p> <p>166.17 Ratify the International Covenant on Civil and Political Rights and its Optional Protocols and the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol;</p> <p>166.18 Ratify the International Covenant on Civil and Political Rights and its Second Optional Protocol; the International Covenant on Economic, Social and Cultural Rights and its Optional Protocol; as well as the Convention against Torture;</p> <p>166.20 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty;</p> <p>166.21 Establish a formal moratorium on the death penalty, with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights;</p> <p>166.24 Consider ratifying the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; and the Second Optional Protocol thereto;</p> <p>166.33 Take concrete steps towards the abolition of the death penalty and corporal punishment, including ratifying the Convention against Torture and its Optional Protocol;</p> <p>166.80 Abolish corporal punishment as a legal penalty, in particular caning;</p> <p>166.156 Re-establish the moratorium on executions with a view to its abolition; Re-establish a moratorium on executions with a view to the complete abolition of the death penalty; Re-establish a moratorium with a view to abolishing the death penalty; Re-establish a moratorium on executions with a view of abolishing the death penalty; Re-establish a moratorium on executions in line with General Assembly resolutions and with a view to abolishing the death penalty completely; Re-establish a moratorium on executions with a view to</p>	<p style="text-align: center;">Weak Response by Govt.</p> <p style="text-align: center;">Overdue Needs to be addressed</p> <p style="text-align: center;">Overdue Needs to be Addressed</p>	<p style="text-align: center;">Yes</p> <p style="text-align: center;">Will Wait</p> <p style="text-align: center;">Yes to CAT and ICESCR</p> <p style="text-align: center;">Will Wait</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Optional Protocol - will wait</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p> <p style="text-align: center;">Yes</p>

	<p>abolishing the death penalty; Re-establish a moratorium on executions with a view to a complete abolition of the death penalty;</p> <p>166.157 Re-establish a moratorium on executions, with a view to the complete abolition of the death penalty, and prohibit the imposition of the death penalty against persons with mental and intellectual disabilities; Prohibit the execution of persons with mental and intellectual disabilities;</p> <p>166.158 Establish a moratorium on executions with a view to abolishing the death penalty; Establish a moratorium on executions with a view to formally abolishing the death penalty; Establish a moratorium on the death penalty; Establish a moratorium on executions, with a view to abolishing the death penalty; Establish a moratorium of capital executions with a view to fully abolish the death penalty; Establish as soon as possible a moratorium on the death penalty with a view to its complete abolition;</p> <p>166.159 Enhance its efforts to abolish the death penalty;</p> <p>166.160 Consider establishing a formal moratorium on executions of those sentenced to death;</p> <p>166.161 Eliminate the mandatory character of the death penalty with a view to abolishing capital punishment altogether. In the meantime, establish a moratorium on execution;</p> <p>166.162 Advance towards the definitive abolition of the death penalty, adopting during this process a general moratorium on its application;</p> <p>166.163 Take further action so as to completely abolish the death penalty after lifting in 2014 its de facto moratorium imposed in 2011;</p> <p>166.164 Introduce further measures to restrict the use of the death penalty and consider the re-establishment of the moratorium on executions as first steps towards eventual abolition of the death penalty;</p> <p>166.165 Consider taking steps to eliminate all mandatory death penalty sentences, and impose a moratorium on the application of the death penalty with the view of abolishing it;</p> <p>166.166 Modify domestic law with a view to abolishing the mandatory death penalty and, during this process, establish a general moratorium on already existing death sentences;</p> <p>166.167 Abolish the death penalty;</p> <p>166.168 Go further and abolish the death penalty in practice and in law;</p> <p>166.169 Eliminate the mandatory character of caning as a first step with a view to abolishing this practice altogether;</p> <p>166.170 Put an end to the practice of corporal punishment;</p> <p>166.171 Cease the use of caning as a form of punishment;</p> <p>166.172 Abolish the punishment of caning, particularly those who have exceeded the period stated in the Visa or the residency;</p> <p>166.176 Raise the minimum age to 18 of young people eager to join the army;</p> <p>166.177 Harmonize the definition of the child in domestic law and put an end to the voluntary recruitment of minors into the army;</p> <p>166.93 Enact a law that protects migrants, refugees and asylum seekers;</p> <p>166.233 Continue to adopt measures to provide for adequate treatment to refugees, in particular through the adoption of procedures or</p>	<p>Needs to be Addressed as we have the CRC; but no Optional Protocol on the CRC</p>	<p>Yes</p> <p>Not Needed, just abolish DP or impose a moratorium as an interim measure</p> <p>Yes - as a first step</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
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	protection mechanisms to refugee claimants, especially non-accompanied boys, girls and adolescents		
Elections		RATING	MUST-HAVE
Noted by Singapore	166.207 Establish an independent electoral commission with a mandate to determine constituency boundaries and monitor election fundraising and campaigning	Weak response by govt. The Comm. remains in the Prime Minister's Office. It has failed to meet with CSO, such as MARUAH, despite much research done on Election procedures.	YES
Freedom of Expression and Freedom of Peaceful Assembly and Association		RATING	MUST-HAVE
Supported by Singapore	166.89 Adopt legislative measures to permit the realization of peaceful demonstrations and promote freedom of expression; 166.91 Consider the necessary legislations and policies to effectively guarantee the protection and promotion of freedoms of expression, peaceful assembly and association; 166.201 Ensure freedom of assembly and association, freedom of opinion and expression, including on the Internet, and protect freedom of the press; 166.202 Ensure that freedom of opinion and expression are encouraged and protected, including for individuals and organizations communicating via online public platforms; 166.203 Consider alternative, effective interventions for persons who violate national laws or norms regarding religious or cultural sensibilities through publication or posting of offensive material;	Weak - there are many restrictions and permits to apply for; monitoring	Yes to promoting FOE Yes to Freedom Yes YES
Noted by Singapore	166.86 Decriminalize defamation and make it a civil offence in accordance with international standards; 166.92 Review the use of anti-defamation laws and the registration process for civil society and associations to ensure that such laws are consistent with the right to freedom of expression, association and peaceful assembly, and do not constitute a de facto ban on peaceful public demonstrations; 166.205 Reform the regime of defamation offences, which has a chilling effect on freedom of expression; 166.200 End the practice of using defamation lawsuits and other legal and administrative actions to censor, fine, and imprison individuals for	Weak response by govt. Defamation is still being used by politicians.	YES Yes Yes Yes

	<p>speaking or writing on political issues, and remove all discriminatory media guidelines;</p> <p>166.87 Ensure the full enjoyment of the right to freedom of expression and to peaceful assembly and revise its national legislation, inter alia the Internal Security Act and the Newspaper and Printing Presses Act, in order to eliminate media censorship and prevent self-censorship, in this regard, protect bloggers from persecution and harassment for the exercise of their human rights;</p> <p>166.206 That relevant laws, including the Public Order Act and the Public Entertainment and Meeting Act not be invoked to curtail the right to freedom of peaceful assembly, including that of civil society;</p> <p>166.88 Review media laws to align them with international human rights standards on freedom of expression;</p> <p>166.90 Review existing legislation to enhance the exercise of the right to freedom of expression, association and peaceful assembly;</p> <p>166.204 Take appropriate measures to ease restrictions on freedom of expression and freedom of the media</p>		<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
	<p>166.5 Sign and ratify the human rights instruments already accepted in the previous review;</p> <p>166.99 Strengthen the role of the Inter-Ministerial Committee on Human Rights to allow for the adapting of human rights policies to meet the national concerns in a changing global economic and social environment;</p> <p>166.121 Raise the level of human rights awareness in society;</p> <p>166.122 Continue its engagement with Governments and civil society organizations on initiatives that help promote and protect human rights;</p> <p>166.124 Continue with the actions of the Inter-ministerial Committee on Human Rights, which provides follow-up to human rights recommendations; and</p> <p>166.125 Continue its engagement with the Human Rights Council by bringing into domestic law the recommendations accepted in its first universal periodic review process</p>	<p>Poor response</p> <p>-What is the govt's allegiance to promoting, protecting, fulfilling the rights of the people, is not fully visible from the IMC.</p> <p>-engagement With CSOs - yes, takes place but not satisfactorily on human rights discussions.</p> <p>-migrant workers' human rights and labour rights; leave much to be desired despite improvements.</p> <p>-homeless people</p> <p>-rising income inequalities and inadequate social protection for sustainability</p>	<p>Yes</p> <p>No</p> <p>Yes</p> <p>Yes</p> <p>No</p> <p>Yes</p>

Social Cohesion		RATING	MUST-HAVE
Supported by Singapore	<p>166.112 Continue its efforts aimed at strengthening the principles of social justice, and enhance social cohesion;</p> <p>166.115 Continue taking effective policy and other measures to build a fair and inclusive society;</p> <p>166.116 Aim at enhancing social cohesion through laws and policies to meet the changing political, economic and social demands of the people to safeguard social harmony;</p> <p>166.214 Continue increasing the benefits of its social services for the population to obtain a greater efficiency of its excellent social welfare system;</p> <p>166.215 Continue its ongoing efforts and commitment to uphold the lives of its people through the provision of best education, housing and medical care;</p> <p>166.216 Continue implementing its social policies and programmes with a view to strengthening social harmony, in particular to help the elderly and the low-income citizens;</p> <p>166.220 Improve access to education and health-care services of vulnerable people, including women and children from low and middle income families;</p> <p>166.221 Continue to provide the subsidies and financial support through its MediShield Life Policy for all its citizens and permanent residents, especially the elderly and needy</p>	Very Good Note the rising problems as discussed under Social Cohesion in the text above	Yes Yes Yes Yes Yes
Noted by Singapore	166.212 Initiate a national dialogue on a universal minimum wage	Weak response It continues to be 'No'	Yes
LGBTQ Community		RATING	MUST-HAVE
Noted by Singapore	<p>166.154 Remove discriminatory media guidelines to provide a more balanced representation of lesbian, gay, bisexual, transgender and intersex persons;</p> <p>166.68 Abolish section 377 A of the Penal Code;</p> <p>166.69 Take necessary measures to eliminate legislation that criminalizes same-sex relations and to repeal section 377 A of the Penal Code;</p> <p>166.70 Decriminalize consensual homosexual relations between adults;</p> <p>166.71 Revoke legal provisions criminalizing sexual activity between consenting adults;</p> <p>166.72 Repeal laws that criminalize homosexuality;</p> <p>166.73 Repeal the anti-sodomy law, which criminalizes the private consensual conduct of gay men;</p> <p>166.74 Formally repeal section 377 A of the Penal Code criminalising homosexual acts;</p> <p>166.75 Take the necessary measures to eliminate legislation and policies that criminalize, in a direct or an indirect way, same sex relations and discriminate against lesbian, gay, bisexual, transgender</p>	Weak Response It has been rationalised as a need to balance the rights with cultural and religious norms Not acceptable Though there is 377A, no one of late has been charged with sodomy. So an inactive law needs to	YES YES Yes Yes Yes Yes

	<p>and intersex persons; 166.76 Eliminate provisions in national legislation that discriminate against women and other groups such as lesbian, gay, bisexual, transgender and intersex persons, including revising the section 377 A of the Penal Code; 166.77 Repeal section 377 A of the Penal Code to decriminalize homosexuality; 166.78 Consider de-criminalizing same-sex relations</p>	be abolished, repealed	Yes
Education		RATING	MUST-HAVE
Supported by Singapore	<p>166.211 Continue its efforts so as to realize the right to work, including through technical and vocational education and training; 166.222 Continue to develop inclusive education and strengthen life-long education; 166.223 Take further steps to ensure its people, especially children, will continue to enjoy access to affordable education; 166.224 Continue developing programmes aimed at providing equal access to quality education for vulnerable groups, with a special emphasis on the inclusion of persons with disabilities and children under poverty conditions guaranteeing gender equality</p>	<p>Good As stipulated above, more specificities and focus on children/young teens/adults with disabilities</p>	<p>Yes, to meeting needs of children with disabilities; and those from poorer homes or single families</p>
Noted by Singapore	166.47 Ratify the Convention against Discrimination in Education	Weak Response -need to do this	YES
Rights of Women		RATING	MUST-HAVE
Supported by Singapore	<p>166.65 Continue efforts to harmonize its legislation and ensure equality between men and women, particularly in marriage and family relations; 166.66 Place high priority on the full incorporation of the Convention on the Elimination of All Forms of Discrimination against Women into the domestic legal system; 166.67 Consider adopting laws and policies on the promotion of the full participation of women under equal conditions in decision-making in all sectors of public, political and professional life; 166.81 Establish both domestic violence and marital violence as crimes under domestic law in accordance with international standards; 166.106 Provide the Office for Women's Development with the necessary resources to promote gender equality in all policy areas; 166.114 Further introduce effective measures to enhance gender</p>	<p>Good Overall better Implementation. But there is still no anti-discrimination law And we still have reservations in CEDAW articles 1, 2, 16 which deal with</p>	<p>YES Yes</p>

	<p>equity, and to create practical facilities for persons with disabilities to effectively participate in the labour market;</p> <p>166.141 Continue ensuring the rights of women and girls through their empowerment and participation in society;</p> <p>166.142 Support the social integration of women in all spheres of life</p> <p>166.143 Take further steps to improve equality between women and men;</p> <p>166.144 Strengthen its awareness-raising programmes to more effectively address gender disparities and discrimination against women;</p> <p>166.145 Continue efforts to eliminate discrimination against women;</p> <p>166.146 Continue its commitment to the principles of gender equality and non-discrimination and maintain the dialogue with the Committee on the Elimination of All Forms of Discrimination against Women;</p> <p>166.147 Intensify efforts to eliminate all forms of discrimination against women, among other measures, to promote their empowerment and participation in public life;</p> <p>166.148 Enhance efforts to promote gender equality and combat all forms of discrimination and violence against women and girls;</p> <p>166.149 Pursue its efforts to providing women and children with all their rights;</p> <p>166.208 Continue expanding the participation of women in the national public life;</p> <p>166.209 Strengthen efforts to promote women's participation in public life, particularly at the higher corporate levels;</p> <p>166.210 Encourage women's political participation and increase representation of women in decision-making</p>	<p>constitutional rights and family rights.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Supported in part by Singapore	<p>166.82 Criminalize gender violence and modify the definition of rape to define it as non-consensual sex within or outside marriage;</p> <p>166.83 Criminalize explicitly domestic violence and marital rape and make sure that the definition of rape is in line with international standards, and take steps to facilitate the reporting of domestic and sexual violence and protect victims;</p> <p>166.84 Continue working on the legislation on domestic violence crimes, particularly regarding the inclusion of a definition of sexual violence that also encompasses any non-consented sexual act within marriage;</p> <p>166.85 Introduce legislation to make marital rape illegal in all circumstances</p>	<p>Good -Improvements - though capacity building for humna resources is still on a slower pace</p>	
Noted by Singapore	<p>166.25 Remove its reservations to the Convention on the Elimination of All Forms of Discrimination against Women and sign its Optional Protocol;</p> <p>166.62 Align its legislation to the definition of discrimination against women in accordance with Article 1 of the Convention on the Elimination of All Forms of Discrimination against Women, and adopt laws and policies for the full participation of women in both public and private decision spaces;</p> <p>166.63 Continue incorporating the Convention on the Elimination of All Forms of Discrimination against Women into its domestic legal system to eliminate all forms of discrimination against women;</p> <p>166.64 Consider incorporating into its legislation a definition of</p>	<p>Weak</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

	discrimination against women		
	Rights of Children	RATING	MUST-HAVE
Supported by Singapore	<p>166.98 Consider enshrining in law, protection for rights for 16- to 18-year- olds, either by amending the Children and Young Persons Act or through other legislation;</p> <p>166.108 Take steps to carry out recommendations with regard to the implementation of commitments under the Convention on the Rights of the Child;</p> <p>166.174 Continue efforts to protect children against violence;</p> <p>166.175 Take additional measures to protect child victims of violence;</p> <p>166.197 Maintain its effective protection for the family as the natural and fundamental unit of the society;</p> <p>166.35 Complete the process of accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children;</p> <p>166.36 Ratify the Convention on the Rights of the Child, in particular its Optional Protocol on the sale of children;</p> <p>166.38 Accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children; Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children;</p> <p>166.39 Consider accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children;</p> <p>166.40 Continue to work towards completion of necessary internal processes so that it may accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children;</p> <p>166.41 Speed up the consideration of accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children</p>	<p>Good</p> <p>Cyber-bulling and suicides have merged as trends. More rehabilitation officers and counsellors needed</p>	<p>Yes</p> <p>Yes, including against being caned</p> <p>Yes to Optional Protocol on CRC</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
Supported in part by Singapore	<p>166.96 Review the nationality law to provide persons born to Singaporean mothers before 15 May 2004 an opportunity to acquire Singaporean nationality;</p> <p>166.23 Consider the possibility of acceding to the International Covenant on Economic, Social and Cultural Rights; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and the Optional Protocol to the Convention on the Rights of the Child on the sale of children</p>	Very Good	YES
Noted by Singapore	<p>166.234 Enact laws covering the right of children to acquire nationality, in particular those born in Singapore who cannot obtain another nationality;</p> <p>166.37 Withdraw reservations and declarations made on the occasion of accession to the Convention on the Rights of the Child and gradually incorporate its provisions into domestic law;</p> <p>166.196 Harmonize domestic law regarding the minimum age of criminal responsibility, and raise it</p>	Average to Weak	<p>Yes</p> <p>Yes</p>

Persons with Disabilities		RATING	MUST-HAVE
Supported by Singapore	<p>166.225 Adopt further measures to ensure the full enjoyment of rights of persons with disabilities, particularly in education and access to services;</p> <p>166.226 Continue the efforts aimed at providing more opportunities to persons with disabilities and enabling them to become an integral part of the society;</p> <p>166.227 Continue its efforts to improve health care, education and care provided for persons with disabilities;</p> <p>166.229 Continue its strive to build an inclusive society where persons with disabilities are given every opportunity to become integral and contributing members;</p> <p>166.230 Continue to ensure care services and equal access of employment opportunities for persons with disabilities;</p> <p>166.231 Continue and strengthen efforts to integrate children with disabilities to mainstream education</p>	Very Good Nevertheless Implementation and consistency in application need to be addresses	YES YES YES
Noted by Singapore	<p>166.228 Ensure that the Compulsory Education Act provides for children with disabilities;</p> <p>166.232 Take appropriate measures to ensure that mandatory basic education includes children with disabilities</p>	Very Poor This CANNOT be 'noted' anymore.	YES - children with disabilities need an equal status in society
Ratification of Treaties		RATING	MUST-HAVE
Supported by Singapore	<p>166.1 Consider the ratification of the international human rights instruments, to which it is not yet a party;</p> <p>166.2 Continue its accession to the core international human rights instruments;</p> <p>166.10 Ratify the International Convention on the Elimination of All Forms of Racial Discrimination and consider ratifying the International Covenant on Economic, Social and Cultural Rights;</p> <p>166.22 Consider ratifying the International Covenant on Economic, Social and Cultural Rights;</p> <p>166.56 Continue to ensure the implementation of ratified human rights treaties;</p> <p>166.58 Continue to improve its legal instruments in the field of human rights and social protection;</p> <p>166.59 Further implement international human rights norms into the national legislation</p>	Good Singapore is part of the globalised world. The values that will keep us steady are through human rights values, is what we believe in and are committed to.	YES YES DONE YES YES YES YES
Noted by Singapore	166.3 Consider ratifying the human rights treaties, to which Singapore is not yet a party, especially the International Covenants; Promptly undertake the necessary procedures for ratification of the core human rights treaties, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social	Weak	YES

	<p>International Convention for the Protection of All Persons from Enforced Disappearance;</p> <p>166.42 Consider accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Peru); Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;</p> <p>166.43 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;</p> <p>166.44 Sign and ratify the core international human rights instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention against Torture, the International Convention for the Protection of All Persons from Enforced Disappearance and the International Covenant on Civil and Political Rights;</p> <p>166.45 Take efforts toward the accession of international human rights instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Torture;</p> <p>166.46 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance;</p> <p>166.48 Consider favourably accession to the Rome Statute of the International Criminal Court; Consider ratifying the Rome Statute of the International Criminal Court;</p> <p>166.49 Accede to the Rome Statute of the International Criminal Court; Ratify the Rome Statute of the International Criminal Court; Become a party to the Rome Statute of the International Criminal Court;</p> <p>166.50 Accede to and fully align its national legislation with the Rome Statute of the International Criminal Court;</p> <p>166.51 Ratify core international human rights instruments, in particular the Rome Statute of the International Criminal Court, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Optional Protocol to the Convention against Torture;</p> <p>166.52 Take measures to ratify ILO Conventions 111 and 189 and to amend the labour legislation so that it also apply to foreign domestic workers and ensure that such workers are entitled to adequate wages, decent working conditions, benefits and access to complaint and redress mechanisms;</p> <p>166.53 Review its policy with respect to the ratification of ILO Convention No. 111;</p> <p>166.54 Ratify ILO Conventions Nos. 87, 111, 169 and 189;</p> <p>166.55 Ratify the 1951 Convention relating to the Status of Refugees and the Protocol to it, as well as the Convention against Torture</p>		<p>YES, much needed</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>
	Establishment of a National Human Rights Institution	RATING	MUST-HAVE
Supported by Singapore	<p>166.110 Continue to implement policies for the development of its people under the Sustainable Development Goals;</p> <p>166.235 Raise awareness on the impact of climate change</p>	Good -steps taken on Climate	

		Change -Private sector needs modelling on Business and Human Rights; Not Corporate Social Responsibility. Many are investors in many countries.	
Noted by Singapore	<p>166.57 Take further steps in order establish an independent national human rights institution giving emphasis to the protection of women’s rights;</p> <p>166.100 Continue to strengthen its human rights mechanisms and consider establishing a national human rights institution in line with the Paris Principles;</p> <p>166.101 Take steps to establish a national human rights institution in accordance with the Paris Principles; Consider establishing an independent national human rights institution in accordance with the Paris Principles; Consider to establish a national human rights institution in line with the Paris Principles;</p> <p>166.102 Seriously consider establishing an independent national human rights institution with a wide mandate to protect and promote human rights, especially in cooperation with civil society;</p> <p>166.103 Establish an independent national human rights institution for the protection and promotion of the rights of women;</p> <p>166.104 Establish a national human rights institution in accordance with the Paris Principles;</p> <p>166.126 Extend a standing invitation to the Human Rights Council’s Special Procedures; Extend a standing invitation to all special procedures; Extend a standing invitation to all special mandate holders;</p> <p>166.127 Consider issuing a standing invitation to special procedures mandate holders;</p> <p>166.107 Adopt a National Action Plan to implement the Guiding Principles on Business and Human Rights, as recommended by the Working Group on Business and Human Rights</p>	Poor	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>