

SINGAPORE 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Singapore is a parliamentary republic where the People's Action Party (PAP), in power since 1959, overwhelmingly dominates the political scene. The 2011 general and presidential elections were viewed as open and free, with the major opposition party winning a record six seats in Parliament. Security forces reported to civilian authorities.

The government has broad powers to limit citizens' rights. The government could and did censor the media (from television shows to Web sites) if it determined that the content would undermine social harmony or criticized the government. The Internal Security Act (ISA) permits preventive detention without warrant, filing of charges, or normal judicial review; in recent years it has been used against alleged terrorists and was not used against persons in the political opposition.

The following human rights problems were reported: Throughout the year legal restrictions on the activities of political opposition groups and parties benefitted the ruling PAP; caning is an allowable punishment for some crimes; restrictions existed on free speech and assembly; there was government intimidation that led to self-censorship by journalists; some limited restriction of freedom of religion; and some restrictions on labor rights.

The government prosecuted officials who committed human rights abuses, although there were no instances of such prosecutions reported during the year. There were no reports of impunity involving the security forces.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and the government generally respected these prohibitions.

The law mandates caning, in addition to imprisonment, as punishment for approximately 30 offenses involving violence such as certain cases of rape and robbery, and for nonviolent offenses such as vandalism, drug trafficking, and violation of immigration laws. Caning is discretionary for convictions on other charges involving the use of force such as kidnapping or voluntarily causing grievous hurt. Caning can also be used as a punishment for misbehavior while in prison. However, this punishment must be approved by the prison warden before being executed. All women, men over age 50 or under age 16, men sentenced to death whose sentences have not been commuted, and persons determined medically unfit are exempt from punishment by caning. During the year 2,500 persons were sentenced to judicial caning, and 2,203 caning sentences were carried out. 1,070 foreigners were caned for committing immigration offences.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards.

Physical Conditions: During the year 12,134 prisoners and detainees were in custody, of whom 1,140 were women. Female prisoners were held in a separate facility from male prisoners. There were no juvenile prisoners. The designed capacity of the prison system was 16,249. Prisoners had access to potable water.

Administration: Nongovernment organizations (NGOs) considered recordkeeping adequate. Nonviolent offenders may be offered the option of paying a fine or being placed on probation in lieu of incarceration. The frequency and type of visitors allowed were determined by the category of the inmate. In general, family members and close relatives were allowed to visit inmates. The Prison Authority must approve visits of nonrelatives. Most inmates were allowed visits twice a month and up to three visitors in a visit session. Detainees awaiting trial were allowed visits every weekday. The prison system also used televisits, utilizing nine teleconference centers located throughout the city-state, including one specifically for televisits by children under age 21. A system exists under which prisoners may file complaints alleging mistreatment or misconduct. The Provost

Unit, which is located in the prison headquarters, can be called to investigate the complaint.

Religious services within the prison system were provided by volunteers from religious organizations such as the Prison Fellowship, the Buddhist Federation, the Roman Catholic Prison Ministry, SANA (Muslim), and the Sikh Welfare Council.

Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. The Board of Visiting Justices, consisting of justices of the peace appointed by the minister for home affairs, is responsible for the basic welfare of the prisoners and conducts prison inspections. All inmates have access to the visiting justices.

Authorities investigated credible allegations of inhumane conditions and documented the results of such investigations in a publicly accessible manner. The government investigated and monitored prison and detention center conditions. The Institutional Discipline Advisory Committee and the Institutional Discipline Review Committee render an opinion to the director of prisons on whether corporal punishment ordered by a superintendent on any inmate for committing an institutional offense in penal institutions or drug rehabilitation centers is excessive.

Monitoring: The government allowed the Singapore National Committee for UN Women and the Hong Kong Society of Rehabilitation and Crime Prevention to visit the prisons, and diplomatic representatives were given regular, frequent consular access to citizens of their countries.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

The national police, under the direction of the Ministry of Home Affairs, maintains internal security; the armed forces, under the direction of the Ministry of Defense, is responsible for external security.

Civilian authorities maintained effective control over the police force and the armed forces, and the Ministry of Home Affairs and the Corrupt Practices

Investigation Bureau had effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment While in Detention

The law provides that, in most instances, arrests are to be carried out after issuance of an authorized warrant; however, some laws, such as the Internal Security Act (ISA), provide for arrest without warrant. Those arrested under a warrant must be charged before a magistrate within 48 hours. The majority of those arrested were charged expeditiously and brought to trial. A functioning bail system existed. Individuals who faced criminal charges were allowed counsel; however, access to counsel during an initial arrest and investigation before charges were filed was limited. Those who were arrested could have access to counsel upon request as long as investigations were complete or near complete. An accused individual may plead guilty or ask for a trial and seek advice of counsel before deciding what plea to enter. In criminal cases a preliminary hearing must occur no earlier than eight weeks after the initial plea. At this preliminary hearing the judge determines whether there is sufficient evidence to proceed to trial and sets a court date suitable to the prosecution and defense. The government assigned attorneys to represent indigent persons accused of capital crimes, and the Law Society administered a legal aid plan for some other accused persons who could not afford to hire an attorney.

Arbitrary Arrest: Some laws – the ISA, the Criminal Law (temporary provisions) Act (CLA), the Misuse of Drugs Act (the drug act), and the Undesirable Publications Act (UPA) – have provisions for arrest and detention without a warrant; under these laws, executive branch officials can order continued detention without judicial review. The ISA has been employed primarily against suspected security threats. In recent years such threats have come from suspected terrorists. Authorities employed the CLA primarily against suspected organized crime and drug trafficking. In December Parliament amended the Misuse of Drugs Act to, among other things, increase the sentence for drug traffickers to up to 30 years plus 15 strokes of the cane, but impose the possibility of a life sentence instead of the mandated death penalty for a low-level drug courier.

Pretrial Detention: The ISA and the CLA permit preventive detention without trial for the protection of public security, safety, or the maintenance of public order. The ISA authorizes the minister for home affairs, with the consent of the president, to order detention without filing charges if it is determined that a person poses a

threat to national security. The initial detention may be for up to two years, which the minister for home affairs may renew for an unlimited number of additional periods of up to two years at a time with the president's consent. Detainees have a right to be informed of the grounds for their detention and are entitled to counsel; however, they have no right to challenge the substantive basis for their detention through the courts. The ISA specifically excludes recourse to the normal judicial system for review of a detention order made under its authority. Instead, detainees may make representations to an advisory board, headed by a Supreme Court justice, which reviews each detainee's case periodically and must make a recommendation to the president within three months of the initial detention. The president may concur with the advisory board's recommendation that a detainee be released prior to the expiration of the detention order, but he is not obligated to do so.

A religious rehabilitation program designed to wean detained terrorists from extremist ideologies was in effect, and a number of detainees were released under the program, subject to restrictive orders (ROs).

During the year 16 persons were issued orders of detention (ODs) for their involvement in terrorism-related activities. Abd Rahim bin Abdul Rahman (Abd Rahim) and Husaini bin Ismail (Husaini), who were issued ODs under the ISA in March and June, respectively, were identified as members of the Jemaah Islamiya terrorist network.

ROs against 17 Jemaah Islamiya members were allowed to lapse between March and September.

At year's end, 23 persons were on ROs. This number included both released detainees and suspected terrorists who were never arrested. A person subject to an RO must seek official approval to change address or occupation, travel overseas, or participate in any public organization or activity. There is also a category of suspension direction (SD) which prohibits association with militant or terrorist groups or individuals as well as travel outside the country without the prior written approval of the government. During the year one person was subject to an SD. Detainees released on ROs and SDs were monitored by the authorities and required to report to authorities on a regular basis.

The CLA comes up for renewal every five years and was last renewed in 2009. Under the CLA the minister for home affairs may order preventive detention, with the concurrence of the public prosecutor, for an initial period of one year, and the

president may extend detention for additional periods of up to one year at a time. The minister must provide a written statement of the grounds for detention to the Criminal Law Advisory Committee (CLAC) within 28 days of the order. The CLAC then reviews the case at a private hearing. CLAC rules require that detainees be notified of the grounds of their detention at least 10 days prior to this hearing, during which a detainee may represent him or herself or be represented by a lawyer. After the hearing the committee makes a written recommendation to the president, who may cancel, confirm, or amend the detention order. Persons detained under the CLA have recourse to the courts via an application for a writ of habeas corpus. Persons detained without trial under the CLA are entitled to counsel, but they may challenge the substantive basis for their detention only to the CLAC. The CLA was used almost exclusively in cases involving narcotics or criminal organizations and has not been used for political purposes. In 2008 the most recent year for which statistics were available, the government issued 64 detention orders and six police supervision orders, and 290 persons were in detention under the CLA at the end of 2008.

Persons who allege mistreatment while in detention may bring criminal charges against the government officials alleged to have committed the act; no such cases were reported during the year.

Both the ISA and the CLA contain provisions that allow for modified forms of detention such as curfews, residence limitations, requirements to report regularly to the authorities, limitations on travel, and, in the case of the ISA, restrictions on political activities and association.

The Misuse of Drugs Act also permits detention without trial in an approved institution for the purpose of the treatment and rehabilitation of drug addicts. Under the act, if a suspected drug abuser tests positive for an illegal drug, the director of the Central Narcotics Bureau (CNB) may commit the person to a drug rehabilitation center for a six-month period, which may be extended by a review committee of the institution for up to a maximum of three years. During the first six months of the year, 1,712 persons were arrested on drug charges; as of December, 1,175 persons were held in rehabilitation centers. Under the Intoxicating Substances Act, the CNB director may order treatment for up to six months of a person believed to be an inhalant drug abuser. During the year 1,384 persons were committed to rehabilitation centers under the authority of the Intoxicating Substances Act or Misuse of Drugs Act.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence; however, in practice constitutionally authorized laws that limit judicial review permit restrictions on individuals' constitutional rights. The president appoints judges to the Supreme Court on the recommendation of the prime minister and in consultation with the chief justice. The president appoints subordinate court judges on the recommendation of the chief justice. The term of appointment is determined by the Legal Service Commission, of which the chief justice is the chairman. Under the ISA and the CLA, the president and the minister for home affairs can exercise executive discretion, which explicitly (in the case of the ISA) or implicitly (in the case of the CLA) excludes normal judicial review. These laws empower the government to limit, on vaguely defined national security grounds, the scope of certain fundamental liberties that otherwise are provided for in the constitution.

Some commentators and representatives of international NGOs noted that the Legal Service Commission's authority to rotate subordinate court judges and magistrates and its and the chief justice's discretion with regard to extending the tenure of Supreme Court judges beyond the age of 65 undermined the independence of the judiciary.

Trial Procedures

The law provides all defendants with the right to a fair trial, and independent observers viewed the judiciary as generally impartial and independent, except in a small number of cases involving direct challenges to the government or the ruling party. The judicial system generally provides citizens with an efficient judicial process.

In normal cases the criminal procedure code provides that a charge against a defendant must be read and explained to him as soon as it is framed by the prosecution or the magistrate. Trials are public and heard by a judge; there are no jury trials. Defendants have the right to be present at their trials and to be represented by an attorney; the Law Society administered a criminal legal-aid plan for those who cannot afford to hire an attorney. Under the state-administered Legal Assistance Scheme for Capital Offenses, anyone facing a capital charge is eligible to be assigned counsel; no eligibility criterion is imposed. In November Parliament amended the criminal procedure code to ensure an automatic appeal process for all death sentence cases.

Defendants also have the right to question prosecution witnesses, provide witnesses and evidence on their own behalf, and review government-held evidence relevant to their cases. Defendants enjoy a presumption of innocence and the right of appeal in most cases. Defense lawyers believe that they generally had sufficient time and facilities to prepare an adequate defense. Despite the general presumption of innocence, the drug act stipulates that a person, whom the prosecution proves had illegal narcotics in his or her possession, custody, or control, shall be assumed to be aware of the substance and places the burden on the defendant to prove otherwise. The same law also stipulates that, if the amount of the narcotic is above set limits, it is the defendant's burden to prove he or she did not have the drug for the purpose of trafficking. Convictions for narcotics trafficking offenses carry lengthy jail sentences or the death penalty, depending on the type and amount of the illegal substance. Defendants have 10 days from the date of conviction to enter an appeal.

Persons detained under the ISA or CLA are not entitled to a public trial. Proceedings of the advisory board under the ISA and CLA are not public.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is no differentiation between civil and criminal judicial procedures. The subordinate courts handled the majority of civil cases. Access to the courts is open, and citizens and residents have the right to sue for infringement of human rights. On November 30, a gay couple filed a challenge in the High Court to the law that criminalizes consensual same-sex sexual activity. There were no other attempts to use legal action against the government for alleged human rights violations.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution does not address privacy rights; remedies for infringement of some aspects of privacy rights are available under statutory or common law. The government generally respected the privacy of homes and families. Normally police must have a warrant issued by a court to conduct a search; however, they may search a person, home, or property without a warrant if they decide that such a

search is necessary to preserve evidence or under the discretionary powers of the ISA, CLA, the Misuse of Drugs Act, and the UPA.

Law enforcement agencies, including the Internal Security Department and the Corrupt Practices Investigation Bureau, had extensive networks for gathering information and conducting surveillance and highly sophisticated capabilities to monitor telephone and other private conversations. No court warrants are required for such operations. Most residents believed that the authorities routinely monitored telephone conversations and the use of the Internet. Most residents also believed that the authorities routinely conducted surveillance of some opposition politicians and other government critics.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Freedom of Speech: The constitution provides for freedom of speech and freedom of expression but imposes official restrictions on these rights, and in practice the government significantly restricted freedom of speech and of the press with regard to criticism of the government and statements that would undermine social or religious harmony. Government intimidation and pressure to conform resulted in self-censorship among many journalists. However, there was increased debate in newspapers and on the Internet on many public issues, such as the institution of a minimum wage, public transportation, the rights of domestic workers, immigration policy, salaries of elected officials, and the role of the president. The government-linked media extensively covered opposition parties and candidates.

Citizens need a permit to speak at indoor public gatherings that are outside the hearing or view of nonparticipants if the topic refers to race or religion. During the 2011 parliamentary elections, opposition parties held rallies as often as the ruling party.

The government effectively restricts the ability to speak or demonstrate freely in public to a single location called Speakers' Corner, which is located in a public park adjacent to a noisy intersection. Prospective speakers must be citizens and show their identification cards. Events need not be registered in advance with the police but must be preregistered online with the government. While it is not necessary to declare speech topics in advance, regulations governing the Speakers' Corner state that "the speech should not be religious in nature and should not have the potential to cause feelings of enmity, ill will, or hostility between different

racial or religious groups.” Subject to obtaining a police permit, permanent residents and other foreigners may also speak or participate in or organize activities at the Speakers’ Corner.

Freedom of Press: Under the ISA the government may restrict or place conditions on publications that incite violence, counsel disobedience to the law, have the potential to arouse tensions in the country’s diverse population, or might threaten national interests, national security, or public order. The ISA has not been invoked against political opponents of the government since 1998.

Government leaders urged that news media support the goals of the elected leadership and help maintain social and religious harmony. In addition to strict defamation and press laws, the government’s demonstrated willingness to respond vigorously to what it considered personal attacks on officials led journalists and editors to moderate or limit what was published. In some instances, the government sued journalists or online bloggers for defamation or stories that undermined social and religious harmony.

The government strongly influenced both the print and electronic media. Two companies, Singapore Press Holdings Limited (SPH) and MediaCorp, owned all general circulation newspapers in the four official languages – English, Chinese, Malay, and Tamil. MediaCorp was wholly owned by a government investment company. SPH was a private holding company with close ties to the government; the government must approve (and can remove) the holders of SPH management shares who have the power to appoint or dismiss all directors or staff. As a result, while newspapers printed a large and diverse selection of articles from domestic and foreign sources, their editorials, coverage of domestic events, and reporting of sensitive foreign relations topics usually closely reflected official government policies and the opinions of government leaders.

Columnists’ opinions and letters to the editor expressed a moderate range of opinions on public issues, some critical of government policies.

Government-linked companies and organizations operated all domestic broadcast television channels and almost all radio stations. Only one radio station, the BBC World Service, was completely independent of the government. Some Malaysian and Indonesian television and radio programming could be received, but satellite dishes were prohibited, with few exceptions. Cable subscribers had access to numerous foreign television shows and a wide array of international news channels and many entertainment channels. International news channels were not censored

but entertainment programs were censored to remove or edit coarse language, representations of intimate gay and lesbian relationships, and explicit sexual content.

Censorship or Content Restrictions: The Media Development Authority (MDA), a statutory board under the Ministry of Information, Communications, and the Arts (MICA), continued to heavily regulate broadcast and print media and other media, including movies, video materials, computer games, and music. Banned publications consisted primarily of sexually oriented materials but also included some religious and political publications. Both the MDA and MICA developed censorship standards with the help of a citizen advisory panel. The ISA, UPA, and the Films Act allow the banning, seizure, censorship, or restriction of written, visual, or musical materials if authorities determine that such materials threaten the stability of the state, contravene moral norms, are pornographic, show excessive or gratuitous sex and violence, glamorize or promote drug use, or incite racial, religious, or linguistic animosities. The MDA has the power to sanction broadcasters for broadcasting what it believed to be inappropriate content. All content shown between 6 a.m. and 10 p.m. must be suitable for viewers of all ages. The MDA banned three films during the year including, in October, the locally produced satiric film *Sex.Violence. FamilyValues* because it “would undermine social harmony.” The film’s director appealed, but a decision regarding the ban had not been reached as of year's end.

Under the Newspaper and Printing Presses Act (NPPA), the government may limit the circulation of foreign publications that it determines interfere with domestic politics. The NPPA requires foreign publications with circulation of 300 or more copies per issue that report on politics and current events in Southeast Asia to register, post a S\$200,000 (\$153,000) bond, and name a person in the country to accept legal service. The requirements for offshore newspapers applied to nine foreign newspapers. Three other newspapers were exempted from the requirement.

The government may limit (or “gazette”) the circulation of publications. The government also may ban the circulation of domestic and foreign publications under provisions of the ISA and the UPA. The Broadcasting Act empowers the minister for information, communication, and the arts to gazette or place formal restrictions on any foreign broadcaster deemed to be engaging in domestic politics. A gazetted broadcaster can be required to obtain express permission from the minister to continue broadcasting in the country. The government may impose

restrictions on the number of households receiving a broadcaster's programming, and a broadcaster may be fined up to S\$100,000 (\$76,500) for failing to comply.

Libel Laws/National Security: Critics have charged that government leaders used defamation lawsuits or threats of such actions to discourage public criticism and intimidate opposition politicians and the press. Conviction on criminal defamation charges may result in a prison sentence of up to two years, a fine, or both.

The attorney general may bring charges for contempt of court, and he used this power during the year to charge at least one author who published criticisms of the judiciary.

In February the first threat of legal action by a politician against an online media contributor occurred when lawyers for the minister of foreign affairs, K. Shanmugam, threatened sociopolitical commentator Alex Au with a defamation suit if Au did not remove an anonymous comment posted to his blog regarding the minister's personal conduct. The lawyers also insisted that Au post the letter from their law firm on his Web site. The Attorney General's Office subsequently threatened Au with contempt of court if he did not remove a post alleging that Singapore plastic surgeon Woffles Wu received special treatment before the Singapore courts. The Attorney General's Office stated that Au would be in contempt for alleging that the courts were biased towards those who are well connected.

Also in February the sociopolitical blog *TR Emeritus* posted an apology to the prime minister for a post that alleged cronyism in the 2002 appointment of his wife, Ho Ching, as head of a state-owned holding company. The only editor of the blog resident in Singapore was served with a letter on behalf of Prime Minister Lee, which reportedly threatened to sue the blog for damages and costs if it did not remove the article and publish an apology.

In September former prime ministers Lee Kuan Yew and Goh Chok Tong accepted an offer of S\$30,000 (\$24,550) in settlement of Singapore Democratic Party (SDP) leader Chee Soon Juan's 2005 conviction for slander for comments he made in the 2001 election campaign. The court entered a S\$500,000 (\$316,455) judgment against Chee, and, in 2006 following his failure to pay, declared him a bankrupt. The settlement allows Chee to travel internationally and seek public office.

Internet Freedom

Although residents generally had unrestricted access to the Internet, the government subjected all Internet content to the same rules and standards as traditional media. Individuals and groups could engage in the expression of views via the Internet, including by e-mail. Internet service providers (ISPs) are required to ensure that content complies with the MDA's Internet code of practice. The MDA also regulates Internet material by licensing the ISPs through which local users are required to route their Internet connections. The law permits government monitoring of Internet use, and the government closely monitored Internet activities, such as social media posts, blogs, and podcasts. The MDA was empowered to direct service providers to block access to Web sites that, in the government's view, undermined public security, national defense, racial and religious harmony, or public morals. Political and religious Web sites must register with the MDA. Although a government-appointed review panel recommended that the government cease banning 100 specific Web sites for being pornographic, inciting racial and religious intolerance, or promoting terrorism and extremism, the ban remained. The International Telecommunication Union reported that 85 percent of households had access to the Internet and 71 percent of individuals used the Internet in 2011.

Academic Freedom and Cultural Events

All public institutions of higher education and political research had limited autonomy from the government. Although faculty members are not technically government employees, in practice they were subject to potential government influence. Academics spoke, published widely, and engaged in debate on social and political issues. However, they were aware that public comments outside the classroom or in academic publications that ventured into prohibited areas – criticism of political leaders or sensitive social and economic policies or comments that could disturb ethnic or religious harmony or appeared to advocate partisan political views – could subject them to sanctions. Publications by local academics and members of research institutions rarely deviated substantially from government views.

Under the Films Act, the MICA minister is authorized to ban any film, whether political or not, that in his opinion is “contrary to the public interest.” The Films Act does not apply to any film sponsored by the government and allows the MICA minister to exempt any film from the act.

Certain films barred from general release may be allowed limited showings, either censored or uncensored. Films, including banned films, were available through You Tube and other Web sites.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides citizens the right to peaceful assembly but permits Parliament to impose restrictions “it considers necessary or expedient” in the interest of security, public order, or morality; in practice the government restricted this right. Public assemblies, including political meetings and rallies, require police permission. By law a public assembly may include events staged by a single person. However, citizens do not need permits for indoor speaking events unless they touch on “sensitive topics” such as race or religion or for qualifying events held at Speakers’ Corner. In June 15,000 citizens and permanent residents participated in the annual Pink Dot event at Speakers’ Corner in a show of support for Singapore’s lesbian, gay, bisexual, and transgender (LGBT) community. Spontaneous public gatherings or demonstrations were virtually unknown. Police also have the authority to order a person to “move on” from a certain area and not to return to the designated spot for 24 hours.

In November the High Court dismissed an application for appeal by six SDP members who were convicted and fined in 2010 for assembling without a permit in 2008.

The government closely monitored political gatherings regardless of the number of persons present.

Freedom of Association

Most associations, societies, clubs, religious groups, and other organizations with more than 10 members are required to register with the government under the Societies Act. The government denied registration to groups that it believed were likely to have been formed for unlawful purposes or for purposes prejudicial to public peace, welfare, or public order. The government has absolute discretion in applying criteria to register or dissolve societies. During the year the Registry of Societies received 242 registration applications. Of these, 202 were approved and 40 were pending at year’s end.

The government prohibits organized political activities except by groups registered as political parties or political associations. In July Yale University in conjunction with National University of Singapore announced that partisan political organizations, forming of political partisan groups/parties, and protests on their Singapore campus will be banned. The PAP was able to use nonpolitical organizations, such as residential committees and neighborhood groups, for political purposes far more extensively than opposition parties. Political associations are subject to strict financial regulations, including a ban on receiving foreign donations. Due to laws regulating the formation of publicly active organizations, there were few NGOs apart from nonpolitical organizations, such as religious groups, ethnically oriented organizations, environmental groups, and providers of welfare services.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and the law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice; however, it limited them in certain circumstances. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to asylum seekers and other persons of concern.

In-country Movement: Citizens' choice of where to live sometimes was limited by the government's legal requirement for ethnic balance in publicly subsidized housing, in which the majority of citizens lived. The government required all citizens and permanent residents over age 15 to register and to carry identification cards. The government may refuse to issue a passport and did so in the case of former ISA detainees. Under the ISA, a person's movement may be restricted. According to official press releases, at year's end there were 23 suspected terrorists subject to such restrictions.

Foreign Travel: Men are required to serve 24 months of uniformed national service upon reaching age 18. They also are required to undergo reserve training up to age 40 (for enlisted men) or 50 (for officers). Male citizens and permanent

residents with national service reserve obligations are required to advise the Ministry of Defense of plans to travel abroad. Males 13 years of age or older who have not completed national service obligations are required to obtain exit permits for international travel if they intend to be away for three months or more. To obtain the required permit, a prospective traveler must in certain cases post a bond equal to S\$75,000 (\$57,350) or 50 percent of the combined gross annual income of both parents for the preceding year, whichever is greater. The bond requirement applies to male travelers who are 16½ years of age and older for travel exceeding three months and to male travelers who are 13 to 16½ years of age for travel lasting two or more years.

Emigration and Repatriation: Holders of national passports have the right to repatriate. The government actively encouraged citizens living overseas to return home or at least to maintain active ties with the country. The law allows for loss of citizenship by citizens who reside outside the country for more than 10 consecutive years, but it was not known to have been used.

In exchange for allowing former members of the Communist Party of Malaya (CPM) residing outside the country to repatriate, the government requires that they renounce communism, sever all links with the CPM, and agree to be interviewed by the Internal Security Department about their past activities. Some former CPM cadres accepted these conditions and returned, but observers estimated that approximately 30 alleged CPM members have not.

Protection of Refugees

Access to Asylum: The country's laws do not provide for the granting of asylum or refugee status, although the government has established a system for providing protection to refugees on a case-by-case basis.

On December 5, a Vietnamese-flagged vessel, the MV Nosco Victory, rescued 40 shipwrecked survivors from an overcrowded boat with approximately 250 people that sank in the Bay of Bengal. The rescued individuals, all male, were believed to be Rohingya (Muslims from Burma) asylum seekers. According to a local Singapore newspaper, the Nosco Victory's captain sailed for Singapore. However, the ship was refused entry by the Maritime Port Authority (MPA) and forced to anchor for nearly a week off the coast. According to the MPA, the ship's captain was unable to present sufficient information about the rescued passengers and therefore MPA decided that these persons were ineligible to enter. The 40 asylum seekers were eventually accepted by the Malaysian government.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage. Opposition parties can contest elections, and the voting and vote-counting systems are fair and free from tampering; however, the PAP, which has held power continuously and overwhelmingly for five decades, has used the government's extensive powers to place formidable obstacles in the path of political opponents.

Elections and Political Participation

Recent Elections: In May the ruling party lost a by-election in the Hougang District. Worker's Party (WP) candidate Png Eng Huat defeated the PAP candidate with 62 percent of the votes. The national elections held in May 2011 were free, fair, and open to a viable opposition. The general elections operate under the first-past-the-post system. Following the May 2011 elections, the PAP (having captured 60.1 percent of the vote) held 81 of 87 elected constituency seats in Parliament. Six opposition parties combined for 39.8 percent of the vote and one of them, the WP, won six elected seats, including their first-ever group representation constituency (GRC). A constitutional provision assures at least nine opposition members in parliament; there were three nonconstituency members of parliament (NCMP) in the 12th Parliament, two from the WP and one from the Singapore People's Party. NCMPs are chosen from the highest finishing runners-up in an election.

The opposition continued to criticize what it described as PAP abuse of its incumbency advantages to handicap opposition parties. The PAP maintained its political dominance in part by circumscribing political discourse and action; however, restrictions were relaxed during the campaign period. The belief that the government might directly or indirectly harm the employment prospects of opposition supporters inhibited opposition political activity; however, there were no confirmed cases of such retaliation.

The law provides for a president to be popularly elected for a six-year term from among candidates who are approved by a constitutionally prescribed committee selected by the government. In August 2011 Tony Tan was elected president in the first contested presidential election since 1993. In the four-way race, Tan won

with 35.2 percent of the vote. Voting is compulsory, and 93 percent of eligible voters voted in the most recent general election.

Political Parties: The PAP has an extensive grassroots system and a carefully selected, highly disciplined membership. The establishment of government-organized and predominantly publicly funded Community Development Councils (CDCs) further strengthened the PAP's position. The CDCs promoted community development and cohesion and provided welfare and other assistance services. The PAP dominated the CDCs even in opposition-held constituencies from which it threatened to withdraw publicly funded benefits.

The PAP completely controlled key positions in and out of government, influenced the press, and benefited from weak opposition parties. Often the PAP's methods were fully consistent with the law and the normal prerogatives of a parliamentary government, but the overall effect was to perpetuate PAP supremacy. The constitutional requirement that members of parliament resign if expelled from their party helped ensure backbencher discipline. Since 1988 the PAP changed all but 12 single-seat constituencies into GRCs of four to six parliamentary seats, in which the party with a plurality wins all of the seats. According to the constitution, such changes are permitted to ensure ethnic minority representation in Parliament; each GRC candidate list must contain at least one ethnic minority candidate. These changes made it more difficult for opposition parties, all of which had very limited memberships, to fill multimember candidate lists. Nonetheless the opposition fielded candidates in 26 of the 27 constituencies in the 2011 general elections.

Although political parties were legally free to organize, they operated under the same limitations that applied to all organizations, and authorities imposed strict regulations on their constitutions, fundraising, and accountability. There were 28 registered political parties, only seven of which were active. Six opposition parties contested the 2011 general elections. Political organizations are subject to strict financial regulations, including a ban on receiving foreign donations. Government regulations hindered attempts by opposition parties to rent office space in government housing blocks or establish community foundations. In addition government influence extended in varying degrees to academic, community service, and other NGOs.

Participation of Women and Minorities: There is no legal bar to the participation of women in political life; women held 19 of the 87 elected parliamentary seats. During the year there was one female senior minister of state and three female

ministers of state. Three of the 17 Supreme Court justices and the solicitor general were women.

There are no restrictions in law or practice against minorities voting or participating in politics; they actively participated in the political process and were well represented throughout the government, except in some sensitive military positions. Malays made up approximately 14 percent of the general population and held approximately 14 percent of elected seats in Parliament. Indians made up approximately 9 percent of the general population and held approximately 11 percent of the elected seats in Parliament. There were four ethnic Indian ministers and one ethnic Malay minister. Two of the 17 members of the Supreme Court were ethnic Indian; there were no Malays on the court.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively.

During the year there were two cases of officials charged with corruption and misconduct. Ng Boon Gay, the director of the Central Narcotics Bureau, was arrested in December 2011 for accepting sexual favors in exchange for government contracts. Peter Lim, the commissioner of the Civil Defense Force, was arrested in January for accepting sexual favors in exchange for government contracts. Ng's trial started in September; Lim's trial date remained pending.

Although the salaries of senior officials are public information and political parties must report donations, there is no financial disclosure law. The Corrupt Practices Investigation Bureau, which answers directly to the prime minister, is responsible for investigating and prosecuting corruption by government officials.

No laws specifically provide for public access to government information.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic human rights groups generally operated without government restriction and these organizations investigated and published their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. Efforts by independent organizations to investigate and evaluate government human rights policies faced the same obstacles as those faced

by opposition political parties. NGOs were subject to registration under the Societies Act.

The government did not prevent international human rights organizations from observing human rights-related court cases.

Some international human rights NGOs criticized the government's policies in areas such as capital punishment, migrant workers' rights, and freedom of assembly. The government generally ignored such criticisms or published rebuttals.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution states that all persons are equal before the law and entitled to the equal protection of the law, and the government generally respected these provisions in practice; there is no explicit provision granting equal rights to women and minorities. Mindful of the country's history of intercommunal tension, the government took numerous measures to ensure racial, ethnic, religious, and cultural nondiscrimination. Social, economic, and cultural benefits and facilities were available to all citizens regardless of race, religion, or gender.

Women

Rape and Domestic Violence: The government enforced the law against rape, which provides for imprisonment of up to 20 years and the possibility of caning for offenders. Under the law rape can be committed only by a man, and spousal rape is generally not a crime. However, husbands who force their wives to have intercourse can be prosecuted for other offenses, such as assault. Spousal rape is a criminal offense when the couple is separated, subject to an interim divorce order that has not become final, or subject to a written separation agreement, as well as when a court has issued a protection order against the husband. During the year at least 20 persons were charged for rape; seven were convicted, two were acquitted, and 11 were awaiting trial. The Ministry of Education and police carried out programs aimed at preventing rape.

The law criminalizes domestic violence and intentional harassment. A victim of domestic violence can obtain court orders barring the spouse from the home until the court is satisfied that the spouse has ceased aggressive behavior. The law prescribes mandatory caning and a minimum imprisonment of two years for conviction on any charge of "outraging modesty" that caused the victim fear of

death or injury. The press gave prominent coverage to instances of abuse or violence against women. Several voluntary welfare organizations provided assistance to abused women. During the year there were 3,072 applications for personal protection orders, 1,600 of which were filed by wives for protection against their husbands.

Sexual Harassment: No specific laws prohibit stalking or sexual harassment; however, the Miscellaneous Offenses Act (MOA) and laws prohibiting insults to modesty were used successfully to prosecute these offenses. Under the MOA a person who uses threatening, abusive, or insulting words or behavior can incur a fine of up to S\$5,000 (\$3,800). A 2008 survey by a local NGO found that 54 percent of respondents (58 percent of women and 42 percent of men) reported having experienced some form of sexual harassment at work. The Ministry of Manpower, the National Trades Union Council, and the Singapore Employers Federation jointly operated a venue for public feedback and advice on fair employment practices.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children. Contraceptive supplies and information, provided by the Ministry of Health, as well as public and private doctors, were readily available. The national birthrate was well below replacement levels and since the mid-1980s the government has pursued policies intended to encourage higher birthrates, which provide comprehensive clinical services and a wide range of social and fiscal incentives.

Discrimination: Women enjoy the same legal rights as men, including civil liberties, employment, commercial activity, and education. They accounted for 56.9 percent of civil service employees. There are no laws that mandate nondiscrimination in hiring practice on the basis of gender, prohibit employers from asking questions about a prospective employee's family status during a job interview, provide for flexible or part time work schedules for employees with minor children, or establish public provision of childcare.

For the most part, Muslim marriage falls under the Administration of the Muslim Law Act, which empowers a Sharia (Islamic law) court to oversee such matters. The law allows Muslim men to practice polygyny, although requests to take additional spouses may be refused by the Registry of Muslim Marriages, which solicits the views of an existing wife or wives and reviews the financial capability of the husband. During the year there were 38 applications for polygynous marriage of which nine were approved. The rest were rejected, withdrawn, or

remained pending at year's end. Polygynous marriages constituted 0.2 percent of Muslim marriages.

Both men and women have the right to initiate divorce proceedings; however, in practice some women faced significant difficulties that prevented them from pursuing such proceedings, including a lack of financial resources to obtain legal counsel. Men do not have the right to seek alimony from their wives in cases of divorce or separation.

In recent years women constituted approximately 55 percent of the labor force and were well represented in many professions. (It is possible that the percentage of women participating in the labor force was inflated by the large number of foreign female domestic workers.) During the year the employment rate for women between the ages of 25 and 54 was 73 percent. However, women held few leadership positions in the private sector. Women were overrepresented in low-wage jobs such as clerks and secretaries. In 2008 salaries for women ranged upwards from 66 percent of men's salaries, depending on the occupational grouping.

Gender-biased Sex Selection: The country's sex ratio at birth was reported to be 1.08 males to 1 female. The country has a total fertility rate of 1.1 (the number of children per woman of child-bearing age; 2.1 is replacement level), and the government has pursued a variety of policies to encourage population growth or at least maintenance. Sex-selective abortion is illegal.

Children

Birth Registration: Citizenship is derived from one's parents, and birth registration was essentially universal.

Child Abuse: The Children and Young Persons Act criminalizes mistreatment of children, which includes physical, emotional, and sexual abuse. The government enforced the law against child abuse and provided support services for child abuse victims.

Child Marriage: By law minors are defined as under age 18, and children are defined as those under 14. Individuals under 18 wishing to marry must obtain a license from the Ministry of Youth, Sports, and Community Development (MCYS). Couples in which one person is under 18 or where both are between 18

and 21 are required to attend a marriage preparation program before they can be issued a marriage license.

Harmful Traditional Practices: A noninvasive form of female genital mutilation/cutting is prevalent among a small portion of the Muslim population. Normally involving nicking the prepuce, the procedure is performed by female doctors at Muslim clinics, usually on female infants or prepubescent girls.

Sexual Exploitation of Children: Some child prostitution occurred. During the year authorities identified 16 girls under the age of 18 who were involved in prostitution-related activities; 31 persons were convicted of crimes relating to commercial sexual exploitation of persons under 18; 74 persons were prosecuted for crimes relating to commercial sexual exploitation of persons under 18; and 47 persons were pending court proceedings at year's end. One high-profile case involved 51 men charged with having paid sex with the same minor in an online sex ring case. As of September, seven of the men had been convicted with four receiving prison sentences of 12 weeks, one a sentence of 13 weeks, and two of nine weeks. The cases against the other 44 defendants and the panderer were pending at year's end.

The age of consent for noncommercial sex is 16. Sexual intercourse with a person under 16 is punishable by up to 10 years in prison, a fine, or both. Authorities may detain persons under 18 who are believed to be engaged in prostitution (such persons are not prosecuted) as well as prosecute those who organize or profit from prostitution, bring women or girls to the country for prostitution, or coerce or deceive women or girls into prostitution.

Institutionalized Children: The Children and Young Persons Act created a juvenile court system and established protective services for children orphaned, abused, "troubled," or with disabilities. The MCYS worked closely with the National Council for Social Services to oversee children's welfare cases. Voluntary organizations operated most of the homes for children, while the government funded a substantial portion of living expenses and overhead, as well as expenses for special schooling, health care, and supervisory needs.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see the Department of State's report at www.travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

There were approximately 800 to 1,000 members of the Jewish community. There were no reports of anti-Semitic acts, and synagogues held regular Sabbath services.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The MCYS is responsible for protecting the rights of persons with disabilities. MCYS' enabling master plan for 2007-11 outlined a five-year policy roadmap for the programs and services in the disability sector.

Electoral law allows voters who, due to blindness or other physical cause, are unable to vote in the manner described by law to receive voter assistance by other authorized citizens to mark and cast their ballots.

The government maintained a comprehensive code on barrier-free accessibility; it established standards for facilities for persons with physical disabilities in all new buildings and mandated the progressive upgrading of older structures. There was no comprehensive legislation addressing equal opportunities for persons with disabilities in education or employment; however, the National Council of Social Services, in conjunction with various voluntary associations, provided an extensive job training and placement program for persons with disabilities. A tax deduction of up to S\$100,000 (\$78,000) was available to employers to defray the expense of building modifications to benefit employees with disabilities. The government also provides a tax deduction for families caring for a sibling, spouse, or child with a disability of up to S\$11,000 (\$8,800). The country allows guide dogs for the blind into public places and on trains, but the laws do not cover buses and taxis. Public trains were 100 percent wheelchair accessible as were 58 percent of buses. All major pedestrian thoroughfares have curb cuts.

Informal provisions permit university matriculation for those with visual or hearing impairments or other physical disabilities. Approximately 12,000 children with intellectual disabilities attended mainstream schools during the year. There were 20 special education schools that enrolled 5,059 students. All primary and secondary schools were equipped with basic handicap facilities, such as handicap

toilets and first-level wheelchair ramps. Approximately 26 percent of all primary and 18 percent of secondary schools were equipped with full-handicap facilities.

The government provided funds for two distinct types of early education programs for children with special needs. The Early Intervention Program for Infants and Children (EIPIC) provided educational and therapy services for children up to age six who have handicaps or special needs. In 2011 there were 1,485 children enrolled in the 12 EIPIC programs. At the 18 Integrated Child Care Program Centers (ICCPs), special needs children engaged in the same group activities as other children while also receiving enhancements of the normal child care curriculum. In 2011 a total of 95 special needs children were enrolled in the ICCPs.

National/Racial/Ethnic Minorities

Ethnic Malays constituted approximately 14 percent of the population. The constitution acknowledges them as the indigenous people of the country and charges the government to support and promote their political, educational, religious, economic, social, cultural, and language interests. The government took steps to encourage greater educational achievement among Malay students. However, ethnic Malays have not reached the educational or socioeconomic levels achieved by the ethnic Chinese majority, the ethnic Indian minority, or the Eurasian community. Malays remained underrepresented at senior corporate levels and, some asserted, in certain sectors of the government and the military. This reflected their historically lower educational and economic levels, but some argued that it also was a result of employment discrimination. Some ethnic Indians also reported that discrimination limited their employment and promotion opportunities. Government guidelines called for eliminating language referring to age, gender, or ethnicity in employment advertisements, although restrictive language pertinent to job requirements, such as “Chinese speaker,” remained acceptable. These guidelines were generally followed.

The Presidential Council on Minority Rights examined all pending bills to ensure that they were not disadvantageous to a particular group. It also reported to the government on matters that affected any racial or religious community.

Government policy enforced ethnic ratios, applicable for all ethnic groups, for publicly subsidized housing.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

After failure of a 2007 attempt to repeal the section of the penal code (377a) that criminalizes sex between men, Prime Minister Lee stated that the authorities would not actively enforce the statute.

In November a gay couple filed a challenge to Section 377a. This was the second challenge to the constitutionality of the law.

In 2010 Tan Eng Hong was arrested for engaging in sex acts in a public space. He and another man were charged under Section 377a for committing “an act of gross indecency with another male person.” After Tan challenged the constitutionality of the provision, the prosecution substituted the charge with Section 294a, committing an obscene act in a public place. The two men pleaded guilty to the new charge and were each fined S\$3,000 (\$2,459). The Attorney General’s Office closed Tan’s constitutional challenge. Tan’s appeal to the High Court was denied. Subsequently, Tan appealed to the Court of Appeal, and in August the court agreed that the case should be heard in the High Court.

In June more than 15,000 persons participated in the annual Pink Dot event to demonstrate support for inclusiveness, diversity, and the “freedom to love.”

The MDA continued to censor films and television shows with LGBT themes. According to the MDA Web site, the broadcast of LGBT themes on television is allowed “as long as the presentation does not justify, promote, or glamorize such a lifestyle.”

Other Societal Violence or Discrimination

Some individuals with HIV/AIDS claimed that they were socially marginalized and faced employment discrimination if they revealed their condition. The government discouraged discrimination, supported initiatives that countered misperceptions about HIV/AIDS, and publicly praised employers that welcomed workers with HIV/AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution and law, including regulations and statutory instruments, protects the right to form associations, including trade unions. Workers have the legal right to strike. Collective bargaining was a normal part of labor-management relations in the industrial sector and is provided for in the Industrial Relations Act.

Parliament may impose restrictions on the right of association based on security, public order, or morality grounds. The right of association was restricted by the Societies Act and by labor and education laws and regulations (see section 2.b.). Under these laws any group of 10 or more persons is required to register with the government. The Trade Unions Act authorizes the formation of unions with broad rights but restricts organization of uniformed personnel or government employees. The Amalgamated Union of Public Employees was declared exempt from these provisions, and its scope of representation expanded to cover all public sector employees except the most senior civil servants. The government also has broad powers to refuse to register a union, cancel a union's registration, and approve a new union's rules or changes to an existing union's rules. As of October, there were 608,821 employees who were members of registered trade unions.

The Trade Unions Act restricts the right of trade unions to elect their officers and to choose whom they may employ. Foreigners and those with criminal convictions may not hold union office or become employees of unions. However, the minister of manpower may grant exemptions. The Trade Unions Act limits the objectives for which unions can spend their funds and prohibits payments to political parties or the use of funds for political purposes.

Almost all unions were affiliated with the National Trade Union Congress (NTUC), an umbrella organization with a close relationship with the government and the ruling PAP and bolstered by the dual roles of Lim Swee Say as both NTUC secretary general and cabinet minister. NTUC policy prohibited union members who supported opposition parties from holding office in affiliated unions. While the NTUC was financially independent of the PAP, the two shared a common ideology and worked closely with management in support of nonconfrontational labor relations.

The NTUC was free to associate regionally and internationally.

Workers in "essential services" are required to give 14 days' notice to an employer before striking, and there is a prohibition on strikes by workers in the water, gas, and electricity sectors. No specific laws prohibit retaliation against strikers. The law provides that, before striking, more than 50 percent of unionized workers must

vote in favor of the strike by secret ballot, as opposed to the more common practice of 51 percent of those participating in the vote.

On November 26, a total of 171 nationals of the People's Republic of China working as public bus drivers went on strike. They reportedly were protesting their living conditions and the fact that they were paid at a lower rate than Malaysians and Singaporeans who also worked as drivers for the rapid transit system. The authorities regarded the action as an "illegal strike" because public transport is an "essential service" and the strikers had not provided the required 14-days' notice. Five of the strikers were detained on November 29. On December 3, one striker, Bao Feng Shan, was sentenced to six weeks in prison for involvement in an illegal strike. A total of 29 bus drivers were deported for their participation in the strike. Three of the alleged ringleaders of the bus strike were fired by the bus company because they breached their contracts by failing to show up to work after being released on bail. This was the country's first strike in 26 years.

Most other labor disagreements were resolved through conciliation by the Ministry of Manpower. If conciliation failed, the disputing parties usually submitted their case to the tripartite Industrial Arbitration Court (IAC), which was composed of employee and management representatives and chaired by a judge. In some situations the law provides for compulsory arbitration. The IAC must certify collective agreements before they go into effect. The IAC may refuse certification at its discretion on the ground of public interest.

In practice collective bargaining was a normal part of labor-management relations in the industrial sector. Because almost all unions were affiliated with the NTUC, it almost has exclusive authority to exercise collective bargaining power. Union members may not reject collective agreements negotiated between their union representatives and an employer. Transfers and layoffs are excluded from the scope of collective bargaining. However, in practice employers consulted with unions on both issues, and the Tripartite Panel on Retrenched Workers issued guidelines calling for early notification to unions of layoffs.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children. There were reports of practices indicative of forced labor, including reports of forced labor on long-haul fishing boats. The Ministry of Manpower, as part of the Interagency Trafficking in Persons Taskforce, is responsible for combating labor trafficking

and improving labor conditions for workers. There were approximately 2,900 workplace safety and health officers working for the Ministry of Manpower.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The government enforced the Employment Act, which prohibits employment of children under the age of 13. Restrictions on the employment of children between the ages of 13 and 16 are rigorous and were fully enforced. Children under age 15 generally are prohibited from employment in the industrial sector. Exceptions include family enterprises; children may work in a business in which only members of the same family are employed. A child who is 13 years of age or older may be employed in light work, subject to medical clearance. Employers must notify the commissioner of labor within 30 days of hiring a child between the ages of 15 and 16 and attach a medical certification of the child's fitness for employment. The incidence of children in permanent employment was low, and abuses were almost nonexistent.

Ministry of Manpower regulations prohibit night employment of children and restrict industrial work for children between the ages of 15 and 16 to no more than seven hours a day, including the hours spent in school. Children may not work on commercial vessels, with moving machinery, on live electrical apparatus lacking effective insulation, or in any underground job. The minister of manpower effectively enforced these laws and regulations.

d. Acceptable Conditions of Work

There are no laws or regulations on minimum wages or unemployment compensation. Agreements between management and labor were renewed every two to three years, although wage increases were negotiated annually. The National Wages Council, a group composed of labor, management, and government representatives, issued yearly guidelines on raises and bonus pay that served as the starting point for bargaining agreements. During the year the National Wages Council recommended that persons who make below S\$1,000 (\$820) per month obtain a S\$50 (\$41) per month increase. Subject to negotiation in each enterprise, up to 10 percent of salaries were considered "variable" each month, allowing companies to eliminate that portion of pay if there were financial problems. The labor market generally offered citizens and permanent residents

good working conditions and relatively high wages that provided a decent standard of living for a worker and family. In 2011 the average salary was S\$52,000 (\$42,674).

The Employment Act sets the standard legal workweek at 44 hours and provides for one rest day each week. For employees covered by the Employment Act, the overtime rate is at least 1.5 times the basic hourly rate of pay. An employee is permitted to work up to a limit of 72 hours of overtime in a month. Employers that require their employees to work more than 72 hours of overtime a month are required to apply for an overtime exception from the Ministry of Manpower. The act does not cover managerial or executive positions nor does it include foreign domestic workers (FDWs).

In March the Ministry of Manpower imposed a new mandate requiring one rest day each week for FDWs. This provision becomes effective January 2013 and allows FDWs to receive compensation in exchange for a day off.

The Ministry of Manpower effectively enforced laws and regulations establishing working conditions and comprehensive occupational safety and health laws. Enforcement procedures, coupled with the promotion of educational and training programs, were implemented to reduce the frequency of job-related accidents. The ministry has an enhanced factory registration scheme for some 8,000 higher-risk factories. The scheme strengthens the requirements for implementation of risk management and safety and health management system in these higher-risk factories, including construction worksites, shipyards, metal-working factories, and petrochemical plants. As of November, there were 56 work-related fatalities and more than 10,000 work-related injuries, of which 519 were serious.

Despite recent Ministry of Manpower efforts to decrease the number of foreign workers, the numbers of foreign work permits, including for foreign domestic workers, continue to increase. As of June, there were 1.23 million foreign workers; most foreign workers were unskilled laborers and household workers from other Asian countries.

There were no reliable estimates of the number of foreigners working illegally. Although substantial numbers of foreign workers held white-collar jobs, foreign workers were generally concentrated in low-wage, low-skill jobs and were often required to work long hours. Employers are required by law to provide their workers with a minimum standard of housing. Although the great majority of the approximately 200,000 FDWs (mainly from the Philippines and Indonesia) worked

under clearly outlined contracts and reported no complaints against their employers or employment agencies, there were regular reports of employers arrested for abuse or mistreatment of their household workers. The authorities fined or imprisoned employers who abused maids. Pregnancy is a breach of the standard work permit conditions for FDWs, and the government may cancel work permits and require repatriation of FDWs who become pregnant.

The Employment of Foreign Manpower Act protects foreign workers and allows them to file grievances through the Ministry of Manpower. In September Parliament approved amendments to the Employment of Foreign Manpower Act which created new administrative penalties, strengthened current penalties, and increased the investigative powers of the government. The amendment specifically outlaws employee kickbacks and forged documents as criminal offences. Another significant change to prevent the abuse of foreign worker implements a S\$10,000 (\$8,206) fine against employers who do not provide an In Principal Approval letter (the contract) to workers in their native language before they arrive in Singapore and provides penalties against employers who try to recover hiring costs from their workers.

The NTUC reported that it advocated for the rights of all migrant work-permit holders through its Migrant Workers' Forum. In addition the Ministry of Manpower offered conciliation services for all employees, foreign or local. The Labor Relations and Workplaces Division of the ministry provided free advisory and mediation services to foreign workers experiencing problems with employers. Foreign household workers were assisted by the Foreign Manpower Management Division. The government allowed complainants to seek legal redress and operated a hotline for maids. During the year the hotline received 3,086 calls, 96 percent of which were general inquiries. In August the Ministry of Manpower published a list of employers convicted of violating the Employment Act since 2010. The list showed that some 48 companies have been convicted of offenses that ranged from failure to pay employees to not providing employment terms and benefits in accordance with the Employment Act. During the year the Ministry of Manpower reported 180 salary claims from foreign domestic workers.

In April legislation came into effect that significantly increased the safeguards for FDWs. Among other things, the legislation capped the fees payable by FDWs to employment agencies in the country at one month's salary per year of the employment contract. Observers believed the law effectively eliminated concerns about FDWs falling into debt bondage, although unscrupulous agencies in sending countries could still charge exorbitant fees.