

Singapore - United States Department of State

SINGAPORE: Tier 1

The Government of Singapore fully meets the minimum standards for the elimination of trafficking. The government made key achievements to do so during the reporting period; therefore Singapore was upgraded to Tier 1. These achievements included convicting its first labor trafficking case under its trafficking law and increasing convictions overall. The government identified more trafficking victims and increased dialogue and cooperation with NGOs through 30 meetings throughout the year. The Ministry of Manpower (MOM) prosecuted more unlicensed recruitment agencies than in the previous reporting period and the government increased its awareness activities including by expanding the mandatory 2017 “settling in program” to foreign migrant workers in three industries in addition to construction. Although the government meets the minimum standards, it did not take steps to eliminate recruitment fees charged to workers by Singaporean labor recruiters and ensure any recruitment fees are paid by employers. Additionally, NGOs continued to express concern that authorities did not fully understand the impact of indebtedness and psychological coercion on a trafficking victim, and that as a result some potential unidentified victims were subject to punishment or deportation.

PRIORITIZED RECOMMENDATIONS:

Using the 2015 anti-trafficking law, increase investigations and prosecutions, particularly of labor trafficking, including cases involving domestic workers, debt manipulation, or psychological coercion, and convict and sentence convicted traffickers to penalties proportionate to the seriousness of the crime. • Increase resources for investigative and prosecutorial training on trafficking for MOM officials who handle labor violations. • Strengthen efforts to proactively identify trafficking victims, including by conducting training for front-line law enforcement officials with a focus on screening for psychological coercion among women in commercial sex and individuals in debt. • Continue to implement reforms to the work permit sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers. • Take steps to eliminate recruitment fees charged to workers by Singaporean labor recruiters and ensure any recruitment fees are paid by employers. • Strengthen the legal framework to enhance protection for victims from punishment for unlawful acts the trafficker compelled the victim to commit. • Develop formal policies to provide all victims the right to robust protective services. • Continue to strengthen cooperation and dialogue with NGOs for developing and implementing anti-trafficking policies and assisting victims.

PROSECUTION

The government’s law enforcement efforts increased during the reporting period.

The 2015 Prevention of Human Trafficking Act (PHTA) criminalized sex trafficking and labor trafficking and prescribed penalties of up to 10 years' imprisonment and fines up to 100,000 Singapore dollars (SGD) (\$74,350), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. In addition, Article 140 of the Women's Charter criminalized "forced prostitution" involving detention or physical force and Article 141 criminalized the movement of women and girls for "trafficking" but did not define this term. Penalties prescribed for these offenses included a maximum of seven years' imprisonment and a fine of up to 100,000 SGD (\$74,350). The government investigated most suspected labor trafficking cases as labor law offenses under the Employment of Foreign Manpower Act (EFMA), or the Employment Act, which carried lower penalties than the anti-trafficking law.

In 2019, authorities investigated 51 trafficking cases, an increase compared with 16 in 2018. Of these, 30 were cases of suspected sex trafficking, compared with 10 cases in 2018. MOM investigated 21 suspected labor trafficking cases, an increase compared with six cases in 2018. MOM determined that none of the suspected labor trafficking cases in 2019 violated the PHTA and prosecuted the majority of these cases under the EFMA for failure to pay fixed monthly salaries, collection of kickbacks, and illegal employment. The government initiated prosecutions of two alleged sex traffickers under the PHTA in 2019, compared with three alleged sex traffickers prosecuted in 2018. The government reported two labor trafficking cases, initiated in an earlier reporting period, were ongoing.

The government convicted three traffickers under the PHTA in 2019, an increase compared with no traffickers convicted under the PHTA in 2018. In November 2019, the government reported its first labor trafficking conviction under the PHTA of two traffickers in one case originating from 2016. The traffickers brought three Bangladeshi victims to Singapore through legal immigration visas but exploited them as dancers in a nightclub. In February 2020, courts sentenced the perpetrators to five years and six months' imprisonment each, a fine of 7,500 SGD (\$5,580), and restitution to one of the three victims of 4,880 SGD (\$3,630); the perpetrators appealed the conviction, which was ongoing at the end of the reporting period. In February 2019, an individual was convicted for sex trafficking his wife, in a case originating from 2018, and sentenced to six years' imprisonment, three strokes of the cane, and a fine of 6,000 SGD (\$4,460). Additionally, courts convicted a trafficker under the penal code for a case from 2016 involving the promotion of commercial sexual exploitation of minors and sentenced him to imprisonment of five and a half years. The government had yet to prosecute or convict any cases of domestic servitude under the PHTA. The government convicted and imprisoned several employers of foreign domestic workers under non-trafficking laws for cases involving abuse, physical assault, and/or sexual assault. Some NGOs believed authorities set unreasonable standards for qualification as the crime of trafficking and lacked an understanding of trafficking indicators such as indebtedness, psychological coercion, and deception, which hampered PHTA enforcement.

The government reported police, immigration, and MOM officials were continuously trained on anti-trafficking measures; in 2019, more than 370 such officials received training on the identification of potential trafficking victims. In October 2019, MOM and SPF jointly created a trafficking workshop for law enforcement personnel; 14 officers from various agencies attended. The government continued to partner with and participate in international trainings with foreign governments and to work closely with international counterparts on several cross-

border investigations. NGOs reported the occurrence of excessive force against individuals in commercial sex by police officials during raids of unlicensed brothels. In November 2019, a police official was convicted for sexually exploiting two foreign women; the women were in police custody for suspicion of providing commercial sex. The official was dismissed from the force, convicted under molestation charges and violating the Police Force Act, and sentenced to one year's imprisonment and one stroke of the cane. The government did not report any investigations of government officials complicit in trafficking.

PROTECTION

The government increased protection efforts. Police, labor, and immigration officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies. The government reported identifying 62 potential trafficking victims (18 sex and 44 labor trafficking victims), an increase compared with 32 potential victims (nine sex trafficking victims and 23 labor trafficking victims) in 2018. All police officers received basic training on victim identification; however, several NGOs reported officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases involving psychological coercion or debt bondage, and among migrant workers. NGOs continued to voice concern that police did not consistently screen for trafficking indicators when police raided unlicensed brothels; as a result, the government may have prosecuted or punished unidentified sex trafficking victims for immigration violations or public solicitation. NGOs continued to provide services to several thousand migrant workers who experienced varying degrees of labor law violations or exploitation in 2019. Several NGOs believed a number of the cases they encountered exhibited trafficking indicators, and that authorities may have penalized or deported numerous unidentified labor trafficking victims. The government guaranteed food, shelter, psycho-social services, and other basic assistance to trafficking victims under the PHTA and used administrative discretion to provide additional support measures, customized according to victims' needs, including interpreters, medical services, temporary work permits, and resettlement assistance. However, absent a formal policy mandating the provision of these services to all victims, and due to front-line officers' incomplete understanding of the effect of psychological coercion on a person, some victims likely did not receive all services necessary for rehabilitation.

The government allocated 406,000 SGD (\$301,860) in 2019 in its annual budget, compared with 224,000 SGD (\$166,540) in 2018, for victim care and protection services, as well as anti-trafficking prevention activities. The government fully funded shelters for the cost of caring for trafficking victims. The Ministry of Social and Family Development funded four NGO-run shelters with a total capacity of 220 places for women and their children; one specifically served as a shelter for up to 48 female trafficking victims and exploited foreign domestic workers. MOM funded two shelters, with a total capacity of 68 individuals, for male foreign workers, one of which was specifically designated for use by male trafficking victims. The government provided partial funding and oversight to 22 homes serving vulnerable children. Authorities permitted freedom of movement outside of the shelter for most shelter residents but restricted movement for any residents deemed to be under physical threat. Several other NGOs and two foreign government embassies also provided shelter to trafficking victims and others who had experienced labor

exploitation.

The government issued special immigration passes that allowed foreign victims to remain in the country for the duration of the investigation and legal proceedings. The government allocated funding for an NGO to provide victims with trauma recovery and safe resettlement services including counseling and medical care, skill development, legal support, employment, and assistance with resettlement in the victim's home country. In 2019, the NGO continued to support 11 foreign labor trafficking victims referred by the government in an earlier reporting period. In 2019, the government permitted two victims who were material witnesses in court cases against their former employers to return to their home country, at the government's expense, pending trial procedures. The government reported that in 2019, seven victims continued to utilize short-term work permits, available for the duration of their legal process; no new applications were received over the reporting period. In the previous reporting period, the High Court stipulated that in criminal cases of abuse of foreign domestic workers, courts should consider compensation for pain and suffering as well as restitution for wages. NGOs continued to offer victims of trafficking pro bono legal assistance to pursue civil court claims for damages; 21 civil court cases were ongoing at the end of the reporting period for migrant workers seeking compensation for non-trafficking crimes.

PREVENTION

The government increased efforts to prevent trafficking. The interagency task force, co-chaired by the Ministry of Home Affairs and MOM, coordinated anti-trafficking efforts through its "National Approach against Trafficking in Persons, 2016-2026." The task force held its annual stakeholder consultation with participants from NGOs, business, and academia in May 2019 to review the implementation of the national approach. The task force reported conducting 30 meetings with NGOs throughout 2019, including an information session in December 2019 to discuss details of its first labor trafficking conviction. The government continued to budget 80,000 SGD (\$59,480) to provide grants to civil society for awareness-raising campaigns; in September 2019, police officials conducted a trafficking awareness briefing for 35 National University of Singapore staff and students. The task force, in partnership with the Civil Aviation Society of Singapore, trained airline service workers on trafficking awareness and detection and provided trafficking training materials.

Singapore's Employment Agencies Act (EAA) mandated licensing and regulation of recruitment agents. The EAA rules capped the maximum recruitment fee an employee may pay an agent at one month's salary for each year of a valid work permit or the period of the employment contract, whichever was shorter, and subject to an overall maximum of two months' salary. The majority of migrant workers in Singapore paid fees to agents in Singapore as well as to recruitment agents in their home country, which contributed to the workers' vulnerability to debt bondage. During 2019, MOM prosecuted 18 recruitment agencies for not being licensed, compared with the prosecution of 10 unlicensed agents in 2018.

MOM managed the work permit process for foreign workers. Singaporean employers applied to MOM to sponsor skilled and semi-skilled workers whose employment and legal immigration status was tied to that specific employer. NGOs stated this restriction on job mobility, coupled with the ability of employers to terminate a worker's employment at any time without the need to show cause,

created a form of “structural coercion” that prevented some foreign migrant workers from resisting and contesting exploitation. Under certain circumstances, MOM permitted foreign workers to transfer their immigration status to a new employer without their previous employer’s consent; however, the majority of such workers were reportedly unable to find new employment. Singapore law did not prescribe a minimum wage. Under the Employment Act, wages were negotiated and outlined in individual contracts of service. Requirements were less detailed for foreign domestic workers and fishing crews employed locally, who were covered under the EFMA, and for whom employers were legally required to provide a document containing employment terms such as monthly salary, number of rest days, and agency fees. MOM continued to implement a policy stating that if employers reduced a migrant worker’s salary from what was stated on the application for the employee’s work permit, they must notify MOM after both the employer and employee had agreed to the change in writing. An NGO noted this policy did not address the unequal power dynamic between employer and employee given the vulnerability of those who paid recruitment costs to be coerced to sign a new salary agreement through the threat of immediate termination and repatriation. In 2019, MOM prosecuted 21 employers who made false declarations of higher salaries to obtain employee work passes.

As of January 1, 2019, MOM implemented a new work permit condition prohibiting employers of foreign domestic workers from retaining any wages or money belonging to the domestic worker. In the previous reporting period, two NGOs and a local bank introduced fee-free bank accounts for all foreign domestic workers and low-wage migrant workers, into which their salaries can be electronically paid. MOM continued its work permit system to allow employers or recruitment agents to open one of these bank accounts on behalf of the employee as part of the recruitment process. Since the introduction of the accounts, two NGOs estimated that more than 215,000 bank accounts have been opened for low-wage migrant workers, with an additional 40,000 to 50,000 opened for foreign domestic workers. In 2019, the Ministry of Law introduced new measures to decrease the risk of indebtedness for foreign workers; these included limiting unsecured loans, prohibiting targeted advertisement towards vulnerable groups, and barring the facilitation of loans by unauthorized third parties.

In December 2019, the government expanded the mandatory 2017 “settling in program” from foreign migrant workers in the construction industry to include foreign migrant workers in manufacturing, marine, and processing industries. Migrant workers must attend the one-day orientation class, entirely delivered by an NGO, within 14 days of arriving in Singapore; one of the five modules covers employment rights and information on how to get help if necessary. The government continued to screen a pre-departure video at overseas testing centers for construction workers to explain foreign workers’ employment rights in Singapore. MOM continued to publicize its phone number and a mobile phone application as well as three NGO-operated 24-hour hotlines for migrant workers who experience problems. MOM conducted ongoing campaigns to inform employers of the consequences for withholding passports or salaries. The government provided anti-trafficking training for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Singapore. Some of the 999,000 foreign work permit holders that comprise more

than one-quarter of Singapore's total labor force are at risk of trafficking. Most victims migrate willingly for work in construction, domestic service, performing arts, manufacturing, the service industry, or commercial sex. In order to migrate, many workers assume large debts to recruitment agents in their home countries and sometimes in Singapore, placing them at risk for debt bondage. Traffickers compel victims into sex trafficking or forced labor through threats of forced repatriation without pay, restrictions on movement, physical and sexual abuse, and withholding wages and travel documents, such as passports. Some recruitment agencies illegally engage in contract switching and charge workers fees over the legal limit. Foreign workers have credible fears of losing their work visas and being deported, since employers have the ability to repatriate workers legally at any time during their contracts with minimal notice. Unscrupulous employers exploit the non-transferability of low-skilled work visas to control or manipulate workers. Some employers, including traffickers, rely on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities. Foreign women sometimes arrive in Singapore with the intention of engaging in Singapore's regulated commercial sex sector, but under the threat of serious harm or other forms of coercion, they become victims of sex trafficking. Some fishing vessel captains of long-haul boats that transit or dock at Singaporean ports use physical abuse to force men to perform labor. A small number of Singapore residents facilitate and engage in child sex tourism abroad, including in nearby Batam, Indonesia.