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1999 Country Reports on Human Rights Practices

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SINGAPORE

Singapore is a parliamentary republic in which politics is dominated overwhelmingly by the People's Action Party (PAP), which has held power uninterrupted since Singapore gained autonomy from the United Kingdom in 1959. Opposition parties exist and regularly contest elections; however, the PAP holds 80 of 83 elected parliamentary seats (1 is vacant) and all the ministerial positions. Elections take place at regular, constitutionally mandated intervals. The judiciary is efficient and constitutionally independent; however, there has been a perception that it reflects the views of the executive in politically sensitive cases as government leaders historically have utilized court proceedings, in particular defamation suits, against political opponents and critics.

The police are responsible for routine security within the country and for the protection of the borders, including action against illegal immigrants and patrolling the island's territorial waters. The military forces are responsible for external defense. The Internal Security Department (ISD) in the Ministry of Home Affairs operates under the Internal Security Act (ISA) to counter such perceived threats to the nation's security as espionage, international terrorism, threats to racial and religious harmony, and subversion. The civilian Government maintains tight control over all security activities. The Government's use of the ISA to control what it considers serious security threats has decreased, although the Government continues to rely on the ISA and related security laws to deal with espionage, organized crime, and narcotics. There were reports that members of the security forces occasionally committed human rights abuses.

Singapore has an open free market economic system. The financial services industries and manufacturing of computer-related components are key sectors of the economy. During the year, the economy began to recover from a substantial slowdown. Gross domestic product (GDP) rose approximately 5.6 percent during the year, compared with 0.3 percent in 1998. The annual per capita GDP was approximately \$26,000 in 1998. Wealth is distributed relatively equally in an economy that, despite the economic crisis, maintained a low rate of unemployment.

The Government generally respected the human rights of its citizens; however, there were significant problems in some areas. The Government has wide powers to limit citizens' rights and to handicap political opposition. There were occasional instances of police abuse; however, the Government investigates and punishes those found guilty and the media fully cover allegations of mistreatment. Caning, in addition to imprisonment, is a routine punishment for numerous offenses. The authorities sometimes infringe on citizens' privacy rights. Government intimidation and pressure to conform result in the practice of self-censorship among journalists. Government leaders historically have utilized court proceedings, in particular defamation suits, against political opponents and critics. However, while it initiated no new defamation suits against its political opponents or critics during the year, this practice, plus the consistency of judgments in favor of government plaintiffs, has had a chilling effect on political speech and action and highlighted concerns about the ruling party's use of the judicial system for political purposes. During the year, a prominent opposition figure was convicted for speaking in public without a permit. Despite a continuing discussion of the possibility of an expansion of free speech rights and the Government's role regarding these rights, the Government still did not take significant concrete steps to change the wide array of laws and government practices, or the informal levers of government influence, that lie behind the limitations on civil and political rights. The Government significantly restricts freedom of assembly and association. Jehovah's Witnesses and the Unification Church are banned; however, freedom of religion otherwise generally is respected. There is some legal discrimination against women, which affects benefits for children and husbands in limited cases. The Government has moved actively to counter societal discrimination against women and minorities, but some discrimination persists. Foreign workers are vulnerable to mistreatment and abuse. Trafficking in women for the purpose of prostitution is a limited problem.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial 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 torture; however, there have been occasional instances of police mistreatment of detainees, and there were a few reports of police abuse during the year. For example, a Malaysian youth claimed that Central Narcotics Bureau officers punched him when he was picked up for a random drug test on December 7. The media report fully on, and the Government takes action against, allegations of police abuse of those arrested. The press reported that approximately 10 law enforcement officers were jailed for using brute force on prisoners and suspects in the 1995-99 period. During the year, three prison guards were sentenced to between 6 and 10 years in prison and caned for attacking and killing a prisoner in 1995. In February a police officer was sentenced to 8 months in prison for throwing a prisoner against a wall in 1997.

The Government has been known to investigate and punish instances of such practices as sleep deprivation or interrogation of detainees in very cold rooms where the prisoners may be stripped of their clothes and doused with water. In 1993, the last year for which statistics are available, of the 94 complaints of police abuse investigated, 14 were substantiated.

The Penal Code mandates caning, in addition to imprisonment, as punishment for some 30 offenses involving the use of violence or threat of violence against a person, such as rape and robbery, and also for such nonviolent offenses as vandalism, drug trafficking, and violation of immigration laws. Caning is discretionary for convictions on other charges involving the use of criminal force, such as kidnaping, or voluntarily causing grievous hurt. Women, men over age 50 or under age 16, and those determined unfit by a medical officer are exempted from caning. Although current statistics were not available, caning is a commonly administered punishment within the stipulations of the law. In 1993, the last year for which statistics are available, the courts included a caning sentence in 3,244 cases. Prison conditions generally are good and meet minimum international standards.

The Government does not allow human rights monitors to visit prisons.

d. Arbitrary Arrest, Detention, or Exile

The law provides that, in most instances, arrests are to be carried out following the issuance of an authorized warrant; however, some laws provide for arrests without warrants. Those arrested must be charged before a magistrate within 48 hours. The great majority of those arrested are charged expeditiously and brought to trial. Those who face criminal charges are allowed counsel, and the Law Society of Singapore administers a criminal legal aid scheme for those who cannot afford to hire an attorney. A functioning system of bail exists for persons who are charged. In death penalty cases, defendants who cannot afford their own counsel have two attorneys appointed by the Supreme Court on their behalf.

Some laws--the Internal Security Act (ISA), the Criminal Law (Temporary Provisions) Act (CLA), the Misuse of Drugs Act (MDA), and the Undesirable Publications Act (UPA)--have provisions for arrest without warrant. The ISA historically has been employed primarily against suspected Communist-related security threats. The CLA historically has been employed primarily against suspected organized crime (i.e., mainly secret society activities), and drug trafficking; however, it also has been used against suspected espionage activities. Opposition politicians have called for the abolition of the ISA, but the Government has rejected these calls, claiming that citizens accept the act as an element of the nation's security.

The ISA and the CLA permit preventive detention without trial for the protection of public security or safety or the maintenance of public order. The ISA gives broad discretion to the Minister for Home Affairs to order detention without charges at the direction of the President, if the latter determines that a person poses a threat to national security. The initial detention may be for up to 2 years and may be renewed without limitation for additional periods up to 2 years at a time. 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 3 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 is not obligated to do so. No one was detained under the ISA from 1989 through 1996. Two persons were detained in 1997, and four in 1998, all for alleged espionage. Of these six, two remained in detention at the end of 1998. There were no reports of any new detentions under the ISA during the year.

The CLA, which comes up for review every 5 years, was strengthened and extended for another 5 years in April. Under the terms of the CLA, the Minister for Home Affairs can order preventive detention, with the concurrence of the Public Prosecutor, for an initial period of 1 year, and the President can extend detention for additional periods up to 1 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 making the order. The CLAC then reviews the case at a private hearing. CLAC rules require detainees to be notified of the grounds of their detention at least 10 days prior to the hearing. The detainee may represent himself 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. However, persons detained under the CLA may have recourse to the courts via an application of a writ of habeas corpus. Persons detained without trial under the CA are entitled to counsel but only may challenge the substantive basis for their detention to the CLAC. The CLA is used almost exclusively in cases involving narcotics and secret criminal societies and has not been used for political purposes. At the end of 1998, the last year for which statistics are available, 450 persons were detained under the CLA.

Persons alleging mistreatment under detention may bring criminal charges against government officials who are alleged to have committed such acts; there were no reports during the year that persons were discouraged from making such accusations by fear of official retaliation (see Section 1.e.).

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

The MDA permits detention without trial. Under the MDA, the director of the CNB also may commit--without trial--suspected drug users to a drug rehabilitation center for up to 6 months, with subsequent extensions in cases of positive urinalysis tests.

The Constitution prohibits exile, and the Government respects the prohibition in practice.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respects this provision; however, control over the assignment of judges and laws that limit judicial review allow for some restrictions in practice. Many judicial officials, especially

Supreme Court judges, have close ties to the ruling party and its leaders. The President appoints judges to the Supreme Court on the recommendation of the Prime Minister in consultation with the Chief Justice. The President also 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. The 1989 constitutional amendments that eliminated judicial review of the objective grounds for detention under the ISA and subversion laws allow the Government to restrict, or even eliminate, judicial review in such cases and thereby restrict, on vaguely defined national security grounds, the scope of certain fundamental liberties provided for in the Constitution. Under the ISA and the CLA, the President and the Minister of Home Affairs have substantial de facto judicial power, which explicitly (in the case of the ISA) or implicitly (in the case of the CLA) excludes normal judicial review.

Government leaders historically have used court proceedings, in particular defamation suits, against political opponents and critics. Both this practice and consistent awards in favor of government plaintiffs have raised questions about the relationship between the Government and the judiciary and led to a perception that the judiciary reflects the views of the executive in politically sensitive cases. A series of decisions in favor of political leader plaintiffs was taken as an indication of a compliant judiciary in these particular cases. The two most recent cases--defamation actions against Workers' Party (WP) politicians Tang Liang Hong and J.B. Jeyaretnam for statements they made during the 1996-97 election campaign (see Sections 2.a. and 3)--perpetuated the perception of undue judicial sympathy to government plaintiffs. During the February trial and May appeal of Chee Soon Juan on charges of speaking in public without a permit (see Sections 2.a. and 3), the appeal judge did not specifically address a key defense challenge to the constitutionality of the law under which Chee was convicted. The judicial system has two levels of courts: The Supreme Court, which includes the High Court and the Court of Appeal; and the subordinate courts. Subordinate court judges and magistrates, as well as public prosecutors, are civil servants whose specific assignments are determined by the Legal Service Commission, which can decide on job transfers to any of several legal service departments. If they wish, Supreme Court Justices may remain in office until the mandatory retirement age of 65, after which they may continue to serve at the Government's discretion for brief, renewable terms at full salary. The Constitution has a provision for the Prime Minister or the Chief Justice to convene a tribunal in order to remove a justice "on the ground of misbehavior or inability...to properly discharge the functions" of office, but it has never been used.

The subordinate courts handle the great majority of civil and criminal cases in the first instance. The High Court may hear any civil or criminal case, although it generally limits itself to civil matters involving substantial claims and criminal matters carrying the death penalty or imprisonment of more than 10 years. The Court of Appeal is the highest and final court of review for matters decided in the subordinate courts or the High Court.

In addition the law provides for Islamic courts whose authority is limited to Islamic family law. The judicial system provides citizens with an efficient judicial process. In normal cases, the Criminal Procedures 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. Defendants enjoy a presumption of innocence and the right of appeal, in most cases. They have the right to be present at their trials, to be represented by an attorney, to confront witnesses against them, to provide witnesses and evidence on their own behalf,

and to review government-held evidence relevant to their cases. Trials are public and by judge. There are no jury trials.

The Constitution extends these rights to all citizens. However, persons detained under the ISA or CLA are not entitled to a public trial. In addition proceedings of the advisory board under the ISA and CLA are not public (see Section 1.d.).

There were no reports of political prisoners.

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

Although the Government generally respects the privacy of homes and families, it has a pervasive influence over civic and economic life and sometimes uses its wide discretionary powers to infringe on these rights. Normally, the police must have a warrant issued by a magistrate's 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. The Government has wide discretionary powers under the ISA, CLA, MDA, and UPA to conduct searches without a warrant if it determines that national security, public safety or order, or the public interest are at issue. Defendants may request judicial review of such searches.

Divisions of the Government's law enforcement agencies, including the Internal Security Department and the Corrupt Practices Investigation Board, have wide networks for gathering information and highly sophisticated capabilities to monitor telephone and other private conversations and conduct surveillance. It is believed that the authorities routinely monitor telephone conversations and use of the Internet, and there were credible reports of such practices during the year. Government monitoring of Internet use first became widely known in 1996 when authorities aided Interpol in a case that led to the arrest and conviction of a citizen for downloading child pornography. This incident made all citizens keenly aware that, even if the Government does not regularly monitor their use of the Internet, it has the ability to do so. In April at the request of Singnet (a proxy server), the Ministry of Home Affairs (MHA) probed the computers of 200,000 Singnet customers to determine whether they had been infected with a computer virus. Although Singnet explained that it asked for the probe after several of its customers' computers had been interfered with in March, the probe caused popular anger over a perceived violation of privacy rights. Subsequently, the MHA stated that it would reject future requests to conduct such scans (see Section 2.a.).

The Misuse of Computers Act and 1998 amendments to it stipulate that unauthorized access to computers, interference with another person's use of a computer, or disclosure of another person's password are crimes. However, it is widely believed that the authorities routinely conduct surveillance on some opposition politicians and other government critics, although there were no specific allegations that they did so during the year.

The Government is active in some areas normally considered private, in pursuit of what it considers the public interest. For example, in publicly subsidized housing, where the majority of citizens live and own their own units, the Government continues to enforce ethnic ratios designed to achieve an ethnic mix more or less in proportion to that in the society at large. The Government does not permit the import of newspapers from Malaysia and bans the import of other publications (see Section 2.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and expression but permits official restrictions on these rights, and in practice, the Government significantly restricts freedom of speech and of the press. Government intimidation and pressure to conform result in the practice of self-censorship among journalists. The Government's authoritarian style has fostered an atmosphere inimical to fully free speech and the press. However, there was some limited progress towards greater openness during the year.

The Government has defined certain topics as out of bounds. The ISA permits the Government to prohibit or to place conditions on publications that incite violence, that counsel disobedience to the law, that might arouse tensions among the various segments of the population (races, religions, and language groups), or that might threaten national interests, national security, or public order. The Government uses a broad definition of these laws to restrict political opposition and criticism. Strict defamation and press laws, and the Government's demonstrated willingness to defend vigorously against what it considers personal attacks on officials have led journalists to be cautious about publishing items about such issues as alleged government corruption, nepotism, or a compliant judiciary. Furthermore, political leaders have challenged publicly the legitimacy of political speech articulated outside the boundaries of the formal political system. In a case that continues to have an impact, the Prime Minister in 1994 publicly castigated the writer Catherine Lim for two opinion pieces published in the local press that were mildly critical of the ruling party's authoritarian style. The Prime Minister suggested that such comments would be legitimate only if uttered in a formal political context.

The Government strongly influences both the print and the electronic media. Singapore Press Holdings Ltd. (SPH), a private holding company with close ties to the Government, owns all general circulation newspapers in the four official languages--English, Chinese, Malay, and Tamil. 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. Hence, while newspapers print a large and diverse selection of articles from domestic and foreign sources, their editorials, coverage of domestic events, and coverage of sensitive foreign relations issues closely reflect government policies and the opinions of government leaders. Government leaders often criticize what they call the "Western model" of journalism, in which the media are free to report the news as they see it. Government officials argue that the role of the domestic media is to act responsibly, which generally is understood to mean support for the goals of the elected leadership and preservation of social and religious harmony.

A wide range of international magazines and newspapers may be purchased uncensored, although newspapers printed in Malaysia may not be imported. A 1990 law requires foreign publications that report on politics and current events in Southeast Asia to register and post a \$141,000 (S\$234,000) bond, and name a person in the country to accept legal service. These requirements strengthen government control over foreign media. The Government may ban the circulation of domestic and foreign publications under provisions of the ISA and the UPA.

Under amendments to the Newspaper and Printing Presses Act, the Government may limit

the circulation of foreign publications that it determines interfere in domestic politics. The weekly circulation of the Asian Wall Street Journal (AWSJ), Asiaweek, and the Far Eastern Economic Review (FEER) is limited (or "gazetted"). The fact that the Government gradually has raised the weekly circulation of the FEER and Asiaweek more or less commensurate with actual demand allows the Government to maintain this aspect of control over the press while still giving the appearance of flexibility.

The Government has become more receptive to the presence of foreign correspondents and to the establishment of regional headquarters by foreign or international media, whose numbers have increased in recent years. According to the Foreign Correspondents Association, journalists were expected to stay in the country for 3 years, and then depart. However, there are a number of journalists who have been in the country for many years, and some report that they feel increasingly welcome.

In March the Government announced that foreign electronic media would have to meet the same reporting standards as foreign print media. Although this was interpreted as signaling a higher level of censorship, specific guidelines were not provided and it was unclear how the policy would be enforced.

Import of some publications is barred, and the authorities censor movies, television programs, video materials, computer games, and music. The ISA, the UPA, and the Films Act allow banning, seizing, censoring, or restricting written, visual, or musical materials if it is determined that they threaten the stability of the State, are pro-Communist, contravene moral norms, are pornographic, show excessive or gratuitous sex and violence, glamorize or promote drug use, or incite racial, religious, or linguistic animosities. Polls indicate that there is strong public support for continued censorship of sex and violence in films. There is a list of banned films, which is not made public. Certain films that might be barred from general release may be allowed limited showings, either censored or uncensored, with a special rating.

The UPA was amended in 1998 to include compact discs, sound recordings, pictures, and computer-generated drawings, and to raise the fine for distribution or possession of banned publications. The list of banned English-language publications consists primarily of sexually oriented materials, but also includes some religious and political publications. The Films Act was amended in 1998 to ban political advertising using films or videos. The Government justified the ban as protecting politics from sensationalism, innuendo, and inaccuracy, but one effect was to further restrict an already limited range of what was deemed acceptable political discourse (see Section 3). Opposition politician Chee Soon Juan alleged that prominent bookstores, influenced by the Government, refused to carry copies of a book he authored. He also alleged that, after his book was printed in Malaysia, the Government would not allow its import. The government-linked holding company, Singapore International Media Pte Ltd., has a near monopoly on broadcasting. Subsidiaries operate all 4 broadcast television channels and 10 of the 15 domestic radio stations. Of the five remaining radio stations, four are owned by organizations with close government affiliation--two by the Singapore Armed Forces Reservists' Association (SAFRA) and two by the National Trade Union Congress (NTUC). Only one, the British Broadcasting Corporation (BBC) World Service, is completely independent of the Government. Some Malaysian and Indonesian television and radio programming can be received, but satellite dishes are banned, with few exceptions.

The Singapore Broadcasting Authority (SBA), established in 1994 to regulate and promote the broadcasting industry, develops censorship standards with the help of a citizen advisory panel. Since 1996 the SBA has regulated access to material on the Internet, using a framework of web site licenses to encourage accountability and responsible use of the Internet. It also regulates Internet material by licensing Internet service providers who install "proxy servers" through which local users must route their Internet connections. These act as a filter for objectionable content and can block access to certain sites. While the Government does not classify regulation of the Internet as censorship, the SBA directs service providers to block access to web pages that, in the Government's view, undermine public security, national defense, racial and religious harmony, and public morals. In September 1996, the SBA ordered Internet service providers to block access to about a dozen sites deemed to violate these rules. A number of prohibited sites are blocked. Most of these sites are believed to be pornographic in nature; however, it is difficult to verify this because the list of sites is not a matter of public record.

In 1997 the SBA announced a new Internet Code of Practice to further clarify what types of material were forbidden and specify the responsibilities of Internet providers. The SBA has stated that it has no intention of monitoring Internet or e-mail use but intended to block access to material that contained pornography or excessive violence or that incites racial or religious hatred. However, several recent incidents demonstrate how closely the Government can monitor Internet use (see Section 1.f.).

Under the Public Entertainment Act (PEA), a permit is required for any form of public speech or entertainment. Two cases in late 1998 and early 1999 sparked discussion on whether laws that regulate freedom of speech should be changed. Chee Soon Juan, secretary-general of the opposition Singapore Democratic Party (SDP) gave two public speeches to crowds of approximately 200 persons without first obtaining a permit; one on December 29, 1998, and the other on January 5. In his speeches, Chee attacked the Government for lack of accountability in its stewardship of public funds, and called for greater freedom of speech. He was tried and convicted in both cases for violating the PEA. In the first case Chee served 7 days in prison after refusing to pay an \$840 (S\$1,400) fine, and in the second case he served an additional 12 days in prison after refusing to pay a \$1,140 (S\$1,900) fine. Chee claimed that on several previous occasions, his party applied for public speaking permits under the PEA that were denied or approved so late that the event had to be canceled. As a consequence, he said, he believed that he had no alternative but to speak without a permit. In the second instance, Chee appealed the fine, whose level would have, by law, made him ineligible to stand for election for 5 years. The Chief Justice of the Supreme Court dismissed the appeal but nonetheless lowered the fine below the election-barring limit. In February after Chee's second conviction, the SDP released a statement on his behalf that argued that Chee's right to free speech provided for in the Constitution had been violated by an unconstitutional and undemocratic law implemented by the ruling regime to deny the opposition from the opportunity to reach out effectively to the citizenry (see Section 3). In the second trial, Chee was tried with Wong Hong Toy, another SDP member; Wong was convicted of abetting Chee by carrying a speaker, adjusting the volume of the speaker during the speech, and adjusting a microphone.

Government leaders from time to time have used defamation suits or the threat of such actions to discourage public criticism and intimidate opposition politicians and the press.

The unbroken success of government leaders' suits has fostered caution about political speech among the public and a culture of self-censorship within the news media, and has demonstrated vividly the perils of engaging in opposition politics.

In November 1998, a group of 10 plaintiffs, including a PAP M.P., won a defamation suit against the WP, based on an editorial in the party newspaper that accused organizers of a Tamil language promotion of "prostituting" themselves for political gain. The defendants, who included party secretary general J.B. Jeyaretnam and the writer of the editorial, as well as the party itself, lost their May appeal. When the defendants did not pay, the plaintiffs threatened to dissolve the WP on grounds of insolvency, and threatened bankruptcy proceedings against the other two defendants, which also would have deprived Jeyaretnam of his parliamentary seat. These bankruptcy proceedings later were suspended (see Section 3).

There were no new defamation cases filed directly by government figures during the year. However, four cases decided since 1995 continued to have a strong influence on public perceptions of how freely citizens could speak and publish, particularly on political matters. These included a record 1995 defamation judgment of \$678,000 (S\$950,000) against the International Herald Tribune (IHT) in a case brought by Senior Minister Lee Kuan Yew, Prime Minister Goh Chok Tong, and Lee's son, Deputy Prime Minister Lee Hsien Loong, for a 1994 article that allegedly suggested that the younger Lee was appointed to his post on account of his father. Also in 1995, a then-visiting academic, Dr. Christopher Lingle, the IHT, and the IHT'S Singapore printer were fined for contempt of court and, in a related civil libel suit, agreed to pay damages for an IHT article that was interpreted as critical of the country's judiciary. More recently, two defamation suits instituted by the Prime Minister and other political leaders in 1997 against two Workers' Party members--Tang Liang Hong and J.B. Jeyaretnam--led to the award of substantial damages to the plaintiffs for statements made by the defendants during the 1997 election campaign (see Section 3). The Prime Minister began, but later suspended, bankruptcy proceedings against Jeyaretnam during the year.

Following the two convictions of Chee Soon Juan, members of an independent political discussion group proposed, in a newspaper opinion piece, the creation of "Hyde Park-like" free speech areas in the country. Senior Minister Lee Kuan Yew indicated in an interview that such free speech areas might be possible, but the Prime Minister later explicitly ruled them out for the time being. He contended that, given regional and internal ethnic and religious sensitivities, the country was not ready for such a development.

During the year, the print media included an extensive and more open discussion of the issue of free speech and of a free press. This included reporting of public figures' comments on the subject, press opinion pieces, and letters to the editor, which included the Prime Minister's response to opinion pieces that contained criticism of the Government. This discussion was prompted partly by the arrests of Chee Soon Juan for speaking without a permit. However, while the media gave Chee's two speeches fairly prominent coverage, local media reported the events more or less factually, emphasizing Chee's challenge of the law but giving the substance of his speech or his replies to government attacks on the right to free speech only passing mention. None of the local press made any specific editorial comment. The Government also solicited the views of citizens on free speech issues through a set of committees established to explore policy

alternatives; however, the Government controlled the committees' agendas and membership.

All public institutions of higher education and think tanks are linked closely to the Government. Although faculty members technically are not government employees, in practice, they are subject to potential government influence. Academics speak and publish widely, and engage in debate on social and political issues. However, they are aware that public comments outside the classroom or academic publications that venture into the "out of bounds" areas--criticism of political leaders or sensitive social and economic policies, or comments that might disturb ethnic or religious harmony or that appear to advocate partisan political views--could subject them to sanctions. Publications by local academics and members of think tanks rarely deviate substantially from government views.

During the year, the Prime Minister appeared to encourage greater political involvement among university students by urging them to establish political "associations"; however, such associations are to be formed only with the understanding that they can not become alternative parties.

b. Freedom of Peaceful Assembly and Association

The Constitution grants citizens the right of peaceful assembly but permits Parliament to impose restrictions "as it considers necessary or expedient" in the interest of security, and the Government restricts this right in practice. Assemblies of more than five persons in public, including political meetings and rallies, must have police permission. Spontaneous public gatherings or demonstrations virtually are unknown. The Government closely monitors political gatherings regardless of the number of persons present. Persons who wish to speak at a public function, excluding functions provided by or under the auspices of the Government, must obtain a public entertainment license from the police. Opposition politicians routinely experienced delays before being notified of the decision on their applications, although the Government claims that the delays come only because the applications were submitted late (see Section 3). In one trial during the year, the police officer charged with approving applications admitted that he routinely sent all opposition speech permit applications to the Ministry for Home Affairs. Following his convictions for speaking in public without a permit, opposition politician Chee Soon Juan applied for a permit but was refused (see Sections 2.a. and 3). In May there were two small, peaceful demonstrations by Chinese students in front of a foreign embassy. The police, who arrived promptly on the scene for both demonstrations, allowed the demonstrators to remain despite the fact that the demonstrations violated the law. Such noninterference in an unlawful demonstration virtually was unprecedented.

The Constitution provides for freedom of association but permits Parliament to impose restrictions that "it considers necessary or expedient" in the interest of security, and the Government restricts this right in practice. Most associations, societies, clubs, religious groups, and other organizations with more than 10 members must be registered with the Government under the Societies Act. The Government denies registration to groups it believes likely to be used for unlawful purposes or for purposes prejudicial to public peace, welfare, or public order (see Section 2.c.). The Government has absolute discretion in applying this broad and vague language to register or dissolve societies. It prohibits organized political activities, except by organizations registered as political parties. This prohibition limits opposition activities, and, along with other factors, restricts the scope of

unofficial political expression and action (see Section 3). The prohibition has less of an effect on the PAP, which, because of its long domination of the Government and its overwhelming parliamentary majority, can ostensibly use nonpolitical organizations such as residential committees and neighborhood groups for political purposes far more extensively than can opposition political parties.

Furthermore, the recent development of government-organized and predominantly government-funded community development councils (CDC's) to promote community development and cohesion, and to provide welfare and other assistance services, strengthens the PAP, which monopolizes these CDC's even in opposition-held constituencies.

There are relatively few nongovernmental organizations (NGO's), apart from ostensibly nonpolitical organizations such as religious groups, ethnic-affiliated organizations, and providers of welfare services. The dominant role of the Government in almost every facet of life and the limiting effect of the law on the formation of publicly active organizations are, in large part, responsible for this situation. However, during the year, a group of NGO's formed what they called "the Working Committee" as an umbrella group through which various NGO's can share information and cooperate to promote the development of civil society. c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the Government bans some religious groups.

There is no state religion. However, all religious groups are subject to government scrutiny and must be registered legally under the Societies Act. The 1990 Maintenance of Religious Harmony Act (MRHA) made illegal what the Government deems to be the inappropriate involvement of religious groups and officials in political affairs. The act also prohibits judicial review of its enforcement or of any possible denial of rights arising from it. According to the Government, all citizens are free to practice their religion as long as the manner of carrying out religious activities does not breach laws relating to public order, public health, or morality.

The Government plays an active, but limited, role in religious affairs. It does not tolerate speech or actions, including ostensibly religious speech or actions, that affect racial and religious harmony, and sometimes issues restraining orders barring persons from taking part in such activities. The Presidential Council for Religious Harmony must review such orders, and make recommendations to the President on whether to confirm, cancel, or alter a restraining order. The Government also seeks to assure that citizens, the great majority of whom live in publicly subsidized housing, have ready access to religious organizations traditionally associated with their ethnic groups by assisting religious institutions to find space in these public complexes. The Government maintains a semiofficial relationship with the Muslim community through the Islamic Religious Council (MUIS) established under the Administration of Muslim Law Act. The MUIS advises the Government on the Muslim community's concerns and has some regulatory functions over Muslim religious matters. The Government facilitates financial assistance to build and maintain mosques.

Under the Societies Act, the Government has barred meetings of Jehovah's Witnesses and the Unification Church. The Government deregistered and banned Jehovah's Witnesses in

1972 on the grounds that its roughly 2,000 members refuse to perform military service (which is obligatory for all male citizens), salute the flag, or swear oaths of allegiance to the State. The Government regards such refusal as prejudicial to public welfare and order. While the Government has not outlawed the profession or propagation of the beliefs of Jehovah's Witnesses, and does not arrest members merely for being believers, the result of deregistration has been to make meetings of Jehovah's Witnesses illegal. The Government also has banned all written materials published by the International Bible Students Association and the Watch Tower Bible and Tract Society, both publishing arms of Jehovah's Witnesses. In practice this has led to confiscation of Bibles published by the group, even though the Bible itself has not been outlawed.

In 1998 two members of Jehovah's Witnesses were convicted of possession of unlawful written materials. One of the two, who had a similar conviction in the past, was jailed for 1 week. The second person was fined \$1,320 (S\$2,190). Also in 1998, a member of Jehovah's Witnesses lost his lawsuit against a government school for wrongful dismissal in 1994, allegedly because he refused to sing the national anthem or salute the flag. In March the chief justice dismissed his appeal, stating that the application was frivolous and groundless. In 1996 a number of members of Jehovah's Witnesses were found guilty of holding a meeting of a "banned society" and publications in their possession were confiscated.

The Holy Spirit Association for the Unification of World Christianity, also known as the Unification Church, was dissolved in 1982 by the Minister for Home Affairs. Missionaries, with the exception of members of Jehovah's Witnesses and representatives of the Unification Church, are permitted to work and to publish and distribute religious texts. However, while the Government does not prohibit evangelical activities in practice, it discourages activities that might upset the balance of intercommunal relations.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution grants citizens the right to move freely throughout the country; however, while the Government generally respects this right in practice, it limits it in a few respects. For example, citizens' choice of where to live may be limited by the Government's policy of assuring ethnic balance in publicly subsidized housing, in which the great majority of citizens live (see Section 1.f.). The Government requires all citizens and permanent residents over the age of 12 to register and to carry identification cards. The Government may refuse to issue a passport and has done so in the case of former ISA detainees. Under the ISA, a detainee's movement may be restricted, although this provision normally is a part of the process of relaxing the conditions of detention and has been used very seldom in recent years.

The right of voluntary repatriation is extended to holders of national passports. The Government actively encourages citizens living overseas to return home or, at least, to maintain active ties with the country. A provision of law for the possible loss of citizenship by Singaporeans who reside outside the country for more than 10 years consecutively seldom is used.

Male citizens who still have national service reserve obligations (normally until age 40 for enlisted men, and age 50 for officers) must advise the Ministry of Defense if they plan to

travel overseas for less than 6 months, and must receive an exit permit for trips over 6 months. Beginning at age 11, boys' passports are restricted to 6 months. Males who are eligible for national service must obtain an exit permit for travel abroad of more than 6 months, with the exception of travel to peninsular Malaysia on a restricted passport. The law stipulates that former members of the Communist Party of Malaya (CPM) residing outside the country must apply to the Government to be allowed to return. They must renounce communism, sever all organizational ties with the CPM, and pledge not to engage in activities prejudicial to the State's internal security. In addition the law requires them to submit to interview by the Internal Security Department and to any restrictive conditions imposed on them.

Faced with the potential for significantly increased numbers of migrants seeking to enter the country illegally from countries affected by the regional economic crisis, the Government in 1998 announced that none of these migrants would be regarded as refugees and that all would be prosecuted under the law, and, if found guilty, would be punished and repatriated. The Government took active steps to intercept those seeking to enter the country illegally by boat or across the two causeways linking the country with Malaysia. Approximately 65,000 illegal immigrants were arrested in 1998, a 23 percent rise over 1997. The law does not include provision for granting refugee/asylee status in accordance with the 1951 U.N. Convention relating to the status of refugees and its 1967 Protocol. The Government does not offer first asylum. There were no reports that persons were returned forcibly to a country where they feared persecution. The Government neither accepted the Comprehensive Plan of Action for Indochinese seeking refugee status nor offered first asylum to refugees. Prior to 1991, the Government permitted Indochinese asylum seekers to disembark if a resettlement country promised to remove them within 90 days and if the rescuing vessel was in Singapore on a scheduled port of call. In 1991 the Government halted disembarkation on the grounds that resettlement countries had not honored their commitment for removal. Five Vietnamese asylum seekers have been allowed to remain in the country. The authorities permit persons of other nationalities who make claims for asylum to have their status determined by the U.N. High Commissioner for Refugees (UNHCR) for possible resettlement elsewhere.

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

The Constitution provides citizens with the right to change their government peacefully through democratic means, opposition parties are free to contest elections, and the voting and vote-counting systems are fair, accurate, and free from tampering. However, the PAP, which has held power continuously and overwhelmingly for over 3 decades, uses the Government's extensive powers to place formidable obstacles in the path of political opponents. The PAP has maintained its political dominance in part by developing genuine voter support through honest, effective administration and its strong record in bringing economic prosperity to the country, and, in part, by manipulating the electoral framework, intimidating organized political opposition, and circumscribing the bounds of legitimate political discourse and action. It attempts to intimidate the members of the opposition through the threat of libel suits and the subsequent loss of their political future, since large judgments in libel suits can lead to bankruptcy, and under the law bankrupt persons are ineligible to sit in Parliament. The Government also intimidates the opposition through the threat of potential loss of employment or professional licenses. Opposition politicians report that potential employers are reluctant to hire them or their supporters. As a result of these and other factors, opposition parties have been unable to challenge seriously the

PAP's domination of the political system since the late 1960's.

Singapore has a parliamentary system in which the majority party in Parliament has the authority to constitute the Government, which is headed by a Prime Minister. Parliamentary elections may be called at any time but must be held no later than 5 years from the date a new parliament first sits. During the year, the PAP held 80 of 83 elected seats; the opposition Singapore People's Party and the Workers' Party each held 1 seat. One seat, won by the PAP in the 1997 election, was vacated during the year by the incumbent's resignation and was not filled. The WP holds one "nonconstituency" seat based on a constitutional amendment that assures at least three opposition members in Parliament even if fewer than three actually are elected. In addition, the Government nominates and the President appoints "prominent citizens" to serve as nominated members of parliament (NMP's) for 2-year terms. Nine NMP's currently sit in Parliament. Nonconstituency members' and NMP's voting rights are restricted.

The country's economic success and generally honest, effective government under the PAP has helped the PAP maintain a solid base of voter support. The party has an extensive grassroots system and a carefully selected, highly disciplined membership, including Members of Parliament (M.P.'s) who maintain close contact with their constituents, which is responsive to constituent needs and delivers effective government services. However, the PAP, which virtually is synonymous with the Government, is not averse to using the threat to withdraw benefits as a way of assuring popular support. For example, during the 1997 election campaign, the Prime Minister and other senior government officials pointedly warned voters that precincts that elected opposition candidates would have the lowest priority in government plans to upgrade public housing facilities. This heightened concerns among some observers about voters' genuine freedom of choice.

The PAP also maintains its grip on power by other means, including patronage; strong political influence over the press and the courts; restrictions on opposition political activities; and complete control of the political process. Often these means are fully in keeping with the law and the normal prerogatives of government, but the overall effect (and, many argue, ultimate purpose) is to disadvantage and weaken the political opposition. The Government altered the boundaries of election districts in 1996, 3 months before the 1997 elections. In recent years, it has changed most single-seat constituencies into group representational constituencies (GRC's) of three, four, five, or six parliamentary seats, where the party with a plurality wins all the seats. According to the Constitution, the purpose of this change is to ensure ethnic minority representation in Parliament since each GRC candidate list must contain at least one Malay, Indian, or other ethnic minority candidate. However, this change has made it more difficult for opposition parties, all of which have very limited memberships, to fill multimember candidate lists, especially when one member must be an ethnic minority. The PAP does not suffer from this disadvantage.

Although political parties legally are free to organize, they operate under the same limitations that apply to all organizations, and the authorities impose strict regulations on their constitutions, fundraising, and accountability. Government regulations hinder attempts by opposition parties to rent office space in government housing or to establish community foundations. In addition government influence extends in varying degrees to academic, community service, and other NGO's.

A 1998 amendment to the Films Act that banned political videos and films put opposition parties at a disadvantage. The ban, ostensibly to prevent the sensationalist or emotional effect that videos or films could have on political issues, applied to the PAP as well as opposition parties. Nonetheless, it had the effect of denying opposition parties, which already receive far less coverage than does the PAP in the government-influenced press and media, a potential outlet for their political messages (see Section 2.a.).

The threat of civil libel or slander suits, which government leaders have used consistently against political opponents and critics, continues to have a stifling effect on the full expression of political opinion and to disadvantage the formal political opposition. The Penal Code also provides for criminal defamation offenses; however, there are no reports that it is used politically.

In the wake of the 1997 elections, a group of senior PAP leaders--Prime Minister Goh, Senior Minister Lee, and nine other current or former M.P.'s--sued defeated WP candidate Tang Liang Hong for defamation. Most of the suits arose from responses Tang had made to the PAP leaders' claim, made during and after the election, that he was an "anti-Christian, anti-English-educated, Chinese-language chauvinist." Immediately after the election, Tang fled the country, citing death threats, and had not returned at year's end. In 1997 the High Court ordered Tang to pay the PAP leaders a record \$5.77 million (\$9.58 million) in damages. Revenue authorities also charged Tang with tax evasion.

Also in 1997, the same PAP leaders who had sued Tang also filed defamation claims against Tang's WP colleague, party secretary general and nonconstituency M.P. J.B. Jeyaretnam. The plaintiffs claimed that Jeyaretnam defamed them by implying that they were guilty of a serious crime when he told an election rally that Tang had filed police reports against "Goh Chok Tong and his people." In the first of these cases to be decided, that of the Prime Minister, the High Court in 1997 awarded the Prime Minister 10 percent of the requested damages and 60 percent of all legal costs. The Prime Minister appealed the judgment and, in 1998, the Appeals Court raised the damages to half of the requested amount and full legal costs. During the year, Goh began bankruptcy proceedings against Jeyaretnam that would have dissolved the WP and deprived Jeyaretnam of his parliamentary seat, but suspended them while Jeyaretnam was making payments. The remaining defamation suits against Jeyaretnam still were pending at year's end (see Sections 1.e., 2.a., and 4).

The Government also sometimes uses parliamentary censure or the threat of censure to humiliate or intimidate opposition leaders. For example in 1995, Parliament censured Chee Soon Juan, secretary general of the Singapore Democratic Party (SDP), for allegedly endorsing attacks on the judiciary by failing to contradict criticisms made by others on a panel of which he was a member. The SDP also was censured. The Government did not attribute any statement directly attacking the judiciary or endorsing the views of the other panelists to Chee or the SDP. Rather, government parliamentary leaders said that the failure of Chee and other SDP leaders to contradict the attacks constituted positive assent by "clever omission." In 1996 Parliament levied fines on Chee and three other SDP members for alleged perjury, contempt of parliament, and other offenses for providing incorrect statistics to a special parliamentary committee examining government health care subsidies. Chee and his colleagues claimed that they had submitted some incorrect figures to the committee in error but that they had not intended to mislead anyone.

Government entities also have used libel or slander suits, and dismissal from positions in government-related entities, to intimidate prominent opposition politicians. For example, in 1993 Chee was dismissed from his teaching position at the National University of Singapore for alleged irregularities involving the use of research funds. In the context of this case, his department chairman, who also was a PAP M.P., successfully sued Chee for defamation.

The Government also has put significant obstacles in the way of opposition political figures' candidacy for the presidency, a largely ceremonial position that nonetheless has significant budget oversight powers, as well as some powers over civil service appointments and internal security affairs. In the first election of a president, in 1993, the requirements that candidates demonstrate suitable character and experience in managing the financial affairs of a large institution, among other qualifications, were used to rule out two WP aspirants. The fact that many of the country's large institutions are government run or government linked strongly limits the chance that an opposition political figure could satisfy this particular criterion. On August 18, S.R. Nathan was declared the duly elected President. Nathan was the only one of four potential candidates who met all of the Government's strict requirements; once the others were disqualified, the law allowed for the actual voting to be cancelled and permitted the election of Nathan to be declared.

Opposition political figures claim that such impediments are the root cause of the weakness of the opposition parties. The PAP claims that the lack of an effective opposition is due to disorganization, lack of leadership, and lack of persuasive alternative policies.

During the year, Chee Soon Juan attacked the Public Entertainments Act as a "sham" that allowed the ruling party to abuse its power and discriminate against opposition politicians. At Chee's trial for violating the PEA, the judge did not permit testimony that the SDP had filed about 10 applications for licenses during the period 1988 through 1995, of which about half were rejected (see Sections 1.e. and 2.a).

There is no legal bar to the participation of women in political life; however, women are underrepresented in government and politics. Women hold 4 of the 83 elected parliamentary seats and 2 of the 9 NMP seats. There are no female ministers. The highest ranking woman in government is a senior minister of state, who in July publicly called for greater participation of women in the upper echelons of government. The Prime Minister and Deputy Prime Minister supported her call for greater female participation in government. There is no restriction in law or practice against minorities voting or participating in politics; they actively participate in the political process and are well represented throughout the Government, except in some sensitive military positions. Malays make up about 15 percent of the general population and hold about the same percentage of regularly elected seats in Parliament. Indians make up about 7 percent of the general population and hold about 10 percent of the regularly elected seats in Parliament. Minority representation in Parliament is, in part, the result of a legal requirement that candidate slates in every multi-seat constituency must have at least one minority representative.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There are no NGO's that actively and openly monitor alleged human rights violations. This situation is consistent with the general lack of NGO's and the Government's dominance of society. While the Government does not formally prohibit them, efforts by independent organizations to investigate and evaluate government human rights policies would face the same obstacles as those faced by political parties.

In the past, the Government denied that international organizations had any competence to look into human rights matters in the country and, for years, barred Amnesty International (AI) from visiting the country. During the year, a member of the International Commission of Jurists (ICJ) observed the appeal of Chee Soon Juan and another SDP member of their conviction for giving a speech without a permit (see Sections 1.e., 2.a., and 3). In 1997 the Government allowed observers from both AI and the ICJ to observe the proceedings in the defamation suits brought against WP Secretary General J.B. Jeyaretnam (see Section 3). The ICJ'S and AI'S criticisms of these cases were reported fully in the local press, and the Government responded vigorously in the press, alleging bias and citing alleged factual errors.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution states that all persons are equal before the law and entitled to the equal protection of the law, and the Government carries out these provisions in practice. The Constitution contains no explicit provision providing equal rights for women and minorities. Mindful of the country's history of intercommunal tension, the Government takes affirmative measures to ensure racial, ethnic, religious, and cultural nondiscrimination. Social, economic, and cultural benefits and facilities are available to all citizens regardless of race, religion, or sex.

Women

There is no evidence of any widespread practice of violence or abuse against women. The Penal Code and the Women's Charter protect women against domestic violence and sexual or physical harassment. A battered wife can obtain court orders barring the spouse from the home until the court is satisfied that he has ceased his aggressive behavior. The Penal Code prescribes mandatory caning and a minimum imprisonment of 2 years for conviction on a charge of "outraging modesty" that causes the victim fear of death or injury. The press gives fairly prominent coverage to instances of abuse or violence against women. There are several organizations that provide assistance to abused women. The Association of Women for Action and Research (AWARE) has a hotline that offers counseling and legal advice. The Family Protection Unit documents physical and psychological abuse, and provides counseling and legal services to abused women. In July the Council of Women's Organizations established a crisis center for abused persons. The Star shelter accepts children, women, and men, and can accommodate up to 30 persons.

In 1998 2,730 persons applied for court orders to protect themselves against violent family members, compared with 2,019 in 1997, and 1,306 in 1996. The great majority of those applying were women. Some of the increase is attributable to a 1997 amendment to the Women's Charter Act that broadened the definition of violence to include intimidation, continual harassment, or restraint against one's will.

Trafficking in women for the purpose of prostitution is a limited problem (see Section 6.f.).

Women enjoy the same legal rights as men in most areas, including civil liberties, employment, commercial activity, and education. The Women's Charter, enacted in 1961, gives women, among other rights, the right to own property, conduct trade, and receive divorce settlements. Muslim women enjoy most of the rights and protections of the Women's Charter. For the most part, Muslim marriage law falls under the administration of the Muslim Law Act, which empowers the Shari'a court to oversee such matters. Those laws allow Muslim men to practice polygyny. Both men and women have the right to unilateral divorce; however, women face significant difficulties in initiating unilateral divorce proceedings, which often prevents them from trying. However, the Association of Muslim Professionals (AMP) reported in October that 57 percent of the calls that its help line received were from women who wanted to initiate divorce proceedings.

Women constitute 42 percent of the labor force and are well represented in many professions but hold few leadership positions in the private sector. They still hold the preponderance of low-wage jobs such as clerks and secretaries. The average salary of women is only 75 percent of that of men in comparable jobs (compared to 68 percent 10 years ago). In 1962 the Government instituted the principle of equal pay for equal work in the civil service and abolished separate salary scales in 1965.

Some areas of discrimination remain. Children born overseas to female citizens are not granted citizenship automatically, while those of male citizens are. Female civil service employees who are married do not receive health benefits for their spouses and dependents as do male government employees. However, for the first time, beginning on January 2, female citizens were able to sponsor their noncitizen husbands for citizenship.

Children

The Government demonstrates its strong commitment to children's rights and welfare through its well-funded systems of public education and medical care. Access to public education and medical care is equal for all children in society. Although school is not compulsory, virtually 100 percent of children are enrolled through grade 6 and the dropout rate for secondary school is low. The Children and Young Persons Act establishes protective services for orphaned, abused, disabled, or refractory children, and creates a juvenile court system. The Ministry of Community Development works closely with the National Council for Social Services to oversee children's welfare cases. Voluntary organizations operate most of the homes for children, while the Government funds up to 50 percent of all child costs, which include normal living expenses and overhead, as well as expenses for special schooling, health care, or supervisory needs.

There is no societal pattern of abuse of children. People with Disabilities

The Government implemented a comprehensive code on barrier-free accessibility in 1990, which established standards for facilities for the physically disabled in all new buildings and mandated the progressive upgrading of older structures. Although there is no legislation that addresses the issue of equal opportunities for the disabled in education or employment, the National Council of Social Services, in conjunction with various voluntary associations, provides an extensive job training and placement program for the

disabled. Informal provisions in education have permitted university matriculation for visually impaired, deaf, and physically disabled students. The Government allows a \$2,400 (S\$4,000) tax deduction for families with a disabled person. Press coverage of the activities and achievements of the disabled is extensive.

National/Racial/Ethnic Minorities

Ethnic Malays constitute approximately 15 percent of the total population. The Constitution acknowledges them as "the indigenous people of Singapore" and charges the Government to support and promote their political, educational, religious, economic, social, cultural, and language interests. 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 remain underrepresented at the uppermost rungs of the corporate ladder, and, some have claimed, in certain sectors of government and the military, a reflection of their historically lower education and economic position, but also a result of employment discrimination. During the year, there was great debate over the fact that advertisements often specify ethnicity and gender requirements or require fluent Mandarin speakers. The Government responded by issuing "guidelines" that called for eliminating language referring to age, gender, or ethnicity; restrictive language that referred to attributes relevant to a job, such as "Chinese speaker" or "physically strong" remains acceptable. These guidelines generally are obeyed.

A January revision in the Chinese language curriculum in the country's schools, which expanded opportunities for higher Chinese language ignited a longstanding debate over the perceived objective of creating a "Chinese elite." The Government has taken steps to encourage greater educational achievement among Malay students as a key to economic advancement.

The Presidential Council on Minority Rights examines all pending bills to ensure that they are not disadvantageous to a particular group. It also reports to the Government on matters affecting any racial or religious community and investigates complaints.

Section 6 Worker rights

a. The Right of Association

The Constitution provides all citizens with the right to form associations, including trade unions; however, Parliament may impose restrictions based on security, public order, or morality grounds. The right of association is delimited by the Societies Act and by labor and education laws and regulations. Under these laws, any group consisting of 10 or more persons is required to register with the Government. The Trade Unions Act authorizes the formation of unions with broad rights, albeit with some narrow restrictions, such as prohibitions on the unionization of uniformed employees. According to government statistics the national labor force comprises about 1.9 million employees, approximately 260,000 of whom are represented by 82 employee unions. Seventy-three of these unions (which represent 256,000 workers), are affiliated with the National Trades Union Congress (NTUC), an umbrella organization that has a close relationship with the Government.

The NTUC unabashedly acknowledges that its interests are closely linked with those of

the ruling PAP, a relationship often described by both as "symbiotic." For example, the NTUC secretary general (SG), Lim Boon Heng, a PAP M.P., is Minister without Portfolio and was formerly Second Minister for Trade and Industry. His predecessor, Ong Teng Cheong, the country's first elected President (1993-99) was simultaneously NTUC SG and Deputy Prime Minister. It is common for young PAP M.P.'s to be given leadership positions in the NTUC or a member union. NTUC policy prohibits union members who actively support opposition parties from holding office in affiliated unions. While the NTUC is financially independent of the PAP, with income generated by NTUC-owned businesses, the NTUC and the PAP share the same ideology and work closely with management in support of nonconfrontational labor relations.

Workers, other than those in essential services, have the legal right to strike but rarely do so. No strikes have occurred since 1986. Most disagreements are resolved through informal consultations with the Ministry of Manpower. If conciliation fails, the disputing parties usually submit their case to the Industrial Arbitration Court, which has representatives from labor, management, and the Government. Besides these labor dispute mechanisms and the close working relationship and shared views among labor, management, and the Government, the maintenance of labor peace has been a product of high economic growth rates, regular wage increases, and a high degree of job mobility in a virtual full-employment economy. In addition the widely held view that labor conflict would undermine the country's economic competitiveness and attractiveness to investors, and a cultural aversion to confrontation help to maintain a harmonious labor situation. The economic downturn from mid-1997 to early-1999 did not alter significantly the tripartite consensus that labor peace is essential to the country's economic well being.

The NTUC is free to associate regionally and internationally.

b. The Right to Organize and Bargain Collectively

Collective bargaining is a normal part of labor-management relations in the industrial sector. Agreements between management and labor are renewed every 2 to 3 years, although wage increases are negotiated annually. Yearly guidelines on raises and bonus pay issued by the National Wages Council (NWC), a group composed of labor, management, and government representatives, serve as the starting point for bargaining agreements. In mid-1999, in response to the economic downturn, the NWC announced a proposal in which a portion of future wage increases would be considered "variable," allowing companies to eliminate that portion of pay on 30 days notice if financial problems necessitated it. The Industrial Relations Act makes it an offense to discriminate against anyone who is or proposes to become a member or an officer of a trade union. Labor laws and regulations are enforced uniformly.

There are no export processing zones. c. Prohibition of Forced or Compulsory Labor

The Government prohibits forced or compulsory labor, including forced and bonded labor by children, and generally enforces this provision effectively. Under sections of the Destitute Persons Act, any indigent person may be required to reside in a welfare home and engage in suitable work. The International Labor Organization (ILO) has criticized the coercive terms of this act, which includes penal sanctions, as not in compliance with the ILO Convention on Forced Labor. The Government maintains that the act is social legislation that provides for the shelter, care, and protection of destitute persons, and that

work programs are designed to reintegrate individuals into society.

d. Status of Child Labor Practices and Minimum Age for Employment

The Government enforces the Employment Act, which prohibits the employment of children under the age of 12. Although schooling is not compulsory, virtually 100 percent of school age children attend school (see Section 5). Restrictions on the employment of children between the ages of 12 and 16 are rigorous and enforced fully. Children under the age of 14 are prohibited from employment in any industrial undertakings. A child who is 12 years old or above may be engaged in "light work suited to his capacity." A medical officer must certify suitability for such light work. Employers must notify the Commissioner of Labor within 30 days of hiring a child between the ages of 14 and 16 and must attach medical certification of fitness for employment. The incidence of children taking up permanent employment is low, and abuses are almost nonexistent. The Government prohibits forced and bonded labor by children and enforces this provision effectively (see Section 6.c.).

Ministry of Manpower regulations prohibit night employment of children and restrict industrial work for children between the ages of 14 and 16 to no more than 7 hours a day, including the hours spent in school. Children may not work on commercial vessels, with any machinery in motion, on live electrical apparatus lacking effective insulation, or in any underground job. The Minister of Manpower effectively enforces these laws and regulations.

e. Acceptable Conditions of Work

There are no laws or regulations on minimum wages or unemployment compensation. The labor market offers good working conditions and relatively high wages, which provide a decent standard of living for a worker and family.

The Employment Act sets the standard legal workweek at 44 hours and provides for 1 rest day each week.

Because of a domestic labor shortage, approximately 500,000 foreign workers are employed legally, constituting about 24 percent of the total work force. There are no reliable estimates of the number of foreigners working illegally. Most foreign workers are unskilled laborers and household servants from other Asian countries. Foreign workers face no legal wage discrimination. However, they are concentrated in low-wage, low-skill jobs and often are required to work long hours. Most foreign construction workers live on-site in substandard conditions. Although the great majority of the more than 100,000 maids (mainly from the Philippines, Indonesia, and Sri Lanka) work under clearly outlined contracts, their low wages, their dependence on their employers for food and lodging, and the fact that they often live and work relatively isolated from the rest of society make them vulnerable to mistreatment and abuse. In 1998 Parliament passed an amendment to the Penal Code, in response to a reported increase in cases of maid abuse, which raised the punishment for confining or sexually or physically abusing a maid. The authorities have fined or imprisoned employers who have abused domestics, often with great publicity. During the year, newspapers ran several stories on maids who had misused the law, filing wrongful abuse charges.

Most maids work 6 days per week from very early morning until late in the evening. Many contracts allow only 1 day off per month. Contracts often stipulate that, even when she is ostensibly not working, a maid must remain on the premises except for official duties or on her day off. According to Ministry of Manpower Statistics, wages average around \$250 per month (not including free room and board). Maids must often put aside most or all of their wages for the first several months of employment to reimburse their placement agents. Work permits for low-wage workers stipulate the cancellation of such permits if workers apply to marry or marry a citizen or permanent resident.

Although many lower paid foreign workers not covered under the Employment Act are ineligible for the limited free legal assistance that is available to citizens, the Ministry of Manpower also offers mediation services for all employees, foreign or local. The Government allows complainants to seek legal redress.

The Ministry of Manpower effectively enforces laws and regulations establishing working conditions and comprehensive occupational safety and health laws. Enforcement procedures, coupled with the promotion of educational and training programs, have been implemented to reduce the frequency of job-related accidents. While a worker has the right under the Employment Act to remove himself from a dangerous work situation, his right to continued employment depends upon an investigation of the circumstances by the Ministry of Manpower.

f. Trafficking in Persons

The three major laws that govern trafficking and prostitution are the Women's Charter, the Children and Young Person's Act, and the Penal Code. The laws make trafficking in women and children--whether or not it is related to prostitution--punishable by up to 5 years' imprisonment, a \$10,000 (S\$16,600) fine, and caning. The Penal Code covers trafficking and wrongful constraint of men.

There is evidence that the country is a destination for trafficking in women for the purpose of prostitution, primarily from Thailand and Malaysia. Police reportedly conduct raids about once a month in an effort to maintain some control over the situation.

One local NGO offers sex workers counseling services; it is not empowered to provide protection.

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