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2009 Human Rights Report: Singapore

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2009 Country Reports on Human Rights Practices

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Singapore is a parliamentary republic in which the People's Action Party (PAP), in power since 1959, overwhelmingly dominates politics. The population was approximately five million, with nonresident foreign workers accounting for one quarter of the total. Opposition parties exist, and the 2006 parliamentary elections were generally fair and free of tampering; however, the PAP placed formidable obstacles in the path of political opponents. Civilian authorities generally maintained effective control of the security forces.

The government has broad powers to limit citizens' rights and handicap political opposition, which it used. Caning is an allowable punishment for numerous offenses. The following human rights problems also were reported: preventive detention, infringement of citizens' privacy rights, restriction of speech and press freedom and the practice of self-censorship by journalists, restriction of freedoms of assembly and association, limited restriction of freedom of religion, and some trafficking in persons.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

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

b. Disappearance

There were no reports of politically motivated disappearances.

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

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

The law mandates caning, in addition to imprisonment, as punishment for approximately 30 offenses involving violence, such as rape and robbery, and for nonviolent offenses such as vandalism, drug trafficking, and violation of immigration laws. The cane, made of rattan, is four feet long and one-half inch in diameter; it is soaked in water and treated with antiseptic before the caning. The caning officer delivers the strokes using the whole of his body weight. Caning is

discretionary for convictions on other charges involving the use of force, such as kidnapping or voluntarily causing grievous hurt. All women, men over age 50 or under age 16, and persons determined medically unfit are exempt from punishment by caning. Through November 4, 228 convicted persons were sentenced to caning, and 99.8 percent of caning sentences were carried out.

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Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards.

According to the International Centre for Prison Studies, as of mid-2008 there was a total prison population of 12,349, of whom 8.4 percent were women, and as of mid-2007 the juvenile prison population was 4.7 percent of the total. The designed capacity of the prison system was 13,826.

The government did not allow human rights monitors to visit prisons; however, diplomatic representatives were given consular access to citizens of their countries.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the police force and the armed forces, and the Ministry of Home Affairs and the Corrupt Practices Investigation Bureau had effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment While in Detention

The law provides that, in most instances, arrests are to be carried out after issuance of an authorized warrant; however, some laws, such as the Internal Security Act (ISA), provide for arrests without warrants. Those arrested under warrants must be charged before a magistrate within 48 hours. The majority of those arrested were charged expeditiously and brought to trial. A functioning bail system exists. Those who face criminal charges are allowed counsel; however, there is no access to counsel during an initial arrest and investigation before charges are filed. The government assigned attorneys to represent indigent persons accused of capital crimes. The Law Society administered a legal aid plan for some other accused persons who could not afford to hire an attorney.

Some laws--the ISA, the Criminal Law (Temporary Provisions) Act (CLA), the Misuse of Drugs Act (the drug act), and the Undesirable Publications Act (UPA)--have provisions for arrest and detention without a warrant, and under the ISA, CLA, and drug act, executive branch officials can order continued detention without judicial review. The ISA has been employed primarily against suspected security threats; in recent years against suspected terrorists. The CLA has been employed primarily against suspected organized crime and drug trafficking.

The ISA and the CLA permit preventive detention without trial for the protection of public security, safety, or the maintenance of public order. The ISA authorizes the minister for home affairs, with the consent of the president, to order detention without filing charges if it is determined that a person poses a threat to national security. The initial detention may be for up to two years, and the minister for home affairs may renew the detention for an unlimited number of additional periods of up to two years at a time with the president's consent. Detainees have a right to be informed of the grounds for their detention and are entitled to counsel. However, they have no right to challenge the substantive basis for their detention through the courts. The ISA specifically excludes recourse to the normal judicial system for review of a detention order made under its authority. Instead, detainees may make representations to an advisory board, headed by a

Supreme Court justice, which reviews each detainee's case periodically and must make a recommendation to the president within three months of the initial detention. The president may concur with the advisory board's recommendation that a detainee be released prior to the expiration of the detention order, but he is not obligated to do so.

At year's end, 16 detainees were held under the ISA as suspected terrorists. All of these detainees were suspected of belonging to the terrorist group Jemaah Islamiyah.

A religious rehabilitation program designed to wean detained terrorists from extremist ideologies is in effect, and a number of detainees were released under the program, subject to Restriction Orders (ROs) limiting their movements. The authorities stated that all of the detainees released cooperated in investigations and responded positively to rehabilitation.

At year's end, 45 persons were on ROs. This number included both released detainees and suspected terrorists who were never arrested. A person subject to an RO must seek official approval for a change of address or occupation, for overseas travel, or for participation in any public organization or activity.

The CLA comes up for renewal every five years and was renewed in February, with effect from October. Under the CLA the minister for home affairs may order preventive detention, with the concurrence of the public prosecutor, for an initial period of one year, and the president may extend detention for additional periods of up to one year at a time. The minister must provide a written statement of the grounds for detention to the Criminal Law Advisory Committee (CLAC) within 28 days of the order. The CLAC then reviews the case at a private hearing. CLAC rules require that detainees be notified of the grounds of their detention at least 10 days prior to this hearing, in which a 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. Persons detained under the CLA have recourse to the courts via an application for a writ of habeas corpus. Persons detained without trial under the CLA are entitled to counsel, but they may challenge the substantive basis for their detention only to the CLAC. The CLA was used almost exclusively in cases involving narcotics or criminal organizations and has not been used for political purposes. In 2008 the most recent year for which statistics were available, the government issued 64 detention orders and six police supervision orders, and 290 persons were in detention under the CLA. During the five-year period from 2004 through 2008, the government detained 366 persons and released 272 persons under the CLA.

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

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

The drug act also permits detention without trial. Under the drug act, if a suspected drug abuser tests positive for an illegal drug, the director of the Central Narcotics Bureau (CNB) may commit the person to a drug rehabilitation center for a six-month period, which is extendable by a review committee of the institution for up to a maximum of three years. At year's end 617 persons were held in drug rehabilitation centers, 494 of whom were admitted between January and November. Under the Intoxicating Substances Act, the CNB director may order the treatment of a person believed to be an inhalant drug abuser for up to six months.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence; however, in practice constitutionally authorized laws that limit judicial review permit restrictions on individuals' constitutional rights. The president appoints judges to the Supreme Court on the recommendation of the prime minister

and in consultation with the chief justice. The president also appoints subordinate court judges on the recommendation of the chief justice. The term of appointment is determined by the Legal Service Commission (LSC), of which the chief justice is the chairman. Under the ISA and the CLA, the president and the minister for 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. These laws provide the government with the power to limit, on vaguely defined national security grounds, the scope of certain fundamental liberties that otherwise are provided for in the constitution.

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 raised questions about the relationship between the government and the judiciary and led to a perception that the judiciary reflected the views of the ruling party in politically sensitive cases.

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 LSC, which can decide on job transfers to any of several legal service departments. 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 limited 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. 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. Some commentators and representatives of international nongovernmental organizations (NGOs) said that the LSC's authority to rotate subordinate court judges and magistrates and the government's discretion with regard to extending the tenure of Supreme Court judges beyond the age of 65 undermined the independence of the judiciary.

In addition the law provides for Islamic courts whose authority is limited to Islamic family law, which is applicable only to Muslims.

A two-tier military court system has jurisdiction over all military personnel, civilians in the service of the armed forces, and volunteers when they are ordered to report for service. The system handled approximately 450 cases each year. The Military Court of Appeal has jurisdiction to examine an appeal from a person convicted by a subordinate military court. Trials are public, and defendants have the right to be present. An accused individual also has the right to defense representation.

Trial Procedures

The law provides for the right to a fair trial, and independent observers viewed the judiciary as generally impartial and independent, except in a small number of cases involving direct challenges to the government or the ruling party. The judicial system generally provides citizens with an efficient judicial process. In normal cases the Criminal Procedure Code provides that a charge against a defendant must be read and explained to him as soon as it is framed by the prosecution or the magistrate. Trials are public and heard by a judge; there are no jury trials. Defendants have the right to be present at their trials and to be represented by an attorney; the Law Society administers a criminal legal-aid plan for those who cannot afford to hire an attorney. In death penalty cases, the Supreme Court appoints two attorneys for defendants who are unable to afford their own counsel. Defendants also have the right to question opposing witnesses, to provide witnesses and evidence on their own behalf, and to review government-held evidence relevant to their cases. Defendants enjoy a presumption of innocence and the right of appeal in most cases. Despite the general presumption of innocence, the drug act stipulates that a person, who the prosecution proves has illegal narcotics in his possession, custody, or control, shall be assumed to be aware of the substance and places the burden on the defendant to prove otherwise. The

same law also stipulates that, if the amount of the narcotic is above set low limits, it is the defendant's burden to prove he or she did not have the drug for the purpose of trafficking. Convictions for narcotics trafficking offenses carry lengthy jail sentences or the death penalty, depending on the type and amount of the illegal substance.

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.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is no differentiation between civil and criminal judicial procedures. The subordinate courts handled the majority of civil cases. Access to the courts is open, and citizens and residents have the right to sue for infringement of human rights. There were no known attempts to use legal action against the government for human rights violations.

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

The constitution does not address privacy rights; remedies for infringement of some aspects of privacy rights are available under statutory or common law. The government generally respected the privacy of homes and families; however, it had a pervasive influence over civic and economic life and sometimes used its broad discretionary powers to infringe on these rights. Normally the police must have a warrant issued by a court to conduct a search; however, they may search a person, home, or property without a warrant if they decide that such a search is necessary to preserve evidence or under the discretionary powers of the ISA, CLA, the drug act, and the UPA.

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

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and freedom of expression but permits official restrictions on these rights, and in practice the government significantly restricted freedom of speech and of the press. Government intimidation and pressure to conform resulted in self-censorship among journalists; however, there was a moderate level of debate in newspapers and on the Internet on some public issues such as income inequality, immigration policy, and the role of religion in public life.

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

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

published. In an October 26 address to a group of foreign lawyers, the minister of law noted that the government does not seek to proscribe press criticism but "demands the right of response, to be published in the journal that published the original article...[and] if untrue statements are made--that a person is corrupt or that he lied--there will be a suit. Let the accuser prove it."

Citizens do not need a permit to speak at indoor public gatherings outside the hearing or view of nonparticipants, unless the topic refers to race or religion.

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

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

Columnists' opinions and letters to the editor expressed a moderate range of opinions on public issues.

Government-linked companies and organizations operated all domestic broadcast television channels and almost all radio stations. Only one radio station, the BBC World Service, was completely independent of the government. Some Malaysian and Indonesian television and radio programming could be received, but satellite dishes were banned, with few exceptions. Cable subscribers had access to several foreign television news channels and many entertainment channels, including some with news programs; these were not censored.

The Media Development Authority (MDA), a statutory board under the Ministry of Information, Communications, and the Arts (MICA), continued to censor broadcast media, Internet sites, and all other media, including movies, video materials, computer games, and music. Banned publications consisted primarily of sexually oriented materials but also included some religious and political publications. Both the MDA and MICA developed censorship standards with the help of a citizen advisory panel. The ISA, the UPA, and the Films Act allow the banning, seizure, censorship, or restriction of written, visual, or musical materials if authorities determine that such materials threaten the stability of the state, contravene moral norms, are pornographic, show excessive or gratuitous sex and violence, glamorize or promote drug use, or incite racial, religious, or linguistic animosities. The MDA has the power to sanction broadcasters for broadcasting what it believes to be inappropriate content. All content shown between 6 a.m. and 10 p.m. must be suitable for viewers of all ages.

A substantial number of foreign media operations were located within the country, and a wide range of international magazines and newspapers could be purchased uncensored. However, under the Newspaper and Printing Presses Act (NPPA), the government may limit the circulation of foreign publications that it determines interfere with domestic politics. The NPPA requires foreign publications that report on politics and current events in Southeast Asia, with circulation of 300 or more copies per issue, to register, post a S\$200,000 (approximately \$140,000) bond, and name a person in the country

to accept legal service. The government has granted exemptions to 19 of the 24 publications to which these requirements could apply. The *Far Eastern Economic Review* (FEER, which has announced that it will cease publication for economic reasons) continued to be subject to a 2006 government ban for failing to comply with the NPPA. Importation or possession of FEER for sale or distribution was an offense. Readers could access FEER on the Internet. Newspapers printed in Malaysia cannot be imported without a special permit.

The government may limit (or "gazette") the circulation of publications. The government also may ban the circulation of domestic and foreign publications under provisions of the ISA and the UPA. The Broadcasting Act empowers the minister for information, communication, and the arts to gazette or place formal restrictions on any foreign broadcaster deemed to be engaging in domestic politics. Once gazetted, a broadcaster can be required to obtain express permission from the minister to continue broadcasting in the country. The government may impose restrictions on the number of households receiving a broadcaster's programming, and a broadcaster may be fined up to S\$100,000 (approximately \$70,000) for failing to comply.

Critics charged that government leaders used defamation lawsuits or threats of such actions to discourage public criticism and intimidate opposition politicians and the press. Conviction on criminal defamation charges may result in a prison sentence of up to two years, a fine, or both. There were no known new defamation suits or threats of defamation suits against media organizations during the year. On October 7, the High Court upheld a summary judgment against the editor and publisher of FEER in the 2006 defamation suit brought by Prime Minister Lee Hsien Loong and Minister Mentor Lee Kuan Yew in connection with a published interview with opposition politician Chee Soon Juan. In November the editor and publisher agreed to settle the case by paying the Lees S\$350,000 (\$250,000) in damages and S\$45,000 (\$32,000) in costs.

The attorney general may bring charges for contempt of court, and he used this power to charge several persons who published criticisms of the judiciary.

On March 19, the High Court found a senior editor of the *Wall Street Journal Asia* in contempt of court based on the newspaper's 2008 publication of three items, including a letter to the editor that questioned the independence of courts from the PAP government. The court fined the editor S\$10,000 (approximately \$7,200) and assessed another S\$10,000 in court costs against her. In 2008 the High Court had fined the publisher, Dow Jones, S\$25,000 (\$18,000) based on the same publications.

In September the Law Society commenced disciplinary proceedings in absentia against Gopalan Nair, who is now a foreign citizen, based on his 2008 convictions for contempt of court for criticizing certain judges in blog postings. Nair had apologized for those statements and removed them from his blog, and he was permitted to leave the country in November 2008; he subsequently retracted his apology and reposted his criticisms on the Internet. Some observers believed that the disciplinary proceeding was retaliation for Nair's actions after leaving the country.

Internet Freedom

Although residents generally had unrestricted access to the Internet, the government subjected all Internet content to the same rules and standards as traditional media. However, the government did not appear to enforce many restrictions on Internet content, and some banned videos and other materials were accessible online. Internet service providers (ISPs) are required to ensure that content complies with the MDA's Internet code of practice. The MDA also regulates Internet material by licensing the ISPs through which local users are required to route their Internet connections. The law permits government monitoring of Internet use, and the government closely monitored Internet activities such as blogs and podcasts. The MDA was empowered to direct service providers to block access to Web sites that, in the government's view, undermined public security, national defense, racial and religious harmony, or public morals. Political and religious

Web sites must register with the MDA. Although the MDA ordered ISPs to block 100 specific Web sites that the government considered pornographic, in general the government focused on blocking only a small number of sites. The Internet was widely available and used. According to International Telecommunication Union statistics for 2008, approximately 73 percent of the country's inhabitants used the Internet.

Academic Freedom and Cultural Events

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

In March Parliament amended the Films Act to permit certain previously banned political films. Documentary films "without any animation and composed wholly of an accurate account" depicting events, persons, or situations, and party-political videos, party manifestoes, or declarations of policy are now permitted, provided they do not contain "dramatic" elements. In September the government approved the first independent political documentary for exhibition since 1998. The Films Act does not apply to any film sponsored by the government and allows the MICA minister to exempt any film from the act. The amended Films Act also preserves the MICA minister's power to ban any film, whether political or not, that in his opinion is "contrary to the public interest."

A list of banned films was available on the MDA Web site. Certain films that were barred from general release may be allowed limited showings, either censored or uncensored, with a special rating.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides citizens the right to peaceful assembly but permits Parliament to impose restrictions "it considers necessary or expedient" in the interest of security, public order, or morality; in practice the government restricted this right. Public assemblies, including political meetings and rallies, require police permission. The threshold for a public assembly was previously an event involving at least five persons, but in an act passed on April 13, Parliament redefined "public assembly" to include events staged by as few as one person. However, citizens do not need permits for indoor speaking events unless they touch on "sensitive topics" such as race or religion, or for qualifying events held at Speakers' Corner. Spontaneous public gatherings or demonstrations were virtually unknown.

In October a court acquitted five members of the opposition Singapore Democratic Party charged with taking part in a 2007 procession without a valid permit. However, the court based its decision on the applicable statute's failure to define the term "procession." Parliament's April 13 change in the public assembly laws introduced a definition of "procession" that would apply in future cases. The government appealed the October acquittals to the High Court.

In December Chee Soon Juan, Chee Siok Chin, and Gandhi Ambalan were convicted of illegal assembly and fined S\$1,000 (approximately \$700). The three refused to pay their fines, and instead each served one week in prison.

The government closely monitored political gatherings regardless of the number of persons present. Plain-clothes police officers often monitored political gatherings.

Freedom of Association

Most associations, societies, clubs, religious groups, and other organizations with more than 10 members are required to register with the government under the Societies Act. The government denied registration to groups that it believed were likely to have been formed for unlawful purposes or for purposes prejudicial to public peace, welfare, or public order. The government has absolute discretion in applying criteria to register or dissolve societies. During the year the Registry of Societies received 268 registration applications. One application processed was denied, nine were withdrawn, and 50 were pending at year's end.

The government prohibits organized political activities except by groups registered as political parties or political organizations. This prohibition limits opposition activities disproportionately and contributes to restricting the scope of unofficial political expression and action. The PAP was able to use nonpolitical organizations, such as residential committees and neighborhood groups, for political purposes far more extensively than opposition parties. Political parties and organizations are subject to strict financial regulations, including a ban on receiving foreign donations. Due to laws regulating the formation of publicly active organizations, there were few NGOs apart from nonpolitical organizations such as religious groups, ethnically oriented organizations, and providers of welfare services.

c. Freedom of Religion

The constitution provides for freedom of religion; however, the government restricted this right in some circumstances. The constitution provides that all citizens or persons in the country have the right to profess, practice, or propagate their religious beliefs so long as such activities do not breach any other laws relating to public order, public health, or morality.

All religious groups were subject to government scrutiny. These groups must be registered under the Societies Act. The Maintenance of Religious Harmony Act (MRHA) authorizes the minister for home affairs to issue, at his discretion, a restraining order against any person in a position of authority within a religious group who is causing feelings of enmity or hostility between different religious groups, or is promoting political causes, carrying out subversive activities, or exciting disaffection against the government under the guise of practicing religion. The MRHA prohibits judicial review of restraining orders issued under its authority. Any restraining order must be referred to the Council for Religious Harmony, which recommends to the president that the order be confirmed, canceled, or amended. Restraining orders lapse after, at most, 90 days unless confirmed by the president. The minister must review a confirmed restraining order at least once every 12 months and may revoke such an order at any time. No restraining order has been issued since the MRHA was enacted in 1990.

The Presidential Council for Minority Rights examines all legislation to ensure that it does not disadvantage particular racial or religious communities. The council also considers and reports on matters concerning any racial or religious community that are referred to it by Parliament or the government. The government maintains a relationship with the Muslim community through the Islamic Religious Council (MUIS), which was established under the Administration of Muslim Law Act. The MUIS advises the government on the Muslim community's concerns, drafts a weekly approved sermon, maintains regulatory authority over Muslim religious matters, and oversees a fund financed by voluntary payroll deductions and used for mosque building and social and educational purposes.

The Jehovah's Witnesses and Unification Church remained banned along with all written materials published by the Jehovah's Witnesses' publishing affiliates, the International Bible Students Association, and the Watch Tower Bible and Tract Society. A person in possession of banned literature can be fined up to S\$2,000 (approximately \$1,400); for holding a meeting, the fine can be as high as S\$4,000 (\$2,800). There were no arrests of Unification Church members reported during the year. The government declined to make data available to the public concerning arrests of Jehovah's Witnesses during the year.

There were allegations that Falun Gong practitioners faced obstacles in obtaining or renewing work permits, visas, or permanent residency status.

While the government did not prohibit evangelical activities, in practice it discouraged activities that could upset intercommunal relations, such as unsolicited public proselytizing. In May a court convicted a Christian couple of sedition and distribution of objectionable publications for disseminating Christian pamphlets potentially offensive to Muslims. In sentencing each defendant to eight weeks in prison, the court ruled that the right to proselytize is constrained by the imperative to respect the religious beliefs of others. The couple served five and a half weeks in prison, with the remaining time remitted for good behavior. They lost their jobs as a result of their criminal convictions.

In his August 16 National Day speech, Prime Minister Lee noted dangers to the country's "social cohesion" arising from aggressive proselytizing, religious intolerance, and self segregation. He prescribed four "rules" governing religion in public life: racial and religious groups must exercise tolerance and "rules that apply only to one group cannot be made into laws that apply to everyone;" religion must be separate from politics; government must be secular, and public policy must be based on "secular, rational considerations of public interest;" and common space--notably schools and workplaces--must accommodate members of all religions. He also noted that members of Parliament must not use churches or religious groups to mobilize support.

Societal Abuses and Discrimination

The size of the Jewish community was approximately 800 to 1,000. There were no reports of societal religious discrimination or of anti-Semitic acts.

For a more detailed discussion, see the *2009 International Religious Freedom Report* at www.state.gov/g/drl/rls/irf/.

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

The constitution and the law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice; however, it limited them in a few respects. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Citizens' choice of where to live sometimes was limited by the government's legal requirement for ethnic balance in publicly subsidized housing, in which the majority of citizens lived. The government required all citizens and permanent residents over the age of 15 to register and to carry identification cards. The government may refuse to issue a passport and did so in the case of former ISA detainees. Under the ISA a person's movement may be restricted. According to official press releases, at year's end there were 45 suspected terrorists subject to such restrictions.

The law prohibits forced exile, and the government did not employ it.

The right of voluntary repatriation was extended to holders of national passports. The government actively encouraged citizens living overseas to return home or at least to maintain active ties with the country. A provision of the law allows for the loss of citizenship by citizens who reside outside the country for more than 10 consecutive years, but it was not known to have been used.

In June a court issued a warrant for the arrest of opposition politician Chee Soon Juan for failing to appear at the resumption of a hearing on charges arising from a 2006 protest. As a bankrupt, Chee was required to seek the permission of the Official Assignee (OA) to leave the country; as a criminal defendant, he was required to seek similar permission from the trial court. Chee obtained the OA's permission to travel to Taiwan to visit his dying father-in-law, but the court

declined his application. When Chee traveled to Taiwan without court permission, the presiding judge issued an arrest warrant and rescinded it only upon receiving documentary proof of Chee's father-in-law's death.

Men are required to serve 24 months of uniformed national service upon turning 18 years of age. They also are required to undergo reserve training up to the age of 40 (for enlisted men) or 50 (for officers). Male citizens and permanent residents with national service reserve obligations are required to advise the Ministry of Defense if they plan to travel abroad. Persons 13 years of age or older who have not completed national service obligations are required to obtain exit permits for international travel. To obtain the required permit, a prospective traveler must post a bond equal to S\$75,000 (approximately \$54,000) or 50 percent of the combined gross annual income of both parents for the preceding year, whichever is greater. The bond requirement applies to travelers aged 16 1/2 years and above for travel exceeding three months, and to travelers age 13 to 16 1/2 for travel lasting two years or more.

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

Protection of Refugees

The country is not a party to the 1951 UN Convention relating to the Status of Refugees or its 1967 protocol. Its laws do not provide for the granting of asylum or refugee status, although the government has established a system for providing protection to refugees on a case-by-case basis. In practice the government provided protection against expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

During the year the government required some Burmese nationals who held permanent residence status in Singapore to leave the country upon expiration of their visas. The authorities determined that these persons had attempted to hold demonstrations without approval and had ignored police warnings. They were not required to return to Burma but departed for third countries.

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

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

Elections and Political Participation

Following the 2006 elections, the PAP (having captured 66.6 percent of the vote) held 82 of 84 elected constituency seats in Parliament; the opposition Singapore Democratic Alliance (13.1 percent) and the Workers' Party (16.3 percent) each held one elected seat. Because three seats are reserved by law for opposition parties, the Workers' Party obtained a second, "nonconstituency" seat as the opposition party with the highest vote total.

The opposition continued to criticize what it described as PAP abuse of its incumbency advantages to handicap opposition parties. The PAP maintained its political dominance in part by intimidating organized political opposition and circumscribing political discourse and action. The belief that the government might directly or indirectly harm the

employment prospects of opposition supporters inhibited opposition political activity; however, there were no confirmed cases of such retaliation. As a result of these and other factors, opposition parties were unable to challenge seriously the ruling party. The PAP claimed that the lack of an effective opposition was due to disorganization, weak leadership, and the absence of persuasive alternative policies.

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

The PAP completely controlled key positions in and out of government, influenced the press, pursued opposition political figures in the courts, and otherwise limited opposition political activities. Often the means were fully consistent with the law and the normal prerogatives of a parliamentary government, but the overall effect was to disadvantage and weaken political opposition. Since 1988 the PAP changed all but nine single-seat constituencies into group representational constituencies (GRCs) of five to six parliamentary seats, in which the party with a plurality wins all of the seats. According to the constitution, such changes are permitted to ensure ethnic minority representation in Parliament; each GRC candidate list must contain at least one ethnic minority candidate. These changes made it more difficult for opposition parties, all of which had very limited memberships, to fill multimember candidate lists. The constitutional requirement that members of Parliament resign if expelled from their party helped ensure backbencher discipline.

Although political parties legally were free to organize, they operated under the same limitations that applied to all organizations, and the authorities imposed strict regulations on their constitutions, fundraising, and accountability. There were 26 registered political parties in the country; however, only seven of these were active. Political parties and organizations were subject to strict financial regulations, including a ban on receiving foreign donations. Government regulations hindered attempts by opposition parties to rent office space in government housing blocks or to establish community foundations. In addition government influence extended in varying degrees to academic, community service, and other NGOs.

The law provides for a president to be popularly elected for a six-year term from among candidates who are approved by a constitutionally prescribed committee selected by the government. In 2005 the committee decided that the PAP-endorsed incumbent, President S.R. Nathan, was the only qualified candidate out of four applicants. The election was cancelled, and Nathan was inaugurated for a second term. The government placed significant obstacles in the way of opposition political figures' presidential candidacies. For example, opposition members were much less likely to satisfy the requirement that candidates have experience in managing the financial affairs of a large institution, since many of the country's large institutions were run by or linked to the government.

Voting is compulsory, and 95 percent of eligible voters voted in the most recent general election. However, more than 43 percent of those eligible voters lived in GRCs where the opposition was unable to field candidates and the PAP candidates were automatically elected. There is no legal bar to the participation of women in political life; women held 17 of the 84 elected parliamentary seats. There were three female ministers of state, including, since April, one of cabinet rank. Three of the 15 Supreme Court justices were women. The solicitor general was a woman.

There are no restrictions in law or practice against minorities voting or participating in politics; they actively participated in the political process and were well represented throughout the government, except in some sensitive military positions. Malays made up approximately 15 percent of the general population and held approximately the same percentage of elected seats in Parliament. Indians made up approximately 9 percent of the general population and held approximately

11 percent of the elected seats in Parliament. There were four ethnic Indian ministers and one ethnic Malay minister. Two of the 14 members of the Supreme Court were ethnic Indian; there were no Malays on the court.

Section 4 Official Corruption and Government Transparency

There were no reports of government corruption during the year. In the past the government actively prosecuted officials involved in corruption. The salaries of senior officials are public information, and political parties must report donations; however, there is no financial disclosure law. The Corrupt Practices Investigation Board, which answers directly to the prime minister, is responsible for investigating and prosecuting corruption by government officials.

There are no laws that specifically provide for public access to government information.

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

Efforts by independent organizations to investigate and evaluate government human rights policies faced the same obstacles as those faced by opposition political parties. NGOs were subject to registration under the Societies Act. Some domestic NGOs criticized restrictions on human rights or suggested changes that would relax or remove restrictions.

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

Some international human rights NGOs criticized the government's policies in areas such as capital punishment and freedom of expression. The government generally ignored such criticisms or published rebuttals. The government actively participated in the creation of the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights, which was inaugurated in October.

Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

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

Women

The government enforced the law against rape, which provides for imprisonment of up to 20 years and caning for offenders. Under the law rape can be committed only by a man, and spousal rape is generally not a crime. However, husbands who force their wives to have intercourse can be prosecuted for other offenses, such as assault, and spousal rape is a criminal offense when the couple is separated, subject to an interim divorce order that has not become final, or subject to a written separation agreement, as well as when a court has issued a protection order against the husband. During the year 16 persons were prosecuted for rape; there were seven convictions, and 14 persons were awaiting trial. The Ministry of Education and the police carried out programs aimed at preventing rape.

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

violence against women. Several voluntary welfare organizations provided assistance to abused women. During the year there were applications for Personal Protection Orders, including a number filed by wives for protection against their husbands. The government did not provide data concerning such orders.

Prostitution is not illegal; however, public solicitation, living on the earnings of a prostitute, and maintaining a brothel are illegal. The authorities periodically carried out crackdowns on solicitation for prostitution and arrested and deported foreign prostitutes, particularly when their activities took place outside informally designated red-light areas. In practice police unofficially tolerated and monitored a limited number of brothels; prostitutes in such establishments were required to undergo periodic health checks and carry a health card.

There are no specific laws prohibiting stalking or sexual harassment; however, the Miscellaneous Offenses Act (MOA) and laws prohibiting insults to modesty were used successfully to prosecute these offenses. Under the MOA a person who uses threatening, abusive, or insulting words or behavior can incur a fine of up to S\$5,000 (\$3,500). A 2008 survey by a local NGO found that 54 percent of respondents (58.3 percent of females and 42 percent of males) reported having experienced some form of sexual harassment at work. The Ministry of Manpower, the National Trades Union Council, and the Singapore Employers Federation jointly operated a venue for public feedback and advice on fair employment practices.

Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children. Contraceptive supplies and information, provided by the Ministry of Health, as well as public and private doctors, were readily available. Medical services were available, including for sexually transmitted diseases, and were provided without discrimination. The national birthrate was well below replacement levels and since the mid-1980s the government has pursued pronatalist policies, which provide comprehensive clinical services and a wide range of social and fiscal incentives.

Women accounted for 56 percent of civil service employees. They enjoyed the same legal rights as men, including civil liberties, employment, commercial activity, and education. The Women's Charter gives women, among other rights, the rights to own property, conduct trade, and receive divorce settlements. Muslim women enjoyed most of the rights and protections of the Women's Charter. For the most part, Muslim marriage falls under the administration of the Muslim Law Act, which empowers the Shari'a (Islamic law) court to oversee such matters. The law allows Muslim men to practice polygyny, although requests to take additional spouses may be refused by the Registry of Muslim Marriages, which solicits the views of an existing wife or wives and reviews the financial capability of the husband. During the year there were 36 applications for polygynous marriages. As of year's end, nine of those applications were approved, and those remaining were either rejected, withdrawn, or pending. Polygynous marriages constituted 2.1 percent of Muslim marriages.

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

In recent years women constituted approximately 54 percent of the labor force and were well represented in many professions. However, women held few leadership positions in the private sector and only one cabinet-level position in the government. Women were overrepresented in low-wage jobs such as clerks and secretaries. In 2008 salaries for women ranged upwards from 66 percent of men's salaries depending on the occupational grouping. In some occupations women earned more than their male counterparts.

Children

Citizenship is derived from one's parents, and birth registration is essentially universal.

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

Some child prostitution occurred. During the year authorities arrested 41 female prostitutes believed to be under the age of 18, and one man was prosecuted for and convicted of commercial sex with a minor under 18. The age of consent to noncommercial sex is 16 years. Sexual intercourse with anyone under 16 is punishable by up to five years in prison and a maximum fine of S\$10,000 (approximately \$7,200). The authorities may detain persons under 18 who are believed to be engaged in prostitution, as well as to prosecute those who organize or profit from prostitution, who bring women or girls to the country for prostitution, or who coerce or deceive women or girls into prostitution.

The MCYS sponsored activities promoting children's causes, including family stability.

Trafficking in Persons

The law prohibits all forms of trafficking in persons; however, the country was a destination for women and girls trafficked from Southeast Asia and China for prostitution. Some foreign domestic workers were subjected to abusive labor conditions that may be indicative of labor trafficking, including physical or sexual abuse; confiscation of travel documents; confinement; inadequate food, rest, or accommodation; deception about wages or conditions of work; and improper withholding of pay. Some women from Thailand and the Philippines who traveled to the country voluntarily for prostitution or other work were deceived or coerced into sexual servitude.

Three major laws govern trafficking and prostitution: the Women's Charter, the Children and Young Persons Act, and the penal code. Trafficking in women and children, regardless of whether it is related to prostitution, is punishable by up to five years' imprisonment, a S\$10,000 (approximately \$7,200) fine, and caning. Traffickers could be prosecuted under provisions governing kidnapping, abduction, slavery, and forced labor, which carry maximum punishments of 10 years' imprisonment and a fine. Convicted traffickers could be found guilty of violating more than one law. There was no specific campaign to combat or prevent the use of fraud or coercion to recruit foreign women for prostitution.

Between April 2008 and March, the government identified two victims of trafficking for sexual exploitation. In one case, involving a victim under the age of 18, the trafficker was convicted of commercial sexual exploitation of a minor and received a one-year prison term. In the other case, involving an adult who returned to her home country before making a police report credibly alleging that she was coerced into prostitution, the trafficker was convicted of living off the earnings of prostitution and fined S\$12,000 (\$8,500).

Law enforcement efforts aimed at curbing prostitution may have resulted in victims of trafficking being penalized for acts committed as a direct result of being trafficked. In 2008 police arrested thousands of foreign women (including 54 children) for prostitution, who were generally incarcerated and then deported. The number of trafficking victims among this group is unknown; however, government measures to identify potential trafficking victims appear to have been limited.

In practice successful investigation and prosecution of trafficking in persons required that victims remain in or return to the country to testify. Victims did not receive government assistance during this period or at other times and were dependent on support from their respective embassies or from voluntary welfare organizations (VWOs). Some VWOs received government funding based on referrals for shelter or other services. The government encouraged identified victims to assist in the investigation and prosecution of trafficking offenders and made available to all foreign victims of crime temporary immigration relief that allowed them residency pending conclusion of their criminal cases. The country does not

otherwise provide trafficking victims with a legal alternative to removal, including to countries where they may face hardship and retribution. Laws prohibiting the harboring, aiding, or abetting of illegal immigrants could, as written, subject to prosecution NGOs that assist potential trafficking victims; however, the authorities did not prosecute any NGOs on that basis.

The Department of State's annual *Trafficking in Persons Report* can be found at www.state.gov/g/tip.

Persons with Disabilities

The government maintained a comprehensive code on barrier-free accessibility; this established standards for facilities for persons with physical disabilities in all new buildings and mandated the progressive upgrading of older structures. There was no comprehensive legislation addressing equal opportunities for persons with disabilities in education or employment; however, the National Council of Social Services, in conjunction with various voluntary associations, provided an extensive job training and placement program for persons with disabilities. The government also ran vigorous campaigns to raise public awareness of issues confronting persons with disabilities and the services available to them. A tax deduction of up to S\$100,000 (approximately \$72,000) was available to employers to defray the expense of building modifications to benefit employees with disabilities. The country allows guide dogs for the blind into public places and on public transportation. During the year 100 percent of public trains and 13.2 percent of buses were wheelchair accessible.

Informal provisions in education permit university matriculation for the visually impaired, those hard of hearing, and students with other physical disabilities. More than 6,342 children with intellectual disabilities attended mainstream schools during the year. There were 20 special education schools that enrolled approximately 4,900 students. All primary and secondary schools were equipped with basic handicap facilities such as handicap toilets and first-level wheelchair ramps. The government provided funds for 29 childcare centers to take in 1,377 children with special needs.

The government allows a tax deduction of up to S\$3,500 (approximately \$2,500) per individual for families caring for a sibling, spouse, or child with a disability. Mental and physical disabilities are treated in the same way. Press coverage of the activities and achievements of persons with disabilities was extensive, and discrimination or abuse of persons with disabilities did not appear to be a problem.

National/Racial/Ethnic Minorities

Ethnic Malays constituted approximately 15 percent of the population. The constitution acknowledges them as the indigenous people of the country and charges the government to support and promote their political, educational, religious, economic, social, cultural, and language interests. The government took steps to encourage greater educational achievement among Malay students. However, ethnic Malays have not reached the educational or socioeconomic levels achieved by the ethnic Chinese majority, the ethnic Indian minority, or the Eurasian community. Malays remained underrepresented at senior corporate levels and, some asserted, in certain sectors of the government and the military. This reflected their historically lower educational and economic levels, but some argued that it also was a result of employment discrimination. Some ethnic Indians also reported that discrimination limited their employment and promotion opportunities. Government guidelines called for eliminating language referring to age, gender, or ethnicity in employment advertisements; restrictive language pertinent to job requirements, such as "Chinese speaker" remained acceptable. These guidelines were generally followed.

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

Government policy enforced ethnic ratios for publicly subsidized housing.

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

A vigorous debate took place in 2007, when an ultimately unsuccessful attempt took place to repeal the section of the penal code criminalizing sex between men. After the attempt failed, Prime Minister Lee stated that the authorities would not actively enforce the statute, leaving gay men free to live their private lives in peace as long as they did not actively promote their sexual orientation.

The sensitivity of the issue emerged again during the year when social conservative activists temporarily seized control of a women's rights NGO, the Association of Women for Action and Research (AWARE), and accused AWARE's former leadership of promoting homosexual conduct in the public schools through a sex education program designed under AWARE's auspices. The Ministry of Education suspended use of the AWARE sex education program pending further review.

On May 16, a rally in support of "the freedom of lesbian, gay, bisexual, and transgender persons in Singapore to love" took place at Speakers Corner. Participants held pink umbrellas aloft and arranged themselves to form a large pink dot when seen from nearby high-rise buildings. The rally took place without disturbance.

Other Societal Violence or Discrimination

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

Section 7 Worker Rights

a. The Right of Association

The constitution provides all citizens 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 was restricted by the Societies Act and by labor and education laws and regulations. Under these laws any group of 10 or more persons is required to register with the government. The Trade Unions Act authorizes the formation of unions with broad rights, albeit with some narrow restrictions such as prohibitions on the unionization of uniformed personnel or government employees. The Amalgamated Union of Public Employees was declared exempt from these provisions, and its scope of representation expanded to cover all public sector employees except the most senior civil servants.

The Trade Unions Act restricts the right of trade unions to elect their officers and to choose whom they may employ. Foreigners and those with criminal convictions may not hold union office or become employees of unions. However, the minister of manpower may grant exemptions. The Trade Unions Act limits the objectives for which unions can spend their funds and prohibits payments to political parties or the use of funds for political purposes. The national labor force consisted of approximately three million workers, 519,000 of whom were represented by 69 unions. Almost all of the unions (which represented virtually all union members) were affiliated with the National Trade Union Congress (NTUC), an umbrella organization with a close relationship with the government.

The NTUC acknowledged that its interests were linked closely with those of the ruling PAP, a relationship often described by both as symbiotic. The NTUC's secretary general, Lim Swee Say, a PAP member of parliament (MP), was a member of the cabinet as minister in the Prime Minister's Office. Young PAP MPs with no union experience were elected to leadership positions in the NTUC or member unions. NTUC policy prohibited union members who supported opposition parties from holding office in affiliated unions. While the NTUC was financially independent of the PAP, the two shared a

common ideology and worked closely with management in support of nonconfrontational labor relations. The NTUC was free to associate regionally and internationally.

Workers in "essential services" are required to give 14 days' notice to an employer before striking, and there is a prohibition on strikes by workers in the water, gas, and electricity sectors. Other workers have the legal right to strike but rarely did so. No specific laws prohibit retaliation against strikers. The law provides that before striking, 51 percent of unionized workers must vote in favor of the strike by secret ballot, as opposed to the more common practice of 51 percent of those participating in the vote. There were no strikes during the year.

Most disagreements were resolved through informal consultations with the Ministry of Manpower. If conciliation failed, the disputing parties usually submitted their case to the tripartite Industrial Arbitration Court (IAC), which was composed of representatives from labor and management and chaired by a judge. In limited situations the law provides for compulsory arbitration, which has not been used since 1980.

b. The Right to Organize and Bargain Collectively

Collective bargaining was a normal part of labor-management relations in the industrial sector. The IAC must certify collective agreements before they go into effect. The IAC may refuse certification at its discretion on the ground of public interest. In 2008, 355 collective agreements were filed with the IAC. Union members may not reject collective agreements negotiated between their union representatives and the employer. Transfers and layoffs are excluded from the scope of collective bargaining. However, in practice employers consulted with unions on both issues, and the Tripartite Panel on Retrenched Workers issued guidelines calling for early notification to unions of layoffs.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, and there were no reports that such practices occurred.

d. Prohibition of Child Labor and Minimum Age for Employment

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

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

e. Acceptable Conditions of Work

There are no laws or regulations on minimum wages or unemployment compensation. Agreements between management and labor were renewed every two to three years, although wage increases were negotiated annually. The National Wages Council, a group composed of labor, management, and government representatives, issued yearly guidelines on

raises and bonus pay that served as the starting point for bargaining agreements. Subject to negotiation in each enterprise, up to 10 percent of salaries was considered "variable" each month, allowing companies to eliminate that portion of pay if there were financial problems. The labor market generally offered citizens and permanent residents good working conditions and relatively high wages that provided a decent standard of living for a worker and family. In 2008 the median income among all households headed by a citizen or permanent resident was S\$59,400 (approximately \$42,400); among employed households headed by a citizen or permanent resident, the median income was S\$65,760 (\$47,000).

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

The Ministry of Manpower effectively enforced laws and regulations establishing working conditions and comprehensive occupational safety and health laws. Enforcement procedures, coupled with the promotion of educational and training programs, were implemented to reduce the frequency of job-related accidents. While workers have the right under the Employment Act to remove themselves from a dangerous work situation, their right to continued employment depended upon an investigation by the ministry.

Because of a domestic labor shortage, approximately 700,000 foreign workers were employed legally. There were no reliable estimates of the number of foreigners working illegally. Most foreign workers were unskilled laborers and household servants from other Asian countries. Although substantial numbers of foreign workers held white-collar jobs, foreign workers were generally concentrated in low-wage, low-skill jobs and were often required to work long hours. Employers are required by law to provide their workers with a minimum standard of housing. Several instances of employers housing their workers in substandard housing, or failing to provide any housing, were reported during the year.

Although the great majority of the approximately 180,000 foreign domestic workers (mainly from the Philippines and Indonesia) worked under clearly outlined contracts and reported no complaints against their employers or employment agencies, their low wages, dependence on their employers for food and lodging, and relative isolation made some of them vulnerable to mistreatment, abuse, and labor conditions that in some cases could amount to involuntary servitude. The authorities fined or imprisoned employers who abused maids. During the year the Ministry of Manpower collected unpaid wages on behalf of maids in 219 cases. Pregnancy is a breach of the standard work permit conditions for foreign domestic workers, and the government may cancel work permits and require repatriation of foreign domestic workers who become pregnant.

The Employment Act protects foreign workers such as the many employed in the construction industry; however, domestic servants are not covered by the act and are not eligible for limited free legal assistance from the government. The NTUC reported that it advocated for the rights of all migrant work-permit holders through its Migrant Workers' Forum. In addition the Ministry of Manpower offered conciliation services for all employees, foreign or local. The Foreign Workers Unit of the ministry provided free advisory and mediation services to foreign workers experiencing problems with employers. The government allowed complainants to seek legal redress and operated a hotline for maids. During the year the hotline received approximately 2,193 calls, 95 percent of which were general inquiries.