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Singapore

Country Reports on Human Rights Practices - [2005](#)

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Singapore is a parliamentary republic in which politics is dominated overwhelmingly by the People's Action Party (PAP), which has been in power since 1959. The population was approximately 4.2 million, with foreign workers accounting for nearly one-seventh of the total. Opposition parties exist, and parliamentary elections take place at regular, constitutionally mandated intervals (most recently in November 2001); however, the PAP holds 82 of 84 elected parliamentary seats and all ministerial positions. The government maintained effective control over all security activities.

The government generally respected the human rights of its citizens; however, there were significant problems in some areas. The government has broad powers to limit citizens' rights and to handicap political opposition, which it used in practice. Caning was an allowable punishment for numerous offenses. The following human rights problems were reported:

- preventive detention
- executive influence over the judiciary
- infringement of citizens' privacy rights
- restriction of speech and press freedom, and the practice of self-censorship by journalists
- restriction of freedom of assembly and freedom of association
- some restriction on freedom of religion
- 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. In March 2004 a detainee claimed that in 2003 police officers used physical means to force him to confess and threatened to arrest his wife. The trial judge ruled that the confession was involuntary, refused to allow it into evidence, and subsequently acquitted the man of all charges. In August 2004 the High Court sustained the ruling that the confession was involuntary and disallowed it. It nonetheless found the accused guilty and sentenced him to two years' imprisonment. The police force took no action against the officers accused of using "physical means" because the detainee had not lodged a complaint prior to the trial.

In previous years there were some cases of alleged police mistreatment of detainees. Persons alleging mistreatment were permitted to bring criminal charges against government officials suspected of involvement. The media reported fully on allegations of police abuse, and the government took action against abusers.

The penal code 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. 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 anyone determined medically unfit are exempt from punishment by caning. Although statistics for the year were not available, caning was a regularly administered punishment.

Prison and Detention Center Conditions

Prison conditions, while Spartan, generally met international standards.

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

The police are responsible for routine security within the country and for border protection, including action against illegal immigrants. The Internal Security Act (ISA) authorizes the Internal Security Department in the Ministry of Home Affairs to counter perceived threats to the nation's security such as espionage, international terrorism, threats to racial and religious harmony, and subversion. The police force was well trained and highly disciplined. Corruption was not a problem, and the police effectively maintained internal law and order. The Corrupt Practices Investigation Bureau, an independent agency under the Prime Minister's Office, investigates all allegations of corruption including police corruption. Allegations of criminal offences by police officers are investigated either by a police division other than the unit to which the accused are assigned or, in cases involving complaints of serious misconduct, by the Internal Investigation Division at police headquarters.

Arrest and 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 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, but no commercial bail bond services were available. Those who face criminal charges are allowed counsel; however, there was no access to counsel during the initial arrest and investigation before charges were filed. Legal experts in and out of government debated the merits of allowing potential criminal defendants access to counsel during the arrest and investigation phase. The Law Society administered a legal aid plan for those who could not 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.

Some laws--the ISA, the Criminal Law (Temporary Provisions) Act (CLA), the Misuse of Drugs Act (MDA), and the Undesirable Publications Act (UPA)--have provisions for arrest and detention without a warrant or judicial review. The ISA has been employed primarily against suspected security threats. In the past, these threats were Communist related; however, in recent years, the ISA has been employed 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 gives broad discretion to the minister for home affairs, at the direction 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 may be renewed without limitation for additional periods of up to two 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 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, 36 detainees were being held under the ISA as suspected terrorists. Of these detainees, 33 were suspected of belonging to the terrorist group Jemaah Islamiyah, and 3 were suspected of membership in the Philippines-based Moro Islamic Liberation Front. The first arrests of suspected terrorists occurred in 2001; another group was arrested in 2002, additional arrests took place in 2003 and 2004, and on August 5, a suspected Jemaah Islamiyah terrorist was arrested. Some of those detained have been released under restriction orders (ROs). A person subject to an RO must seek official approval for a change of address or occupation and for overseas travel and participation in any public organization or activity. Approximately 19 persons were under ROs as of mid-October; this number included both released detainees and suspected terrorists who were never arrested but who have been placed under ROs.

There were no reports of political detainees.

The CLA comes up for renewal every five years, and when parliament renewed it in September 2004, it also amended it to allow taking DNA samples. 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. However, 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 is used almost exclusively in cases involving narcotics or criminal organizations and has not been used for political purposes. According to the most recent available official figures, 211 persons were in detention under the provisions of the CLA in 2003, down from 463 in 1998 and 1,263 in 1988. Persons who allege

mistreatment while in detention may bring criminal charges against government officials alleged to have committed such acts.

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 MDA permits detention without trial. Under the MDA, the director of the Central Narcotics Bureau (CNB) also may commit--without trial--suspected drug abusers 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. As of September, 150 persons were held in drug rehabilitation centers, down from 225 persons in 2003. 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. Other sections of the MDA allow for capital punishment or incarceration of persons found guilty of narcotics trafficking offenses (see section 1.e.).

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected this provision; however, in practice laws that limit judicial review permit restrictions on constitutional rights. Some judicial officials, especially supreme court judges, have ties to the ruling party and its leaders. 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, 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 (see sections 2.a. and 3). 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. On January 6, the High Court awarded former prime minister Goh Chok Tong and former senior minister Lee Kuan Yew \$300 thousand (S\$500 thousand) in damages for comments made by opposition leader Chee Soon Juan the 2001 election campaign.

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. 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, which is applicable only to Muslims. Supreme court justices may choose to 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.

Trial Procedures

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 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. 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. Trials are public and heard by a judge; there are no jury trials. Despite the general presumption of innocence, the MDA 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 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 charged with a capital offense under the MDA have the right to a public trial and to appeal conviction.

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.).

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 handles approximately 450 cases each year. The Military Court of Appeal has the jurisdiction to examine an appeal from a person convicted by a subordinate military court. Trials are public and the defendants have the right to be present. An accused individual also has the right to defense representation.

Political Prisoners

There were no reports of political prisoners.

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 a property without a warrant if they decide that such a search is necessary to preserve evidence. The government has wide-ranging discretionary powers under the ISA, CLA, MDA, and UPA to conduct searches without a warrant if it determines that national security, public safety and order, or the public interest is at risk. Defendants may request judicial review of such searches.

Law enforcement agencies, including the Internal Security Department and the Corrupt Practices Investigation Board, have 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. The law permits government monitoring of Internet use. It was believed that the authorities routinely monitored telephone conversations and the use of the Internet. The government brought charges against three individuals for allegedly racist comments made on Internet web logs (blogs) (see section 2.a.). It is widely believed that the authorities routinely conducted surveillance on some opposition politicians and other government critics.

The government enforced ethnic ratios for publicly subsidized housing, where the majority of citizens live and own their own units. The policy was designed to prevent ethnic/racial ghettos (see section 5). When a housing development is at or near the limit for a particular ethnic group, the policy could make it difficult for owners to sell their apartments and require them to sell to a person of an underrepresented group, potentially at a price below market value.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law 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 freedom of the press. The government's authoritarian style fostered an atmosphere inimical to free speech and a free press. Government intimidation and pressure to conform resulted in self-censorship among journalists; however, there continued to be some limited progress towards greater openness during the year, including a moderate level of ongoing debate in newspapers and on the Internet on various public issues.

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. While the ISA has not been invoked in recent years against political opponents of the government, political opposition and criticism remained restricted by the government's authority to define these powers broadly. In the past, occasional government references to speech that it considered "out-of-bounds" were understood to be implicit threats to invoke the ISA.

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

In August 2004 the government relaxed the Public Entertainment and Meetings Act (PEMA), which requires a permit for virtually any form of public speech or entertainment (see section 2.b.). 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. Nevertheless, police continued to invoke the PEMA for minor public protests. On August 28, eight cardboard cutout white elephants were placed outside a subway station to coincide with the visit of a government minister. Area residents complained that the station remained unopened despite being completed and thus was a "white elephant." Police initiated an investigation under the PEMA to determine the identity of the perpetrators, who could have been fined up to \$6 thousand (S\$10 thousand) for violation of the PEMA.

Government restrictions limit the ability to speak freely at the Speakers' Corner in a public park. Prospective speakers must be citizens, must show their identification cards, and must register in advance with the police. While it was not necessary to declare speech topics in advance, government 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." In 2002, opposition figure Chee Soon Juan was fined \$1,715 (S\$3 thousand) for a speech criticizing the government ban on schoolgirls wearing the *tudung*, a headscarf that some Muslims consider a religious requirement (see section 2.c.); under the law anyone fined more than \$1,140 (S\$2 thousand) cannot run for parliament for 5 years.

In April the government allowed a foreign researcher from Amnesty International to attend a public forum on the death penalty but not to speak. Plainclothes police who were present at the forum demanded to see the forum moderator's identity card to verify that she was a citizen. In May the government denied entry to a foreign national, Yeshua Moser-Puangsuwan, who had been invited by the opposition Singapore Democratic Party (SDP) to speak at a public workshop on nonviolent action. The Ministry of Home Affairs noted that foreigners were not allowed to interfere in domestic politics. The government also reportedly banned the workshop on nonviolence that he was scheduled to attend.

The government strongly influenced both the print and electronic media. Two companies, Singapore Press Holdings Ltd. (SPH) and MediaCorp, own all general circulation newspapers in the four official languages--English, Chinese, Malay, and Tamil. MediaCorp is wholly owned by the government investment company. SPH is 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 issues usually closely reflected government policies and the opinions of government leaders. The government sets formal and informal constraints on the media; for example, a visiting academic whose views on

religion the government considered unconventional was allowed to speak; the media reportedly was restricted with regard to coverage of the speech. Columnists' opinions and letters to the editor expressed a moderate range of opinions on public issues. The international nongovernmental organization (NGO) Reporters Without Borders noted strong government and ruling party influence over the media as well as continued censorship and self-censorship.

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 can be received, but satellite dishes are banned, with few exceptions. Cable subscribers had access to seven foreign television news channels and many entertainment channels, including some with news programs; these were not censored.

A substantial number of foreign media operations were located within the country. The law 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 \$114,286 (S\$200 thousand) 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. Nonetheless, these requirements strengthen the government's control over foreign media. Under the Newspaper and Printing Presses Act, the government may limit the circulation of foreign publications that it determines interfere with domestic politics. Although a wide range of international magazines and newspapers can be purchased uncensored, the importation of some publications is barred. Newspapers printed in Malaysia cannot be imported. In 2004 the circulation of the *Wall Street Journal Asia* and the *Far Eastern Economic Review*, both foreign publications, was limited (or "gazetted"), although the government raised the allowed circulation to correspond more or less to actual demand. 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 can be fined up to \$57 thousand (S\$100 thousand) for failing to comply with this provision.

Under the country's defamation laws, some plaintiffs can relatively easily win substantial judgments for damages and legal costs. Conviction on criminal defamation charges can result in a prison sentence of up to two years, a fine, or both. Threats of defamation actions often persuaded newspapers and others to apologize and pay damages for perceived slights. On September 13, a regional financial magazine, *FinanceAsia*, apologized to top national leaders for an article that described Temasek Holdings, the government's key state investment entity, as "the Lee family trust." The magazine also agreed to pay undisclosed damages to Prime Minister Lee Hsien Loong, Senior Minister Goh Chok Tong, Minister Mentor Lee Kuan Yew, and Temasek and its board members. Similarly, in September 2004 the *Economist* magazine announced that it had agreed to pay damages to Prime Minister Lee Hsien Loong and Minister Mentor Lee Kuan Yew for an *Economist* article taken to imply that nepotism had played a part in the appointment of Ho Ching, the prime minister's wife, to head Temasek Holdings. Newspaper accounts reported that the amount paid was \$229 thousand (S\$380 thousand) plus legal costs.

The government has extended the threat of defamation actions to comments made in cyberspace. On May 5, the Agency for Science, Technology and Research (A*STAR—a government agency that supports scientific research) warned a Singapore student in a foreign country that he could suffer legal consequences for allegedly defamatory remarks he made about A*STAR in his Internet web log. The student apologized for his remarks and shut down his blog.

Critics charged that government leaders used defamation lawsuits or threats of such actions to discourage public criticism and intimidate opposition politicians and the press. The unbroken success of government leaders' suits in the last decade has fostered public caution about political speech, prompted a culture of self-censorship within the news media, and inhibited opposition politics. During the last decade, ruling party leaders have sued opposition politicians for defamation of individual government leaders. For example, in 2001, then senior minister Lee Kuan Yew and then prime minister Goh Chok Tong sued opposition leader Chee Soon Juan for defamation and on January 3, were awarded damages of \$300 thousand (S\$500 thousand) (see section 1.e.).

The Media Development Authority (MDA), a statutory board under the Ministry of Information, Communications and the Arts (MICA), continued to censor broadcast media and 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 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 by these agencies if they 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 Films Act bans political advertising using films or videos as well as films directed towards any political purpose. The act does not apply to any film sponsored by the government, and the act allows the MICA minister, subject to such conditions as he sees fit, to exempt any film from the act. Under government pressure a local filmmaker withdrew his film *Singapore Rebel*, about opposition leader Dr. Chee Soon Juan, from the Singapore International Film Festival in March. Police questioned the filmmaker about his film on May 16 and August 29. They ordered him to surrender his video camera, courier invoices, and tapes of his film. Although no criminal charges have been filed against him, authorities claimed that his film violated the Films Act, which prohibits films "directed towards any domestic political end." If charged and convicted, the filmmaker could be jailed for up to two years or fined up to \$60 thousand (S\$100 thousand). In protest of this investigation, an activist filed a complaint against the national broadcaster, MediaCorp, for screening two programs about the ruling People's Action Party leaders. The activist claimed that the Films Act is politically biased in favor of the ruling party. Other restrictions tightly control the types of campaign materials that can be distributed by or about candidates and parties during an election.

The MDA has the power to sanction broadcasters for airing what it believes to be inappropriate content. All content airing between 6:00 a.m. and 10:00 p.m. must be suitable for viewers of all ages. A list of banned films was available on the MDA website. Certain films that have been barred from general release may be allowed limited showings, either censored or uncensored, with a special rating. In practice censorship standards have been significantly relaxed in recent years for live theater performances. Plays with overtly sexual or anti-ruling

party themes have been permitted.

Using a framework of Web site licenses, the MDA regulates access to material on the Internet. Internet service providers (ISPs) are required to ensure that content complies with the MDA's Internet code of conduct. The MDA also regulates Internet material by licensing the ISPs through which local users are required to route their Internet connections. 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, and public morals. Although the MDA ordered ISPs to block 100 specific Web sites that the government considered pornographic, the government actually focused on blocking only a small number of sites.

The government prosecuted three individuals for allegedly racist remarks they made on the Internet, accusing all three of violating the Sedition Act. The court sentenced one to one month in jail, another to one day. The third individual, who was 17 years old, was placed on probation and ordered to do 180 hours of community service in Malay welfare organizations.

Political and religious Web sites must register with the MDA.

All public institutions of higher education and political research have limited autonomy from the government. Although faculty members are not technically government employees, in practice they were subject to potential government influence. Academics spoke and 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 that 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.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law 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 of five or more persons, including political meetings and rallies, require police permission; however, in 2004 the government relaxed rules (see section 2.a.) so that citizens no longer need permits for some indoor speaking events. Spontaneous public gatherings or demonstrations were virtually unknown. On August 11, four protestors assembled outside the Central Provident Fund building to demand greater transparency and accountability in the state-managed pension fund and other government agencies. After more than a dozen antiriot police and several other officers warned the protestors they could be charged with "public nuisance" and ordered them to disperse, the protestors left. On September 30, three of the protestors petitioned the High Court asking that it declare the police dispersal "unconstitutional"; on December 7, the court dismissed the action.

The government closely monitored political gatherings regardless of the number of persons present. Plainclothes police officers attended and videotaped a July 9 book launch by opposition figure Chee Soon Juan. After his presentation, the police questioned Chee and seized a video of protests by Hong Kong residents that had been playing in the background. The police claimed that Chee did not have a certificate for public display of the video. Persons who wished to speak at a public function, excluding functions provided by or under the auspices of the government, needed to obtain a public entertainment license from the police; however, regulations exempt some cultural events (such as Chinese operas or lion dances), requiring seven-days advance notice to the police in lieu of a permit.

In August police allowed a concert opposing the death penalty on condition that the photograph of a drug trafficker executed in May be removed from all publicity and information materials about the concert. In July police disapproved the permit for the fourth annual gay and lesbian beach festival, after having approved the festival in prior years. On April 27, two female practitioners of Falun Gong were fined \$12 thousand (S\$20 thousand) and \$14,400 (S\$24 thousand) respectively for unlawful assembly and distribution of video compact discs about the group. In April police rejected the application of former opposition leader J.B. Jeyaretnam to demonstrate against the decision to license the city's first casino. In March the MICA minister upheld an MDA decision not to allow a concert organized by a gay group to raise money for HIV/AIDs.

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. From 1999 to 2003, authorities denied registration to 16 of 1,864 groups seeking registration. The government has absolute discretion in applying criteria to register or dissolve societies. The government prohibits organized political activities except by groups registered as political parties or political organizations. This prohibition limits opposition activities and contributes to restricting the scope of unofficial political expression and action (see section 3). The prohibition affected the PAP less because of its long domination of the government and its overwhelming parliamentary majority; the PAP traditionally has been able to use nonpolitical organizations such as residential committees and neighborhood groups for political purposes far more extensively than opposition political 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 law provides for freedom of religion, and the government generally respected this right in practice; however, the government banned

some religious groups. The constitution provides that every citizen or person in the country has the right to profess, practice, or propagate his religious belief 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) gives the government the power to restrain leaders and members of religious groups and institutions from carrying out political activities, "exciting disaffection against" the government, creating "ill will" between religious groups, or carrying out subversive activities. The act was prompted by activities that the government perceived as threats to religious harmony, including aggressive and "insensitive" proselytizing and the "mixing of religion and politics." Violation of a restraining order issued under the MRHA is a criminal offense. The act also prohibits judicial review of its enforcement or of any possible denial of rights arising from its implementation.

The government played an active but limited role in religious affairs. It did not tolerate speech or actions, including those of a religious nature that it interpreted as adversely affecting racial and religious harmony. The government accused three individuals of violating the Sedition Act by making allegedly anti-Muslim remarks on the Internet (see section 2.a.). The government may issue restraining orders barring participation in activities adversely affecting religious harmony. The Presidential Council for Religious Harmony reviews such orders and makes recommendations to the president on whether to confirm, cancel, or alter a restraining order. The Presidential Council for Minority Rights examines all pending legislation to ensure it is not disadvantageous to a particular group, reports to the government on matters that affect any racial or religious community, and investigates complaints. 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, 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.

Under the Societies Act, the government banned meetings of Jehovah's Witnesses and the Unification Church. The government deregistered and banned Jehovah's Witnesses in 1972 on the grounds that its approximately 200 members refused to perform obligatory military service, salute the flag, or swear oaths of allegiance to the state. The government regarded such refusals as prejudicial to public welfare and order. While the government did not outlaw the profession or propagation of the beliefs of Jehovah's Witnesses and does not arrest members merely for being believers, the result of deregistration was to make meetings of Jehovah's Witnesses illegal. The community numbered approximately two thousand in the country, and Jehovah's Witnesses continued to refuse to perform national military service. The government also banned 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 \$1,140 (S\$2 thousand), and for holding a meeting, the fine can be as high as \$2,285 (S\$4 thousand). In 2004 the authorities briefly detained 11 persons for attempting to bring Jehovah's Witnesses publications into the country, although only one case was referred by police to the Media Development Authority, and the individual received a warning from the police in December 2004. The authorities made no such detentions during the year.

In 2004 the Ministry of Education indefinitely suspended four children for failing to sing the national anthem and participate in the flag ceremony, down from eight suspensions in 2003. No such suspensions were reported during the year. There have been 34 such cases since 2000. All 34 students made alternate schooling arrangements; none has returned to public school. The students can return if they are prepared to sing the anthem, salute the flag, and say the pledge of allegiance.

Missionaries, with the exception of members of Jehovah's Witnesses and representatives of the Unification Church, were permitted to work, publish, and distribute religious texts. However, while the government did not prohibit evangelical activities in practice, it discouraged activities that could upset inter-communal relations, such as unsolicited public proselytizing.

Societal Abuses and Discrimination

There were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2005 International Religious Freedom Report](#).

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

The law provides citizens the right to move freely throughout the country; however, while the government generally respected this right in practice, it limited this right in a few respects. For example, 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 great majority of citizens lived (see sections 1.f. and 5). 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 (see section 1.d.). According to official press releases, at year's end there were 19 suspected terrorists subject to such restrictions.

The law prohibits forced exile, and the country 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 law allows for the loss of citizenship by citizens who resided outside the country for more than 10 consecutive years, but it was not known to have been used.

Men are required to serve 24 months of 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 with national service reserve obligations are required to advise the Ministry of Defense if they plan to travel abroad. Boys age 11 to 16½ years are issued passports that are valid for 2 years and are no longer required to obtain exit permits. From the age of 16½ until the age of enlistment, male citizens are granted 1-year passports and are required

to apply for exit permits for travel that exceeds 3 months.

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 country's internal security. In addition, the law requires them to submit to an interview by the Internal Security Department and to accept any restrictive conditions imposed on them.

Protection of Refugees

The law does not provide for the granting of refugee status or asylum to persons in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol. In practice the government provides protection against *refoulement*, the return of persons to a country where they feared persecution, but does not grant refugee or asylum status.

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

The law provides citizens the right to change their government peacefully. Opposition parties are free to 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 more than four decades, has used the government's extensive powers to place formidable obstacles in the path of political opponents.

Elections and Political Parties

Following the 2001 elections, the PAP held 82 of 84 elected seats; the opposition Singapore People's Party and the Workers' Party each held 1 seat. 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 developing voter support through effective administration and its 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. 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 seriously challenge the ruling party. The PAP claimed that the lack of an effective opposition was due to disorganization, weak leadership, and a lack of persuasive alternative policies.

The country 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. The parliamentary term is for no more than five years after the first sitting of parliament following a general election. Parliament may be dissolved early by presidential proclamation, which normally follows a request by the prime minister. Elections must be held within three months of Parliament's dissolution. The constitution allows a parliamentary committee to select and the president to appoint nominated members of parliament (MPs) to serve 2½-year terms without facing election. A constitutional amendment requires at least three opposition MPs. Therefore, if fewer than three are elected, the government will appoint a "nonconstituency MP" who is the opposition candidate who obtains the highest share of the vote without winning a seat. Nonconstituency MPs and nominated MPs can participate in parliamentary debate and can vote on some, but not all, types of legislation.

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) has further strengthened the PAP's position. The CDCs promote community development and cohesion and provide welfare and other assistance services. The PAP dominates the CDCs even in opposition-held constituencies and has threatened to withdraw publicly funded benefits.

The PAP completely controlled key positions in and out of government, influenced the press and courts, and limited opposition political activities. Often the means were fully consistent with the law and the normal prerogatives of the government, but the overall effect (and many argued the ultimate purpose) was to disadvantage and weaken political opposition. For example, the government dramatically altered the boundaries of election districts only 17 days before the 2001 general election. Since 1988 it has changed all but nine single-seat constituencies into group representational constituencies (GRCs) of three 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 Malay, Indian, or other ethnic minority candidate. These changes made it more difficult for opposition parties, all of which had very limited memberships, to fill multimember candidate lists.

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 (see section 2.b.). There were 24 registered political parties in the country; however, only 6 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 or to establish community foundations. In addition, government influence extended in varying degrees to academic, community service, and other NGOs.

The Films Act bans political films and recorded televised programs, which further puts opposition parties at a disadvantage since they received less coverage in the government-influenced press and media. A filmmaker was being investigated for a film about opposition leader Dr. Chee Soon Juan that allegedly violated the Films Act (see section 2.a.). The ban, which ostensibly exists to prevent the sensationalist or emotional effect that video or film productions could have on political issues, applies to the PAP as well as to the opposition parties. An activist filed a lawsuit claiming that the Films Act was interpreted with bias in favor of the PAP (see section 2.a.). The law regulates the use of the Internet by political parties and others for political purposes during election campaigns (see section 2.a.).

The threat of civil libel or slander suits, which government leaders have often used against political opponents and critics and consistently

won, had a stifling effect on the full expression of political opinion and disadvantaged the political opposition (see section 2.a.). Large judgments in libel suits can lead to bankruptcy, and, under the law, bankrupt persons are ineligible to sit in Parliament. The law also provides for criminal defamation offenses.

In the past, the government used parliamentary censure or the threat of censure to humiliate or intimidate opposition leaders.

The duties of the president are largely ceremonial. Nonetheless, the president has significant budget oversight powers, as well as some powers over civil service appointments and internal security affairs. The law provides for a popularly elected president to be elected for a six-year term from among candidates who are approved by a constitutionally prescribed committee selected by the government. On August 13, 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 on September 1. 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 are government run or linked to the government.

Voting is compulsory, and women and minorities voted at approximately 95 percent in contested constituencies. There is no legal bar to the participation of women in political life; women held only 10 of the 84 elected parliamentary seats, an increase from 6 female MPs in the previous parliament. After an August 2004 cabinet reshuffle, there were two female ministers of state, although none of cabinet rank. Three of the 14 Supreme Court justices were women.

There are no restrictions in law or practice against minorities voting or participating in politics; they actively participated in the political process and were well represented throughout the government, except in some sensitive military positions. Malays made up approximately 14 percent of the general population and hold approximately the same percentage of elected seats in Parliament. Indians made up approximately 7 percent of the general population and held approximately 10 percent of the 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 have at least one minority representative. There was one ethnic Malay minister and three ethnic Indian ministers. Two of the 14 members of the Supreme Court were ethnic Indian; there were no Malays on the court.

Government Corruption and Transparency

There were no reports of government corruption during the year, and the government actively prosecutes officials involved in corruption.

There are no laws that specifically provide for public access to government information; however, significant amounts of information was available on government Web sites.

Section 4 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 (see section 2.b.). Some domestic NGOs criticized restrictions on human rights or suggested changes that would relax or remove restrictions.

There is a Presidential Council on Minority Rights that monitors pending legislation for anything possibly disadvantageous to minorities (see section 5).

The government permitted international human rights organizations to observe human-rights-related court cases.

Section 5 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 for 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 sex. Men do not have the right to seek alimony from their wives in cases of divorce or separation.

Women

The law criminalizes domestic violence and sexual or physical harassment; however, violence or abuse against women occurred. A victim of domestic violence can obtain court orders barring the spouse from the home until the court is satisfied that the spouse ceased aggressive behavior. The number of court orders for protection against violent family members has increased in recent years, in part because the definition of violence includes intimidation, continual harassment, or restraint against one's will. 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. There were several organizations that provided assistance to abused women. The Association of Women for Action and Research ran a hot line that offered counseling and legal advice. The Family Protection and Welfare Service, an office of the Ministry of Community Development, Youth, and Sports, documented physical and psychological abuse, and provided counseling and other support services to abused women. The Star Shelter accepted children, women, and men, and can accommodate up to 30 persons. 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 only be committed by a man, and spousal rape is not a crime; however, husbands

who force their wives to have intercourse can be prosecuted for other offenses, such as assault. During the year 12 persons were prosecuted for rape; 2 were convicted, 9 were awaiting trial, and 1 case resulted in a discharge not amounting to acquittal. The Ministry of Education and the police both carried out programs aimed at preventing rapes.

The country's laws neither ban nor authorize prostitution; 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 (the great majority of whom were foreign and working illegally) in such establishments were required to undergo periodic health checks and carry a health card.

There were no specific laws prohibiting stalking or sexual harassment; however, the Miscellaneous Offenses Act and laws prohibiting insults to modesty were used successfully to prosecute these offenses. Sexual harassment was not considered a significant issue.

Women accounted for 55 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 right 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 law falls under the administration of the Muslim Law Act, which empowers the Shari'a (Islamic law) court to oversee such matters. The laws allow 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. There were 450 applications for polygynous marriage from 1999 to 2003; 122 were approved, approximately 0.5 percent of all Muslim marriages during that period. From 2003 to 2005, there were 142 applications for polygynous marriage and 50 applications were approved. Both men and women have the right to initiate divorce proceedings; however, in practice women faced significant difficulties that often prevented them from pursuing proceedings. This included the lack of financial resources to obtain legal counsel.

In 2004 women constituted 44.9 percent of the labor force and were well represented in many professions, but, with several prominent exceptions, they held few leadership positions in the private sector and no ministerial positions in the government. They were overrepresented in low-wage jobs such as clerks and secretaries; however, there were some women who held senior corporate leadership positions. Salaries for women ranged between 62 and 100 percent of men's salaries depending on the occupational grouping. The wage gap has narrowed in recent years; in some specific occupations women earned more than their male counterparts. Observers noted that the wage differential was smaller in professional jobs and that wage disparities could be attributed in part to differences in average educational levels and work experience.

In April Parliament amended the constitution to eliminate the inequality whereby female citizens could not automatically transmit citizenship to their children born abroad, but male citizens could.

Children

The government demonstrated a strong commitment to children's rights and welfare through well-funded systems of public education and medical care, and access was equal for all children. Six years of public (or government-recognized private) education is compulsory for all children. Virtually 100 percent of children were enrolled through grade 6, and the dropout rate for secondary school was low. The Children and Young Persons Act established protective services for orphaned, abused, "troubled," and children with disabilities, and created a juvenile court system. The Ministry of Community Development, Youth, and Sports 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 from 50 to 100 percent of living expenses and overhead, as well as expenses for special schooling, health care, or supervisory needs.

Some child prostitution occurred. In 2004, 35 of the more than 5,239 foreign women arrested for prostitution were believed to be under the age of 18. Sexual intercourse with girls under the age of 16 is illegal, but there is no legal prohibition on commercial sex with "consenting" partners ages 16 and 17. The authorities have the power to detain persons under the age of 21 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 Ministry for Community Development, Youth, and Sports sponsored activities promoting children's causes, including family stability. This agency and several NGOs focused on keeping fathers involved in their children's lives and on preventing child abuse.

Trafficking in Persons

The law prohibits trafficking in persons; however, trafficking in persons occurred.

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. Trafficking in women and children, whether or not it is related to prostitution, is punishable by up to 5-years' imprisonment, a \$5,881 (S\$10 thousand) 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 as prostitutes, although some persons were prosecuted and punished for crimes involving such acts.

In 2004 there were three prosecutions, two of which involved forced prostitution, and one of which involved bringing a woman into the country under false pretenses for the purpose of prostitution. The latter case involved a Sri Lankan woman, who was recruited in Sri Lanka and told she would be a maid, but was forced into prostitution. Her two "vice abettors" were each fined \$15,476 (S\$26 thousand).

The police and other elements of the government were widely recognized to be both effective and among the least corrupt such institutions to be found. There were no reports of any official involvement in trafficking in persons.

In practice successful investigation and prosecution of trafficking in persons required that victims remain in or return to the country to testify. Victims were urged by police to remain in the country until a case was prosecuted, and generally they did; however, some abused domestics left and were brought back to testify. Victims did not receive government assistance during this period or at other times and indicated they sometimes were not granted permission for alternative employment and were dependent on support from their embassy. Laws prohibiting the harboring, aiding, or abetting of illegal immigrants could hamper assistance to trafficking victims by putting NGOs in the position of harboring a victim who has no legal status; however, the authorities did not appear to investigate or prosecute such assistance. The authorities notified embassies of the arrest of nationals, including for prostitution-related offenses, and allowed consular access. Prostitutes rarely contacted embassies voluntarily, unless detained for solicitation or immigration offenses during police sweeps. However, victims of crimes, including domestics alleging abuse, sometimes requested and received assistance from their embassies.

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 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 \$58,800 (S\$100 thousand) was available to employers to defray building modifications to benefit employees with disabilities. Informal provisions in education have permitted university matriculation for the visually impaired, deaf, and for students with physical disabilities. There were 20 special education schools that enrolled more than 4 thousand students. It is expected that upon completion of retrofitting, one out of every eight schools will be accessible to handicapped students. The government provided funds for 6 childcare centers to take in 60 children with special needs.

The government allowed a tax deduction of up to \$2 thousand (S\$3,500) per individual for families caring for a sibling, spouse, or child with a disability. Mental and physical disabilities were 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 14 percent of the population. The constitution acknowledges them as the indigenous people of the country and charges the government to support and to promote their political, educational, religious, economic, social, cultural, and language interests. The government took steps to encourage greater educational achievement among Malay students as a key to economic advancement. However, ethnic Malays have not yet 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 assert, 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. The government has issued guidelines that call for eliminating language referring to age, gender, or ethnicity in employment advertisements; restrictive language pertinent to job requirements, such as "Chinese speaker" or "physically strong" remains 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 and investigated complaints.

The government enforced ethnic ratios for publicly subsidized housing, where the majority of citizens lived and owned their own units, a policy designed to achieve an ethnic mix more or less in proportion to that of society at large.

Other Societal Abuses and 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 praised employers that welcomed workers with HIV/AIDS. In July police disapproved the permit for the fourth annual gay and lesbian beach festival, after having approved the festival in prior years. In March the MICA minister upheld an MDA decision not to allow a concert organized by a gay group to raise money for HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The law 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 was expanded over the years 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 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 could grant exemptions. The Trade Unions Act limits the objectives on which unions can spend their funds and prohibits payments to political parties or the use of funds for political purposes. In 2004 the national labor force was made up of approximately 2.18 million workers, nearly 420 thousand of whom were represented by 68 unions. Almost all of the unions (which represented virtually all of the 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 Boon Heng, a PAP MP, was a member of the cabinet as minister in the prime minister's office. Young PAP MPs with no union experience were often elected to leadership positions in the NTUC or a member union. The NTUC policy prohibited union members who supported opposition parties from holding office in affiliated unions. While the NTUC is financially independent of the PAP, the two share a common ideology and work closely with management in support of nonconfrontational labor relations. The NTUC is free to associate regionally and internationally.

b. The Right to Organize and Bargain Collectively

Collective bargaining was a normal part of labor-management relations in the industrial sector. Collective agreements must be certified by the tripartite Industrial Arbitration Court (IAC) before going into effect. The IAC could refuse certification at its discretion on the ground of public interest. Transfers and layoffs were 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. Disputes could be settled through discussions with the Ministry of Manpower. If conciliation fails, the parties may submit their cases to the IAC. In limited situations, the law provides for compulsory arbitration, which has not been used since 1980. Agreements between management and labor were renewed every two to three years, although wage increases were negotiated annually. The National Wages Council (NWC), a group composed of labor, management, and government representatives, issues yearly guidelines on raises and bonus pay that serve as the starting point for bargaining agreements. Subject to negotiation in each enterprise, up to 10 percent of salaries were considered "variable" each month, allowing companies to eliminate that portion of pay if there were financial problems.

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. There were no specific laws that prohibited retaliation against strikers. The law provides that before striking, unionized workers must vote in favor of the strike by secret ballot.

Most disagreements are resolved through informal consultations with the Ministry of Manpower. If conciliation fails, the disputing parties usually submit their case to the IAC, which is composed of representatives from labor and management, and chaired by a judge. 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.

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 12. Restrictions on the employment of children between the ages of 12 and 16 are rigorous and fully enforced. Children under the age of 14 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 of 12 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 14 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 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 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; however, the NWC monitored the economy and made annual recommendations to the government concerning wage guidelines. The labor market offered good working conditions and relatively high wages, which provided 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. In 2004 the government moved to a 5-day, 42-hour workweek.

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, 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 of the circumstances by the Ministry of Manpower.

Because of a domestic labor shortage, approximately 600 thousand foreign workers were employed legally, constituting approximately 30 percent of the total work force. 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. Foreign workers faced no legal wage discrimination; however, they were concentrated in low-wage, low-skill jobs and were often required to work long hours. Most foreign construction workers live on worksites in substandard conditions.

Although the great majority of the approximately 150 thousand maids (mainly from the Philippines, Indonesia, and Sri Lanka) worked under clearly outlined contracts, their low wages, dependence on their employers for food and lodging, and relative isolation made them vulnerable to mistreatment and abuse. The authorities fined or imprisoned employers who abused maids. On June 1, a woman who assaulted her maid over an 18-month period was sentenced to 5 months in jail. Debate on how to prevent abuse of maids was ongoing. Effective January 1, the Ministry of Manpower raised the minimum age for maids from 18 to 23 years, and required all maids to show that they had 8 years of formal education before allowing them to enter. All new maids and new employers of maids must undergo mandatory training on maids' rights and responsibilities. Since April it has been mandatory that maids take a written entrance exam that covers topics such as safety and English comprehension.

Most maids worked six days per week from early morning until late in the evening. Many contracts allowed only one day off per month. Contracts often stipulated that, even when not working, a maid was required to remain on the premises unless on official duties or on her day off. Maids often had to set aside most or all of their wages for the first several months of employment to reimburse their placement agents. Work permits for low-wage foreign workers could be cancelled if a worker applied to marry or married a citizen or permanent resident.

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. However, the Ministry of Manpower offered conciliation services for all employees, foreign or local. The Foreign Workers Unit of the Ministry of Manpower provided free advisory and mediation services to foreign workers experiencing problems with employers. The government allowed complainants to seek legal redress. The government also established a hot line for maids.

On December 6, the international NGO Human Rights Watch (HRW) issued a detailed report on actual and potential abuses of foreign domestic workers and recommended remedial actions. On December 7, the Ministry of Manpower issued a press statement citing its efforts over the past few years to address the concerns highlighted in the HRW report and reiterating that it does not tolerate abuse or exploitation of foreign domestic workers.

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