

SINGAPORE

CEDAW A/56/38 (2001)

54. The Committee considered the initial and second periodic reports of Singapore (CEDAW/C/SGP/1 and CEDAW/C/SGP/2) at its 514th, 515th and 522nd meetings, on 9 and 13 July 2001 (see CEDAW/C/SR.514, 515 and 522).

(a) Introduction by the State party

55. In introducing the reports, the representative of Singapore informed the Committee that, following the ratification of the Convention, an inter-ministerial Committee had been formed to monitor the country's obligations under the Convention. The preparation of the report had also involved dialogue with women's groups in Singapore.

56. The representative indicated that Singapore had made tremendous progress in reducing the infant mortality rate, and in increasing the literacy rate and life expectancy of women in the 36 years since its independence. At present, women made up 42.4 per cent of the total workforce and outnumbered men as new graduates from local universities. Despite that progress, there was room for improvement.

57. The guiding principles that had shaped Singapore's policies on gender equality were meritocracy on the basis of equal opportunities, people development, treating women as part of the mainstream and not as a special interest group, and building social capital with a special focus on strengthening the family.

58. The representative explained that, while there were no specific anti-discrimination laws, the Constitution guaranteed equality of all persons before the law. The Women's Charter of 1961 was a landmark piece of legislation that safeguarded women's rights in matters relating to marriage, divorce, matrimonial assets, maintenance and custody of children. In 1996, the Women's Charter had been amended to include provisions on domestic violence, division of matrimonial assets, enforcement of maintenance orders and the validity of marriages. Courts and tribunals treated women equally at all levels of proceedings and legal aid was provided to those who were unable to afford a lawyer. In 1995, family courts had been established to address family-related disputes. The Administration of Muslim Law Act governed matters relating to Muslim religious affairs, Muslim marriage, divorce and property. With regard to family violence, the Government had taken a multidisciplinary and inter-agency approach, which included an island-wide networking system involving the courts, police, hospitals and social service agencies, mandatory and non-mandatory counselling programmes for perpetrators and victims and concerted public education programmes. The Penal Code was strictly enforced with regard to such crimes as rape and outraging the modesty of a woman. In addition, pornography was prohibited and advertising codes prohibited the portrayal of women as sex objects.

59. The representative noted that there had been vast improvements in health indicators, in particular

for women. In 1999, the maternal mortality rate was 0.1 per 1,000 live and still births, one of the lowest in the world. The National Committee on Women's Health had been established in 1997. Health care of the ageing population was a major concern, which affected women in particular, given their higher life expectancy.

60. The representative noted that, in the previous 35 years, general literacy standards had increased by 20 per cent for males and 46 per cent for females. Females now made up over 50 per cent of local university graduates. Education, training and life-long learning were critical to preparing Singapore's citizens for a knowledge-based economy. Although the general drop-out rate was only 3 per cent for primary and secondary school, with females constituting 45 per cent of this group, the Parliament had recently passed the Compulsory Education Bill which would take effect in January 2003, making a six-year primary education in national schools compulsory.

61. The participation of women in the labour force was increasing and, in 2000, the wage gap had narrowed to 78 per cent. Singapore was also preparing to ratify the International Labour Organization Convention No. 100, concerning equal remuneration.

62. The representative explained that the Government's strong commitment to meritocracy was the reason for not introducing any quota for women's representation in Parliament, which remained low, at 6.5 per cent. In the judiciary, 42 per cent of judges in the subordinate courts and 11 per cent of judges in the High Court were women.

63. The representative emphasized the fact that, in Singapore, the family was valued as the basic social unit and that during the previous year, a number of pro-family measures had been introduced and implemented. To assist working mothers, the Government had introduced tax incentives for working women and subsidies for childcare centres.

64. The representative addressed the issue of Singapore's reservations to the Convention, which the Government, after careful consideration, found necessary to retain in view of the country's existing laws, values and practices in a multiracial and multicultural society. Its reservations to articles 2 and 16 of the Convention were linked to the administration of the Muslim Law Act, which preserved the freedom of Muslims in Singapore to practise their personal and religious laws. With regard to the reservation to article 9, the representative explained that the Constitution of Singapore provided that Singaporean citizenship by descent was accorded to a child born outside the country if the father held Singaporean citizenship. In the case of a child born outside the country of a Singaporean mother married to a foreigner, an application for citizenship by registration had to be made. Singapore had entered a reservation to article 11 of the Convention because its Employment Act excluded persons in managerial, executive and confidential positions, as well as seamen and domestic workers, from its coverage. This was not based on gender, and was therefore not discriminatory against women. In order to maintain Singapore's right to domestic policies, it had entered a reservation to article 29, paragraph 1, of the Convention, which was expressly permitted by article 29, paragraph 2. Singapore had made similar reservations to other treaties to which it had acceded.

65. In conclusion, the representative noted that those reservations had not hindered the overall advancement of women in Singapore. Nevertheless, Singapore would review them periodically. Singapore's laws and policies were, on the whole, gender neutral and were evolving in response to

society's needs. She expressed the hope that more women would participate in community and political life in the future and that men would become more involved in sharing household responsibilities. She expressed confidence that the ideal of equality for men and women would increasingly be a reality in the lives of Singaporeans.

(b) Concluding comments of the Committee

Introduction

66. The Committee expresses its appreciation to the Government of Singapore for its initial and second periodic reports, which comply with the Committee's guidelines for the preparation of reports. The Committee notes, however, that the reports do not contain sufficient statistical data disaggregated by sex.

67. The Committee commends the Government for its large, high-level delegation, headed by the Senior Parliamentary Secretary to the Minister of Community Development and Sports. It also commends the Government on its audio-visual and informative oral presentation of the reports, and on the comprehensive and highly professional replies to the Committee's questions that sought to clarify the situation of women in Singapore.

Positive aspects

68. The Committee commends the Government of Singapore on its success in combining economic growth with impressive social indicators for women in the short period since gaining independence.

69. The Committee commends the State party for having achieved low rates of maternity and infant mortality, long life expectancy and high literacy rates for women and for providing them access to all levels of education.

70. The Committee notes with satisfaction that the Government of Singapore intends to extend the child sick leave provision to fathers working in the civil service.

71. The Committee notes with appreciation the efforts made to combat violence against women, including the criminal and evidentiary procedures protecting the privacy of victims, the 1997 amendment to the Women's Charter broadening the definition of violence and the Government's multidisciplinary and inter-agency approach to victims of family violence involving the courts, police, hospitals and social service agencies.

Factors and difficulties affecting the implementation of the Convention

72. The Committee considers that the State party's reservations impede full implementation of the Convention.

Principal areas of concern and recommendations

73. The Committee expresses deep concern regarding the reservations made by the Government of

Singapore to articles 2, 9, 11, paragraph 1, and 16 of the Convention.

74. Recognizing that the pluralistic nature of Singapore society and its history call for sensitivity to the cultural and religious values of different communities, the Committee nevertheless wishes to clarify the fact that articles 2 and 16 are the very essence of obligations under the Convention. Since some reforms have already been introduced in Muslim personal law, the Committee urges the State party to continue this process of reform in consultation with members of different ethnic and religious groups, including women. It recommends that the State party study reforms in other countries with similar legal traditions with a view to reviewing and reforming personal laws so that they conform with the Convention, and withdrawing these reservations.

75. The Committee urges the State party to further amend the nationality law so as to eliminate discrimination against women, and withdraw its reservation to article 9. The explanation that a Singaporean woman cannot transfer nationality to her child when she marries a foreigner and the child is born overseas, since dual nationality is not recognized, is unconvincing. The Committee wishes to point out that since both mother and father can transfer nationality to children born within the country in many countries, including Singapore, the same problem can arise with respect to the children born of Singaporean men and foreign women.

76. The Committee recommends that persons in confidential, managerial and executive posts be brought within the coverage of the Employment Act. The Committee considers that the capacity for individual bargaining, and the existence of better working conditions in these sectors do not justify the absence of legal protection and the reservation to article 11.

77. The Committee expresses concern that the failure to extend the Employment Act to domestic workers results in discrimination against women domestic workers and denial of legal protection. It is also concerned that the requirement of their current employer's consent to transfer employment deters such workers from reporting grievances to governmental authorities.

78. The Committee urges the Government of Singapore to amend the Employment Act so that it covers these sectors and to withdraw its reservation to article 11.

79. While the Committee recognizes the importance of the family as the basic social unit, it expresses concern that the concept of Asian values regarding the family, including that of the husband having the legal status of head of household, might be interpreted so as to perpetuate stereotyped gender roles in the family and reinforce discrimination against women.

80. The Committee urges the Government to ensure that laws, policies and programmes with regard to the family incorporate the principle of equality between women and men in all spheres, including the family, and the full realization of women's human rights.

81. The Committee expresses concern that foreign domestic workers are prohibited from working during criminal proceedings against their employers, and that this forces such workers to leave Singapore without waiting to receive compensation from them. It also expresses concern that this may reduce the chances of conviction because evidence from these workers will not be available.

82. The Committee urges the Government of Singapore to lift the above-mentioned prohibition and to take appropriate measures to enable domestic workers to give evidence against their employers before leaving Singapore.

83. The Committee expresses concern about the lack of clear understanding by the Government of Singapore regarding gender mainstreaming with respect to legislation, policies and programmes.

84. The Committee urges the Government of Singapore to review all policies with a view to preventing direct and indirect discrimination and achieving de facto gender equality.

85. The Committee expresses concern that disparities between women's and men's wages may be due to discriminatory attitudes of employers and to gender-stereotyped job and workplace evaluation.

86. The Committee urges the Government to review the issue of wage differentials between women and men, including through consideration of existing research on the concept of equal pay for work of equal value, both in the public and private employment sectors. It also urges the Government to remedy the situation in the public employment sector where applicable and to initiate sensitization campaigns to encourage social partners to address this issue.

87. The Committee expresses concern about the very low level of representation of women in politics and decision-making.

88. The Committee urges the Government of Singapore to enhance its efforts to increase women's representation in politics and decision-making through a gender-sensitive application of the meritocracy principle and by taking measures to guarantee the equal opportunity of women to participate in these areas. Such measures may include the imposition of minimum quotas for women political candidates.

89. The Committee requests the Government to improve its complaints procedure with respect to violations of the constitutionally guaranteed rights to equality so that acts of discrimination can be challenged by women.

90. The Committee expresses considerable concern about the possible occurrence of crimes in relation to the trafficking of women, taking into account Singapore's geographical situation as a favourable transit point for such trafficking. It also expresses concern that weak law enforcement can undermine the Government's efforts to eradicate trafficking.

91. The Committee urges the Government of Singapore continually to monitor the situation with respect to trafficking and to enforce strictly its criminal law against traffickers. It calls upon the State party to include information on trafficking in its next periodic report.

92. The Committee expresses concern about the imposition of a maximum quota on the number of women medical students.

93. The Committee urges the Government to remove this quota and provide childcare arrangements

and flexible working hours so as to encourage and enable women doctors to pursue their profession.

94. The Committee urges the Government to sign and ratify the Optional Protocol to the Convention and to deposit, as soon as possible, its instrument of acceptance of the amendment of article 20, paragraph 1, of the Convention, concerning the meeting time of the Committee.

95. The Committee requests the Government to respond to the concerns expressed in the present concluding comments in its next periodic report submitted under article 18 of the Convention. It also urges the Government to improve the collection and analysis of statistical data, disaggregated by sex, age and minority, ethnic or religious group, and to submit such data to the Committee in its next report.

96. The Committee requests the wide dissemination in Singapore of the present concluding comments in order to make the people of Singapore, in particular governmental administrators and politicians, aware of the steps that have been taken to ensure the de jure and de facto equality of women and of the further steps that are required in this regard. It requests the Government to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".