



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Forty-ninth session

Summary record of the 994th meeting

Held at Headquarters, New York, on Friday, 22 July 2011, at 3 p.m.

Chair: Ms. Pimentel

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Fourth periodic report of Singapore (continued)
(CEDAW/C/SGP/4; CEDAW/C/SGP/Q/4 and Add.1)

1. *At the invitation of the Chair, the members of the delegation of Singapore took places at the Committee table.*

Articles 1 to 6 (continued)

2. **The Chair** invited Committee members to resume their questions and comments on articles 1 to 6.

3. **Ms. Popescu**, noting that Singapore had a dualist legal system, asked what steps had been taken to ensure that women in Singapore could benefit fully from the Convention, including through its direct invocation in the courts. As for the delegation's claim that the existence of the Inter-Ministry Committee on the Convention obviated the need for a national human rights institution, she said that the two bodies served different functions. A national human rights institution was independent in nature and must be established in accordance with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (Paris Principles), whereas the aforementioned committee was an inter-agency institution with a specific mandate relating to the Convention. It was important for Singapore to move beyond declarative commitments and to enable women to exercise their rights fully. The reporting State should give a specific time frame for the establishment of a national human rights institution.

4. **Ms. Binte Yacob** (Singapore) said that her Government's stated commitment to implement the Convention was not merely declarative. While no legislation made specific reference to the Convention, articles 1 and 2 thereof were reflected in article 12 of the Constitution and in national legislation.

5. **Ms. Binte Abdul Aziz** (Singapore) said that the principles of equality outlined in article 12 of the Constitution were enforceable as the supreme law of Singapore and could therefore be invoked in any court of law. Her country's approach to the Convention and the principles outlined therein not only shared a legal heritage with commonwealth traditions, but also relied

on such references as the Committee's general recommendation No. 28. Furthermore, courts already had had regard to international instruments and standards in deciding local cases, including cases relating to fundamental liberty and family issues. On Singapore's reservation to articles 2 and 16 of the Convention, she said that the reservation should not be interpreted as wide-ranging; it referred only to religious and personal laws.

6. Under the Women's Charter, victims of family violence could apply to the courts for a personal protection order, a domestic exclusion order or an expedited order. To contravene any such order was a seizable offence; those who did so faced a fine of up to S\$ 2,000 or up to six months' imprisonment; in the event of a second conviction, the punishment was a higher fee and up to 12 months' imprisonment. Chapter 16 of the Penal Code supplemented the Women's Charter by criminalizing a range of acts that constituted violence perpetrated in the home or public places. The provisions, which applied to all victims regardless of nationality, provided for assistance by the police or domestic violence centres, where social workers were trained to help victims in crisis, including in finding temporary accommodation.

7. **Mr. Hadi Bin Mohd Shuhaimy** (Singapore) said that a number of important steps had been taken to increase women's representation in government positions: in 2007, the first woman registrar had been appointed to the sharia court and the Islamic Religious Council of Singapore, which was the highest policymaking authority in the country, had appointed its first female member; in 2008, three women had been appointed as members of the Sharia Appeal Board. More recently, seven female religious scholars had been made associate members of the Fatwa Committee to do research on contemporary issues facing the Muslim community in Singapore. Those women made up a third of the Fatwa Committee, which had 21 members. Their appointment reflected the progressive thinking and inclusivity of the religious elite and ensured women's representation in the drafting of fatwas. In addition, the past five years had seen an increase, from around 12.5 per cent to 14.7 per cent, in the female membership of mosque management boards.

8. **Ms. Binte Yacob** (Singapore), responding to a question on national human rights institutions, said it was her Government's view that its goals under the

Convention could be achieved within the framework of the Inter-Ministry Committee's work. She was not aware of any legislation that defined men as heads of household; it was possible that a misunderstanding had arisen as a result of a statement quoted, out of context, by an alternative source. That statement had meant merely to stress the importance of fathers taking more responsibility in the raising of their children. In any event, members of the National Family Council were not representative of the Government's views. Singapore continued to strive to eliminate stereotyped roles for men and women. It was noteworthy that men were increasingly involved in that process.

9. Currently, there were no plans to review section 377A of the Penal Code, which she noted did not apply to women. That section had been vigorously debated several years previously and the Parliament had decided to retain the status quo; however, the provision was not likely to be enforced unless a formal complaint was made. Singapore did not have a systemic policy of discrimination against the lesbian, gay, bisexual and transgender community. Furthermore, all movies in Singapore were subject to the same review and classification process, regardless of their origin and themes. Film censors represented a cross section of society.

10. Turning to the issue of foreign brides, she said that if a woman's long-term visit pass was cancelled by her husband, for instance, during divorce proceedings, she could submit an application to the immigration authorities on her own merit to extend her pass. The Government was aware of the activities of certain matchmaking agencies which sought to sell foreign brides to Singaporean men; there was legal provision to prosecute agencies that violated the law.

11. While the right to paternity leave was not enshrined in Singaporean law, 46 per cent of all freely negotiated collective agreements between unions and employers contained related provisions and the concept of paternity leave continued to gain ground in society. On temporary special measures, she said that the Government would like to see more women represented in publicly listed companies and, in that connection, had begun a project with the support of the Ministry of Community Development, Youth and Sports aimed at helping large companies to increase the number of women sitting on their boards. The Government had also developed a plan of action to deal with the issue of persons with disabilities more

comprehensively, including in schools and the workplace.

Articles 7 to 9

12. **Ms. Bareiro-Bobadilla** asked whether women parliamentarians participated in decisions on the national budget and, if so, whether such participation was likely to boost the budget allocated to the Ministry of Community Development, Youth and Sports. Noting both the importance of gender mainstreaming and the visibility of the Inter-Ministry Committee on the Convention, she enquired as to any decision to achieve gender equality within the committee itself.

13. Additional information on the number of men and women in the Cabinet and in town halls would be appreciated, as would details on women's participation in the Islamic Religious Council. The latter was especially important given the Council's involvement in the Inter-Ministry Committee and consequently in decisions regarding policies that affected women. Lastly, she requested more information on any support the Government extended to women's associations, which in many ways were the best guarantee for women's equality.

14. **Ms. Pires**, noting Singapore's progress in implementing articles 7 and 8 of the Convention, especially regarding women's participation in the first two divisions of civil service, enquired as to the number of women represented in the other divisions. The delegation should clarify the slight discrepancy between the percentage of women parliamentarians quoted in the delegation's opening statement and the figure cited in Singapore's written responses to the list of issues. The delegation should also explain the claim in the written responses that it was difficult to persuade women to run for parliamentary positions "due to the desire for privacy". It would be useful to learn whether political life was particularly intrusive and whether there were systemic issues involved.

15. Additional information on the structure of political parties and the existence of any women's wings would be welcome; regarding the party currently in power, it would be useful to learn whether the women's wing was represented in the party's central executive council and what its role was in decision-making. Referring to the Committee's general recommendation No. 28, she asked whether the principle of non-discrimination cited by the delegation

extended to sexual minority groups. Similarly, she wondered if the requirement mentioned by the delegation for public servants to consult all stakeholders in developing policies necessarily extended to women of sexual minorities. Lastly, she asked for further information on whether Singapore had an electoral supervisory body and, if so, to what extent women were represented and what their specific role was in that body.

16. **Ms. Zou** Xiaoqiao commended Singapore for withdrawing its reservation to article 9, thus granting automatic nationality to children born of non-Singaporean fathers and single mothers. She expressed concern, however, at the fate of children born before the withdrawal of that reservation in 2004. Additional information on the number of children affected, as well as their right to free primary and secondary education and free medical care and any measures in place for their specific protection would be appreciated. Turning to the issue of foreign wives, she said that she understood that the process for applying for citizenship or permanent residence in Singapore was often a lengthy one, especially for women from developing countries. She enquired as to the situation of foreign wives when marriages ended in divorce, specifically, whether those wives were eligible for legal assistance or any other Government support.

17. **Ms. Binte Yacob** (Singapore) said that the alleged discrepancy in figures relating to women parliamentarians was a reflection of the recent change in the number of seats in Parliament, which had increased from 84 to 87, thus bringing down the percentage of women overall. The number of women parliamentarians remained the same. The party currently in power had a women's wing composed of both parliamentarians and non-parliamentarians. Dialogue sessions were held regularly with women to produce policy papers so as to incorporate women's perspective. Although women held few seats in Parliament, they contributed significantly to the debate. On the issue of persons with disabilities, she said that the Government's current plan of action aimed to tackle disability issues broadly, including the education and health sectors.

18. Turning to the issue of foreign wives, she said that should a man decide to cancel his wife's visit pass in the course of divorce proceedings, the wife could apply for an extension of her pass in order to take part in the proceedings. Men and women were subject to

the same residency and citizenship criteria, including the requirement of two years' residency in Singapore, which was not unlike other countries' basic requirements. It was important to recall that one of every four persons living in Singapore was a foreigner; such conditions necessitated controls for the granting of citizenship and permanent residence.

19. **Ms. Tan** (Singapore) said that foreign spouses who received permanent residence or citizenship retained it even in the event of a divorce or the death of their spouse. Her Government shared the Committee's concern regarding the often difficult conditions of foreign spouses and provided a robust framework for their assistance should they need it. In that connection, victims of domestic violence had access to a network of assistance, inter alia, from hospitals, the police and the courts. Foreign wives had access to such assistance, in addition to the information on marriage law available in different languages at marriage registries. The success rate of foreign spouses applying for long-term visit passes had been 87 per cent for the period 2007-2010; for the period 2006-2010, about 9 of 10 applications by foreign spouses for citizenship had been successful. Processing of the applications took between six and nine months.

Articles 10 to 14

20. **Ms. Zou** Xiaoqiao, noting the progress made by Singapore in providing access to education and training, asked whether the continuing education and training centres referred to in the written responses to the list of issues were open to foreign domestic workers and, if not, what types of training and educational programmes were available to such workers. Referring to the Compulsory Education Act, from which children with disabilities were exempted, she requested additional information on the situation of those children and any Government-sponsored education programmes designed for them.

21. **Mr. Bruun** asked why the State party continued to maintain its reservation to article 11, paragraph 1, which was so important to the position of women in Singapore on the labour market. The assertion in the response to the list of issues that the reservation was necessary in order to safeguard the welfare of women and their unborn children from certain hazardous occupations seemed to reveal a lack of understanding both of the implications of article 11, paragraph 1 and of the significance of paragraph 2 of the same article,

as well as article 4, paragraph 2. Withdrawing the reservation would not bring new obligations, all the more so as Singapore had ratified International Labour Organization Convention No. 100 on equal remuneration for work of equal value and was thus already bound by the obligations contained in article 11, paragraph 1 (d).

22. Having learned from International Labour Organization (ILO) sources that Singapore had not adequately reported on its implementation of Convention No. 100, he asked how it ensured that the principle of equal remuneration was fully implemented. He asked whether objective job evaluation schemes were in place, in both the private and the public sector, as well as effective remedies for non-compliance.

23. He asked whether the Government was planning to introduce effective legislation to define sexual harassment in the workplace, something that the Committee had called for in its concluding observations in 2007. Was the Government paying special attention to the problems that women might face in the workplace owing, for instance, to their sexual orientation or gender identity?

24. **Ms. Hayashi** asked whether under the standard labour law, applicable to Singaporeans, workers were given a choice between rest days and compensation. If that was not the case, why did the Employment of Foreign Manpower Act, which covered foreign domestic workers, provide for a choice between compensation and rest days, rather than stipulating that foreign workers should have statutory compulsory rest days?

25. She also asked how many foreign domestic workers submitted complaints under the conciliation procedure of the Ministry of Manpower, how many of them were awarded remedies under that scheme and in how many cases the Ministry had prosecuted employers who were at fault. In particular, she asked whether women domestic workers who had filed a complaint were able to find different employment following settlement of the dispute.

26. If her information that migrant foreign domestic workers were subject to mandatory medical examination for pregnancy and HIV, and that pregnancy was a reason for deportation was correct, she wondered whether those practices violated any of the provisions of the Singapore Constitution.

27. **Ms. Patten** asked under what law women could seek redress from management for sexual harassment in the workplace, given that such a complaint was often directed at management itself, to what extent the Penal Code or the Miscellaneous Offences and Nuisances Act contained an adequate definition of sexual harassment and whether the Government had developed a national sexual harassment prevention strategy to assist all employers and workers to understand their responsibilities and rights.

28. She asked for details concerning entitlement to the new extended paid maternity leave of 16 weeks, since it would appear discriminatory that it applied only to citizen births, thereby denying non-citizen women the recognition of maternity as a social function. She would like to know if it was true that Singapore Airlines required pregnant flight attendants to resign, without maternity benefits. The increasing number of pregnancy-related complaints might be an indication that the current penalties were ineffective as a deterrent and should be made harsher.

29. She asked whether there had been an evaluation of the several initiatives to promote work-life harmony, and measure their impact. As it had been reported that many companies were still not embracing family-friendly practices including flexible work arrangements, she asked what measures were envisaged to further encourage them to do so.

30. **Ms. Arocha Domínguez** remarked that it would have been very useful for the Committee to receive the various figures for mortality, life expectancy, and so on, broken down between the urban and rural populations, and by ethnic groupings, age groups and other variables.

31. It would be helpful to know if any follow-up study had been done of changes in the health of migrant working women since 2006, when it had become obligatory for employers to ensure health services for them, and whether any administrative measures were in place to monitor compliance with that obligation.

32. Welcoming the statement that all persons were equal before the law regardless of gender, sexual orientation and gender identity, she asked what administrative or awareness-raising measures had been put in place to make that equality a reality, and what mechanisms existed to follow up on any cases of discrimination that did occur or complaints that were

filed because of discrimination based on sexual orientation or gender identity.

33. **The Chair**, speaking in her capacity as an expert, asked the delegation to explain whether women undergoing childbirth and not covered by health insurance of their own could receive antenatal care in public hospitals.

34. She asked whether her understanding was correct that HIV/AIDS testing did not include pre- and post-test counselling, and, if so, whether there were any plans to amend that policy.

35. She also asked whether women's same-sex partnerships were recognized in public health policies, enabling women in such relationships to access government-financed medical care.

Articles 15 and 16

36. **Ms. Halperin-Kaddari** asked whether there had been any consideration of renaming the family code from "Women's Charter" to a more gender-neutral and inclusive term.

37. While appreciating the multicultural considerations and the complex relationship with the Muslim minority, she asked why discrimination against Muslim women had been left in place, for example in the tolerance of polygamy for men. Given that permits for a polygamous marriage were issued only when the man was found to be capable of providing for the new wife, she wondered why the State party did not adopt the position that there was a presumption that a man was never able to provide for a second wife. Thus the law would remain theoretically in force but in practice Singapore could eliminate polygamy altogether.

38. She sought further information with respect to the economic consequences of divorce. In particular, she wanted to be sure that her understanding was correct that a woman who had not contributed financially to the marital property, a "stay-at-home" wife or mother, might receive a smaller share of the marital property upon divorce. She asked whether the definition of marital property also included increased human capital and future earning potential.

39. With regard to maintenance orders, she asked whether there was a framework provided by the Government, for example through the social security mechanism, to help women who were not able to collect what they were owed by a defaulting man.

40. Regarding the definition of marital rape, which was currently a crime only if the couple no longer lived together, she would like to know if the delegation envisaged any change in that definition.

41. Lastly, she asked what were the rights, especially economic and monetary, of women in Singapore who were not formally married but were in a de facto union.

42. **Ms. Binte Yacob** (Singapore) said that after careful consideration of the Committee's concluding observations from 2007 regarding Singapore's reservation on article 11, paragraph 1, the Government was of the view that a reservation was still necessary, for the reasons already given. However, she assured the Committee that the matter would be kept under active review.

43. **Mr. Ng** (Singapore), in response to the questions about worker training, confirmed that the Continuing Education and Training (CET) framework, developed by the Workforce Development Agency under the Ministry of Manpower to provide upgraded skills to the workforce, was available to all, regardless of gender or employment status, noting that half of all those trained had been women.

44. On training for foreign domestic workers, he said that there were several training programmes organized by the FDW (foreign domestic workers) Association for Skills Training (FAST). From modest beginnings in 2005, FAST was now training about 3,000 workers annually. In total, more than 16,000 foreign domestic workers had been trained in cooking, baby care and computer literacy, with each course being heavily subsidized by the Government.

45. On the issue of mandatory rest days, he explained that under the Employment of Foreign Manpower Act, employers who did not provide their foreign domestic workers with sufficient rest time were subject to a fine of up to 5,000 Singapore dollars or a jail sentence of up to six months. The Ministry of Manpower was studying the suggestion that a weekly rest day should be stipulated for foreign domestic workers, but it was a complex issue, and the Ministry would have to consult all stakeholders.

46. He confirmed that if a foreign domestic worker was serving as a prosecution witness in a labour-related trial, he or she was allowed to find temporary employment while the case was being investigated. That allowed the victims to remain gainfully employed,

and the Government facilitated the process of finding the new job.

47. The Tripartite Alliance for Fair Employment Practices also provided assistance in sexual harassment cases. Where the harassment was of a criminal nature, offenders could be convicted under the Miscellaneous Offences Act and be sentenced to a fine or prison term. For more serious offences, prosecution would be under the Penal Code, and the punishment could include caning.

48. Overall, the tripartite approach to sexual harassment seemed to have worked well. A survey by the Ministry of Manpower in September 2010 had found that even without specific legislation on the topic, the levels of sexual harassment in Singapore were broadly comparable to the findings of a survey on the European Union countries that did have codes of conduct or legislation.

49. With regard to medical benefits for migrant workers, Singapore had increased the medical insurance for them from S\$ 5,000 to S\$ 15,000, and foreign domestic workers had to take out a personal accident insurance, which in 2008 had been raised from S\$ 10,000 to S\$ 40,000 dollars.

50. The reason that children with disabilities were excluded from compulsory education was for the protection of the parents. Some children were so severely disabled that it was not possible for them to attend a mainstream school, but if education was compulsory for them it would be an offence for their parents not to send them to school. Under the Disability Master Plan, a significantly increased level of resources was allocated for children with disabilities, and a special school had been created for them.

51. Referring to the questions on the protection afforded to women of varying sexual orientation, he confirmed that the laws were gender-neutral. A person of a non-heterosexual orientation who had been wrongfully dismissed could appeal under section 14 of the Employment Act to the Ministry of Manpower for a review of his or her dismissal, which could result in reinstatement or compensation.

52. **Dr. Liew** (Singapore) clarified that the Ministry of Health did have a guideline that was issued to all medical practitioners on HIV pre- and post-test counselling. Before the test, the doctor was required to

explain the test and what it meant to be positive or negative. After the test, doctors were expected to tell both negative and positive patients what the outcomes were and what the treatment options were.

53. Singapore offered universal health-care coverage to its citizens, with a financing system that was anchored on the twin philosophies of individual responsibility and affordable health care for all. The first tier of protection was provided by a major government subsidy, of up to 80 per cent of the total bill in the public hospitals. The second tier of protection was provided by Medisave, which was a compulsory individual medical savings account for all Singaporeans. The third tier was that provided by Medishield, which was a low-cost catastrophic medical insurance scheme. And on top of that there was Eldersshield, which was a severe disability insurance. Finally, Medifund was a medical endowment fund set up by the government to act as the ultimate safety net for needy Singaporeans.

54. With regard to the question on pregnant women's access to such schemes, she confirmed that all women who were admitted to a public hospital would enjoy the same benefits.

55. Responding to the desire expressed to have health data broken down in terms of urban versus rural population, she pointed out that Singapore did not have a rural population: it was all urban. As for comparison of health-care issues between the genders, and by age groups and ethnic groupings, the Ministry performed regular nationwide surveys, the results of which were published on its website.

56. **Ms. Ong** (Singapore) explained that there were currently two different items of legislation that provided maternity protection. One was the Employment Act, which applied to all female employees and entitled them to 12 weeks of maternity leave and also to two days of childcare leave per year until the child reached the age of 7.

57. The second instrument was the Children Development Co-Saving Act, which was intended to encourage Singapore's citizens to have children, within marriage. It was under that legislation that Singaporean women were entitled to 16 weeks of maternity leave, paid for by the Government.

58. The issue of renaming the "Women's Charter" had been debated in Parliament twice in 2011. Most of

the provisions in the charter were gender-neutral, but there was one portion that dealt with protection of women against family violence. If the charter were to be renamed, it would be necessary to decide where to put that section.

59. **Ms. Binte Yacob** (Singapore) said that Singapore certainly wished that many more companies would adopt flexible working arrangements, for which there were already incentives and funding schemes, but there was evidence of a growing readiness to adopt such initiatives, in particular as companies found it difficult to attract and retain good female talent and discovered that if they offered flexible options they became more attractive to women workers.

60. With regard to the issue of the pregnant flight attendants, recently there had been a discussion between their unions and the management, resulting in a settlement. While the Committee had expressed concern about an increasing number of pregnancy-related complaints, in fact the statistics collected by the Tripartite Alliance for Fair Employment Practices showed that between 2009 and 2010 the number of complaints related to pregnancy had actually gone down.

61. In response to the question about Singapore's attitude to polygamy, she pointed out that Singapore had already made tremendous progress in withdrawing several reservations. However, the Government had to move at a pace that the nation as a whole found acceptable. The Government would continue to focus on how to enhance protection for women and improve their status under Muslim law, but it must be done in progressive steps that society would accept.

62. The same applied to the concern about marital rape. The present definition was the most that Singaporean society was currently prepared to accept. It was something that had been debated in society, and the Government intended to return to the issue, but for the time being that was as far as society was prepared to go.

63. She thanked the Committee for its many constructive comments and useful insights, of which the delegation had taken note. Overall, there had been progress in the status of women in Singapore but there was always more that needed to be done. The Singaporean Government was committed to the full and practical realization of the country's obligations

under the Convention, and with the support of the Committee would continue its efforts in that regard.

64. **The Chair** said that the Committee commended the State party for its efforts and encouraged it to take all necessary measures to address its various concerns, which would be formally communicated in due course.

The meeting rose at 5 p.m.