

SINGAPORE 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Singapore is a parliamentary republic where the People's Action Party, in power since 1959, overwhelmingly dominated the political scene. There was no voting for the 2017 presidential election because only a single, ethnic minority Malay candidate qualified for the ballot, due to criteria specified in a 2016 constitutional amendment. On September 13, the Elections Department declared Halimah Yacob president. Observers considered the 2015 general election and a 2016 by-election open and free.

Civilian authorities maintained effective control over the security forces.

The most significant human rights issues included: caning as punishment imposed by the courts; preventive detention by government authorities under various laws without warrant, filing of charges, or normal judicial review; monitoring private electronic or telephone communications without a warrant; significant restrictions on freedoms of expression, including for the press and online, and assembly; the use of defamation laws to discourage criticism; laws and regulations significantly limiting freedom of association; and the criminalization of sexual activities between men, although the law was not enforced.

The government prosecuted officials who committed human rights abuses, although there were no instances of such prosecutions reported during the year. There were no reports of impunity involving the security forces.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

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

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

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

The law mandates imprisonment and mandatory caning for approximately 30 offenses, such as certain cases of rape, robbery, and drug trafficking. Caning is discretionary for convictions on other charges involving the use of force, such as kidnapping or voluntarily causing grievous hurt. Caning also may be used as a punishment for misbehavior while in prison if first approved by the commissioner of prisons and reviewed by the Institutional Discipline Advisory Committee. Women and girls, men over age 50 and boys under age 16, men sentenced to death whose sentences were not commuted, and persons determined medically unfit were exempt from punishment by caning.

Prison and Detention Center Conditions

There were no reports regarding prison or detention center conditions that raised human rights concerns.

Physical Conditions: There were no major concerns in prisons and detention centers regarding physical conditions.

Administration: The category of the inmate determined the frequency and type of visitors allowed. In general authorities allowed family members and close relatives to visit inmates. Prison authorities must approve visits of nonrelatives.

Prisoners may file complaints alleging mistreatment or misconduct to judicial authorities without censorship and may request investigation of credible allegations of problematic conditions. When called upon, the Provost Unit, which is located in the prison headquarters, investigates complaints. Criminal charges may be brought against government officials.

The Board of Visiting Justices, consisting of justices of the peace appointed by the minister for home affairs, is responsible for the basic welfare of prisoners and conducts prison inspections. All inmates have access to the visiting justices. Authorities documented the results of investigations in a publicly accessible manner.

The Institutional Discipline Advisory Committee renders an opinion to the commissioner of prisons on whether corporal punishment was excessive.

Independent Monitoring: The government permitted consular access to foreign prisoners. Authorities also allowed members of the press to visit the prisons.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, but some laws permit arrest and detention without judicial due process. The government generally observed the laws.

Role of the Police and Security Apparatus

The national police, under the direction of the Ministry of Home Affairs, maintain internal security.

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

Arrest Procedures and Treatment of Detainees

In most instances, the law requires the issuance of an authorized warrant for arrests, but some laws, such as the Internal Security Act (ISA), provide for arrest without warrant if the government determines the suspect acted in a manner prejudicial to the security of the country. The First Schedule of the Criminal Procedure Code specifies that offenses, such as robbery or rape, do not require an arrest warrant.

Those arrested according to regular criminal procedure must appear before a magistrate and be legally charged within 48 hours. The accused may not be held further without a magistrate's approval. Authorities charged expeditiously and brought to trial the majority of those arrested. A functioning bail system existed.

Persons who faced criminal charges were allowed access to counsel at the completion of police questioning after investigations were complete or nearly complete. Any person accused of a capital crime is eligible to be assigned counsel

by the state free of charge. The government also funded an expanded Criminal Legal Aid Scheme run by the Law Society that covers additional criminal offenses.

Arbitrary Arrest: Some laws, such as the ISA and the Criminal Law (temporary provisions) Act (CLA), have provisions for arrest and detention without a warrant and/or full judicial due process. ISA cases are subject to review by the courts to provide for strict compliance with its procedural requirements. Authorities invoked the ISA primarily against suspected security threats and employed the CLA mostly against suspected organized crime and drug trafficking.

Pretrial Detention: Pretrial detention was not excessively prolonged. Some individuals, however, were in prolonged detention without trial and with minimal judicial due process under laws that allowed for such detention.

The ISA and the CLA permit preventive detention without trial for the protection of public security, safety, or the maintenance of public order. The ISA authorizes the minister for home affairs, with the consent of the cabinet and with formal endorsement from the president, to order detention without filing charges if the minister determines that a person poses a threat to national security. The initial detention may be for up to two years, which the minister may renew for an unlimited number of additional periods of up to two years each. ISA detainees are permitted legal counsel. An independent advisory board consisting of a Supreme Court judge and two other presidential appointees reviews each detainee's case within three months of initial detention and at intervals of not more than 12 months thereafter. If the advisory board recommends that the detainee be released but the minister disagrees, the president has discretion as to the detainee's continued detention.

In May, Muhammad Khairul Mohamed, an auxiliary police officer who wanted to take up arms for the Free Syrian Army, became the first self-radicalized uniformed officer detained under the ISA. In June, Syaikhah Izzah Zahrah al-Ansari, an infant care assistant who intended to travel to Syria to join ISIS, became the first woman detained under the ISA. As of August there were active ISA orders of detention (ODs) against 18 persons for their involvement in terrorism-related activities.

In addition to ODs, the ISA allows for issuance of restriction orders (ROs) that require an individual to seek official approval for a change of address or occupation, overseas travel, or participation in any public organization or activity. RO subjects could be required to report regularly to authorities. In May, Mohamad

Rizal Wahid, an auxiliary police officer who supported a colleague's intention to undertake armed violence in Syria, was arrested under the ISA and was issued an RO in June. As of September, 28 persons were on ROs. This number included both released detainees and suspected terrorists who were never detained.

There is also a category of restriction called suspension direction (SD) that replaces an OD when suspended and may prohibit association with specified groups or individuals and overseas travel without prior written government approval. SDs also include reporting conditions. As of September no individuals were subject to an SD.

The CLA must be renewed every five years; the most recent renewal was in 2014. According to 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; the president may extend detention for unlimited 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 authorities notify detainees of the grounds of their detention at least 10 days prior to this hearing, during which detainees may represent themselves 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. The government used the CLA almost exclusively against serious criminal activities involving narcotics, loan sharks, or criminal organizations; and not for political purposes.

The CLA allows for supervision within the community through means such as curfews, residence limitations, requirements to report regularly to authorities, and limitations on travel.

The Misuse of Drugs Act permits detention without trial in an approved institution for the purpose of the treatment and rehabilitation of drug addicts. If a suspected drug abuser tests positive for an illegal drug, the director of the Central Narcotics Bureau may commit the person to a drug rehabilitation center for a six-month period, which a review committee of the institution may extend for a maximum of three years. According to the Intoxicating Substances Act, the bureau director may order treatment for up to six months of a person determined by blood test or medical examination to be an abuser of inhalant drugs.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: In regular criminal law, persons arrested have the right of habeas corpus. This right is upheld by the constitution.

Persons detained under the CLA have recourse to the courts via an application for a writ of habeas corpus, as confirmed in 2015 by the Court of Appeal in a soccer match-fixing case. Persons detained without trial under the CLA may challenge the substantive basis for their detention only to the CLAC.

Under the ISA, detainees may challenge their detention in the judicial system only by seeking judicial review of whether their detention complied with procedural requirements of the ISA. They are also allowed to make representations to an Advisory Board, headed by a Supreme Court justice, but 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.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence. Some observers expressed concern about undue government influence in the judicial system. Laws limiting judicial review, moreover, permitted restrictions on individuals' constitutional rights.

Some commentators and representatives of international nongovernmental organizations (NGOs) noted that the Legal Service Commission's authority to rotate subordinate court judges and magistrates and the ability of both the commission and the chief justice to extend, at their discretion, the tenure of Supreme Court judges beyond the age of 65 could undermine the independence of the judiciary.

Some commentators recommended that the attorney-general's dual roles as public prosecutor and legal adviser to the government should be separated, and that the prime minister should no longer be responsible for recommending the appointment of the public prosecutor. These changes would preclude the prime minister or cabinet from being accused of political interference in the legal system.

The ISA explicitly and CLA implicitly preclude normal judicial rule and empower the government to limit, on vaguely defined national security grounds, other fundamental liberties provided for in the constitution.

Trial Procedures

The law provides for a fair and public trial, except for persons detained under the ISA, CLA, and similar legislation. The judiciary generally enforced this right when applicable. Some commentators observed a small number of exceptions in cases involving direct challenges to the government or the ruling party. The judicial system generally provided those subject to it with an efficient judicial process.

In most circumstances, the criminal procedure code requires that charges be read and explained to a defendant as soon as the prosecutor or magistrate completes them. After the charges are filed in court, the accused may seek advice of counsel before deciding whether to plead guilty or ask for a trial. At a pretrial hearing no earlier than eight weeks after criminal charges have been made, a judge determines whether there is sufficient evidence to proceed to trial and sets a court date.

Criminal defendants enjoy a presumption of innocence in most cases. The Misuse of Drugs Act is an exception; it stipulates that a person who possessed narcotics shall be assumed to be aware of the substance and places the burden on the defendant to prove otherwise, although not beyond a reasonable doubt. The same law also stipulates that if the amount of the narcotic is above set limits, the defendant must prove he or she did not have the drug for trafficking purposes.

Trials are public and heard by a judge; there are no jury trials. Defendants have the right to be present at their trials and to have representation by an attorney. The Law Society administered a legal aid plan for persons facing criminal charges who could not afford an attorney. The state did so for anyone facing a capital charge. Defense lawyers generally had sufficient time and facilities to prepare an adequate defense. Criminal defendants who do not speak or understand English, or who have limited proficiency, are provided with translation services at no cost. Defendants have the right to question prosecution witnesses and to provide witnesses and evidence on their own behalf.

Defendants enjoy the right of appeal, which must be filed within 14 days in most cases. The criminal procedure code provides for an automatic appeal process for all death sentence cases. The courts may offer nonviolent offenders the option of probation or paying a fine in lieu of incarceration. Those sentenced to death may ask for resentencing under certain circumstances, and judges may impose life imprisonment instead.

Persons detained under the ISA or CLA are not entitled to a public trial. Proceedings of the advisory board under the ISA and CLA are not public.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is no differentiation between civil and criminal judicial procedures. Subordinate courts handled the majority of civil cases. Access to the courts is open, and citizens and residents have the right to sue for infringement of human rights. Individuals and organizations may not appeal adverse domestic decisions to regional human rights bodies.

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

The constitution does not address privacy rights; statutory or common law provide remedies for infringement of some aspects of privacy rights. The government generally respected the privacy of homes and families. Normally police must have a warrant issued by a court to conduct a search, but may search a person, home, or property without a warrant if they decide that such a search is necessary to preserve evidence or according to discretionary powers of the ISA, CLA, Misuse of Drugs Act, or Undesirable Publications Act.

Law enforcement agencies, including the Internal Security Department and the Corrupt Practices Investigation Bureau, had extensive networks for gathering information and conducting surveillance and highly sophisticated capabilities to monitor telephone, email, text messaging, or other digital communications intended to remain private. No court warrants are required for such operations.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution provides for freedom of expression but imposes official restrictions on these rights.

Freedom of Expression: The government significantly restricted any public statements that it contended would undermine social or religious harmony, or that did not safeguard national or public interest. Government pressure to conform resulted in self-censorship among some journalists. Nevertheless, there was an increase in open debate regarding government policies. The government did not restrict or penalize online criticism of the government's management of the presidential election process.

In October the Administration of Justice (Protection) Act 2016 took effect. The Act identifies actions that constitute contempt of court to include publishing material that prejudices pending proceedings or interferes with proceedings in progress, and making allegations of bias against judges.

In August the Attorney General's Chambers initiated contempt of court proceedings against Li Shengwu, a nephew of Prime Minister Lee Hsien Loong, for private Facebook comments in July that criticized the "litigious" nature of the government and the "pliant court system." After implementation of the new legislation on contempt of court, media coverage of the case was cautious and factual.

The government-sanctioned Speakers' Corner was the only outdoor venue where citizens could give public speeches without a Public Entertainment License. Speakers' Corner may be used for exhibitions, performances, assemblies and processions, and citizens do not need a police permit to hold these events. All event organizers must, however, preregister online with the National Parks Board and must provide the topic of their event. Regulations state that the event should not be religious in nature or cause feelings of enmity, ill will, or hostility between different racial or religious groups. The commissioner of parks and recreation reserves the right to cancel or disallow any event or activity that he or she believes may endanger, cause discomfort to, or inconvenience other park users, and/or the general public.

Citizens need a permit to speak at indoor public gatherings outside of the hearing or view of nonparticipants only if the topic refers to race or religion. Indoor, private events are not subject to the same restrictions. Organizers of private events, however, must prevent inadvertent access by uninvited guests, or they could be cited for noncompliance with the rules regarding public gatherings.

Press and Media Freedom: According to 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 threaten national interests, national security, or public order.

Government leaders urged news media to support its goals and help maintain social and religious harmony. In addition to enforcing strict defamation and press laws, the government's vigorous response to what it considered personal attacks on officials led journalists and editors to moderate or limit what was published. In some instances, the government sued journalists or online bloggers for defamation or for stories that authorities believed undermined racial and religious harmony. In March the Info-communications Media Development Authority (see below) fined Singapore Press Holdings Radio Singapore dollars S\$7,000 (\$5,200) for breaching the free-to-air radio program code after its deejays made racially insensitive comments about Malays.

Government managerial and financial control strongly influenced all print and some of the electronic media. Two companies, Singapore Press Holdings Limited (SPH) and MediaCorp, owned all general circulation newspapers in the four official languages of English, Chinese, Malay, and Tamil. SPH is a publicly listed company with close ties to the government, which must approve (and may remove) the holders of management shares, who appoint or dismiss SPH management. The government investment company Temasek Holdings wholly owned MediaCorp. As a result, coverage of domestic events, and reporting of sensitive foreign relations topics usually closely reflected official government policies and views.

Government-linked companies and organizations operated all domestic broadcast television channels and almost all radio stations. Only one radio station, the British Broadcasting Corporation's World Service, was completely independent of the government. Residents could receive some Malaysian and Indonesian television and radio programming, but with few exceptions authorities prohibited satellite dishes. Cable subscribers had access to numerous foreign television shows and a wide array of international news channels and many entertainment channels. The government did not censor international news channels but did censor entertainment programs to remove or edit coarse language, representations of intimate gay and lesbian relationships, and explicit sexual content. Residents routinely accessed uncensored international radio and television content via the internet.

The government may limit broadcasts or the circulation of publications by "gazetting" them under the Broadcasting Act and may ban the circulation of domestic and foreign publications under provisions of the ISA and Undesirable

Publications Act (UPA). The law empowers the minister for communications and information to gazette or place formal restrictions on any foreign broadcaster deemed to be engaging in domestic politics.

The government may require a gazetted broadcaster 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 may fine a broadcaster up to S\$100,000 (\$74,000) for failing to comply.

Censorship or Content Restrictions: The Info-communications Media Development Authority (IMDA) is the statutory board under the Ministry of Communications and Information that regulates broadcast, print, and 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. The IMDA develops censorship standards including age-appropriate classification of media content with the help of various citizen advisory panels. The ISA, UPA, and Films Act allow the banning, seizure, censorship, or restriction of written, visual, or musical materials if authorities determine that such materials threaten the stability of the state, contravene moral norms, are pornographic, show excessive or gratuitous sex and violence, glamorize or promote drug use, or incite racial, religious, or linguistic animosities. The IMDA has the power to sanction broadcasters for transmitting what it believed to be inappropriate content. All content shown between 6 a.m. and 10 p.m. must be suitable for viewers of all ages.

Authorities edited a March episode of *The Ellen DeGeneres Show* to remove one guest who showed sexual paraphernalia and another who discussed her nonbinary gender identity, although the segments were available for viewing on blogs.

Libel/Slander Laws: Critics charged that government leaders used defamation lawsuits or threats of such actions to discourage public criticism, coerce the press, and intimidate opposition politicians. Conviction on criminal defamation charges may result in a prison sentence of up to two years, a fine, or both. In March the Attorney General's Chambers warned activist Han Hui Hui that she would be charged with contempt of court unless she formally apologized for stating on social media that she was mistreated while she was in temporary custody at the state courts.

Internet Freedom

Although online end users generally had unrestricted access to the internet, the government subjected all internet content to similar rules and standards as traditional media, as defined by the IMDA's Internet Code of Practice. Individuals and groups could engage in the expression of views via the internet, including by email. Internet service providers are required to ensure that content complies with the code. The IMDA also regulates internet material by licensing the internet service providers through which local users are required to route their internet connections. The IMDA investigates content that is potentially in breach of the code when it receives complaints from members of the public. In June a take-down notice was issued to the *Online Citizen*, a website dedicated to "cyberactivism," for posting a false article regarding how money raised from the issuance of Singapore Savings Bonds would be used.

The law permits government monitoring of internet use, and the government closely monitored internet activities, such as social media posts, blogs, and podcasts. The IMDA was empowered to direct service providers to block access to websites that, in the government's view, undermined public security, national defense, racial and religious harmony, or public morals. Political and religious websites must register with the IMDA.

The internet was widely available and used.

The Online News Licensing Scheme requires more heavily visited internet news sites to obtain a license. The license requires these sites to submit a bond of S\$50,000 (\$37,000) and to adhere to additional requirements to remove prohibited content within 24 hours of notification from the IMDA. Many citizens viewed this regulation as a way to censor online critics of the government. The IMDA stated there was a need to regulate commercial news sites and promote conformity with other forms of media such as print and television. As of November 2016, all 11 major news sites had obtained IMDA licenses.

Smaller news sites that cover political issues are required to register under the Broadcasting Act Class License to ensure that registrants do not receive foreign funding.

Citizens were encouraged not to post information online that could undermine racial or religious harmony. In April police issued "stern" warnings to two men who posted Facebook comments about an offensive remark by an Indian imam concerning Jews and Christians. The imam was convicted, fined, and deported.

Academic Freedom and Cultural Events

Public institutions of higher education and political research had limited autonomy. Although faculty members were not technically government employees, they were potentially subject to government influence. Academics spoke, published widely, and engaged in debate on social and political problems, although public comment outside the classroom or in academic publications that ventured into prohibited areas could result in sanctions. Publications by local academics and members of research institutions rarely deviated substantially from government views.

The law authorizes the minister of communications and information to ban any film, whether political or not, that in his opinion is “contrary to the public interest.” The law does not apply to any film sponsored by the government and allows the minister to exempt any film from the act.

Certain films barred from general release may be allowed limited showings, either censored or uncensored.

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

Although the constitution provides citizens the right to peaceful assembly, parliament imposed restrictions in the interest of security, public order, or morality. Public assemblies, including political meetings and rallies, require police permission. By law a public assembly may include events staged by a single person. Citizens do not need permits for indoor speaking events, unless they touch on “sensitive topics” such as race or religion, or for qualifying events held at Speakers’ Corner. Police also have the authority to order a person to “move on” from a certain area and not return to the designated spot for 24 hours.

In November, Jolovan Wham was charged with organizing three public assemblies without a police permit and charged with vandalism for taping two sheets of paper to a post on a train during a protest. If convicted, Wham may be fined up to S\$10,000 (\$7,400), imprisoned for up to six months, or both for his role in organizing a 17-person vigil outside a prison in July, a silent protest inside a train carriage with eight others in June, and an indoor assembly with a foreign speaker who participated via Skype in November 2016.

An April amendment to the Public Order Act allows the police and a government minister to decline to authorize any public meeting that could be used for a political purpose and be attended, organized, or funded in any way by foreign nationals. It was widely believed that the amendment was a response to the 2016 lesbian, gay, bisexual, transgender or intersex persons (LGBTI) “Freedom to Love” rally, after which the Ministry of Home Affairs issued a press statement saying “foreign entities should not interfere in our domestic issues, especially political issues or controversial social issues with political overtones.”

Because of the legislative change, the LGBTI rally held in July was funded entirely by domestic entities, and rally organizers set up barricades and identification check points to prevent foreigners from observing the event.

The government closely monitored political gatherings regardless of the number of persons present.

Spontaneous public gatherings or demonstrations were virtually unknown.

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 could deny registration to groups that it believed were formed for unlawful purposes or for purposes prejudicial to public peace, welfare, or public order. The majority of applications in recent years were approved. 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 associations. These may not receive foreign donations but may receive funds from citizens and locally controlled entities. The ruling People’s Action Party (PAP) was able to use nonpolitical organizations, such as residential committees and neighborhood groups, for political purposes far more extensively than could opposition parties. Due to laws regulating the formation of publicly active organizations, there were few NGOs apart from nonpolitical organizations, such as religious or environmental groups.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The constitution and the law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights, although it limited them in certain circumstances. Government cooperation with the UN High Commissioner for Refugees and other humanitarian organizations with respect to asylum seekers and other refugees was limited.

In-country Movement: The ISA permits authorities to restrict a person's movement, and they did so in the case of some former ISA detainees. Several dozen suspected terrorists were subject to such restrictions.

Foreign Travel: The government may refuse to issue a passport; in practice this was done primarily on security grounds.

Men are required to undertake 24 months of uniformed national service upon reaching age 18. They also are required to participate in reserve training up to age 40 (for enlisted men) or 50 (for officers). Male citizens and permanent residents with national service reserve obligations are required to advise the Ministry of Defense of plans to travel abroad. Men and boys age 13 and older who have not completed national service obligations are required to obtain exit permits for international travel if they intend to be away for three months or more.

The law allows the government to deprive naturalized citizens of citizenship if they have resided outside of the country for more than five consecutive years. Naturalized citizens may also lose their citizenship if they have engaged in activities deemed harmful to public safety and order. In December the government revoked the citizenship of naturalized citizen Gaye Alassane on these grounds, marking the first time it had invoked the measure since 1987.

Former Singaporean members of the Communist Party of Malaya residing outside the country may not repatriate unless they renounce communism, sever all links with the party, and agree to an interview by the Internal Security Department about their past activities. In the past, some former party members accepted these conditions and returned, but observers estimated that approximately 30 alleged party members had not.

Protection of Refugees

Access to Asylum: The law does not provide for the granting of asylum or refugee status. The government may, on a case-by-case basis, cooperate with organizations such as the UN High Commissioner for Refugees to repatriate or send refugees to a third country.

Stateless Persons

As of January 2016, there were 1,411 legally stateless persons living in the country. Many were reportedly born in the country before independence, but did not or could not meet requirements for citizenship then in force. Others are permanent residents who have lost their foreign citizenship, or are children born to foreign nationals who are not recognized in their home countries. Stateless persons may apply for citizenship.

Approximately 80 percent of stateless persons have obtained permanent residency, but those who have not may not buy or rent real estate, are not entitled to government health or education subsidies, and may have difficulty securing employment.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in open and free periodic elections held by secret ballot and based on universal and equal suffrage. Voting is compulsory and 93.7 percent of eligible voters voted in the 2015 general election. In five decades of continuous rule, the PAP has employed a variety of policies that effectively limited the ability of the opposition to mount a serious challenge to its hold on power. In recent years, however, the opposition won additional seats.

Elections and Political Participation

Recent Elections: The law provides for the popular election of the president to a six-year term from among candidates approved by two constitutionally prescribed committees selected by the government. In 2016 the constitution was amended to provide for multiracial representation in the presidency. The election for the office of the president was reserved for a certain racial community (Chinese, Malay, or Indian and other minority communities) if no person belonging to that community had held the office of the President for any of the last five terms of office. The

2017 presidential election was reserved for eligible Malay candidates. In September former speaker of parliament Halimah Yacob became president without a vote because she was the only eligible candidate; two other applicants were ruled ineligible according to criteria applicable to private sector candidates.

The 2015 parliamentary general election was free and open to a viable opposition. There were eight opposition parties, and all seats were contested for the first time since independence. The ruling party won 69.9 percent of the popular vote, capturing 83 of 89 seats in parliament. The opposition Workers' Party won the six seats it had carried in 2011. The general elections operate according to a first-past-the-post system. A constitutional provision assures at least nine opposition members in parliament; there were three nonconstituency members from the Workers' Party in the parliament, chosen from the highest-finishing runners-up in the general election.

Political Parties and Political Participation: The opposition criticized what it described as PAP abuse of its incumbency to restrict opposition parties. The PAP maintained its political dominance in part by circumscribing political discourse and action.

The PAP had an extensive grassroots system and a carefully selected, highly disciplined membership. Government-organized and predominantly publicly funded Community Development Councils further strengthened the PAP's position. The councils provided welfare as well as other assistance services.

The PAP controlled key positions in and out of government, influenced the press, and benefited from weak opposition parties. While the PAP's methods were fully consistent with the law and the normal prerogatives of a parliamentary government, the overall effect was to perpetuate PAP power. The constitutional requirement that members of parliament resign if expelled from their party helped promote backbencher discipline.

Although political parties were legally free to organize, authorities imposed strict regulations on their constitutions, fundraising, and accountability, including a ban on receiving foreign donations. There were 29 registered political parties, nine of which were active.

Participation of Women and Minorities: No laws limit the participation of women and minorities in the political process, and they did participate. Presidential elections may be reserved for certain racial communities. There are no other

restrictions in law or practice against voting or political participation by minorities; they were well represented throughout the government, except in some sensitive national security positions.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government implemented these laws effectively.

Corruption: Two cases of official corruption were reported during the year. In July, Singapore Prison Service senior chief warder Kobi Krishna Ayavoo was charged with eight counts of attempting to obtain a bribe from an inmate, Chong Keng Chye, who had requested a transfer to a different prison. In November, two additional charges were filed against Kobi for seeking unauthorized access to data. Offenders convicted of corruption may be jailed for up to five years and fined up to S\$100,000 (\$74,000) for each charge.

Financial Disclosure: The law requires civil servants to declare their investments, properties, and indebtedness to their respective permanent secretaries. According to the code of conduct for ministers, ministers make financial disclosures to the prime minister. The salaries of senior officials were public information, and political parties are required to report donations.

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

A variety of domestic human rights groups generally operated without government restriction and these organizations investigated and published their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views. NGOs were subject to registration according to the Societies Act or the Companies Act.

Some international human rights NGOs criticized the government's policies in areas such as capital punishment, migrant workers' rights, freedom of assembly, freedom of speech, and protection of the rights of LGBTI persons. They charged that the government generally ignored such criticisms or published rebuttals.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The government enforced the law against rape, which provides for imprisonment of up to 20 years and the possibility of caning. By law only a man can commit rape. A man cannot legally be a victim of rape, but may be the victim of unlawful sexual penetration, which carries the same penalties as rape. Spousal rape is generally not a crime, but husbands who force their wives to have intercourse may be prosecuted for other offenses, such as assault. Spousal rape is a criminal offense when the couple is separated, subject to an interim divorce order that has not become final, or subject to a written separation agreement, as well as when a court has issued a protection order against the husband. Rape was not prevalent.

The law criminalizes domestic violence. Victims may obtain court orders restraining the respondent and barring the spouse or former spouse from the home until the court is satisfied that the spouse has ceased aggressive behavior. Several voluntary welfare organizations that assisted abused women called for measures to address under-reporting of gender-based violence, which they said was the result of social stigma and a lack of understanding among the population at large as well as among law enforcement officials. The press gave prominent coverage to several instances of abuse or violence against women

Female Genital Mutilation/Cutting (FGM/C): Type I (as classified by the World Health Organization) female genital mutilation/cutting was practiced among a small portion of the Muslim population. There is no legislation banning the practice.

Sexual Harassment: The law prescribes mandatory caning and a minimum imprisonment of two years for conviction on any charge of “outraging modesty” that caused the victim to fear death or injury. According to police statistics, incidents of outrage of modesty increased by 20 percent to 1,168 cases from January to September, compared with 974 cases in the same period of 2016.

By law a person who uses threatening, abusive, or insulting words or behavior may incur a fine of up to S\$5,000 (\$3,700). The law criminalizes harassment and cites examples that include harassment both within and outside the workplace, cyberbullying, and bullying of children. It also provides a range of self-help measures, civil remedies, and enhanced criminal sanctions to protect against harassment. Additionally, it makes stalking an offense punishable with a fine of up to S\$5,000 (\$3,700), imprisonment for up to 12 months, or both.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: Women enjoy the same legal rights as men, including civil liberties, employment, commercial activity, and education. Women were well represented in many professions (see section 7.d.).

No laws mandate nondiscrimination in hiring practice based on gender, prohibit employers from asking questions about a prospective employee's family status during a job interview, provide for flexible or part-time work schedules for employees with minor children, or establish public provision of childcare.

Polygyny is permitted for Muslim men, but is limited and strictly regulated by the Syariah Court and the Registry of Muslim Marriages which oversees Muslim marriages and other family law matters. Polygynous marriages constituted 0.2 percent of Muslim marriages.

Both men and women have the right to initiate divorce proceedings.

Children

Birth Registration: The law requires that all births be registered within 14 days. Citizenship derives from one's parents.

Child Abuse: The Children and Young Persons Act criminalizes mistreatment of children, including physical, emotional, and sexual abuse. The government enforced the law and provided support services for child-abuse victims.

Early and Forced Marriage: The law characterizes unmarried persons under age 21 as minors and persons under 14 as children. Individuals under age 21 wishing to marry must obtain parental consent. In addition to obtaining parental consent, individuals under age 18 require a special license from the Ministry of Social and Family Development.

Sexual Exploitation of Children: The law criminalizes human trafficking, including child sex trafficking, and authorities enforced the law. One child sex trafficking case was reported in the year.

The age of consent for noncommercial sex is 16 years. Sexual intercourse with a person under 16 is punishable by up to 10 years in prison, a fine, or both, and if the victim is 14 or younger punishable by up to 20 years in prison and a fine or caning.

Authorities may detain (but generally do not prosecute) persons under age 18 whom they believe to be engaged in prostitution. They prosecute those who organize or profit from prostitution, bring women or girls to the country for prostitution, or coerce or deceive women or girls into prostitution. The law is ambiguous regarding employment of persons ages 16 to 18 in the production of pornography.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

There were between 800 and 1,000 members of the Jewish community. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The Ministry of Social and Family Development is responsible for protecting the rights of persons with disabilities. There is no comprehensive legislation addressing equal opportunities for persons with disabilities in education or employment. In January the ministry began implementing a 2017-2021 policy plan for programs and services in the disability sector. The plan focuses on greater inclusiveness for persons with disabilities.

During the 2015 general elections, voters with visual disabilities could cast their vote independently with stencils, and electoral law allows voters who are unable to vote in the manner described by law to receive assistance from election officials to mark and cast their ballots.

The government maintained a comprehensive code on barrier-free accessibility, established standards for facilities for persons with physical disabilities in all new buildings, and mandated the progressive upgrading of older structures. SG Enable, established by the Ministry of Social and Family Development, provided job training and placement program for persons with disabilities.

The country provided a high level of educational support for children and minors with disabilities from preschool to university. Elementary and secondary levels both included mainstreaming programs and special education schools. All primary schools and the majority of secondary schools had specialist support for students with mild disabilities. Informal provisions permitted university matriculation for those with visual, hearing, or physical disabilities.

National/Racial/Ethnic Minorities

Ethnic Malays constituted approximately 13 percent of the population. The constitution acknowledges them as the indigenous persons of the country and charges the government to support and promote their political, educational, religious, economic, social, cultural, and language interests. Although the government took steps to encourage greater educational achievement among Malay students and upgrading of skills among Malay workers, 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 asserted, in certain sectors of the government and the military. This reflected their historically lower educational and economic levels, but some argued it also was a result of employment discrimination.

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

Government policy designed to facilitate interethnic harmony and prevent the formation of racial enclaves enforced ethnic ratios, applicable for all ethnic groups, to all forms of public housing.

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

Section 377a of the penal code criminalizes and punishes male-to-male sexual relations with prison sentences up to two years. The law does not criminalize female-to-female sexual relations. The authorities did not enforce the section during the year.

No laws explicitly provide for the protection of the LGBTI community from discrimination based on sexual orientation. Moreover, since single persons are prevented from purchasing government housing reserved for married couples until age 35, LGBTI persons, who are unable to wed, were more susceptible to these restrictions.

Recruitment procedures do not bar members of the LGBTI community from military service but classify LGBTI military personnel by sexual orientation and evaluate them on a scale of “effeminacy.” LGBTI citizens may become government workers but must declare their sexual orientation on job applications. Changing of gender on official documents is allowed only through sex reassignments. Media censorship perpetuated negative stereotypes of LGBTI individuals by restricting portrayals of LGBTI life. The IMDA censored films and television shows with LGBTI themes. According to the IMDA website, authorities allow the broadcast of LGBTI themes on television “as long as the presentation does not justify, promote, or glamorize such a lifestyle” (see section 2.a.).

HIV and AIDS Social Stigma

Some individuals with HIV/AIDS claimed that they were socially marginalized and faced employment discrimination if they revealed their HIV/AIDS status. The government discouraged discrimination, supported initiatives that countered misperceptions about HIV/AIDS, and publicly praised employers that welcomed workers with HIV/AIDS. HIV-positive foreigners are barred from obtaining work permits or immigrant visas.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of most workers to form and join trade unions. Workers have the legal right to strike and to bargain collectively. The law prohibits antiunion discrimination.

By law the parliament may impose restrictions on the right of association based on security, public order, or morality grounds. The Ministry of Manpower also has broad powers to refuse to register a union or to cancel a union's registration. The laws and regulations restrict freedom of association by requiring any group of 10 or more persons to register with the government. The law restricts the right of uniformed personnel and government employees to organize, although the president may grant exemptions. Foreigners and those with criminal convictions generally may not hold union office or become employees of unions, but the ministry may grant exemptions.

The law requires more than 50 percent of affected unionized workers to vote in favor of a strike by secret ballot, as opposed to 51 percent of those participating in the vote. 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.

Unions were unable to carry out their work without interference from the government or political parties. The law limits the objectives for which unions may spend their funds, prohibits payments to political parties or the use of funds for political purposes, and restricts the right of trade unions to elect their officers and choose their employees.

Almost all unions were affiliated with the National Trade Union Congress (NTUC), an umbrella organization with a close relationship with the government and the ruling PAP. The NTUC Secretary-General was a cabinet minister and three PAP members of parliament were in NTUC leadership positions. NTUC policy prohibited union members who supported opposition parties from holding office in its affiliated unions.

Collective bargaining was a routine part of labor-management relations in all sectors. Because almost all unions were its affiliates, the NTUC had almost exclusive authority to exercise collective bargaining power on behalf of employees. Union members may not reject collective agreements negotiated between their union representatives and an employer. Although transfers and layoffs are excluded from the scope of collective bargaining, employers consulted with unions on both issues.

Foreign workers constituted approximately 15 percent of union members. Labor NGOs also filled an important function by providing support for migrant workers, including legal aid and medical care, especially for those in the informal sector.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor.

There were reports of practices indicative of forced labor including the withholding of wages and passports. Migrant workers in low-wage and unskilled sectors such as domestic work, hospitality, and construction were vulnerable to labor exploitation.

There were several reports of employers arrested for abuse or mistreatment of their foreign domestic workers (FDWs). In addition the law caps the fees payable by FDWs to employment agencies in the country at one month's salary per year of the employment contract. Observers, however, noted that unscrupulous agencies in sending countries could still charge exorbitant fees. The government took law enforcement action against employers for workplace violations, and it investigated and imposed fines on some employment agencies for committing other illegal practices.

Some observers also noted that the country's employer sponsorship system made legal migrant workers vulnerable to forced labor because they may not change employers without the consent of their employer.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employment of children under age 13. A child age 13 or older may engage in light work in a nonindustrial undertaking, subject to medical clearance. Exceptions include work in family enterprises; a child 13 or older may only work in an industrial undertaking that employs members of his or her family. Manpower Ministry regulations prohibit night employment of children and restrict industrial work for children between ages 15 and 16. Children under age 15 may not work on commercial vessels, with moving machinery, on live electrical apparatus lacking effective insulation, or in any underground job, and normally they are prohibited from employment in the industrial sector.

The Manpower Ministry effectively enforced these laws and regulations. Penalties for employers who violated laws related to child labor were subject to fines and/or

imprisonment, practices that provided adequate deterrence. Government officials asserted that child labor was not a significant problem.

The incidence of children in formal employment was low, although some children worked in family enterprises. There were no reports of children subject to labor abuse or commercial sexual exploitation (see section 6).

d. Discrimination with Respect to Employment and Occupation

The constitution provides for equality in employment. No specific antidiscrimination legislation exists, although some statutes prohibit certain forms of discrimination. For example, according to certain laws, employers may not dismiss female employees during pregnancy or maternity leave, and employers may not dismiss employees solely due to age.

The Manpower Ministry's Fair Consideration Framework requires all companies to comply with the Tripartite Alliance for Fair and Progressive Employment Practices' guidelines for employment practices that are open, merit-based, and nondiscriminatory. These guidelines call for eliminating language referring to age, race, gender, religion, marital status, family responsibility, and disability in employment advertisements. Employers are required to provide explanations for putting requirements such as specific language skills in the job advertisement. Penalties for violation of government guidelines are at the discretion of the ministry. There were no similar government guidelines with respect to political opinion, sexual orientation, or HIV-positive status, or other communicable diseases.

The Tripartite Alliance, which works with employer organizations, unions, and the government to create awareness and facilitate the adoption of fair employment practices, received complaints of employment discrimination, largely due to the preference to hire foreigners over citizens.

In 2016 the gender wage gap was 10.3 percent, and women were underrepresented in managerial and executive positions. Singapore's Diversity Action Committee reported that women's representation on boards of companies listed on the Singapore Exchange was 9.9 percent as of December 2016.

In 2016 the Association for Muslim Professionals called for the formation of a central body to resolve, mediate, and prevent discriminatory practices against

minority races and foreign communities. Some ethnic Malays and Indians reported discrimination limited their employment and promotion opportunities.

There were reports of discrimination based on sexual orientation/gender identity. LGBTI citizens may become government workers but must declare their sexual orientation on job applications.

e. Acceptable Conditions of Work

The law does not specify a minimum wage. The most recent average household expenditure on basic needs figure calculated by the government was from 2012/13 and set the amount at S\$1,250 (\$925) per month. In 2016, 8.2 percent of residents--including citizens and permanent residents--earned less than S\$1,000 (\$740) a month. The government's progressive wage model, designed to raise the productivity and wages of low-wage workers, requires businesses in some sectors such as cleaning and security services to specify a minimum wage of S\$1,060 (\$784) and S\$1,100 (\$814) respectively to obtain a business license. Some argued that this level was lower than the minimum wage in countries with similar living costs.

The law sets the standard legal workweek at 44 hours. The law requires employers to apply for an overtime exception from the Ministry of Manpower for employees to work more than 72 hours of overtime a month.

The law establishes a framework for workplaces to comply with occupational safety and health standards, and regular inspections enforced the standards. Officials encouraged workers to report situations that endanger health or safety to the ministry, but the law does not specifically protect the right of workers to remove themselves from a hazardous working environment.

The ministry effectively enforced laws and regulations establishing working conditions and comprehensive occupational safety and health regulations. Penalties for violating these regulations, which take the form of fines, were sufficient to deter violations. The government also enforced requirements for employers to provide one rest day per week or compensation for FDWs. Penalties for violations include fines or imprisonment.

The ministry implemented enforcement procedures and promoted educational and training programs to reduce the frequency of job-related accidents. The scheme strengthens the requirements for implementation of risk management and safety-

and health-management systems in these higher-risk factories, which included construction worksites, shipyards, metalworking factories, and petrochemical plants. The Manpower Ministry's Labor Relations and Workplaces Division provided free advisory and mediation services to foreign workers experiencing problems with employers. The Foreign Manpower Management Division operated a hotline for FDWs.

The majority of foreign workers were concentrated in low-wage, low-skill jobs and were often required to work long hours in construction, shipbuilding, services, and domestic work.

The majority of the FDWs, mainly from the Philippines and Indonesia, worked under clearly outlined contracts. According to the penal code, any employer of an FDW or a member of the employer's family, if convicted of certain offenses against the worker, such as causing hurt or insulting the modesty of the worker, are liable to a penalty of up to one and one-half times the mandated penalty when the victim is not a domestic worker. Nevertheless, there were reports of employers arrested for abuse or mistreatment of such workers (see section 7.b.). Pregnancy is a breach of the standard work permit conditions for such workers, and the government may cancel work permits and require repatriation of FDWs who become pregnant.