

ADVANCE QUESTIONS TO SINGAPORE – Add.1

BELGIUM

- Is the Government of Singapore considering ratifying the Rome Statute of the International Criminal Court?
- Is the Government of Singapore considering agreeing upon the requested visit of the Special Rapporteur on extrajudicial, summary or arbitrary executions and that of the Special Rapporteur on the situation of human rights defenders?
- Is the Government of Singapore considering issuing a standing invitation to the special procedures?
- Is the Government of Singapore considering ratifying the human rights treaties to which it is not yet a party, like the two International Covenants and their optional protocols, the International Convention on the Elimination of all forms of Racial Discrimination and the Convention against Torture?
- Is the Government of Singapore considering withdrawing those reservations to the International Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which the Committee considered contrary to the object and purpose of the CEDAW?

CANADA

- Persons can be detained without a warrant or trial indefinitely under the Internal Security Act (ISA) or the Criminal Law (Temporary Provisions) Act. We would be grateful for an explanation as to why the ISA and Constitution have been amended to limit judicial review of detentions solely to procedural questions relating to compliance with the Act rather than substantive issues related to the detentions themselves.
- Victims of human trafficking currently can be punished for violations of Singaporean immigration laws as a result of the trafficking to which they have been subjected. Such victims also have limited access to legal assistance. What steps will the Government of Singapore consider taking to provide protections for women and children who have been victims of human trafficking?
- The number of executions carried out in Singapore is not public information. Why is this information not disclosed?
- Singapore does not provide protection from discrimination on the basis of sexual orientation and still criminalizes sexual relations between men under Section 377A of the Penal Code which includes a mandatory jail sentence for those convicted. While the Prime Minister has said Article 377A is not “proactively enforced”, what does this mean for homosexual men in practice? Furthermore, what non-discrimination protections, including in the area of employment, are in place for members of the LGBT community?

CZECH REPUBLIC

- Judicial caning is a mandatory additional punishment for several offenses and a discretionary one for additional approx. 30 cases in Singapore. Could you please elaborate on the compliance of such treatment with Art. 5 of the Universal Declaration of Human Rights, given that the National Report states that „Singapore fully subscribes to principles therein enshrined“?
- Does the Government of Singapore intend to review the national law that provides only the citizens with certain social and economic rights in the light of the fact that other residents represent a considerable minority in Singapore?
- Both Singapore’s Internal Security Act and Criminal Law (Temporary Provisions) Act allow for conducting a search or an arrest without warrant as well as an arbitrary detention without a trial. Furthermore, the latter effectively grants the President and the Minister for Interior certain judicial powers. Does the Government consider reviewing the law in order to ensure a fair trial?
- Could you please elaborate on the compliance of the restrictive provisions of the Undesirable Publications Act, the Newspaper and Printing Presses Act and the Film Act with freedom expression ensured by Art. 14 a) of the Constitution of the Republic of Singapore?
- How the freedoms of expression and peaceful assembly are ensured if the national law prohibits unauthorized public speaking and allows for media censorship, arrest without warrant of those who „assist or promote any assembly or procession“ and which effectively enables defamation suits that can be, in practice, politically motivated?
- Does Singapore intend to review its national law and undertake a process of law reform to remove inconsistencies between civil law and Sharia law, including by ensuring that any conflict of law with regard to women's rights to equality and non-discrimination is resolved in full compliance with the Convention on the Elimination of All Forms of Discrimination against Women?
- While we appreciate that Singapore considers as a future step to ratify CRPD, ICERD and OP-CRC-SC we would like to know what are the reasons why the ratification of ICCPR, ICESCR and CAT is not listed among its priorities?
- Does Singapore plan to establish an independent national human rights institution according to the Paris Principles?
- Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mr. Githu Muigai, in his April 2010 Press Release stressed the need for a robust and solid legal and institutional framework to combat racism, racial discrimination, xenophobia and related intolerance in Singapore. He expressed his concern on restrictions on public debate and discourse on the issue of ethnicity, and the importance of ethnic identity in daily life. He also addressed other matters such housing, education, employment, as well as the question of living and working conditions of

migrant workers, including domestic workers. How does the Government of Singapore address Special Rapporteurs' concerns?

IRELAND

- Ireland is concerned about the use of capital punishment in Singapore. Ireland maintains a principled and consistent opposition to the use of capital punishment as a cruel and inhuman punishment. It holds no value as a deterrent and renders any miscarriages of justice irreversible. Ireland notes the recommendations made in 2005 by the Law Society of Singapore Review Committee on Capital Punishment to amend mandatory capital sentencing legislation. Has any further consideration been given to the Committee's recommendations or to the possibility of introducing a moratorium on the use of capital punishment?
- Ireland is also concerned at the use of mandatory corporal punishment for certain offences as a criminal sanction in Singapore. Ireland believes that the use of corporal punishment as a sanction for criminal offenders is cruel, inhuman and degrading. Can Singapore outline whether it has made any efforts to reform and/or repeal legislation providing for the use of mandatory corporal punishment as a criminal sanction?
- Ireland notes the concerns expressed by the United Nations Educational, Scientific and Cultural Organization (UNESCO) regarding the Newspaper Printing Presses Act and the Internal Security Act which impose restrictions on reporting of domestic issues in Singapore. There are also difficulties reported with the licensing requirements for newspapers, radio and television shows. What efforts has Singapore undertaken to promote freedom of expression and the media?
- Singapore has not yet established an independent national human rights commission in conformity with the United Nations Paris Principles to investigate, monitor and report on human rights issues and to provide education and information on this area. Has Singapore any plans to establish an independent national human rights commission?
- Ireland welcomes the comments of the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance on the notable peaceful coexistence of the diverse communities in Singapore. Ireland notes that there are some concerns that anti-discrimination laws do not provide adequate protection for: persons encountering discrimination which is not specified in law, the disabled, persons belonging to the Lesbian Gay Bisexual and Transgender community, pregnant women and foreign women married to Singaporean nationals. Has Singapore examined these issues and will it amend current legislation as required to implement protections for these persons in law?

NORWAY

- Would Singapore be willing to consider imposing a moratorium on executions and reviewing her criminal legislation with an aim to restricting the number of offences carrying the death penalty? Does Singapore intend to review her criminal legislation with a view to the lifting of her reservation in respect of the Convention on the Rights of the Child article 37 litra a?
- How can Singapore ensure improved protection of the right to freedom of speech, association and assembly for her citizens?
- How does the Government plan to ensure a dialogue in the follow up of the recommendations of the Human Rights Council to include the full range of civil society? The Special Rapporteur on the situation of human rights defenders indicated interest in visiting Singapore in 2006. Would the Government of Singapore be willing to agree to such a visit?
- Would the Singapore government consider reviewing national legislation in terms of increasing the age of criminal responsibility and prohibiting corporal punishment – including the utilisation of caning as punishment under criminal law? Furthermore, does Singapore consider amending the Compulsory Education Act of 2003 to include all children?
- How does Singapore plan to follow up the recommendations put forward by the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW)? Does Singapore plan to review its general reservations to articles 2 and 16 and its reservation to article 11, paragraph, of the Convention on the Elimination of All Forms of Discrimination against?

SLOVENIA

- What steps has the Government taken to implement CEDAW recommendations, in particular regarding:
 - the withdrawal of reservations to articles 2, 11 and 16 of the Convention,
 - incorporating into its legislation a definition of discrimination against women,
 - reforming the legislation so as to remove inconsistencies between civil law and Sharia law, and ensuring full, easy and affordable access to civil law in all matters for Muslim women,
 - strengthening women's representation in leadership roles, including elected and appointed positions,
 - reviewing legal protection afforded to foreign women domestic workers,
 - enacting legislation criminalizing marital rape,
 - enacting legislative provisions on sexual harassment, including sanctions, civil remedies and compensation.
- What steps has the Government taken to implement CRC recommendations, in particular regarding:

- the withdrawal of its declarations and reservations to the Convention,
 - fully incorporating all the principles and provisions of the Convention into its legal system,
 - ensuring that the rights set forth in the Convention are ensured to all children within its jurisdiction, in particular girls, children with disabilities and children of foreign origin, without discrimination of any kind,
 - the prohibition by law of all forms of corporal punishment, including caning, in all settings,
 - amending the Compulsory Education Act to include all children within its jurisdiction, including non-citizens,
 - strengthening its efforts to include human rights education in the official curriculum at all levels of education,
 - raising the minimum age of employment with a view to harmonizing it with the age for the end of compulsory schooling (15 years),
 - raising the minimum age of criminal responsibility to an internationally acceptable level,
 - abolishing the sentence of life imprisonment for children under 18,
 - extending special protection provided for under the Children and Young Persons Act to children between 16 and 18 years of age.
- The “Internal Security Act” and the “Criminal Law (Temporary Provisions) Act” provide for significant exceptions from the laws and procedures guarding against arbitrary deprivation of liberty and are considered by some NGOs to violate the right to a fair trial. How does Singapore ensure equal protection and equal rights to people detained under these two acts?
 - We understand that the principle of non-discrimination, as enshrined in the Constitution, is limited to citizens only. What measures is the Government taking to ensure non-discrimination for all persons within its jurisdiction?
 - What are the reasons behind measures prohibiting foreign domestic workers in Singapore from marrying Singaporean citizens and subjecting female foreign domestic workers to mandatory regular medical examinations, including pregnancy tests and HIV tests?

SWITZERLAND

- Does the Government of Singapore plan to make information about past executions public?
- Does the Government of Singapore foresee to impose a moratorium on executions and progressively reduce the number of crimes punishable by death with a view to the abolition of the death penalty?
- Does Singapore consider reviewing the criminal defamation law?
- What are the measures the Government of Singapore is planning on putting in practice in order to ensure the freedom of expression and of association for all its inhabitants?

- Does the Government of Singapore plan to stop caning as a form of punishment?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- We should be grateful if you would provide information on the extent to which civil society will be involved in the follow-up to this review.
- Could you tell us whether Singapore is considering establishing a national human rights commission which will operate in accordance with the Paris principles designed to guide the practice of such institutions?
- We would be grateful for information as to the Government of Singapore's intention to sign up and ratify the main international human rights conventions including the ICCPR, ICESCR, CAT and ICERD. How does Singapore intend to develop cooperation with UN human rights mechanisms?
- Could you give an update on whether and how Singapore will address the concerns raised by the UN Special Rapporteur on racism and xenophobia in relation to concerns about migrants and the living and working conditions of migrant workers, and whether corporal punishment might be abolished for immigration offenders?
- We would be grateful to know whether Singapore will reconsider its position on a moratorium on capital punishment with a view to abolition, or will at least consider removing mandatory death sentences and releasing basic information about the death penalty.
- We would be grateful to know if Singapore has considered implementing the 18 recommendations made by the International Bar Association in 2008 to improve freedom of expression and the rule of law.