



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination 105th session

Summary record of the 2844th meeting

Held at the Palais Wilson, Geneva, on Friday, 19 November 2021, at 10 a.m.

Chair: Ms. Li

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* Reissued for technical reasons on 19 January 2022.

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The meeting was called to order at 10 a.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Initial report of Singapore (continued) (CERD/C/SGP/1; CERD/C/SGP/Q/1)

1. *At the invitation of the Chair, the delegation of Singapore joined the meeting.*
2. **Mr. Bossuyt** (Country Rapporteur) said that the Committee was aware that the State party's legal system provided for enhanced penalties for racially or religiously motivated offences and that a 2007 amendment to the Penal Code had criminalized behaviour that knowingly promoted or tried to promote disharmony or feelings of enmity, hatred or ill-will between different religious or racial groups. It had been reported, however, that the 2007 amendment had had a chilling effect on freedom of expression, especially discussions on race and racism. He would welcome a comment from the delegation in that regard.
3. The Committee would appreciate up-to-date, disaggregated statistics indicating the extent to which minority groups enjoyed economic, social and cultural rights, including the rights to employment, education, health care, housing and social security. It would also welcome information on the representation of different groups in the armed forces, the police, the judiciary and all levels of government. Furthermore, the Committee would be grateful if the delegation could comment on reports that the Home Ownership Plus Education scheme, which provided low-income families with housing grants and financial aid on the condition that the family did not have more than two children, indirectly discriminated against Malay women, who had a higher fertility rate. It would also be useful to hear the delegation's response to claims that persons belonging to ethnic minorities were statistically more likely to suffer chronic illness and had higher mortality rates than members of the majority, and that certain ethnic groups encountered linguistic barriers to access to health-care services.
4. Given that certain aspects of Islamic personal law applied to members of the Muslim community, he wished to know what steps had been taken to harmonize the Administration of Muslim Law Act with civil law, notably by removing all exceptions to the prohibition of marriage of girls under 18 years of age, prohibiting polygamy, ensuring that women and men had equal rights to divorce, guaranteeing the equal rights of women in all matters of inheritance and providing for the equal choice of adjudication between religious and civil law regimes.
5. While the authorities received on average 400 complaints of discriminatory employment practices per year, it might be assumed that such discrimination went underreported owing to the fear of retaliation. He wondered whether the Government intended to enshrine the Tripartite Guidelines on Fair Employment Practices in law. Civil society organizations had made several claims about the situation of the 250,000 migrant domestic workers in Singapore. For example, it was alleged that the Employment of Foreign Manpower Act imposed only vague obligations on employers, with the result that migrant domestic workers were denied basic labour rights such as public holidays, annual leave, sick leave and the right to redress for wrongful dismissal. He wished to know whether the Employment Act might be extended to cover migrant domestic workers and whether the State party had taken any steps to toughen the penalties on employers who allowed abusive working and living conditions. He would also like to know whether the State party planned to take steps to combat wage discrimination based on nationality.
6. He wondered whether the State party intended to repeal the law whereby pregnant migrant workers could be deported and whether any steps had been taken to allow migrant workers the freedom to change jobs. He also wondered whether there were any plans to abolish the online reference channel, which allowed employers to make unsubstantiated comments about workers after their employment had ended. Information on any plans to ensure that migrant workers had sufficient health insurance and to permit migrant workers to form their own associations and trade unions would be welcome. In addition, it would be useful to know what measures were taken to prevent and combat the exploitation and abuse of migrant workers by their employers, including by ensuring unhindered access to justice and effective remedies. The Committee would appreciate disaggregated data on the number

of complaints of labour exploitation of migrants; the number of investigations, prosecutions and convictions; and the reparations provided to victims.

7. As Singapore had no legislation on asylum seekers or refugee status determination, the Committee would be interested in receiving statistics, disaggregated by nationality of the applicant, on asylum claims filed and granted. It would like to know whether all Singaporean mothers could transmit their citizenship to their children, including children born before 2004, and whether children born in Singapore who could not acquire another nationality automatically acquired Singaporean nationality. Statistics on the number of stateless persons in the State party, disaggregated by age, sex, ethnic or national origin, residence status and other relevant characteristics, would also be appreciated.

8. Lastly, the Committee would be grateful for information on the implementation of the National Approach against Trafficking in Persons (2016–2026) and on the Prevention of Human Trafficking Act 2014. In particular, it would be useful to know what measures had been taken to strengthen the capacity of the judiciary, law enforcement officers, border control officers, social workers and health workers to identify and adequately protect and support victims of trafficking. Information on complaints, investigations, prosecutions, convictions, sentences and measures of redress and rehabilitation for victims of trafficking would also be welcome.

9. **Ms. Stavrinaki** said that the reported monitoring of female migrant domestic workers for pregnancy would amount to an intersecting form of discrimination, since male workers would not be subjected to such monitoring. She was concerned that Singaporean immigration laws disproportionately restricted the freedoms of migrants, which in turn could contribute to the institutionalization of trafficking. The elimination of trafficking required international cooperation and a common set of standards; it could not combat effectively if some countries had systems that made migrant workers completely dependent on their employers.

10. **Mr. Payandeh** said that, according to the report, some workplaces did not allow Muslim women in uniform to wear headscarves “for legitimate reasons”. He would be interested to know what those reasons might be and how the State party ensured that private employers did not ban headscarves on the basis of stereotypes or discriminatory motives. Moreover, he was concerned that uniformed officers were prohibited from modifying their uniforms in line with their religious practices, a prohibition that seemed to be based on the assumption or perception that women who wore headscarves were not willing or able to provide public services fairly and impartially. He wished to know how the State party ensured that headscarf bans in the public and private sectors did not excessively impair the right of women to participate fully in society, their right to work and their right to freedom of religion.

11. **Mr. Diaby** said that he wished to know whether the State party had a labour inspectorate that was empowered to receive complaints from workers in general and migrant workers in particular. He wondered whether the authorities had received any complaints of racial profiling at the border and, if so, how they had addressed them. It would be interesting to know how the Malay and Indian minorities were portrayed in the media and in school textbooks, and whether Singapore had organized any activities to celebrate the International Decade for People of African Descent.

12. **Ms. Shepherd** said that she wished to know how the education curriculum promoted intercultural understanding and respect for diversity. She was pleased that Singapore had not been among the countries that had boycotted the recent high-level meeting to commemorate the twentieth anniversary of the Durban Declaration and Programme of Action, and wondered whether the State party had adopted or planned to adopt, within that framework, any public information and education programmes to raise awareness and understanding of the history and culture of different ethnic groups and the root causes of prejudice and discrimination.

13. **Ms. Tlakula** said that she would appreciate clarification of whether, under the bilingual education policy of Singapore, children were instructed in their mother tongue or were taught the language as a subject. She would also be grateful for information on the number of cases of racial discrimination that the Ministry of Manpower had investigated and on the actions it had taken against employers. She wondered if it was true that some migrant workers had been confined in dormitories since the early days of the coronavirus disease

(COVID-19) pandemic, with a negative impact on their mental health. If so, how did the State party plan to address the issue and ensure that migrant workers had the same freedom of movement as other persons in Singapore?

14. **Ms. Chung** said that she would be grateful for statistics on the number of students enrolled in Special Assistance Plan schools, disaggregated by ethnicity, particularly in the light of reports indicating that such schools, which appeared to be open to all students, were de facto restricted to Mandarin speakers. Information on any measures taken to promote racial diversity in schools would also be appreciated.

15. **Mr. Amir** said that he would be interested to know whether the parties to legal proceedings in cases of racial discrimination could invoke the Convention before the courts and whether judges cited the Convention in their decisions. It would also be useful to know whether persons accused of committing an offence had the right to an interpreter.

The meeting was suspended at 10.40 a.m. and resumed at 11.05 a.m.

16. **Mr. Goh** (Singapore) said, in response to Ms Tlakula, that members of the Presidential Council for Minority Rights were appointed by the President of Singapore on the advice of the Cabinet, and the Council comprised up to 20 members, including religious and community leaders from different racial and religious groups. That ensured that the Council was representative of the major races and religious groups in Singapore. Its annual report, which documented the number of meetings held, and the number of bills and pieces of subsidiary legislation considered by the Council, was presented to the Parliament and published online. In response to Ms. Chung, he said that the Inter-Ministry Committee on the International Convention on the Elimination of All Forms of Racial Discrimination (Inter-Ministry Committee on ICERD) consulted various groups, including religious and community leaders, academia, youth and civil society organizations, all of which had a role to play in eliminating racial discrimination. There had also been a general public consultation on the country's initial report to the Committee, which was made available online.

17. **Ms. Hoe** (Singapore), addressing Ms. Stavrinaki's query, said that in addition to Government-funded legal aid schemes that were available to citizens and permanent residents of Singapore, there were also various community, religious and voluntary welfare organizations that provided legal assistance to all persons in need, including non-citizens and foreigners. The Law Society of Singapore also provided pro bono assistance on a case-by-case basis. The Government took a holistic approach to enhancing access to justice, including by encouraging alternative dispute resolution, simplifying legal frameworks and court processes, leveraging technology and working with partners and stakeholders.

18. Turning to Mr. Diaby's question on whether there was sufficient space for individuals to exercise their rights to freedom of expression and assembly in Singapore, she said that freedom of expression and freedom of assembly were fundamental liberties guaranteed by the Constitution. However, as recognized under international law, those rights were not unfettered, and like other countries in the world, Singapore had had to strike a balance between individual liberty on the one hand and the preservation of a safe and harmonious society on the other. Thus, the right to freedom of assembly was balanced against the right to safety and security and the right of people to go about their business without disamenities that might arise from protests, particularly as Singapore was one of the smallest and most densely populated countries in the world. Organizers were required to obtain police permits to hold assemblies and processions, which could take place in any part of Singapore. Since 2009, the authorities had approved over 8,500 applications for permits – over three quarters of the number submitted – for public assemblies held in locations other than the Speakers' Corner. At the Speakers' Corner, in the business district, people could assemble without a permit subject to certain conditions, and many peaceful assemblies on various issues had been held there.

19. The laws of Singapore were intended to keep discourse on race and religion free from hate speech and to offer greater protection for minorities by making it safe for them to speak about their experiences and to share their views. While the Government took a strict approach to tackling hate speech and racially derogatory speech, it did not prohibit the expression of commentary or the sharing of opinions and experiences on race-related issues as long as they were done in a respectful manner. The Government worked closely with community

stakeholders to create space for conversations on difficult issues like race and religion and to make sure that all voices were heard. For example, since 2019, the Ministry of Culture, Community and Youth had supported a non-governmental organization (NGO) in organizing the “Regardless of Race” dialogue series, which provided a platform for robust yet respectful conversations on race-related issues.

20. In relation to Mr. Amir’s query on the remedies available to victims of racial discrimination in Singapore, she said that Singapore had a range of mechanisms to ensure access to justice for victims of racial discrimination, which included both legal and other measures. Any person aggrieved by any legal provision could apply to the courts to seek judicial review of that particular legislation on the grounds that it was ultra vires article 12 of the Constitution, which enshrined the principle of equal protection of the law. Judicial review proceedings could also be initiated in respect of any administrative decision that might infringe an individual’s rights. Specific forms of redress for victims would depend on the applicable law in the sphere in which the discrimination occurred. For one, the law provided for criminal sanctions as a form of remedy. Outside the criminal law, victims of racial discrimination could also bring a civil action in public, contract or tort law, depending on the facts of the case in question. In the context of employment, housing and education, there were also other targeted remedies.

21. **Ms. Boey** (Singapore) said that under the State party’s dualist system, the Convention was given effect through domestic laws and policies. Thus, the courts could take decisions on the basis of the domestic laws that gave effect to the Convention. All accused persons could inform the court of the language in which they preferred to communicate. That preference would be recorded and an interpreter would be requested for the court session, if necessary. Court interpretation services were provided to accused persons free of charge.

22. **Ms. Lim** (Singapore) said that the Tripartite Alliance for Fair and Progressive Employment Practices (Tripartite Alliance) investigated all complaints of workplace discrimination. Between 2014 and the first half of 2021, the Tripartite Alliance had received approximately 400 workplace discrimination complaints each year, of which 10 per cent were related to issues of race, religion or language. All complaints were looked into. About two thirds of the complaints were found to be unsubstantiated. Most unsubstantiated cases were the result of misunderstandings, which were clarified, and where both parties agreed not to pursue the matter further. In cases where employers had gaps in their practices, most of the time the employers were receptive and made amends after receiving counselling from the Tripartite Alliance. The one third of cases in which employers were found to have engaged in discriminatory practices were referred to the Ministry of Manpower for further investigation. Out of those complaints, an average of 40 employers each year were found to be in breach of the Tripartite Guidelines on Fair Employment Practices and consequently had their work pass privileges suspended, which meant that they were unable to apply for new work passes or to renew the work passes of existing employees during that year.

23. The law protected employees against dismissal without just cause, including dismissal in retaliation for reporting workplace discrimination. The Tripartite Guidelines on Fair Employment Practices also required all employers to treat all employees based on merit at all phases of employment. Hence, an employee who was treated unfairly as a result of reporting discrimination could seek advice and assistance from the Tripartite Alliance. On 29 August 2021, the Prime Minister had announced, at the National Day Rally, that the Government, after consultation with tripartite partners, would adopt the suggestions of the labour movement and enshrine the Tripartite Guidelines on Fair Employment Practices in law. The Tripartite Committee on Workplace Fairness was already examining the scope and design of the possible legislation and would also examine the issues involved in the further strengthening of protection for whistle-blowers.

24. **Mr. Cheah** (Singapore) said that he wished to acknowledge Mr. Bossuyt’s work in drafting the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The Government of Singapore respected the Committee’s views on capital punishment, just as it respected the right of every State to determine their own criminal justice system. It trusted that it would be accorded the same respect for its approach to keeping Singapore safe and secure. The delegation was heartened that Mr. Bossuyt believed racial discrimination played no part in the use of capital

punishment in Singapore. Capital punishment in Singapore was applied in accordance with the law and with due process, and all persons were treated fairly and equally under the law, regardless of race or nationality. Singapore sought to tackle the drug menace comprehensively, regardless of race, colour, nationality, or ethnicity, and did not seek to frame the problem of drug abuse along racial lines. However, as drugs posed a greater challenge for certain communities, the Government worked with those communities to confront the problem through a tailored approach. Responding to Ms. Stavrinaki's query on whether the death penalty was the country's sole deterrent against drug abuse, he said that capital punishment was not the only measure used to deter the illicit use of drugs and to protect people from drug abuse. Singapore had a comprehensive harm prevention strategy, which, in addition to strict laws and robust enforcement, included (i) preventive drug education; and (ii) evidence-based rehabilitation and aftercare. On the former, the Government engaged with schools and community groups to boost awareness of the harmful effects of drugs. In particular, it worked closely with the Malay community to provide contextualized preventive education messages that respected religious and cultural sensitivities. On the latter, the Government invested heavily in rehabilitation and aftercare of drug abusers. Its evidence-informed drug rehabilitation approach entailed mandatory interventions, which included psychology-based correctional interventions and skills training. Those interventions were matched to the abusers' individual risks, needs and responsivity, as assessed by trained professionals. The Government believed in the importance of a strong ecosystem comprising the individual, their families, the Singapore Prison Services and community partners to overcome drug addiction. Drug rehabilitation was mandated, as interventions were necessary to help drug abusers kick the habit and reintegrate back into society.

25. While it was not possible due to time constraints to address all allegations, the delegation wished to correct several serious inaccuracies in one of the alternative reports that had been submitted to the Committee. The Government strongly rejected the allegation that the laws of Singapore favoured the socioeconomically privileged. The rule of law was the foundation upon which Singapore had been built, and its key tenet was that no one was above the law. Singapore maintained a separation of power amongst the executive, legislative and judicial branches. State power was exercised in accordance with impartial, objective laws, passed by a democratically elected Parliament and published for all to see, and upheld by a credible and impartial judiciary. The public could challenge any arbitrary exercise of power, through credible and effective means. Separately, with a prisoner-to-population ratio of 179 per 100,000 in 2020, Singapore was not even among the 10 countries with the highest incarceration rates, according to the World Prison Brief database. It was also untrue that prison rehabilitation programmes discriminated against ethnic minorities. All inmates, regardless of race, ethnicity or religion, could access rehabilitation options, which were tailored to their risks and needs and intended to maximize their chances of reintegrating into society. The claim that prisoners could be held in solitary confinement for up to a year was similarly untrue. Under the Prisons Act, the Superintendent of Prisons could punish any prisoner found after due inquiry to be guilty of a prison offence to undergo one or more types of punishment, one of which was confinement in a solitary punishment cell for a term not exceeding 7 days. Under the Prisons Regulation, the aggregate time an inmate was confined to serve in a punishment cell should not exceed 90 days in one calendar year. The delegation further volunteered to provide the Committee with more details in writing to correct some of the more serious inaccuracies in the reports.

26. Turning to Mr. Bossuyt's query on whether the State party would consider enshrining racist hate speech in its Penal Code, in line with article 4 of the Convention, he said that the country's laws against hate speech were consistent with article 4 of the Convention and covered all grounds for discrimination mentioned in article 1. Hate speech, incitement of racial discrimination and acts of violence or incitement of violence against any member of a racial or religious group were criminal offences. Organizations that promoted or incited racial discrimination were prohibited. Public authorities and public institutions were not permitted to promote or incite racial discrimination. The country's laws had been duly enforced and applied. The police investigated the facts of each case and apprehended offenders regardless of their race, descent or ethnicity. Between 2016 and 2020, the police had investigated 143 cases of acts of deliberately wounding racial and religious feelings or of promoting enmity

or disharmony between different groups on the basis of religion or race. The offenders had been prosecuted in 15 of those cases, and all had been convicted. In response to Mr. Bossuyt's query as to whether the country's laws on hate speech had a chilling effect on freedom of expression, he said that the laws against hate crime did not prohibit speech on race when it did not cross the line into hate speech or racially derogatory speech. They also did not prohibit commentary and opinions on race that were made in a respectful manner. The country's laws kept discourse on race and religion free from hate and offensive speech in order to ensure social cohesion. The Government worked closely with community stakeholders, including NGOs, to grow spaces for conversations on difficult issues such as race and religion, and to ensure that all voices were heard.

27. **Ms. Lim** (Singapore) said that the Government was committed to ensuring the well-being and protecting the rights of all foreign workers, including migrant domestic workers. The Government fully acknowledged the importance of protection for migrant domestic workers and had, over the years, put in place a tight and effective framework of laws and administrative, education and enforcement measures geared towards protecting the rights and promoting the well-being of migrant domestic workers in the country. All domestic workers, whether local or foreign, were excluded from the Employment Act, given that the nature of their work differed from work in non-domestic workplaces. Instead, their unique protection needs were covered by the Employment of Foreign Manpower Act and the Employment Agencies Act, both of which regulated the employment of migrant domestic workers and protected their well-being. For rest days, both Acts provided for rest days, with flexibility for them to be compensated where the employee agreed to work on the rest day. From the end of 2022, migrant domestic workers would be guaranteed at least one rest day per month, which could not be traded for additional wages. Other areas where the Employment of Foreign Manpower Act offered better protection for migrant domestic workers included ensuring that employers provided their migrant domestic workers with adequate food and daily rest and bore their living expenses. The Ministry of Manpower had published clear and detailed guidelines on its website regarding employers' obligations to bear migrant domestic workers' living expenses and to provide acceptable accommodation, adequate food and rest. For example, the guidelines stated that migrant domestic workers should be provided with basic amenities such as mattresses and pillows, a blanket, bathroom amenities and toiletries. It also stated that their resting areas, besides being sufficiently ventilated, should not compromise their privacy and modesty, meaning that females must not be obliged to sleep in the same room as male adults or teenagers. The guidelines also reiterated the responsibility of employers to provide their migrant domestic workers with three meals a day and provided examples of a day's food intake for a female engaged in moderate activity. The guidelines also noted the need to be sensitive to the workers' religious beliefs.

28. Employers were also obliged to purchase medical and personal accident insurance for their migrant domestic workers and to bear the cost of their medical care, including by purchasing medical insurance for their migrant domestic worker's inpatient expenses and personal accident insurance covering accidental death or permanent disability. Such insurance had been sufficient to cover about 95 per cent of hospital costs incurred by migrant domestic workers in Singapore. Beyond the mandated coverage, employers could opt for higher coverage from their insurers to better protect themselves against large bills. The Ministry of Manpower provided assistance for employers who faced genuine financial difficulties in paying the medical bills of domestic workers, thus ensuring that the worker received appropriate treatment even if their employers were not able to meet their obligations. In relation to the Committee's suggestion to abolish the online reference channel for migrant domestic workers, the delegation clarified that the online reference channel did not allow employers to post comments about migrant domestic workers; it merely provided an option for employers to leave their contact details and make themselves available to provide a personal reference. A prospective employer who wished to find out more about the migrant domestic worker had the option to contact a former employer directly to perform the reference check and could also interview the migrant domestic workers directly to hear their side of the story.

29. Like many jurisdictions, Singapore attached various conditions to the granting of work permits, including health-related conditions. All such conditions were transparent and made known to applicants wishing to apply for work permits. Work permit holders were

therefore required to undergo a medical examination to ensure their own health and well-being and that of the general population. Such tests were also part of the country's enhanced measures to protect migrant domestic workers. For instance, doctors had reported possible abuse detected from such medical examinations. Nevertheless, from August 2021, an enhanced procedure had been put in place whereby doctors were explicitly required to check for signs of suspicious or unexplained injury by completing a checklist and to submit all completed forms to the Ministry of Manpower.

30. She emphasized the Government's commitment to ensuring the well-being and mental health of all migrant workers in Singapore and reiterated that the authorities had made clear from the beginning that the Government had a responsibility to the country's migrant workers and would look after them throughout the COVID-19 pandemic, given the contributions they had made. She also recalled that the United Nations Special Rapporteur on the human rights of migrants had noted with appreciation that the Government of Singapore was committed to care for migrant workers like its own nationals in the context of the pandemic and that an inter-agency task force had been established since the start of the pandemic to ensure the well-being of migrant workers housed in dormitories. It was not true that the Singapore Government singled out migrant workers for more restrictive measures. While some migrant workers lived in dormitories near their places of work, most lived in private or public housing among Singaporeans and did not experience any differences in restrictions on movement during the COVID-19 pandemic. The Government had not expected COVID-19 to be transmitted rapidly among the dormitory residents. The workers' health and safety had been the Government's priority at the height of the pandemic, and still remained so. The Government had been taking a step-by-step approach to opening up, which also applied to all sectors of the country's economy and society. The overriding objective remained to get to the end of the pandemic with as little death and damage as possible, even as residents in Singapore progressively resumed most of their normal lives. It was therefore important to take a calibrated approach to easing restrictions on movement in order to manage the public health risks of COVID-19 and to enable measures to protect migrant workers from disease transmission in the community. Such an approach was particularly applicable in the dormitories, as disease transmission would be rapid there owing to the communal living conditions, despite a high vaccination rate among their residents. As with measures for the community at large, the Government had already been taking small, progressive steps to allow dormitory residents to leave their dormitories for leisure and personal errands, while keeping them safe. The Government had been relaxing the measures frequently, sometimes as frequently as every few months or even every few weeks. It would continue to monitor the situation of those living in dormitories and would further ease measures when conditions permitted. Doing so would ensure that the workers were kept safe and healthy, which remained the Government's priority.

31. **Mr. Tan** (Singapore) said that the State took a proactive approach in education to build a culture and environment that fostered understanding and appreciation of diversity and prevented discrimination, in line with the principles and spirit of the Durban Declaration and Programme of Action. From the earliest ages, the national curriculum sensitized children of to the country's unique multicultural context and the importance of equality, harmony and mutual respect between all ethnic groups, which were taught comprehensively in the national curriculum through subjects like character and citizenship education, history and social studies, at each level of education. Students learned about respecting differences and the issues associated with living in a multicultural society, such as ethnic and religious sensitivities, both in the past and the present. At primary school, students learned about major cultures and cultural festivals in Singapore and how to relate to people of different races and religions. At secondary school, students underwent inquiry and discussions to examine how the diverse communities that made up contemporary Singaporean society had shaped the country's fabric and history and how they themselves could contribute to racial and religious harmony. They also learned about the negative consequences of prejudice and discrimination in specific historical events, including the race riots in Singapore in the 1950s and 1960s, and the persecution of ethnic or minority groups in other regimes around the world. The new, refreshed curriculum for secondary students allowed them to participate in regular discussions of contemporary issues and to listen to one another's opinions in order to learn how to appreciate different perspectives and engender a sense of empathy. Efforts were made

in the choice of teaching and learning materials to include fair and equal representation of all the races that made up Singaporean society and to avoid any images or narratives that might reinforce stereotypes. Students also participated actively in learning journeys and cultural festivals, volunteered and performed community service, which gave them a common experience shared with all other communities and races. There was an age-appropriate focus and increasing depth at each successive level of education to inculcate the right values and attitudes and to help students practise living out the right behaviours.

32. Students in Singapore learned both English and their mother tongue. Subjects apart from the mother tongue were taught in English, the common language of instruction, in order to facilitate communication between the different ethnic groups and foster a shared identity. Acquiring a thorough knowledge of English also facilitated the acquisition of knowledge and access to technology. English served as the country's link to the world and helped people to participate in international business and affairs, while mother-tongue language learning helped students understand their roots and heritage.

33. Singapore had a variegated education landscape, which included not just government schools but also clan-based schools, religiously affiliated schools and Chinese-language schools that had been established before independence by various communities and volunteer groups. Many of the Chinese-language schools that had existed prior to independence faced declining enrolment, as English had been introduced as the main language of instruction. In that context, the Special Assistance Plan schools had been established to preserve the ethos and culture of the Chinese-language schools and sustain the learning of the Chinese language. Those schools were open to children of all races and offered Chinese language instruction. There were also specialized programmes for students who wished to study the Malay and Tamil languages, albeit in significantly smaller numbers, as it was less practical to take a whole-school approach for such programmes. Students in such programmes were exposed to a wide variety of cultural activities to develop their passion in their respective languages and cultures. Additional resources were provided to support the Malay and Tamil language programmes, and such support even surpassed what was provided per student in Special Assistance Plan schools. All students at Special Assistance Plan schools had to study conversational Malay language and they participated in activities with other national schools, ensuring their interaction with students of other racial groups.

34. Meritocracy was an important principle in education in Singapore, as it ensured that all children, regardless of their race or background, had an equal opportunity to realize their potential. However, it was not practised in isolation. Students with greater needs were given significant assistance from the preschool to tertiary levels through financial schemes to ensure that no child was prevented from learning, and there were dedicated academic intervention programmes for those who needed more learning support, after-school programmes for those with less conducive home environments and mentoring programmes for those who needed adult guidance. The Government considered it most effective to provide support based on the type of need so that the most appropriate intervention could be given. Together with meritocracy, that approach also allowed all students who had done well to take pride in their achievements, which built upon their own merits.

35. **Mr. Goh** (Singapore) said that the country's national policies and programmes aimed to provide Singaporeans with good education and employment opportunities as well as affordable housing and health care so that all Singaporeans had opportunities to do well and progress. In response to a question posed by Ms. Tlakula, he said, however, that the Government recognized that some individuals and families required more assistance than others. It had therefore adopted a holistic, needs-based approach in order to support such individuals and families and went upstream to provide every child with a good start in life. In an effort to improve the situation of lower-income groups, it had introduced targeted subsidies for housing, education and health care; it had supplemented the work incomes and retirement savings of low-income workers and had provided financial assistance to help cover basic living expenses. It also worked closely with community organizations to provide persons in need with the means to become self-reliant and to develop programmes tailored to the specific needs of families and individuals in each community.

36. The employment practices of all government agencies were based on meritocracy. They employed officials based on merit and regardless of race. The Government's

recruitment practices were aligned with the Tripartite Guidelines on Fair Employment Practices. In the judiciary, the appointments of the Chief Justice and judges by the President were based on merit. Consequently, ethnic minorities were strongly represented in the Supreme Court. There were safeguards to ensure that minorities were well represented in the country's political institutions. The Parliament had been designed to be multiracial in composition through the Group Representation Constituency system, and ethnic minorities were included in any given slate of candidates in a group electoral constituency. The country's political system also ensured fair racial representation in the office of the President of Singapore, which was important because the President was the Head of State, who represented the country's multiracial society. The Constitution had been amended in 2016 so that when no one from a given ethnic community had been President for five or more consecutive terms, the next election would be reserved for candidates from that group.

37. The current harmony between different ethnic and religious communities in Singapore was possible only because of mutual accommodation and trust and efforts to ensure that shared community spaces remained safe and accessible to all. Religious attire could be worn in many shared community spaces in Singapore, including workplaces. There were however certain contexts in which there were imperatives which warranted exceptions to that norm, such as for operational and safety reasons, the need to embody and project a unified identity, and the need to assure the public that the principles of equality and secularity were respected in the public service. In national schools, which provided a common space for children of all races to study and play together, the school uniform served as a symbol of common identity, which contributed to a sense of unity and helped students appreciate what they had in common over distinctions of race, religion or social status. The aim was for young people in Singapore to grow up to form a society with strong social integration, racial and religious harmony and national identity.

38. Singapore was committed to moving towards a progressive understanding and practice of Islam. Islamic practices were regularly reviewed by the Islamic Religious Council of Singapore. Both the Islamic Religious Council and the Syariah Court took the position that unions between couples and the Muslim law were about mutual rights and responsibilities. For example, the Council had issued a fatwa protecting the inheritance rights of Muslim wives and ensuring that, if widowed, they would not lose their homes through the application of Muslim inheritance laws. Safeguards had also been put in place to protect the interests of Muslim women and girls in various Muslim marriage practices, such as in polygamous marriages and marriages involving minors, both of which were extremely rare in Singapore. Muslim marriages involving a person under the age of 18 were allowed only under exceptional circumstances, with the approval of a licensed solemniser and with the consent of the minor's parents or legal guardian. Muslim men and women could both initiate divorce on various grounds, in line with Muslim religious law. Considered in totality, Muslim wives and husbands in Singapore received comparable protection.

39. **Mr. Mohamad Maliki Bin Osman** (Singapore) responded to the Committee members' references to possible systemic discrimination against Malays. He said that he wished to share his personal perspective as a member of that community. He had been born in 1965, the year in which Singapore had gained independence. His parents had been immigrants who had moved to Singapore because of the promise of employment and a better life. As they had not been educated, they had known from the outset that they would have to work hard to survive. His father had earned a meagre wage working for a local transport company, and his mother had been a full-time housewife, raising him and his eight siblings. While the family had received welfare assistance from the Government, life had been tough. Nonetheless, his parents had sent all the children to school with the hope that their children's lives would be better than theirs. And while he had been the only one to attend university, his siblings had all had decent jobs and had been able to buy their own homes. The story of his family was not unique. That had been the case for many other communities in Singapore, some moving faster and doing better than others, but overall, there was upward social mobility within just one generation, thanks to the Government's policies of equal access to opportunities, meritocracy and multiracialism.

40. Within the Malay community, there were individuals whose outcomes had been less favourable. Some had ended up with a drug addiction and others struggled to secure better

incomes as a result of poor academic performance. Having understood the need for more culturally appropriate support, the Malay community had worked with the Government to develop programmes focusing on educational performance and strengthening families so that children could grow up in strong and stable environments. Backed by government grants and resources, the programmes had resulted in more Malays entering university and securing professional jobs. The Malay community had continued to move forward and had improved at a faster pace of improvement in terms of education, employment and income. In 2018, Malay students had outperformed their peers from other countries of the Organisation for Economic Co-operation and Development in mathematics for the first time in the Programme for International Student Assessment (PISA) and were on par in reading and science. Among Malay persons aged 25 and over, almost half (48 per cent) had post-secondary or higher qualifications in 2020, compared with less than a third (31 per cent) in 2010, the largest percentage increase among all ethnic groups in Singapore. The increase was even more significant among younger Malays, with almost 88 per cent of those aged 25 to 34 years old attaining post-secondary and higher qualifications, compared with 6 out of 10 a decade previously. The proportion of Malays with university education had almost doubled, from 6 per cent in 2010 to 11 per cent in 2020. The improvement in education helped the community secure better employment outcomes. The share of Malays employed in professional, managerial, executive and technical roles had increased from 28 per cent in 2010 to 39 per cent in 2020. Singapore had had more Malay doctors, engineers, and judges compared to two decades previously. The community was proud of them and they were an inspiration to Malay youths. Better employment outcomes meant that Malay families had higher earnings and could purchase homes. Household incomes from work for Malay households had increased by 2.8 per cent per annum over the past decade. Growth in median household income was higher among Malay households than among households of other communities, with a growth of more than 4.3 per cent per annum between 2010 and 2020. More than 85 per cent of Malay households owned their homes.

41. The Government recognized that while many in the Malay community had progressed, there were still some who lagged behind. It had continued to adopt a holistic, needs-based approach to help families in need from all communities. Measures included nutritional support for expectant mothers from low-income backgrounds; mentoring programmes, with successful Malays from the community acting as mentors; and programmes to facilitate prison inmates' reintegration into society, helping them upgrade their skills to improve their employability, expanding social safety nets, and assisting their families while they were in prison. The Government recognized that it did not have all the solutions to help people in need. There were some factors and issues better addressed by community-driven efforts, which could be better tailored to the needs of families and individuals from the same community. For example, the Malay community had stepped in to complement the Government's initiatives through its community Self-Help Groups known as MENDAKI (a Malay word meaning to scale upwards) and the M³ collaboration initiative between the Islamic Religious Council of Singapore, MENDAKI groups and Malay grass-roots organizations. The Government also supported community-driven initiatives, working with civil society organizations, to ensure that all Singaporeans, regardless of race, had the opportunity to improve their situation. Meritocracy ensured that all had fair and equal access to resources made available by the State, and all communities in Singapore accepted that principle. While the Government could ensure equal opportunities, it could not ensure equal outcomes, as there were differing circumstances within and between communities. However, through its policies and programmes, the Government would do more to uplift those who were lagging behind. That was very much the Singapore story, where as a result, all ethnic groups had made tremendous progress in just one generation, working together with the shared principles of meritocracy and multiracialism.

42. **The Chair** welcomed the pertinent responses provided by the members of the delegation and thanked the head of delegation for having shared his personal story.

43. **Mr. Kut** said that it was neither the Committee's role nor intention to call into question the sovereignty of the State party with regard to the issue of capital punishment. The Committee was raising the same concerns about the State's policy on capital punishment as it had done in respect of other States parties. The Committee's view was that capital punishment could only be defended if there was a 100 per cent guarantee that no judicial

error existed. He did not believe any public official could give such a guarantee. He welcomed the information provided by the delegation on the State's many achievements, of which it could certainly be proud. The Committee's role was to bring to the State's attention any areas where further efforts to combat the scourge of racial discrimination might be needed. The Committee did not compare States parties against one another, but rather assessed the progress made by each State party over consecutive reporting periods. Through cooperation between the Committee and the State, small gains could be made in a number of areas that would eventually bring about significant improvements in the lives of persons at risk of racial discrimination.

44. **Ms. Izsák-Ndiaye**, thanking the members of the delegation for their close attention to the Committee's comments and questions, asked how the State party planned to follow up on the Committee's concluding observations and whether they would be discussed with civil society.

45. **Ms. Ali Al-Misnad** said that she wished to know more about how Islamic personal law was applied in respect of Muslim women in Singapore, in particular with regard to the issues of polygamy, inheritance, divorce and child custody.

46. **Mr. Diaby** said that, according to information received by the Committee, a number of human rights defenders had been prosecuted under the Protection from Online Falsehoods and Manipulation Act. He would be grateful if the delegation could comment on those allegations and indicate whether the State party would consider amending the Act to strengthen protections for human rights defenders, including upholding their right to a fair trial.

47. **Mr. Amir** said that it would be interesting to learn whether the State's authorities had themselves identified any aspects of the Government's anti-racism strategy that could be improved.

48. **Mr. Mohamad Maliki Bin Osman** (Singapore) said that the Government was keenly aware of the need for further improvement and would continue to develop and strengthen the anti-racism measures currently in place, including by promoting the Maintenance of Racial Harmony Bill and enshrining the Tripartite Guidelines on Fair Employment Practices in law.

49. **Mr. Ong** (Singapore), in response to Ms. Izsák-Ndiaye, said that the Inter-Ministry Committee on ICERD was a national mechanism for coordinating policies and monitoring the implementation of the Convention, and that given its role, it would coordinate follow-up to the Committee's concluding observations, in consultation with NGOs, community and civil society associations and the general public.

50. **Ms. Boey** (Singapore) said that the delegation had not intended to imply that the Committee was questioning the sovereignty of Singapore with regard to the death penalty. It had simply wished to affirm the importance of viewing the international law landscape on the death penalty holistically, including the United Nations General Assembly resolutions upholding the sovereign right of every country to determine its own position on the use of capital punishment, considering its own circumstances and in accordance with its obligations under international law. The delegation had also considered it important to highlight the grave factual inaccuracies in one of the alternative reports, in order to ensure that falsehoods were not perpetuated. Nonetheless, the delegation was fully committed to learning from the Committee and would take on board all fact-based suggestions and recommendations. It would continually reflect on where it could take the related work forward.

51. **Mr. Goh** (Singapore) said, in response to Ms. Ali Al-Misnad, that the practice of Muslim family law in Singapore was regulated by the Administration of Muslim Law Act, under which there were three key parties involved: the Islamic Religious Council of Singapore, the Registry of Muslim Marriages and the Syariah Court. In terms of inheritance, the Islamic Religious Council of Singapore had issued fatwas recognizing and protecting the rights of Muslim women under joint tenancy contracts and allowing Muslim men to nominate their wives as the sole beneficiaries of their social security savings and insurance benefits. Those were examples of how progressive family law was practised. Safeguards had also been put in place in Singapore to protect the interests of Muslim women in various Muslim marriage practices, including polygamy, which was extremely rare and was only permissible

at the discretion of the Muslim solemniser, who had to ensure that the marriage did not run counter to the interests of any of the parties involved. The Registry of Muslim Marriages and the Syariah Court had invested in marriage and divorce support programmes, in partnership with mosques and other community organizations and specialist agencies, to safeguard the best interests of the couple and their children.

52. **Ms. Hoe** (Singapore), addressing Mr. Diaby's query on the Protection from Online Falsehoods and Manipulation Act, said that around the world, falsehoods had been used to divide societies along racial and religious fault lines, and Singapore was not immune to that phenomenon. In that context, the Protection from Online Falsehoods and Manipulation Act was used to counter falsehoods that exploited prejudices, aroused anger and fear and undermined constructive debate. The intention behind the Act was not to limit the expression of legitimate concerns about racial discrimination. She reiterated that freedom of expression was a constitutionally protected right in Singapore. For the Act to be invoked, two conditions must be satisfied, first, there must be a false statement of fact, and not merely an opinion, and second, the public interest must be affected, for example, where there was a need to prevent incitement of feelings of enmity, hatred or ill-will between different groups of persons. The Act relied primarily on correction directions, which allowed the Government to attach warnings to falsehoods that drew the attention of readers to the facts. Correction directions did not require removal of the original statement and were not sanctions. Members of the public could compare both accounts and make up their own minds. In that way, the democratic process was aided, as the antidote to falsehoods was more speech and more information. It was only in the more serious cases that the falsehoods could be taken down.

53. **Mr. Bossuyt** said that he was grateful to the delegation for its commitment to engaging in a constructive dialogue. He encouraged the State party to consider introducing a moratorium on the death penalty with a view to determining whether prohibiting capital punishment would in fact lead to an increase in national crime rates.

54. **Mr. Mohamad Maliki Bin Osman** (Singapore) thanked the Chair and Committee members for the opportunity to present the State party's initial report on its implementation of the Convention. He appreciated the frank exchange with the Committee, from which the delegation had learned much. The delegation had explained how the rights of minorities were protected in Singapore through legislative and non-legislative safeguards in education, employment and housing, the impact of COVID-19 on the Government's efforts to manage race relations and the Government's approach to address the needs of citizens and non-citizens. The discussion with the Committee, among the many other conversations the Government was having, allowed it to reflect on its approach and take its efforts forward. Singapore aspired to have a peaceful society where individuals felt valued and appreciated regardless of their race or socioeconomic background. Responding to Mr. Amir's comments, he emphasized that the situation was not perfect and noted that human interaction was dynamic. Despite the authorities' best intentions and efforts, there would be racially-motivated incidents, although they were not systemic. The Government's response would then be commensurate with the desired outcome, punitive for deterrent effect, balanced with the rehabilitative process to ensure longer-term sustainability. Singapore was committed to the elimination of racial discrimination through its practical and outcomes-based approach, which took into account its unique circumstances, culture, and history. Multiracialism and meritocracy were key principles in the Government's approach to managing race relations. The Government was aware that the racial harmony currently enjoyed in Singapore was by no means assured and must be sustained through human will and effort. It would therefore continue to build mutual respect across communities through the review of laws and policies, expansion of common spaces and shared experiences and engagement with citizens, civil society organizations and community partners to run programmes promoting social harmony and mutual understanding and respect. As COVID-19 reshaped the world, the Government would ensure that ethnic minorities were not disadvantaged as it endeavoured for all Singaporeans to emerge stronger. There was always room for Singapore to do more, and it would continue to do so.

The meeting rose at 1.05 p.m.