



# International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General  
25 February 2020

Original: English  
English, French and Spanish only

## Committee on the Elimination of Racial Discrimination

101st session

20 April–8 May 2020

Item 6 of the provisional agenda

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

### List of themes in relation to the initial report of Singapore

#### Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

#### Statistics (arts. 1 and 5)

2. Updated statistics on the demographic composition of the population, disaggregated by ethnic or national origin and languages spoken, as well as on migrants, refugees, asylum seekers and stateless persons. Economic and social indicators of various groups living in the territory of the State party disaggregated by sex, age and ethnic or national origin (CERD/C/SGP/1, paras. 1.7, 3.1–3.19, 7.2–7.3, 8.2–8.10 and 10.29–10.54, and annex, figures 3 and 5–8).

#### The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4, 6 and 7)

3. Lack of a comprehensive definition of racial discrimination in the State party's legislation in line with article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination. Compliance of article 12 of the Constitution with the Convention (CERD/C/SGP/1, paras. 6.1–6.2 and 7.5). Efforts to revise the constitutional provisions restricting certain human rights, including the right to non-discrimination on the grounds of race and descent, to Singaporean citizens only (CERD/C/SGP/1, paras. 6.9–6.10).

4. Specific measures taken by the Inter-Ministry Committee on the International Convention on the Elimination of All Forms of Racial Discrimination to coordinate policies aimed at countering racism and monitor the implementation of the Convention (CERD/C/SGP/1, paras. 5.3–5.4). Steps to review the mandate of the Presidential Council for Minority Rights to guarantee its independence (CERD/C/SGP/1, paras. 1.5, 3.32–3.33, 6.3, 7.27 and 11.7). Plans to adopt a comprehensive strategy and a national action plan to combat racism, racial discrimination, xenophobia and intolerance.

5. Establishment of an independent national human rights institution that fully complies with the principles relating to the status of national institutions for the promotion

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and protection of human rights (the Paris Principles), with adequate financial and human resources and a specific mechanism for monitoring and evaluating progress in the implementation of the Convention in an independent and transparent manner.

6. Measures to facilitate the lodging of complaints of racial discrimination cases. Information and statistics, disaggregated by the ethnic or national origin of the alleged victims, on complaints for acts of racial discrimination, racist hate speech and racist hate crimes handled by the national courts or other relevant Singaporean institutions, as well as on the number of investigations, prosecutions and convictions of perpetrators and the reparations provided to victims (CERD/C/SGP/1, paras. 9.6 and 11.1–11.17).

7. Activities to raise the awareness of the public of their rights under the Convention and the available complaint mechanisms and judicial remedies. Measures to provide judges, including those of the Syariah Court, prosecutors, lawyers and other legal professionals, as well as law enforcement officers, with training on the Convention (CERD/C/SGP/1, para. 12.15).

8. Information on the eligibility criteria for accessing legal aid provided or co-funded by the State party, as well as on the number of persons who have received legal aid for the purpose of filing a complaint for racial discrimination (CERD/C/SGP/1, para. 11.3).

#### **Racist hate speech, incitement to racial hatred and racist hate crimes (arts. 2, 4 and 6)**

9. Measures to ensure that the definitions of racist hate speech, incitement to racial hatred and racist hate crimes enshrined in the Penal Code and other relevant legislation are fully in line with article 4 of the Convention and include all grounds of discrimination mentioned in article 1 of the Convention (CERD/C/SGP/1, paras. 7.28–7.30, 9.1–9.2, 9.7 and 10.17). Compliance of sections 4 (2) (b) and 14 (2)–(3) of the Societies Act with article 4 (b) of the Convention and application of those legislative provisions to criminalize racist organizations and participation in and support for such organizations (CERD/C/SGP/1, para. 9.8).

10. Efforts to ensure that all reported cases of racist hate speech, incitement to racial hatred and racist hate crimes are duly investigated, that those found responsible are prosecuted and punished with sanctions commensurate with the gravity of the offence and that victims are provided with effective remedies (CERD/C/SGP/1, paras. 9.1–9.2, 9.4 and 9.6–9.8).

#### **Situation of ethno-religious minority groups (arts. 1, 2 and 5)**

11. Measures to address the educational gap between students belonging to ethnic minority groups, in particular Malay and Indian students, and their Chinese counterparts (CERD/C/SGP/1, paras. 7.42–7.46, and annex, figures 7–8). Steps to adopt provisions prohibiting racial discrimination in the field of employment (CERD/C/SGP/1, paras. 6.5–6.8 and 11.8–11.13).

12. Further measures to ensure adequate participation by ethno-religious minority groups in public and political life. Updated information and data on their representation in State institutions, including the government, the Parliament, the judiciary, the armed forces and the police, and the public administration at all levels (CERD/C/SGP/1, paras. 1.6, 3.24–3.26, 7.8–7.11 and 7.33–7.38).

13. Steps to review the Administration of Muslim Law Act to ensure its compliance with the Convention. Measures to guarantee equal rights of ethno-religious minority groups subject to the Act with those subject to civil law, and to prevent direct and indirect discrimination based on ethnicity and/or religion, in particular with regard to marriage, divorce and inheritance (CERD/C/SGP/1, paras. 7.40 and 10.28).

#### **Situation of non-citizens, including migrants, refugees, asylum seekers and stateless persons (arts. 2, 5 and 6)**

14. Measures to prevent and combat the exploitation and abuse of migrant workers by their employers. Criteria allowing migrant workers to change employers, in particular those who have experienced exploitation and abuse. Steps to extend the applicability of the Employment Act to migrant domestic workers. Measures to abolish mandatory testing of migrant workers for pregnancy and sexually transmitted diseases and to stop their

deportation on the grounds of pregnancy or HIV-positive status. Information and data, disaggregated by the ethnic or national origin of the alleged victims, on complaints for acts of labour exploitation of migrants, as well as on the number of investigations, prosecutions and convictions of perpetrators and the reparations provided to victims (CERD/C/SGP/1, paras. 6.11–6.12 and 12.21–12.26).

15. Adoption of legislation on asylum seekers and refugees that complies with international standards, in particular with the principle of non-refoulement, and establishment of procedures for the determination of refugee status for persons who apply for asylum. Steps to ensure that immigration detention is applied only as a measure of last resort and for the shortest period of time. Statistics, disaggregated by nationality of the applicant, on asylum claims filed and granted.

16. Steps to amend article 122 of the Constitution to ensure that all Singaporean mothers can transmit their citizenship to their children, including to children born before 2004. Plans to revise the nationality law to ensure that children born in Singapore who cannot acquire another nationality automatically acquire Singaporean nationality (CERD/C/SGP/1, paras. 6.13 and 10.25–10.27).

17. Extent of trafficking in persons in the State party. Implementation of the National Approach against Trafficking in Persons (2016–2026). Plans to amend the Prevention of Human Trafficking Act 2014 to ensure its full compliance with international standards. Efforts 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. Measures to ensure that victims of trafficking are not criminalized or deported for acts committed as a direct result of being trafficked. Information on complaints, investigations, prosecutions, convictions, sanctions and measures of redress and rehabilitation for victims.

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