



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

Distr.: General
7 September 2001

Original: English

**Committee on the Elimination of Discrimination
against Women**
Twenty-fifth session

Summary record of the 515th meeting

Held at Headquarters, New York, on Monday, 9 July 2001, at 3 p.m.

Chairperson: Ms. Abaka

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The meeting was called to order at 3.05 p.m.

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

Initial and second periodic reports of Singapore (continued) (CEDAW/C/SGP/1 and 2)

1. *At the invitation of the Chairperson, the members of the delegation of Singapore resumed their places at the Committee table.*

2. **Ms. Aouij** noted that Singapore's reservation to article 11 of the Convention was no longer applicable, since life expectancy at birth had improved considerably, with women living much longer than men. Singapore's laudable and rapid economic development could not be sustained unless it went hand in hand with social and political development. For progress towards that end, mentalities must be changed. Women must be given their rightful place as full-fledged citizens. The country's twenty-first century economy could not coexist with an archaic society.

3. Singapore's Muslim community was governed by laws, which differed in many ways from those of the rest of the population, giving rise to the coexistence of two societies — one Buddhist, the other Muslim. That situation led in turn to discrimination against Muslim women in both their private and public lives. In that regard, she wished to know whether Muslim women could work as registrars in municipalities governed by civil laws and whether they could be judges in civil courts. It would also be interesting to know if they could opt for either society, civil or Muslim. The delegation should indicate how Muslim women were organized and whether they were totally integrated into society or had separate non-governmental organizations which defended their rights. How were the differences between Islamic law and the country's overall legislation addressed, especially with respect to issues such as marriage age and divorce and did the Singaporean delegation include Muslim women?

4. **Ms. Schöpp-Schilling** said that Singapore's parental leave legislation was geared only to working mothers and not to working fathers contrary to the provisions of article 5 of the Convention. Were any efforts being made to eliminate such legislation? She failed to understand how Singapore could have a Women's Charter, which called for equality between men and women in the family, while upholding the

breadwinner concept and maintaining its reservation to article 9 of the Convention. Moreover, she was concerned that family values apparently took precedence over legislation. The whole point of enacting legislation was to establish an objective framework to ensure that all citizens were treated as equals.

5. **Ms. Ferrer Gómez** asked for more information on how the Government envisioned the shared responsibility between men and women. Since traditional values discriminated against women, it was disquieting to note the absence of any efforts to counter the impact of traditional values and ensure a genuine sharing of duties. The stereotype of the woman as homemaker was reaffirmed throughout the report. While it was noted that a committee had made proposals for specific changes in how the mass media should reflect women's rights, there was no description of the changes or any indication that they had been implemented. She wanted to know what measures were being taken, for example, to counter the use of women as sex objects in advertising. While she agreed that the family should be the basis of society, she found no reference in the report to gender equality within the family. Courses had been organized to educate women on issues such as the avoidance of casual sex and sexually transmitted diseases, yet no such courses were being offered to men, who shared responsibility for family planning. She asked whether the Government intended to launch a programme designed to change people's attitude towards those issues, in particular, polygamy.

6. **Ms. Shin** asked for a definition of a "strong and healthy family". In her view, that concept should include all family members — men, women and children. She wanted to know whether home economics and technical subjects, which were now taught to pupils of both sexes, were compulsory or optional. How many boys, for instance, took home economics courses, and what was the use of offering such courses if nothing was done to change how women were traditionally depicted in school textbooks? It was also very important to train teachers with the aim of changing the stereotypical image of gender roles prevalent among their students. Moreover, sex education should cover not only biological issues but also domestic violence and violence against women as well as gender equality.

7. **Mr. Melander**, noting that the statistics concerning sex crimes against women indicated both a decline in such offences and a decrease in the number of convictions, asked whether there was any explanation for that trend.

8. **Ms. Manalo** said that foreign workers, totalling over 100,000 people, made up 30 per cent of Singapore's workforce. Still, many of the most basic human rights of migrant women domestic workers were denied to them. They were prohibited from marrying local citizens and were subjected to pregnancy tests every six months. Moreover, they had to work long hours, received very low wages and had to pay heavy fees to job placement agencies. She wanted to know what the Government of Singapore was doing to remedy those violations and what general protection was provided under the Employment Act for foreign migrant women workers, such as a minimum set of standards to be met by Singaporean employers. The amendment in 1998 of the Penal Code to provide for stiffer penalties for sexual and physical abuse of maids did not seem to have been effective, since the courts either left most cases unresolved or took an inordinate amount of time to resolve the few that they did consider. Meanwhile, complainants were left unemployed, without compensation and were often forced to return to their home country. She asked how the Government reconciled efforts to eliminate those abuses with its reservation to article 11 of the Convention.

9. Singapore was a transit country for trafficking in women and children. The Committee had reliable information that operators in Singapore, particularly Government officials, often prepared false documents and turned a blind eye to the problem in exchange for bribes. Did the Government have an integrated programme to address those issues?

10. **Ms. Taya** expressed support for Ms. Manalo's remarks and said that the scope of the Employment Act should be broadened to cover the working conditions of domestic workers and ensure that they were fairly treated. She asked why complainants were forced to remain unemployed pending the adjudication of criminal proceedings against their employers.

11. **Ms. Livingstone Raday** said that the delegation should provide separate figures on how many prostitutes, procurers and traffickers in human beings had been prosecuted and convicted. She would also

appreciate figures on the number of trafficking victims as well as information on measures taken to protect witnesses in trafficking cases. Were they given a safe haven or temporary residence permits?

12. **Ms. González Martínez** wanted to know what measures were being taken by the Government at the national and international levels to combat trafficking in women and children for sexual and work purposes.

13. **Ms. Feng Cui** said that the low level of participation of women in decision-making did not match the country's high level of economic and educational development. The Government had emphasized that it did not discriminate against women and had adopted a system of meritocracy, yet women accounted for only 6 per cent of senior-level positions, which was lower than in many other countries. The problem was surely not one of a lack of qualified women. Was there some form of hidden discrimination against women? She hoped that the Government would carefully analyse the reasons for the low participation of women in politics and in decision-making in general.

14. **Ms. Gaspard** said that the very low level of participation of women in the formulation of government policy and non-governmental organizations deserved an explanation. She wished to know what positive steps had been taken to improve the situation.

15. **Ms. Myakayaka-Manzini** commended the delegation on the improvement in women's representation of Singapore at the international level. She suggested that women could be encouraged further if efforts were made to promote women to high-profile positions as role models and leaders in decision-making, civil society and the trade union movement.

16. **Ms. Corti** said that the Committee was surprised by Singapore's reservation concerning the provision of the Convention on nationality (art. 9) and she found that Singapore's laws on nationality for a child born abroad contravened the Convention in that they linked eligibility for citizenship to the nationality of the father.

17. Referring to section 10.2 of the initial report (CEDAW/C/SGP/1), she expressed interest in knowing more about the status of foreign women married to Singaporean men and custody arrangements for children in the event of divorce.

18. In the case of migrant workers attracted to Singapore for economic reasons, she asked about the requirements for securing resident and work permits. Were there refugees and persons seeking asylum in Singapore, and if so, were there statistics indicating their countries of origin? On the other hand, in the event that Singaporean citizens migrated to other countries, what were their rights to citizenship and what was the procedure for handling aliens who worked illegally in Singapore?

19. **Ms. Goonesekere**, commenting on Singapore's seemingly contradictory position on article 9, said that the discrimination inherent in its legislation on nationality reflected the State's colonial legal tradition. Although the Government had taken steps to amend certain aspects of its laws there remained some discrepancy in the case of children born abroad and their eligibility for citizenship by descent. She asked whether the law had ever been challenged, adding that she was also concerned by Singapore's non-recognition of dual nationality and the precarious position in which that policy placed the offspring of marriages between Singapore nationals and foreigners.

20. **Ms. Taya** asked whether it was true that the admission of female students to medical studies was limited, and if so, what was the justification.

21. **Ms. Achmad**, referring to paragraph 6.10 in the second periodic report, asked whether the first two categories mentioned followed standard curricula, and what safeguards were in place to ensure that an equal level of education was offered to all groups.

22. **Ms. Goonesekere** asked what impact the policy on national service would have on women's access to education.

23. **Mr. Melander** drew attention to table 8 in the second report on scholarship awards and asked why more males had been awarded scholarships than females.

24. **Ms. Ferrer Gómez** wished to know what percentage of working women was employed on a part-time or full-time basis and how many women worked in the informal sector. In addition, she wanted to know what percentage of women worked in enterprises engaged in export production and what were the rights of migrant workers employed in such factories.

25. Noting Singapore's commitment at the international level to the principle of equal pay, she

wondered whether Singapore's domestic legislation was effective in narrowing the wage gap between men and women. In addition she asked for clarification on the specific qualifications required for women to be listed as job-seekers.

26. **Ms. Livingstone Raday** said that the restrictions on migrant women workers severely undermined their human rights. She therefore wondered whether the Singapore Government was reconsidering its restrictions, in particular, those limiting workers to a specific employer, and restrictions placed on pregnancy and marriage. Furthermore, the exclusion of certain groups of workers from the application of domestic labour laws resulted in discrimination because women in those groups were not entitled to maternity leave, in contravention of article 11 of the Convention.

27. Generally speaking, the report did not provide an adequate explanation of legislative measures designed to prohibit discrimination against women. There was clearly need for specific legislation prohibiting discrimination according to gender in hiring practices, training and equal pay for work of equal value.

28. **Ms. Feng Cui** noted that the Government had adopted a policy of encouraging an increase in the birth rate. She wished to know whether it had analysed the effects of that policy on the employment of women and whether any conclusions had been drawn in that regard. She also asked for clarification on the statement to the effect that the Government encouraged well-educated men and women to have larger families.

29. **Ms. Schöpp-Schilling** underscored the need for additional statistics on the employment of women and men according to sector, occupational level, age, literacy rates among women and on the wage disparity between men and women. She was curious to know how many women left the labour market to start families, how many returned and at what levels, and also whether women were willing to be retained. Similarly, she wondered whether time spent in child-rearing was recognized in the granting of pension benefits, whether part-time workers enjoyed the same rights as full-time workers and how the labour of women in the private and public sectors was regulated.

30. **Ms. Goonesekere** said that, in the existing globalized market, the conditions of workers should not depend on the good will of their employers. Singapore should take measures to ensure that workers from abroad had adequate working conditions.

Furthermore, she observed that despite their access to education, Singapore's women were being forced to drop out of the job market because of insufficient support structures. The State party should consider the effect of that situation on the future of its women and the future of the country.

31. **The Chairperson** said that the restrictions on domestic maids — which she preferred to refer to as “domestic assistants” — were a serious violation of basic reproductive rights, and must be removed. While the State party had made great progress in implementing article 12 of the Convention, statistics were lacking on the incidence of HIV/AIDS broken down by sex, age, and ethnicity. In that connection, she would like to know if there were any programmes in place for people living with AIDS. Information would also be welcome on the legal status of the termination of unwanted pregnancies and on substance abuse, including tobacco.

32. In addition, she would like clarification about the meaning of the statement, in the initial report (para. 14.1) that, under the taxation law, unless a wife opted to be assessed separately from her husband, her income was deemed to be his. What was the process by which a woman opted to be taxed separately? Paragraph 14.2 stated that married women were eligible for tax relief for children and for employing domestic assistance. It would be useful to know whether such relief was also available to women working full time, who surely also needed domestic help. If a husband, even when not working, was deemed to be the taxpayer, that meant that women had no legal capacity.

33. **Ms. Kwaku**, noting that the Singapore Council of Women's Organizations had published a guide entitled “The Family and You”, suggested that it should consider publishing a similar guide to the Convention, which might help Singaporean women legislate for their rights.

34. **Ms. Acar** said that States parties were obliged to uphold the Convention in both the public and private sectors. The need to maintain political balance and stability could not be invoked as a reason to delay the realization of women's human rights. Singapore should carefully reconsider its reservation to article 16 with a view to either abolishing it or formulating a narrower, more specific statement. Since in practice the Shariah was not always interpreted or implemented in the same

way, the international women's community should attempt to reach a consensus on a progressive interpretation of those religious laws. In Singapore, the practice of divorce through *talaq* now required the confirmation of the Shariah court, and no longer rested solely on a husband's word. In Muslim countries throughout the world, changes in the interpretation of the Shariah law were taking place with a view fully to implementing the Convention. She urged the State party to study those examples and to open a debate on the Shariah in Singapore society.

35. According to the Penal Code, sexual intercourse with a wife aged 13 and over was not considered rape. The legal age of marriage was 21, and the age of marriage under Shariah law was 16. What was the explanation for those contradictory figures? The report also announced that non-compliance with rulings of the Shariah Court was now a criminal offence. It would be useful to know how and in what sense that development favoured women since there were many instances in which it could be disastrous to women. It would also be useful to know what laws governed adultery, in both Muslim and non-Muslim marriages, what occurred when a woman did not comply with a verdict of the Shariah Court, and whether a Muslim woman could choose to marry either a Muslim or a non-Muslim under civil law. She would also like to know why divorce by *talaq* rather than by *taklik* and *fasakh* was being encouraged. Did women lose compensation when they divorced by *talaq* rather than by *taklik* or *fasakh*?

36. In addition, she enquired what rules governed the right to freedom of movement of Muslim women, both married and unmarried, and whether Muslim women could hold passports in their own right. She would also like to know whether a woman's right to choose a profession applied to Muslim women.

37. Finally, she would encourage the State party to provide statistics, disaggregated not only by sex but also by ethnicity and religion, to demonstrate to what extent educational achievement and occupational achievement had a bearing on the incidence of violence.

38. **Mr. Melander** enquired how Singapore's two different systems of family law, the Administration of Muslim Law Act and the Women's Charter, existed concurrently in Singapore society, and whether

individuals registered, for instance, under one or the other law.

39. **Ms. Goonesekere** said that Singapore had good reason to reconsider its reservation to article 16 of the Convention in light of progress already made. Some Muslim countries did not accept the marriage age of 16; many African countries had been unsuccessfully striving to introduce the practice of *mutaah*, the payment by the husband of a consolatory gift, even in cases where a woman chose to be divorced. Within Shariah law, there was considerable room for interpretation; the notion that it was sacrosanct was not consistent with Singapore's practice.

40. Singapore law allowed for marriage at the age of 18 in non-Muslim communities. However, the marriage of minors was also permitted with parental consent in direct violation of the terms of the Convention, which prohibited child marriage. The Penal Code prohibited a husband from having sexual relations with a wife who was under a certain age; under that age, sexual relations were considered rape. Such provisions had been incorporated by the penal codes of almost all countries with a British colonial heritage in order to discourage child marriage. She would like to know whether the Singapore Government had recognized those contradictions, and whether it was taking steps to remedy them.

41. **Ms. Kwaku** urged Singapore to take a more progressive view of Shariah law. The Administration of Muslim Law Act allowed polygamy, but required the second marriage to be solemnized by a qadi (registrar of Muslim marriages). Since the qadi were normally men, that provision deeply discriminated against women. Had Singapore considered allowing women to be qadis?

42. **Ms. Yu-Foo** (Singapore) said that her delegation had gained considerable knowledge from the Committee's comments and would reply to members' questions to the best of its ability. If the requested statistics were unobtainable, they would be provided at a later date.

The meeting rose at 5 p.m.