Introduction

1. The Institute of Policy Studies (IPS) organised a forum on the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) on 29th November 2007. In particular, it focused on the *Concluding Comments of the CEDAW Committee* of the United Nations issued in August 2007 in response to *Singapore’s Third Periodic Report to CEDAW* (tabled to CEDAW on November 2004). The forum was attended by over 40 people including media representatives.

2. There were three objectives of the forum:
   a) to raise awareness of CEDAW and its processes;
   b) to look at areas of concern raised by the CEDAW Committee on Singapore’s progress towards meeting the expectations of this Convention;
   c) to explore how stakeholders wish to address those areas of concern better.

3. Some of the key conclusions or recommendations that emerged from the event were:

   a. **Syariah Law:** Encourage the Malay/Muslim community to look at comparative experience and engage in a community-wide dialogue. Explore if the current blanket reservation that Singapore has made on the whole of Article 16 of CEDAW (which concerns marriage and family life) could be moved towards at least partial reservations. Perhaps a cross-cutting task force could be assigned to look into this.

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1 On the reporting process for states that have ratified CEDAW, see [http://www.iwraw-ap.org/committee/reporting.htm](http://www.iwraw-ap.org/committee/reporting.htm)
2 For the list of reservations Singapore tabled when it ratified CEDAW, see [http://www.siiaonline.org/womens_rights#reservations](http://www.siiaonline.org/womens_rights#reservations) or [http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm](http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm)
b. **Sexual Harassment:** AWARE is conducting research on this. Explore if and when specific laws should be instituted on this.

c. **Female Representation in Leadership:** Explore the application of Temporary Special Measures provided for under CEDAW to effectively and sustainably increase the level of participation of women at leadership levels in political leadership, at the grassroots level and in private/public sector decision-making roles. Such a Temporary Special Measure should also include an outreach section to ensure there would be systematic gender mainstreaming across the board in society.

d. **Foreign Women in Singapore:** Today foreign women include foreign domestic workers, foreign spouses, female foreign workers in the service industry and those also in the sex trade. A review of all approaches to the different groups of foreign women in Singapore would be timely. More action would be needed to promote the well-being of foreign women in Singapore. It would also useful to explore how Singapore managed trafficked women and protected the rights of foreign brides recognising the vulnerability of their status without rights of citizenship.

e. **Optional Protocol:** Explore if Singapore can agree to ratify this. The Optional Protocol is an additional part of CEDAW that allows for the enforcement of the Convention.

f. **Women’s Desk:** Strengthen this machinery that promotes progress on CEDAW goals. The current locale of the Women’s Desk within the Family Division in the Ministry of Community Development, Youth and Sports seemed limiting – both in size and also in outreach. The Desk and non-government organisations need to strengthen their outreach to judiciary, government officers, and the public to ensure more effective outcomes. It might be better to set up a Gender Equality Unit instead.

g. **Representation of women in media:** Set up some mechanism to ensure the rules on portrayal of women in the mass media were being upheld.

4. What follows is the summary of the discussion that took place.
**Introduction**

5. Dr Gillian Koh, Senior Research Fellow, IPS, began by acknowledging the progress that Singapore had made in protecting the rights of women and children beginning with the Women’s Charter in 1961 when the People’s Action Party recognised women as a political constituency. Civic organisations had since, worked hard to ensure that progress was being made on that front, not least of which was the Association of Women for Action and Research (AWARE), that had partnered IPS in organising the Forum. She said there were two guiding principles for the Forum - the first, that all present should be take a critical eye to identify areas for improvement; second, that just as the Government had chosen to take a ‘stakeholder approach’ in dealing with this broad area of policy, the forum was also an invitation to the broad group of stakeholders represented to propose ways to address areas of concern raised.

6. Two speakers, Dr Anamah Tan, Member one of the 23 experts which sit on the CEDAW Committee in the United Nations, and Ms Braema Mathiaparanam, civil society activist and former Nominated Member of Parliament, then offered their opening thoughts. This was followed by an open discussion.

**Presentation by Dr Anamah Tan: “A Potted Guide to CEDAW: Introducing CEDAW”**

7. Dr Anamah Tan introduced CEDAW and its work to participants. She said that she recognised that there was a general lack of awareness of what CEDAW was: how it came about; how Singapore was involved; and how it would affect us practically. Given that the ASEAN Charter had now made provision for a human rights body, it was even more needful to redress this.

8. CEDAW was one of seven United Nations (UN) human rights treaties and was the second most stratified treaty, with 185 countries

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3 The United Nations Committee on the Elimination of Discrimination against Women (CEDAW), an expert body established in 1982, is composed of 23 experts on women's issues from around the world. The Committee's mandate is to watch over the progress for women made in those countries that have ratified CEDAW. (see [http://www.un.org/womenwatch/daw/cedaw/committee.htm](http://www.un.org/womenwatch/daw/cedaw/committee.htm))
now party to it. Alongside CEDAW, Singapore had ratified only one other - the Convention on the Rights of Children (CRC), in 1995. CEDAW was the first and only treaty to focus exclusively on women and their needs, given that previous ‘protection’ given to them was subjugated under the wider ambit of human rights. Then, only women’s matrimonial, constitutional and political rights were given consideration. However, discrimination against women could take place on multiple fronts, be it in employment, education or citizenship. Building on women’s constitutional rights (Article 2 of CEDAW) and matrimonial rights (Article 16), CEDAW came into effect in 1981. At present, it was working to get more countries to ratify the treaty.

9. Dr Tan explained that CEDAW worked by obtaining prior ratification of the treaty by a particular country. Within a year of doing so, a committee set up by the country would be required to submit and present an initial report of progress on CEDAW commitments. Subsequently, reviews were expected every four years. Concluding Remarks would be issued by the CEDAW Committee after consideration of the report of progress. These remarks were a useful tool for state parties as they contained recommendations and suggestions on areas of improvement.

10. One other related instrument to the CEDAW treaty that Singapore had yet to sign on to was the Optional Protocol which was a two-pronged instrument. First, it allowed for communication to the CEDAW Committee of ‘complaints’ from individuals or groups if their rights under CEDAW had been violated after all local redress had been sought. Secondly, investigations would be conducted if reliable information on any grave, systematic violations of CEDAW by any state party were received. Dr Tan gave an example of a complaint that had been filed out of Mexico about a female factory worker who suffered forced abortions and sexual abuse.

11. In Singapore, the Women’s Desk at the Ministry of Community, Youth and Sports (MCYS) was responsible for reporting to CEDAW. There was also the Inter-Ministry Committee (IMC) that functioned as a contact point to organise meetings with members of civil society, state parties and academia to discuss CEDAW and its implementations. Dr Tan argued that more work was needed to raise awareness about CEDAW among our national institutions - the judiciary, and our schools to name a few. She also felt that the IMC could be even more proactive in ensuring gender-mainstreaming practices took place.
Presentation by Ms Braema Mathiaparanam on AWARE’s Shadow Report on CEDAW and the Concluding Comments of the CEDAW Committee (August 2007) on Singapore’s Third Periodic Report (November 2004)

12. Representing AWARE and chairing the CEDAW Committee to AWARE, Miss Braema Mathiaparanam, who is the Chairperson of AWARE’s CEDAW Shadow Report Committee\(^4\), began her presentation by raising awareness to the usefulness of ratifying the Optional Protocol by citing the case of an illegal immigrant (from the tribal groups in Thailand) who was trafficked to Singapore to work as a prostitute. The woman was blacklisted by the Singapore immigration department and banned from re-entering the country. After she was deported back to Thailand, she married a Singaporean man. However, given her immigration status, she was arrested upon entry to Singapore for flouting her ban and sent to prison. Ms Mathiaparanam said that that this victim of trafficking had been criminalised and punished instead of being protected or even recognised with some rights as a spouse of a Singaporean. If Singapore ratified the Optional Protocol under CEDAW, such a case could be filed at the UN after all local efforts of redress have been exhausted.

13. Discussing the Shadow Report that AWARE had presented to the UN CEDAW Committee, Ms Mathiaparanam said that the report had its limitations as it could not cover all the CEDAW Articles. As such, it focused on Articles 2 (constitutional rights),\(^1\) 16 (matrimonial and family rights), 5, 6, 8, 9, 11 and 12\(^5\). AWARE Report’s first concern was women’s representation in politics and leadership. Given the high numbers of tertiary-educated women in Singapore, there was a disproportionate lack of women leaders. One needed to ask to what extent did the abilities and capacities of women translate to advancements in employment?

\(^4\) In July 2007, a 17-member Government team, led my Minister of State, Madam Yu-Foo Yee Shoon, was in New York to brief the 39th Session of UN CEDAW meeting. The team also comprised members of the Inter-Ministerial Committee on CEDAW and members from the Singapore Council of Women’s Organisations. AWARE, represented by Ms Mathiaparnam, was at the Session as an NGO to advocate on the key concerns outlined in its Shadow Report.

\(^5\) For the full text and specific articles, see http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm
14. Related to employment, there was also a significant number of women who were unaccounted for, statistically, in terms of the informal sector. Ms Mathiaparanam raised concerns about the state of well-being of this group, about whom little is known. This was important especially when women lived longer and had less financial security into old age. How were these women going to fare? Gender income inequality still existed, where women earned 86 cents to every dollar a man earned on average. $65.6\%$ women in the labour market fell into the wage bracket of $2,000 - $2,999 and below.

15. Financial security in relation to how ageing and chronic diseases were correlated to women was another important issue. Ms Mathiaparanam argued that there was a feminisation of poverty. It was unclear how assistance schemes and policy-making were sensitive to meeting the needs of women in the different situations, she said.

16. Commenting on Article 5, which dealt with sexual stereotyping and prejudices of women, Ms Mathiaparanam argued that it was unclear how agents like Consumers Association of Singapore or Tripartite Alliance of Fair Employment Practices upheld and enforced anti-discriminatory guidelines. Sexual harassment laws were absent.

17. Another urgent concern was about foreign women living in Singapore. Firstly, violence towards domestic workers was on the rise and this should be examined further. Next, how were these women housed? What kind of state support was received by agencies providing help services for these women? Was it adequate? Another vulnerable group was foreign women (forcefully) trafficked to Singapore for the sex/entertainment industry. They were criminalised and imprisoned under current immigration laws that did not provide concessions to them as victims of trafficking, though there have been some leniency in dealing with some cases. Trafficking definitions needed clarity to better identify who the victims and perpetrators were.

18. Ms Mathiaparanam called for the reservations that Singapore had made on Articles 2, 11 (regarding employment) and 16 to be withdrawn within a concrete timeframe. There was a need to analyse the precise scope of the reservations and their impact on different groups of women through multi-stakeholder consultations. Contradictory policies of citizenship, especially for local men with foreign wives as opposed to local women with foreign husbands, required reconsideration.
19. More gender-sensitised statistical data was required. All reservations on immunity where marital rape was concerned should be removed. Other recommendations made by AWARE in the Shadow Report included the need for continual and consistent promotion of inclusion of men in family-life and childcare. One question it raised was how and where men came in as stakeholders in this process.

20. Another suggestion was for the Women’s Desk of MCYS to be independent instead of being located within the Family Development Group. Women’s issues went beyond creating family-oriented policies. Ms Mathiaparanam also suggested that it might be time for a developed country like Singapore to consider having a Gender Equality Unit. More profoundly, gender anti-discrimination should be institutionalised in the Singapore Constitution. This would show the state’s commitment to advocate gender equality and its commitment to eliminate all forms of discrimination against women. It could also institute what are called ‘temporary special measures’ to uplift more deserving women to leadership positions across board could given the high number of educated women.

Open Discussion

Syariah Law

21. One participant questioned the reservations made by Singapore on Article 2 and Article 16 and wondered if gender discrimination was written into the Constitution because of blanket reservations tabled on the whole Article 16, and whether the reservations were made because of the otherwise inherent contradictions with the Syariah law for Muslim women. Another participant replied that it was important to discuss the reservations made on either Article as separate issues. For the blanket reservations made on Article 16, it was true that they could not be lifted due to considerations of perceived insensitivities to the Muslim community and their adherence to the Syariah law. Under the Syariah, there were different cultural definitions of discrimination and they provided different forms of protection to the women as well. However, the reservations made on Article 2 were still open for discussion. Another participant added that the Syariah was applicable only to areas of marriage, divorce and inheritance and the rest would be legal matters dealt with by the civil court. Legal concessions made by the civil court on the aforementioned areas were considered, but
clearly, the Government’s position was to privilege the Syariah law on those particular areas.

22. It was noted that there were measures being taken to look into these issues. There was now a female representation in the Syariah court and MUIS (Islamic Religious Council of Singapore). Also case studies of progressive laws and practices for Muslim women in Tunisia and Morocco were also being conducted to explore how the Muslim community here might wish to be more responsive to CEDAW. What was important was keeping dialogue channels open to raise awareness on the issues involved. Sufficient debate within and education of the community was also required.

23. Another participant contested the need for the blanket reservation on the whole of Article 16 as it was regressive and did not reflect the many positive laws already in place for women in Singapore. Malaysia, for instance, had moved from that position of a blanket reservation to reservations on only specific aspects of Article 16. It was important to constantly contest the blanket reservation and ask if we could do better by slowly removing reservations on certain clauses in the Article.

Sexual Harassment Laws
24. One participant asked if there were sexual harassment laws in Singapore and if not, then when we would have such laws in place. The reply was that there were currently no provisions for sexual harassment in Singapore. Alleged victims of sexual harassment could file a civil suit under ‘outrage of modesty’ by contacting the Ministry of Manpower (if it happened in the workplace) but there was no clearly defined law on what sexual harassment did or did not constitute. More research was needed to understand sexual harassment as it happened in Singapore. AWARE had a subcommittee undertaking such a research project. A greater understanding of the ‘ground’ would facilitate more effective advocacy on the issue.

Female Representation in Leadership and Positive Discrimination Measures
25. Another issue that was raised was about the role of positive discrimination or affirmative action in seeking to redress inequities. It was explained that CEDAW made provision for ‘temporary special
measures’ to accelerate equality. Citing South Africa, another participant said that such measures could help foster female participation in the legislature temporarily but when they were lifted, even more women were admitted. Of course, it was recognised that this was an area where there was a big element of people’s choice – who they wanted as their parliamentary representative too. This proved however that temporary special measures like gender quotas could jumpstart the process of recruiting women for leadership roles. Another suggestion was to encourage female participation at the grassroots level, and even at the level of schools, like encouraging female students to run for their school council.

Foreign Women in Singapore

26. One participant brought up the issue of how foreign domestic workers had been excluded from the Employment Act. The participant recognised that the nature of the job of a foreign domestic worker (FDW) was quite different from the others in that it seemed more challenging to stipulate what time and how the FDW worked, for example, when FDW was caring for a child. Nevertheless, this should be looked into. Should we aim to create specific sections relating to FDW within the Employment Act? Or should the aim be to construct a new act specifically covering the FDW? Giving domestic workers off-days was an issue already debated and was still being contested but the participant felt that there had been a general resistance to support causes to do with FDWs. There were contradictions between a gender discrimination cause for female citizens versus gender discrimination cause for domestic workers, and much education was required to raise awareness on the issues.

27. A follow-up comment was made on the Employment Act being gender-neutral. However, due to the great majority of foreign domestic workers being female, the exclusion into the Employment Act was itself was therefore problematic. Another participant stated that there was research being undertaken on migrants in relation to the sending and receiving countries of migrant workers, and drawing up legal responsibilities for these countries to enforce the protection of such workers through CEDAW.

28. The participant added that another category of foreign women excluded from the Act was sex workers. Whether they were trafficked or willing participants in the sex industry, they had no rights. The absence of a trafficking protocol in Singapore also meant that there was no protection for victims. Whether they were abandoned or had
escaped from their pimps, an arrest would mean definite criminalisation and prosecution. There would be no compensation for their 'labour' or trauma. Neither was counselling provided. It was crucial that Singapore ratified the treaty and protocol on criminalising trafficking and provide protection for victims of such crimes. Currently, this protocol would be included in the *UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*.

29. One other group of foreign women under threat were foreign wives of Singaporean men. A participant noted that there were a rising number of foreign wives suffering abuse gauging from the experience at women’s shelters dealing with these victims. As citizenship rights were denied to them, and because they were not knowledgeable about the law nor where to go to for help, this participant suspected that a lot more abuse had gone on undetected. There had been some action by the Family Court to address individual cases but these would often end up as a battle between the courts and the immigration department. The participant asked if these women could approach the members of parliament (MPs) in their respective constituency for help? Another participant replied that MPs were essentially meant to serve the voters, hence foreign wives who were not citizens would find little help from the MPs. However, MPs would definitely refer them to a counsellor or lawyer. If there was an immigration offence involved, MPs would be helpless. The first participant who raised the issue highlighted that most of these women were trying to escape violence and abuse and were in vulnerable positions against their spouses who were citizens and were often ready to find all means to throw them out of the country and escape from all responsibilities to their foreign-born wives.

**Enforcement of treaties and laws**

30. One participant expressed her reservations on the process of ratification - how CEDAW got states to truly be accountable to their commitments under CEDAW. Another participant questioned how the guidelines were upheld, in particular relation to advertisements flouting sections of Article 5 (which concerns sex role stereotyping and prejudice). It was indeed unclear as to how or who should be holding whom accountable to these.

31. Another comment was it was not clear generally if CEDAW would be effective in bringing any change at all. One response to that was that since Singapore was a country that took its obligations seriously,
this was the hope we could have on whether CEDAW would have any effect here. And Singapore had shown through the actions it took following the Concluding Comments issued by the CEDAW Committee in response to the previous report that it indeed endeavoured to accommodate where it could. Another participant said that the process of CEDAW itself was a lobbying factor that needed to be further used as a channel for precipitating change.

**Closing Comments by President of AWARE, Ms Constance Singam**

32. In her closing comments, the President of AWARE, Miss Constance Singam, reiterated that there was still more to be done to eliminate gender discrimination in Singapore. A policy change was needed for instance, to give citizenship rights to foreign brides of Singaporean men. She questioned why there was an inequity in that foreign husbands of Singaporean women were granted citizenship but not the other way round where the Government seemed to have no obligation to do the same for the foreign brides.

33. If the Women’s Desk was absent in public consciousness and placed in the family policy department at MCYS, could it serve women with utmost commitment and as effectively as was needed? Miss Singam argued that the ignorance of public bodies towards CEDAW and gender equality was pervasive. Whose responsibility would it be to educate and raise awareness? Could the Women’s Desk today, do better? Speaking for a non-government organisation (NGO), she said NGOs and state bodies were obliged to engage each other in greater dialogue.

**Conclusion**

34. Dr Gillian Koh concluded the forum by stressing the importance of keeping dialogue channels open. Working towards gender equality was a continual struggle. Progress was being made and even though the current results seemed less than ideal, an intermediate solution was reached to make some improvement and get the public debate going. Therefore, it was important to continue the dialogue with hope, and to reinforce the multi-stakeholder approach on this issue of
improving the lives of all women in Singapore. She invited participants to send other practical suggestions for addressing specific issues raised to fellow-participants and IPS.

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Recorded by Ms Wong Meisen, Research Officer and Dr Gillian Koh, Senior Research Fellow, IPS.