



COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)¹: SINGAPORE

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR (FL)

REPORTING	Fulfillment of Government's reporting obligations	YES, except for the 2000 Annual Review (AR). No change report for the 2005 AR.		
	Involvement of Employers' and Workers' organizations in the reporting process	YES, according to the Government: Involvement of the Singapore National Employers' Federation (SNEF) and the Singapore National Trades Union Congress (SNTUC), through communication of Government's report.		
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2008 AR: Observations by the SNEF.		
	Workers' organizations	2001 AR: International Confederation of Free Trade Unions (ICFTU)'s observations.		
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	Singapore ratified in 1965 the Forced Labour Convention, 1930 (No. 29) (C 29) and the Abolition of Forced Labour Convention, 1957 (No.105) (C.105). However, it denounced C.105 in 1979, «due to divergences with the ILO in the interpretation of national legislation with regard to this Convention».	
		Ratification intention	2005 AR: Ratification of C.105 is under review by the Government.	
	Recognition of the principle and right (prospect(s), means of action, basic legal provisions)	Constitution	YES, the Constitution, article 10(1), provides that slavery and all forms of forced labour are strictly prohibited.	
		Policy, legislation, and/or regulations	<ul style="list-style-type: none"> • Legislation: 2008 AR: The Government indicated that Section 13 of the Destitute Persons Act would be subject to regular review very shortly. According to the SNEF: The SNEF understands that Singapore has strict laws and enforcement agencies to prevent the smuggling/trafficking of persons for slavery. As for destitute persons, work performed by them under Section 13 of the Destitute Persons Act is not considered forced labour because (i) the person resides in a welfare home; (ii) the person is engaged in suitable work, for which the medical officer of the home certifies him to be capable and (iii) the person is contributing to his maintenance in the welfare home. As for work performed by prisoner under the Prison Rules, it does not constitute «forced labour» under the said Convention, as prisoners	

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: www.ilo.org/ilolex

			are not compelled to work. Furthermore, such work is for the purpose of rehabilitation. 2005 AR: The Government indicated that it would review the legislation and design better enforcement procedures in consultation with employers and unions.
		Basic legal provisions	(i) Constitution (article 10(1)); (ii) the Women's Charter; (iii) the Children and Young Persons Act; (iv) the Penal Code; (v) the Destitute Persons Act (DPA); and (vi) the Prisons Act.
		Definition of forced or compulsory labour	C.29 is ratified.
		Judicial decisions	NIL
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Exercise of the principle and right	Special attention to particular situations and human trafficking	NIL
		Information/Data collection and dissemination	NIL
	Prevention/Monitoring, enforcement and sanctions mechanisms	2008 AR: According to the Government: There is no forced labour in Singapore. Work in prisons is voluntary and part of the prisoner's rehabilitation programme. The principle of C.105 is well respected although not yet ratified.	
	Involvement of the social partners	2001-2005 ARs: According to the Government: An active social dialogue is engaged with the employers' and workers' organizations to ensure that: (i) forced or compulsory labour does not exist in the country; (ii) the legislation is reviewed; and (iii) better enforcement procedures are designed. 2003 AR: According to the Government: Both the SNTUC and the SNEF were consulted in the development and implementation of various measures concerning the principle and right (PR).	
	Promotional activities	2005 AR: The Government mentioned its plan to step up public education through tripartite efforts, with a view to raising awareness on employers' and workers' rights and obligations. 2003 AR: According to the Government: The work programme is an integral part of the Prisons Rehabilitation Programme and aims at providing prisoners with some basic skills and training in a voluntary basis.	
	Special initiatives/Progress	2007 AR: The Government reported that it would be reviewing the necessity to amend section 13 of the Destitute Persons Act, with a view to articulating better the voluntary nature of the work performed by Destitute Persons under this Act. This exercise should be completed by early 2008.	
CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT	According to the social partners	Employers' organizations	NIL
		Workers' organizations	2001-2002 ARs: The ICFTU raised the following challenges: Although forced labour is prohibited in Singapore, any destitute person may be required to reside in a welfare home and engaged in suitable work, or face penal sanctions (the Destitute Persons Act, 1989, sections 3, 13 and 16).
	According to the Government	2001-2002 ARs: In response to the ICFTU's observations, the Government stated that despite such provisions, admittance of persons to a welfare home and their possible employment was on an entirely voluntary basis. It further mentioned that no indication of forced labour of a significant scale had been noticed in Singapore.	
TECHNICAL	Request	NIL	

COOPERATION	Offer	NIL
EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS	<p>2008 AR: The ILO Declaration Expert-Advisers were concerned that the governments of Singapore (and another government), which earlier denounced C.105, had not yet opened a dialogue with the Office and its employers' and workers' organizations with a view to reconsidering its decision. They urged Singapore to take action in this regard (Cf. Paragraph 42 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p>2007 AR: The IDEAs reiterated their hope that Singapore, which denounced C.105, would open a dialogue with the Office and its national tripartite partners with a view to reconsidering this decision (Cf. Paragraph 40 of the 2007 Annual Review Introduction – ILO: GB.298/3).</p> <p>2006 AR: The IDEAs reiterated their hope that Singapore, which denounced C.105, would open a dialogue with the Office and its national tripartite partners in order to reconsider this decision (Cf. Paragraph 44 of the 2006 Annual Review Introduction – ILO: GB.295/5).</p> <p>2005 AR: The IDEAs hoped that Singapore, which denounced C.105, would reconsider its position in this respect (Cf. Paragraph 185 of the 2005 Annual Review Introduction – ILO: GB.292/4).</p>	
GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS	NIL	