

SINGAPORE (2018)

THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY LABOUR

Protocol of 2014 (P029) to the Forced Labour Convention

REPORTING	Fulfillment of Government's reporting obligations	Yes.	
	Involvement of Employers' and Workers' organizations in the reporting process	2018 AR: Copies of the report were sent to the Singapore National Employers Federation and the Singapore National Trades Union Congress.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	Yes.	
	Workers' organizations	Yes.	
EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL	Ratification	Ratification status	Singapore has not yet ratified the Protocol of 2014 (P029) to the Forced Labour Convention.
		Ratification intention	
	Existence of a policy and / or plan of action for the suppression of forced or compulsory labour	2018 AR: There is a national policy and/or plan of action for the suppression of forced or compulsory labour as well as for combatting trafficking in persons for the purposes of forced or compulsory labour.	
	Measures taken or envisaged for systematic and coordinated action	<p>2018 AR: The Government has continued to enhance its framework to combat Trafficking-in-Persons (TIP) over the years. The Prevention of Human Trafficking Act (PHTA) was passed in November 2014 and came into force on 1 March 2015. The PHTA adheres to an internationally accepted definition of TIP and provides a framework to go after perpetrators, abettors and masterminds. It provides for strong penalties and perpetrators will be liable for a mandatory prison sentence of up to 10 years and a fine of up to S\$100,000 for the first offence. The court may impose caning of up to six strokes for the first offence, and mandatory caning of up to nine strokes is prescribed for recalcitrant offenders. The TIP Taskforce has also continued with the TIP Public Awareness Grant in 2017 to support proposals aimed at raising awareness of TIP issues. The TIP Taskforce launched the National Plan of Action against TIP (2012-2015) which laid out 31 specific initiatives in dealing with TIP issues in Singapore. These included establishing standard operating procedures across government agencies to facilitate the identification of TIP victims, provision of support services and referral of cases for investigation; capacity building; raising public awareness of TIP; developing a dedicated law for prosecution of TIP cases etc. The Government further reports that the TIP Taskforce worked with various stakeholders to develop the National Approach against TIP (2016-2026), which was launched on 10 March 2016. The National Approach builds on the foundational work laid by the National Plan of Action (2012-2015) and outlines the long-term direction to guide stakeholders in addressing TIP issues.</p> <p>Four public consultation sessions were organised over April and October 2015, and the Taskforce gathered views of about 80 participants from CSOs, religious and secular volunteer groups, businesses and student groups. In addition, the Taskforce reached out to the wider public for their views via REACH, a government online feedback portal. The Government reports that article 10 of the</p>	

		<p>Constitution provides that slavery and all forms of forced labour are strictly prohibited, and that the incidence of forced or compulsory labour in Singapore is very low and kept under control. Since the enactment of the Prevention of Human Trafficking Act (PHTA) on 1 Mar 2015, 3 labour Trafficking-in-Persons (TIP) cases have been charged in Court. The cases are currently under Court proceedings.</p>
	<p>Measures taken or envisaged to prevent forms of forced labour</p>	<p>2018 AR: The following measures have been taken or envisaged: a) <i>Information, education and awareness raising targeting especially people in vulnerable situation and employers:</i> the TIP Taskforce awarded the TIP Public Awareness Grant in 2014 and 2015 to the Singapore Committee for UN Women to organise conferences for businesses, focusing on ethical business practices and the elimination of forced labour along supply chains. Other initiatives were also supported under the Grant to raise awareness of TIP issues among the general public. The Government continually reaches out to all foreign workers to ensure that they understand their employment rights and responsibilities, and know where to seek help. The multiple channels include: (i) pre-departure materials; (ii) a guidebook given to all foreign workers when they first arrive; and (iii) a module within mandatory safety training courses – all of which are available in the main native languages of workers. Information for employers are also made available on the Ministry of Manpower’s website; b) <i>Strengthening and broadening of the coverage of legislation, particularly labour law:</i> according to the Government, the Prevention of Human Trafficking Act (PHTA) was passed in November 2014 and came into force on 1 March 2015. The PHTA adheres to an internationally accepted definition of TIP and provides a coherent framework to go after perpetrators, abettors and masterminds. It provides for strong penalties and perpetrators will be liable for a mandatory prison sentence of up to 10 years and a fine of up to S\$100,000 for the first offence. The court may impose caning of up to six strokes for the first offence, and mandatory caning of up to nine strokes is prescribed for recalcitrant offenders; c) <i>Regulation and supervision of the labour recruitment and placement process:</i> employment agencies in Singapore are subjected to regulations under the Employment Agencies Act; d) <i>Addressing the root causes that perpetuate forced labour:</i> the Government recognises that source countries have an important responsibility and role to play in addressing root causes that could perpetuate forced labour, including the debt incurred back home. Singapore has taken steps to do its part to cap the amount that workers incur by limiting the amount of agent fees that can be collected from workers to a cap of 2 months fee for 2 years of work permit; e) <i>Promotion of safe and regular migration:</i> Border Security officers at the checkpoints are trained to identify potential trafficked victims as they seek to enter Singapore. Once a potential victim has been identified, Singapore adopts a whole-of government approach to ensure the well-being of the victim, while investigation works commence. Prior to the arrival of the migrant worker, there are available pathways (i.e. information from Ministry of Manpower’s website) for potential foreign workers’ perusal. Once the foreign worker has successfully obtained an employment opportunity in Singapore, the employer is required by law to apply for an In Principle Approval (IPA) from Singapore’s Ministry of Manpower. The IPA letter will be sent to the worker whose work pass application has been approved. Foreign workers will receive their IPA letters before they embark on their journey to Singapore. Upon arrival at our checkpoints, foreign workers are required to produce their IPA letters, together with their valid travel documents to our Border Security officers when they clear immigration, as a proof of their intent of travel into Singapore; f) <i>Education/vocational training;</i> and g) <i>Capacity building for the competent authorities:</i> officers are regularly sent for training to develop competencies in handling TIP cases. The TIP Taskforce also attends overseas workshops to learn and share best practices with other countries.</p>

	<p>Measures taken or envisaged to protect victims of forced labour</p>	<p>2018 AR: The following measures have been taken or envisaged: a) <i>Training of relevant actors for identification of forced labour practices:</i> frontline officers from the Ministry of Manpower, Singapore Police Force and Immigration Checkpoints Authority are trained to identify potential TIP victims. Enforcement officers are also regularly sent for training to build up competencies in investigating TIP cases; b) <i>Legal protection of victims:</i> the Court has the discretion to order proceedings to be held in-camera to protect the identity of victims and encourage them to testify in confidence. In addition, the Court has the discretion to impose a publication gag order to protect the identity of the victim; c) <i>Material assistance for victims:</i> the Prevention of Human Trafficking Act ensures that key victim support measures such as shelter, food, medical and counselling services are available to meet TIP victims’ immediate needs; d) <i>Measures for the rehabilitation and social and professional reintegration of victims:</i> the Ministry of Manpower investigates into possible labour trafficking cases, while the Ministry of Social and Family Development oversees victim care measures for the protection and rehabilitation of victims. The TIP Taskforce partners NGOs and VWOs to provide support services to victims. These include basic and trauma counselling, piecework employment and job skills training in the shelter, and basic conversational English taught by volunteers etc. The Taskforce also works with VWOs to ensure the safe return of victims to their home countries; e) <i>Protection of privacy and identity:</i> the Court has the discretion to order proceedings to be held in-camera to protect the identity of victims and encourage them to testify in confidence. The Court also has the discretion to issue The Court has the discretion to order proceedings to be held in-camera to protect the identity of victims and encourage them to testify in confidence. The Court also has the discretion to issue media gag orders, where deemed necessary; f) <i>Appropriate accommodation:</i> the Prevention of Human Trafficking Act ensures that key victim support measures such as shelter, food, medical and counselling services are available to meet TIP victims’ immediate needs; and g) <i>Specific measures for children:</i> boys and girls under the age of 18. Under the PHTA, in determining the appropriate sentencing for an offence, it would be considered an aggravating factor if the victim was a child. Child victims are placed in safe shelters to ensure that they receive appropriate care and protection measures.</p>
	<p>Measures taken or envisaged to facilitate access to remedies</p>	<p>2018 AR: The following measures have been taken or envisaged: a) <i>Information and counselling for victims regarding their rights:</i> the TIP Taskforce partners nongovernmental organisations (NGOs) and voluntary welfare organisations (VWOs) to provide counselling services to victims. Victims are also briefed on the investigation / prosecution process; b) <i>Free legal assistance:</i> the TIP Taskforce works with nongovernmental organisations (NGOs) and voluntary welfare organisations (VWOs) to provide support services to victims. Some of these organisations offer free legal assistance. The TIP Taskforce is also able to refer cases to the Law Society of Singapore’s Ad Hoc Pro-Bono Referral Scheme, which may provide legal assistance to TIP victims; c) <i>Cost-free proceedings:</i> prosecutions initiated by the State against perpetrators, which may lead to punishment imposed on perpetrators and compensation ordered to the victims, do not result in any costs to the victims; d) <i>Access to remedies and compensation:</i> section 359 of Singapore’s Criminal Procedure Code makes it mandatory for a court to consider whether to make a compensation order after convicting a person of an offence. This applies to TIP cases as well. The Court must make such an order if it is of the view that it is appropriate to do so. The Court will fix a sum that the accused person must pay the victim. The compensation sum covers injury in respect of “person, character and property”; e) <i>Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges:</i> officers are regularly sent for training to develop competencies in handling TIP cases. The TIP</p>

		<p>Taskforce also attends overseas workshops to learn and share best practices with other countries.; f) <i>Provision for authorities not to prosecute victims for acts which they have been compelled to commit</i>: as a matter of practice, Singapore’s authorities usually do not prosecute victims for offences which they are compelled to commit as a direct consequence of being victims of TIP; g) <i>Provision of penalties such as the confiscation of assets and criminal liability of legal persons</i>: direct or traceable proceeds of crimes can be seized from perpetrators and forfeited by the State upon conviction. The Corruption, Drug Trafficking, and Other Serious Crimes (Confiscation of Benefits) Act also provides for confiscation of benefits derived from certain serious crimes and can be leveraged on in appropriate cases; and h) <i>Development of forced labour indicators</i>: the Ministry of Manpower has developed a set of labour trafficking indicators to be applied in Singapore’s context, based on the definition of TIP in the Prevention of Human Trafficking Act, which is aligned to internationally accepted standards under the UN TIP Protocol.</p>	
	<p>Non-prosecution of victims for unlawful acts that they would have been forced to carry out</p>		
	<p>Cooperation with other Member States, international / regional organizations or NGOs</p>	<p>2018 AR: The Government cooperates with non-governmental organizations. It ratified the ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP) in January 2016. The ACTIP is a legally-binding instrument that seeks to prevent and suppress trafficking in persons, protect victims and promote cooperation among ASEAN Member States. Singapore has also acceded to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UN TIP Protocol) on 28 September 2015. The Government continued working with partners from United Nations Office on Drugs and Crime (UNODC), Group of Friends (GoF) United Against Human Trafficking in New York and Geneva, ASEAN Heads of Specialist Units (HSU) on Trafficking and ASEAN Senior Officials Meeting (SOMTC) Working Group on TIP. On the capacity building front, the TIP Taskforce also attends overseas workshops to learn and share best practices with other countries. The TIP Taskforce also organises an annual stakeholder engagement session to share updates on the Taskforce’s efforts in combatting TIP, as well as to discuss TIP issues, with various local stakeholder groups which include NGOs, academics, students and businesses. The TIP Taskforce also works closely with the Good Shepherd Centre and Hagar International (Singapore) to provide victim care assistance and support to TIP victims. According to the Government, in raising public awareness of TIP issues, the TIP Taskforce had launched the TIP Public Awareness Grant in 2014 and supported proposals from organisations such as EmancipAsia, Singapore Committee for UN Women and the National University of Singapore to run programmes aimed at increasing TIP awareness among different segments of the population. The TIP Taskforce also organises an annual stakeholder engagement session to share updates on the Taskforce’s efforts in combatting TIP, as well as to discuss TIP issues, with various stakeholder groups which include NGOs, academics, students and businesses.</p>	
	<p>Promotional activities</p>		
	<p>Special initiatives/Progress</p>		
<p>CHALLENGES IN REALIZING</p>		<p>Employers’ organizations</p>	

MEASURES TARGETED BY THE PROTOCOL	According to the social partners	Workers' organizations	
	According to the Government	2018 AR: The Government identifies challenges linked to the labour recruitment and placement process. It is beyond Singapore's jurisdiction to regulate what happens in source countries before prospective workers come to Singapore to work. They could be recruited through deceptive means and subjected to a large debt burden before leaving their home countries, leaving them potentially vulnerable to forced labour.	
TECHNICAL COOPERATION NEEDS	Request	2018 AR: The Government does not require technical cooperation.	
	Offer		