

**A CRITICAL REVIEW OF THE SECOND PERIODIC REPORT
FROM SINGAPORE FOR CEDAW
BY
THE ASSOCIATION OF WOMEN FOR ACTION AND RESEARCH,
SINGAPORE**

Singapore, June 2001.

1. The Association of Women for Action and Research (AWARE) is a not-for-profit NGO registered in 1985 in Singapore. It is the first and only advocacy group dedicated to promoting gender equality in Singapore.
2. AWARE has read and consulted on the report submitted by the Singapore Government under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, and the document prepared by the Singapore Council of Women's Organizations, and would like to highlight the following points to the CEDAW Committee, for its meeting in New York in July 2001.

3. INTRODUCTION

3.1 Status of Women

While the **condition** of women in Singapore has improved significantly, this has been a natural consequence of national and economic development in 35 years of independence. Little has been done to improve the **status** of women, whose rights and position are not yet protected in the constitution and legislation, leaving them therefore entirely dependent on prevailing political goodwill, administrative practice, and positive economic conditions. In other words, the well being and advancement of women derive only from benevolent patronage.

3.2 Legal Status

3.2.1 Article 12 of the Constitution of Singapore states that 'there shall be no discrimination against citizens of Singapore on the ground only of religion, race, descent or place of birth'. Gender has not been included. In the absence of clear and specific mention in the constitution, the commitment to eliminate discrimination based on gender cannot be enshrined, protected and enforced. The Government's Reservation to Article 2 of CEDAW is further discussed in **Section 5.1** of this document.

3.2.2 The most important legislation for protection of women, The Women's Charter, deals exclusively with the rights of women within the context of marriage only, and does not attend to any other matters of social, economic, political, cultural and other forms of discrimination against women. Indeed,

the Charter is a clear symbol of the normalcy and even morality of discrimination against women, standing as proof that women's rights are largely about rights within a patriarchal form of the family; and the right to seek protection against abuse which can occur precisely because the family and society are male dominant. As such, the legislation admits to male domination but limits its concern to redressing its excesses. It avoids the need to question and change gender based inequalities, even within the prevailing family structure. Until the rights of women as individuals are directly addressed, gender equality will remain marginalized, and subsumed under initiatives for population and family policies.

3.3 Women and Family

3.2.1 Women's issues are often confused with, subsumed under, and limited to promotion of Family. Policies and programmes ostensibly designed for women are in reality pro-family within a patriarchal structure. Indeed, the women's programmes, framed within 'strong families', tends to reproduce and legitimize women as a distinct category: for example, women are primarily responsible for the family as service providers and care givers, and encapsulated in the meanings assumed as central to being wife, mother, and daughter(-in-law). They neglect unmarried women, and fail to address the rights and status of women as individuals.

3.3.2 This burden of primary responsibility as service providers to the family makes it difficult for women to participate fully in other arenas. It undermines the principle of meritocracy, which in theory informs the administration, and accounts for the gap between Singapore's HDI (Human Development Index) and GEM (Gender Empowerment Measure), which are 24 and 38 respectively for year 2000.

3.4 Culture and Tradition

3.4.1 The Singapore government places great emphasis on family and family values. The preliminary report to CEDAW upheld the male as head of household (Oct 1999 Initial Report, Executive Summary para 2.3). While this statement is not repeated in the second periodic report of 2001, there is also no indication that the patriarchal definition of family has been removed or reversed. There is also no updated information in the report for 2001 pertaining to the number of households headed by women, where an increasing trend was reflected in the earlier report (Oct 1999 Initial Report, Part 1, para 1.8).

3.4.2 This directly contradicts the third principle thrust of CEDAW, as described in the Introduction to the Convention, which states that 'it gives formal recognition to the influence of culture and tradition ... in stereotypes, customs and norms which give rise to ... constraints on the advancement of women'.

4. CRITICAL REVIEW

The following sections contain a critique of specific statements of Singapore's Second Periodic Report to the UN Committee for the Convention on the Elimination of all Forms of Discrimination Against Women dated April 2001. It must be noted that gender segregated data is not available in many spheres since very little research has been done. There is no official bureau or comprehensive and systematic programmes of women's studies in the universities, which would be the natural agencies for research and repositories of this information.

5. ON RESERVATIONS TENDERED

5.1 On Article 2 & Article 16 – Policy Measures & Marriage
(reference to Singapore's Second Periodic Report 2001, Executive Summary, paras 2.3 and 3.1)

5.1.1 There is no change in the government's position since reservations were tendered in the Initial Report of 1999, in which the need for sensitivity with regard to minority customs and religion was given as the reason for these reservations.

5.1.2 AWARE is of the view that a reservation to **Article 16** is sufficient to allow for the Administration for Muslim Law (AMLA), within the Constitution of Singapore. Considerations of race and religion do not provide grounds or argument for a reservation to **Article 2**, which is fundamental to the spirit and purpose of CEDAW. The Constitution of Singapore has been amended on numerous occasions, and we see no valid argument for continuing to exclude 'gender', alongside the existing categories of 'religion, race, descent or place of birth'.

5.2 On Article 9 – Nationality

(Reference to Singapore's Second Periodic Report 2001, Executive Summary, paras 2.3 and 3.1)

5.2.1 At present, a child born outside Singapore of a Singaporean mother and non-Singaporean father has to apply for Singapore citizenship by registration, which may be refused. Conversely a child born outside Singapore to a Singaporean father and a non-Singaporean mother gets citizenship by descent. The Government retains its reservation, citing our multi-racial and multi-cultural society and the current social situation.

5.2.2 AWARE supports without reservation two comments made by the Singapore Council of Women's Organisations (SCWO) in this regard, that:

- i) it is not in keeping with the modern concept of equality as men and women become more egalitarian in their roles towards their families and responsibilities, and
- ii) with the trend of increasing marriages to foreigners, this provision in the Constitution contradicts government's policies and efforts to address the problem of a falling birth rate, currently below replacement level; and thus should be reviewed to encourage Singaporean women to make Singapore home for their family and children.

5.2.3 In addition, AWARE adds the comment that the Government's citing of Asian values with the man as head of household as grounds for its reservation to Article 9, which is contained in the Initial Report of 1999 and not expressly revoked in its Periodic Report 2001, contravenes Article 5(a) of CEDAW, which requires signatory states to 'modify social and cultural patterns of conduct... which are based on...stereotyped roles for men and women.'

6. ARTICLE 5 – Sex Role Stereotyping and Prejudice

Sexual Crimes Against Women

(Reference to Singapore's Second Periodic Report 2001, para 2.1, page 7, which states: 'There are legal provisions in place to deal with crimes committed against women of a sexual nature.')

AWARE is of the view that further legislation is required in the following:

- sexual harassment, including stalking. At present, a woman can only take a Police Protection Order (PPO) against a family member. We would like PPO to be extended to include protection of women from persons outside the family.
- marital rape. Under Penal Code 375 (1985 Ed.,) "sexual intercourse by a man with his own wife, the wife not being under 13 years of age, is not rape." This is clearly not satisfactory. Since the minimum legal age for marriage without special dispensation is over 13, marital rape is effectively not recognized as an offense under the Penal Code.

7. ARTICLE 7 –Political and Public Life

Participation in Government

(Reference to Singapore's Second Periodic Report 2001, para 4, page 9, which states:

'As at June 1999, 4 out of the 83 elected Members of Parliament were women and 2 of the 9 Nominated Members of Parliament were women. More than half (57.7 per cent) of the Superscale and Division 1 officers in the Singapore Civil Service were women')

7.1 The four elected women Members of Parliament out of 83 account for less than 5%. This is much lower than the world average and is unacceptable bearing in mind the achievements in education that have already been made by women in Singapore.

7.2 Furthermore, there is yet to be women Cabinet Minister. Other Asian countries, including Japan and Malaysia, with their strong cultural and religious values, have done better than Singapore.

7.3 The 83 elected Members of Parliament include members elected in Group Representation Constituencies (GRC), which were created to ensure representation of minority races of Singapore – one candidate in each GRC must belong to a minority racial community. Yet there has been no effort to ensure equal representation of women.

7.4 Despite the preponderance of women in the upper echelons of civil service, there only one woman at the highest level, the Permanent Secretary of the Ministry of Community Development and Sports, appointed in October 1999. All other Ministries are still headed by male civil servants. This leads to the situation where only one woman is present on the inter-ministerial committee on procreation.

7.5 Women account for only 8% of all persons appointed to the Boards of Statutory bodies and Government Linked Companies.

7.6 AWARE is of the view that much remains to be done to improve the situation urgently, to recognize and remove all vestiges of the glass ceiling.

8. ARTICLE 10 – Education

(Reference to Singapore's Second Periodic Report 2001, para 6, pages 13-16)

8.1 The 1979 quota on the number of female medical students studying in the National University of Singapore is still in place. This is not mentioned in the Report, and is in direct contravention to the Article, for which no reservation has been tendered. In the context of Singapore's strict adherence

to and respect for rule of law, as a signatory to CEDAW, this is a strange aberration.

8.2 AWARE also registers concern at the discussion, reported in Singapore press in March 2001, of a proposal mooted in Parliament, to give bonus points to National Servicemen for admission into local universities. Since National Service is compulsory for all male Singaporeans, this will place all women applicants at a disadvantage and severely undermine the principal of meritocracy, which should allow young men and women to compete for university places on equal terms.

9. ARTICLE 11 - Employment

Civil Service Takes the Lead as Family-Friendly Employer

(Reference to Singapore's Second Periodic Report 2001, para 7.17 page 20)

9.1 Married women employed in the civil service, who have children under the age of 6 years are allowed full pay leave of up to 5 days for each child subject to a maximum of 15 days for 3 children per annum, to look after their children in case of illness. This benefit is not extended to male married officers in civil service, and is therefore clearly discriminatory in placing the burden for childcare on women, and reinforcing the prevailing culture wherein women have primary responsibility for the family, while career comes first for men regardless of whether or not they are also fathers.

9.2 As the benchmark employer, in the absence of employment legislation to eliminate gender discrimination, the civil service sets the norms and a strong signal to the community about the perpetuation of gender roles in the workplace.

10. ARTICLE 24 – Commitment of State Parties

Personal Protection Orders (PPO's) and the Women's Charter

(Reference to Singapore's Second Periodic Report 2001, para 12.6 page 29, which states:

'The number of applications for Personal Protection Orders by wives increased 68%... The amendments to the Women's Charter to enhance, amongst other things, wider protection to victims of domestic violence, came into force in May 1997. Details ...can be found in... the Initial Report.')

PPO and other articles of the Women's Charter offer protection to women only within marriage. At present, an application for PPO can be made only for protection against threat from family members. In order to protect women as sovereign individuals and not only as wife or mother, PPO must be extended to include non-family members. The issue of Marital Rape also requires urgent attention.

11. RECOMMENDATIONS

We recognize the improvements in the condition of women in Singapore as part of the process of nation building and economic development. We acknowledge that women are valued as wives and mothers in the prevailing patriarchal culture, and as participants in the workforce in tight labour markets. However, this culture militates against promoting the status of woman as a sovereign and complete citizen in her own right, with equal rights to employment, advancement and protection before the law.

Therefore much remains to be done. Specifically, we make the following recommendations:

1. that the Singapore government removes its reservation to Article 2 of CEDAW, and amends Article 12 of the Constitution to enshrine the rights of women.
2. that pro-family measures and benefits be extended to both male and female parents.

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