

SINGAPORE (Tier 2 Watch List)

Singapore is a destination country for women and girls subjected to trafficking in persons, specifically forced prostitution, and for some migrant workers in conditions that may be indicative of forced labor. Foreign workers make up over one-third of Singapore's total labor force. Migrating from Thailand, Burma, Philippines, Indonesia, Vietnam, India, Sri Lanka, Bangladesh, and elsewhere in Asia, most of them are unskilled and semi-skilled laborers employed in construction, domestic households, and the service industries. Some of these foreign workers may face deception about the nature of their employment or salary, confiscation of their passport, restriction on their movement, illegal withholding of their pay, or physical or sexual abuse – factors that may contribute to trafficking. Many domestic workers in Singapore face debts associated with their employment that may amount to six to 10 months' wages, which can make them vulnerable to forced labor.

Some women from Thailand, the Philippines, and China are recruited in their home countries with offers of legitimate employment but upon arrival in Singapore, are deceived or coerced into forced prostitution. Some women from these countries enter Singapore with the intention of engaging in prostitution but upon arrival are trafficked into forced prostitution for the benefit of others. Deceptive recruitment or subsequent coercion into commercial sexual exploitation may also happen to women from other countries, including India and Sri Lanka. Sex trafficking victims often enter Singapore on tourist visas arranged by their recruiters, though there were reports that victims increasingly enter Singapore on six-month entertainment visas. Some reports suggest organized crime groups may be involved in international sex trafficking of women and children to Singapore. Some foreign women in "forest brothels" located on public lands near migrant worker dormitories are reportedly victims of trafficking. It is believed substantial recruitment networks may be operating in order to continue the supply of women trafficked into commercial sexual exploitation in Singapore. Based on data published as recently as 2008, Singaporean men continue to be a source of demand for child sex tourism in Southeast Asia.

The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the Singaporean government took some significant new steps to prevent conditions of forced labor, the quantifiable indicators of anti-trafficking prosecution and victim protection – which this report emphasizes – indicate no increasing efforts to prosecute and punish forced labor offenses or to identify both victims of sex trafficking and victims of forced labor. Therefore, Singapore is placed on Tier 2 Watch List. There were no labor trafficking prosecutions or convictions during the reporting period. The government showed an inadequate response to the sex trafficking problem in Singapore, convicting and punishing two trafficking offenders. The government could and should be more successful in finding, prosecuting, and punishing those responsible for human trafficking. Despite some proactive measures taken by the government to identify and protect victims of trafficking, those measures proved insufficient to generate additional prosecutions for sex or labor trafficking. Singapore is therefore encouraged to consider implementing the recommendations outlined below.

Recommendations for Singapore: Prosecute an increased number of cases involving the trafficking of children under the age of 18 for commercial sexual exploitation; prosecute more employers and employment agencies who unlawfully confiscate workers' passports as a means of intimidating workers or holding them in a state of involuntary servitude, or who use other means to extract forced labor; expand investigations and prosecutions in adult sex trafficking cases; develop robust procedures to identify potential traffickers and trafficking victims by immigration officers at ports of entry and other law enforcement personnel; study ways to make legal aid to trafficking victims accessible and affordable to enable them to obtain redress by pursuing civil suits against their traffickers; reduce the demand for commercial sex acts in Singapore by vigorously enforcing existing laws against importing women for purposes of prostitution, trafficking in women and girls, importing women or girls by false pretenses, living or trading on prostitution, and keeping brothels; increase the cooperative exchange of information about potential trafficking issues and allegations of trafficking offenses with NGOs and foreign diplomatic missions in Singapore; and conduct public awareness campaigns to inform citizens and residents of the penalties for involvement in trafficking for sexual exploitation or forced labor.

Prosecution

The Government of Singapore demonstrated limited law enforcement efforts to combat trafficking in persons during the year. Singaporean law criminalizes trafficking through its Penal Code, Women's Charter, Children and Young Persons Act, Employment of Foreign Manpower Act, Employment Agencies Act, Employment Agency Rules, and the Conditions of Work Permits. Penalties prescribed for sex trafficking, including imprisonment, fines, and caning, are sufficiently stringent, as are penalties prescribed for labor trafficking. Although the Singapore Police proactively identified one known sex trafficking victim, observers report that Singaporean law enforcement authorities continued to display a passive and reactive posture toward human trafficking crimes, typically waiting for victims to come forward and file complaints. Singaporean government officials denied that human trafficking is a significant problem in the country but noted that all reported cases of sex trafficking are referred to an anti-vice unit within the police. While the Ministry of Manpower (MOM) maintained responsibility for investigating all labor abuses, the police were responsible for criminally investigating any offenses under the Penal Code's forced labor statute; no cases under the forced labor statute were referred to the police by the MOM over the reporting period. Nongovernmental sources, however, expressed concern about the willingness and ability of Singaporean police and immigration officers to identify potential sex trafficking victims, mount thorough investigations, and prosecute cases.

The government did not prosecute any cases under the Singaporean Penal Code's provisions against forced labor. However, the government successfully prosecuted an unknown number of employers for physically or sexually abusing foreign domestic workers and imposed jail sentences on those convicted. The government prosecuted and courts punished 228 labor agency officials and employers for violations of employment laws and regulations, resulting in fines and demerits. The MOM handled complaints from 4,500 foreign workers during the first half of 2009 regarding non-payment of salaries. The government also revoked the licenses of 11 employment agencies for infringement of employment laws. Authorities reported the conviction of two employment agencies and the "stern warning" of 33 for withholding the passports of foreign workers, a proven contributor to trafficking. The two convicted agencies were sentenced with fines; two additional prosecutions were under way. The government did not disclose whether it investigated any of these labor abuse cases as potential forced labor offenses.

The government investigated 32 reports of sex trafficking during the year, of which two were confirmed by officials to be trafficking cases and prosecuted. In one case, five Thai women were brought into Singapore and forced into prostitution; their Thai recruiters were convicted and sentenced to prison terms of 19 months and 18 months. In the other case involving a Thai girl who was a sex trafficking victim, a Singaporean brothel owner was sentenced to nine weeks' imprisonment and a \$20,000 fine, an inadequate punishment for commercial sexual exploitation of a child. Singapore police arrested 89 children for prostitution offenses during 2009, all of whom should have been identified as trafficking victims. Police investigated four of those cases as potential sex trafficking cases, resulting in one successful prosecution of a trafficker, as noted above. The government did not report why police did not treat the other 85 children as potential trafficking victims.

Protection

The government did not show appreciable progress in protecting trafficking victims. The Government of Singapore did not employ formal procedures for the identification of sex or labor trafficking victims. Efforts to proactively identify sex trafficking victims among the high-risk population of 7,614 foreign females arrested for prostitution violations were not successful in identifying more than one confirmed trafficking victim. NGO observers expressed doubts about whether the police routinely applied their victim identification protocols during anti-vice sweeps. Except for the one case the government identified as a sex trafficking case, nearly all of the 7,614 women and children were deported after arrest; the remainder were deported at the conclusion of the police investigations, and some of the women were prosecuted for immigration violations. The government provided \$657,000 towards the operation of three NGO-managed shelters serving adult victims of crime or violence and 20 NGO-managed children's shelters, which were available to victims of trafficking. In addition, the government directly operated two shelters for children who came into conflict with the law or who were victims of crimes. The government reported referring eight Thai and Vietnamese children who were potential victims of trafficking to government-funded shelters during the year. Singapore lacked shelters dedicated to caring for victims of sex trafficking. The Philippine and Indonesian diplomatic missions continued to operate shelters for their nationals, primarily for female domestic workers involved in

employment disputes (some of whom suffered abuse by employers) and women engaged in prostitution (some of whom the embassies determined were trafficking victims). Foreign embassies in Singapore reported identifying approximately 105 female sex trafficking victims. The victims in the two sex trafficking cases prosecuted by the government stayed in NGO and government shelters during the investigation and prosecution of their traffickers, in which they were required to assist. Local NGOs and the media reported an additional six sex trafficking victims, including four Sri Lankan women, one Indian woman, and one 17-year-old Indonesian girl. Law enforcement efforts aimed at curbing prostitution resulted in some victims of sex trafficking being penalized (by deportation) for unlawful acts committed as a direct result of being trafficked, particularly with respect to the 85 children arrested for prostitution offenses who were not treated as potential trafficking victims.

Singapore does not provide victims of sex or labor trafficking with legal alternatives to removal to countries where they may face hardship or retribution. The government did not provide positive incentives, such as immigration relief and legal aid, for foreign victims of trafficking to participate voluntarily in investigations and prosecutions of trafficking offenses. Identified victims were able to obtain work authorization while assisting with the prosecution of their traffickers, but some had difficulty in finding employment. When cases were being investigated or prosecuted, the government generally held the victims' passports and declined their requests for repatriation. Although victims are legally entitled to pursue civil cases against their traffickers, in practice, most foreign victims do not have the financial resources to do so.

Prevention

The government demonstrated efforts to prevent trafficking in persons during the year. Although the government took some steps to prevent conditions of forced labor, the government continued to deny that trafficking was a significant problem in Singapore and did not make public any information concerning the extent of the problem. Authorities did not have any institutionalized, interagency structures to address trafficking, and did not have an action plan to combat trafficking. The government unilaterally canceled an anti-trafficking training, to be provided by a foreign government, citing commitments involved in Singapore's new integrated casino resorts. In November 2009, members of the Singapore Police Force attended an anti-trafficking training put on by a foreign donor in Bangkok. Authorities continued compulsory courses on employment rights and responsibilities for all incoming foreign domestic workers and their employers. The government provided domestic workers with written materials explaining their rights in their native languages and providing contact information for reporting complaints to labor authorities, and warned employers that it is an offense to confiscate any of these materials. The government attempted to address the demand for commercial sex acts in Singapore's commercial sex industry, though its chosen approach – generalized police sweeps of known red-light districts resulting in mass arrests of women in prostitution – was not sensitive to the need to identify and protect potential trafficking victims. The government partnered with an NGO to distribute hotline information to encourage reporting of child sex tourists to the Singaporean police at Singapore's major public travel fair, but it did not have a means to verify whether the campaign generated any leads. Although Singaporean law provides for extraterritorial jurisdiction over Singaporean citizens and permanent residents who sexually exploit children in other countries, the government has never investigated, prosecuted, or convicted a national or permanent resident for child sex tourism. Singapore is not party to the 2000 UN TIP Protocol.