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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Letter dated 3 June 2011 from the Permanent Mission of Singapore to the United Nations Office and other international organizations in Geneva addressed to the President of the Human Rights Council

I refer to the joint written statement submitted by Franciscans International and the Global Alliance Against Traffic in Women dated 24 May 2011 on “Deported without justice: Discrimination in the identification of foreign born victims of human trafficking” (A/HRC/17/NGO/39), which includes the section with the subheading: “Singapore: Inadequate definition of trafficking prevents redress” (on page 3).

First of all, Singapore takes a very serious view of trafficking in persons (TIP). As a city state with high people flows, we recognize that we are an attractive destination country for human smugglers and human traffickers. We are therefore committed to tackling TIP and our efforts in doing so have increased over the years. Singapore has set up an Inter-Agency Taskforce to coordinate action on TIP. The Taskforce is working on a National Plan of Action to Combat TIP, and is also exploring accession to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, or the Palermo Protocol, as well as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

While Singapore is currently exploring accession to the Palermo Protocol, Singapore has already adopted the Protocol definition of trafficking as our definition for the offence. As set out in the Protocol, we consider trafficking to include the “recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation”.

Further, Singapore’s key anti-trafficking laws such as the Penal Code, the Children and Young Persons’ Act, the Women’s Charter, Immigration Act and Human Organ Transplant Act comprehensively cover the fundamental concepts espoused in the Palermo Protocol to protect victims of trafficking, as well as criminalise and prevent trafficking

activity. These laws provide a stringent and robust framework to protect minors and women from being trafficked and exploited for immoral purposes. The laws also include conspiracy and abetment provisions which empower the Singapore Police Force (SPF) to target traffickers overseas and cover all acts leading up to the commission of the primary offence in Singapore. Singapore fully enforces all our laws. Our legislative framework and practices therefore adequately cover the various aspects of human trafficking laid out in article 3 (a) of the Palermo Protocol.

The Specialised Crime Division of the Criminal Investigation Department (CID) is a dedicated unit under SPF that enforces and researches on crimes of TIP. Under the Division, the Specialised Crime Branch (SCB) carries out enforcement work and investigates TIP offences, while the Specialised Crime Policy Branch conducts research and analysis on specialised crime in Singapore, including issues relating to TIP. An inter-agency framework is in place under which SPF anti-vice officers and immigration officers conduct joint anti-commercial sex raids at hotels, pubs and massage establishments where suspected commercial sex workers are picked up. Officers involved in these raids are trained to look out for TIP indicators that help identify potential victims of trafficking. The officers also include female officers, all of whom are experienced and specially trained in conducting interviews with potential victims of trafficking.

It is also not true that trafficked persons will be “punished and treated as offenders for violations of immigration laws rather than victims” as stated in the joint statement. Regardless of the avenue through which victims are identified, whether at checkpoints, by frontline officers or through raids and other operations, once a person claims to be a victim of trafficking or is identified to be a victim due to the presence of elements of TIP, they will be treated as victims of trafficking. Officers from SCB will conduct thorough interviews which will include the use of interpreters and/or female police officer interviewers if deemed necessary or requested. Victims of trafficking are not subjected to deportation or forced return but are provided with the necessary support and assistance. Victims of TIP are neither treated as ‘criminals’, nor charged for offences committed as a direct result of being trafficked.

After the interview, the SPF will refer the victims to Government-funded and NGO facilities where a full range of services including medical, counseling, translation, accommodation/shelter and other support are provided. The movement of victims at such shelters is not restricted; they are free to move around at their own will. Our support systems, both governmental and non-governmental, are networked and linked up by geographical areas to ensure that the full range of help is readily available for any victim in need. The embassies of the countries of the victims are also notified so that the victims can be provided with the full range of humanitarian and consular assistance.

My delegation requests that you circulate the contents of this letter to the Human Rights Council and make it available as an official documentation of the seventeenth session of the Human Rights Council.

Please accept, Excellency, the assurances of my highest consideration.

(signed) Steven Pang Chee Wee
Chargé d’Affaires a.i.