



# Convention on the Rights of the Child

Distr.: General  
14 November 2014

Original: English

---

## Committee on the Rights of the Child Sixty-seventh session

### Summary record of the 1914th meeting\*

Held at the Palais Wilson, Geneva, on Tuesday, 9 September 2014, at 10 a.m.

*Chairperson:* Ms. Sandberg

## Contents

Consideration of reports of States parties (*continued*)

*Initial report of Singapore on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*

---

\* No summary records were issued for the 1911th, 1912th and 1913th meetings.

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Section, room E.5108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.14-16098 (E) 141014 141114



\* 1 4 1 6 0 9 8 \*

Please recycle A universal recycling symbol consisting of three chasing arrows forming a triangle.



*The meeting was called to order at 10 a.m.*

**Consideration of reports of States parties** *(continued)*

*Initial report of Singapore on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/SGP/1; CRC/C/OPAC/SGP/Q/1 and Add.1)*

1. *At the invitation of the Chairperson, the delegation of Singapore took places at the Committee table.*
2. **Ms. Low** (Singapore), introducing the initial report of Singapore on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC/C/OPAC/SGP/1), said that the interests of children were a paramount consideration in all national policies. The Government of Singapore sought to create a safe, healthy and nurturing environment in which all children, irrespective of their gender, religion, ethnic origin or ability, had the opportunity to achieve their full potential. The obligations assumed under the Convention and the Optional Protocol were taken very seriously and an interministerial committee had been established to coordinate and oversee the implementation of both instruments in all areas of government.
3. As a young nation with a small population, Singapore had to rely on universal conscription to meet its defence needs and guarantee continuing peace and stability. National service had been introduced in 1967, two years after independence, and was compulsory for all male citizens and permanent residents when they reached the age of 18, although a certain flexibility was granted to students wishing to defer enlistment until they had completed their education. The regulations governing compulsory enlistment had been amended to align laws and practices with the obligations assumed under the Optional Protocol immediately following its ratification.
4. Individuals under the age of 18 had the option of volunteering for early enlistment should, for example, they wish to complete their military service prior to entering higher education or employment. The regulations governing voluntary enlistment, which had also been amended in line with the Optional Protocol, established various safeguards to protect the interests of early enlistees. The protective measures included a minimum age requirement of 16 years and 6 months, a parental consent obligation, comprehensive pre-recruitment assessments, ongoing in-service monitoring and a round-the-clock counselling hotline. Only a very small number of males aged under 18 were enlisted and no minors had been directly involved in hostilities.
5. On the international front, the Government of Singapore was supportive of efforts to end armed conflict and imposed restrictions on the trade and export of arms which complied with the relevant United Nations Security Council resolutions, including those banning exports to countries in which children might be engaged in hostilities.
6. **Mr. Gastaud** (Country Rapporteur) said that the State party's unique geopolitical situation was reflected in a distinct approach to implementation of the Optional Protocol which contained many positive elements but also a few irregularities. With regard to voluntary enlistment, he would like to know: approximately how many boys under the age of 18 years volunteered each year; whether any early enlistees had ever asked to leave before completing their term of engagement; at what age they typically entered the barracks; and whether voluntary enlistees under the age of 18 years had been, or could be, deployed in United Nations peacekeeping operations in which Singapore had participated, or might in future participate. He would also like details of: any campaigns to raise awareness of the risks associated with enlistment; the specific legislation under which criminal proceedings could apparently be instituted against persons who engaged in or facilitated the irregular

recruitment of underage boys; any efforts to address the possibility of children being recruited in Singapore, whether by nationals or non-nationals, to take part in hostilities on foreign soil; and any steps taken to prevent such recruitment.

7. He was concerned to note that the complaints mechanism for servicemen in need of assistance was managed by the Ministry of Defence and could not therefore be considered independent. He asked whether the State party might consider establishing an autonomous institution. He also sought the delegation's comments on reports of: inadequate procedures and mechanisms for receiving, identifying and assisting child refugees and asylum seekers; past engagement in refolement of children on the part of the authorities; and the likelihood of near-term ratification of the 1951 Convention relating to the Status of Refugees and the Protocol thereto.

8. Clarification regarding the status of the regulations governing the export of arms, and the involvement of private enterprises in their manufacture and trade, would be appreciated. Were the regulations criminal provisions or simply procedural rules? In the case of the latter, and if there were no criminal provisions that could be used to prosecute private enterprises that violated trade and export restrictions, how could the authorities ensure respect for Security Council resolutions in Singapore? Lastly, he asked whether the Optional Protocol was ever invoked as grounds for extradition; whether double criminality was a prerequisite for extraditions under bilateral agreements; and whether extraterritorial jurisdiction was limited to violations under the Geneva Conventions, to the exclusion of violations under the Optional Protocol.

9. **Mr. Kotrane** asked whether the State party was preparing to ratify the numerous instruments of international law to which it was not yet a party, which included many of the key United Nations human rights treaties and protocols thereto, the 1951 Convention relating to the Status of Refugees and the Rome Statute of the International Criminal Court. He would like more information about the scope of the State party's extraterritorial jurisdiction, as well as details of its contributions, if any, to the pursuit and prosecution of war criminals, including those involved in the enlistment of children under the age of 15 years.

*The meeting was suspended at 10.30 a.m. and resumed at 10.55 a.m.*

10. **Mr. Ni** (Singapore) said that fewer than 10 boys aged under 18 years were enlisted each year. As the pre-recruitment assessments and checks lasted around six months, enlistees typically did not enter service before turning 17. He was not aware of any enlistee having asked to leave national service before finishing training. None of the voluntary enlistees had ever been deployed in direct hostilities or peacekeeping operations and no change to that strategy was planned.

11. **Ms. Low** (Singapore) said that a comprehensive media information pack had been released immediately upon ratification of the Optional Protocol to raise awareness of its provisions. The initial report had been made available for consultation on the website of the Ministry of Social and Family Development, as had the amendments introduced to the voluntary enlistment regulations in 2008. Advance information about how to prepare for national service was sent in booklet form to all male citizens and permanent residents subject to compulsory enlistment when they reached the age of 16 and a half. The key principles established in the Convention were disseminated to parents, children and professionals working with children through various media, including an easy-to-understand explanatory booklet, simplified story books for young children, and story-telling sessions in preschools and the national library. Similar materials focusing on the principles of the Optional Protocol were envisaged.

12. **Mr. Madi** asked how instruction in human rights and the principles of the Optional Protocol were incorporated in school curricula.

13. **Ms. Low** (Singapore) said that the primary curriculum included instruction in globally responsible citizenship, racial harmony, moral values and other human rights concepts. The Ministry of Social and Family Development would work with the Ministry of Education to find ways to incorporate the principles of the Optional Protocol into that curriculum.

14. **The Chairperson** asked whether the authorities ran training programmes for military personnel to increase their knowledge of the Optional Protocol.

15. **Mr. Gastaud** wondered whether, in view of the small number of voluntary enlistees, it would not be wiser to abolish the voluntary system altogether.

16. **Mr. Ni** (Singapore) said that the State party did not wish to reduce the possibilities open to young men who were keen to finish national service before continuing their studies or making the transition to work, and that any proposal to change the system would inevitably attract considerable opposition. The principles of the Optional Protocol were incorporated in legislation governing national service as well as in military practice and were thus automatically taken into account in the design of training programmes for military officers and cadets. To date there had been no training dedicated exclusively to the Optional Protocol, but that possibility would be given due consideration.

17. **Ms. Low** (Singapore) said that because the Ministry of Defence was a large institution with many departments, the complaints mechanism for servicemen was able to operate autonomously despite falling under the Ministry's umbrella. As a Member of Parliament who had overseen correspondence on behalf of her constituents, she had direct experience of the feedback service and could personally attest to its rigour.

18. **Mr. Gurán** asked how many complaints the mechanism had processed; what training was offered to staff manning the hotline; and how confidentiality and accessibility were guaranteed.

19. **Ms. Low** (Singapore) said that, although in her capacity as a Member of Parliament, she had received no complaints under the Optional Protocol from national service personnel in the last three years, she knew the Ministry of Defence feedback system to be transparent and robust.

20. **Mr. Ni** (Singapore) said that the Ministry of Defence had received no specific feedback on the Optional Protocol from servicemen. As to the question of confidentiality, he said that the Ministry Feedback Unit first obtained the consent of the serviceman in question before bringing any concern he might have to the attention of the superior officers concerned.

21. **Mr. Gastaud** asked whether the Feedback Unit was made up solely of military personnel or whether it also included independent civilian members, such as judges. He enquired whether service personnel could use the hotline when off barracks.

22. **Mr. Ni** (Singapore) said that the Feedback Unit was staffed by both military personnel and civilian employees of the Ministry of Defence. Servicemen were able to phone the feedback line when they were off barracks and were free to use their own mobile phones for that purpose from within the barracks.

23. **Ms. Subramanian** (Singapore), in response to a question from Mr. Gastaud, said that legislative safeguards were in place to prevent the compulsory enlistment of persons under the age of 18 years. With respect to the regulations governing the export of arms, she said that no one — whether a public or a private actor — could export such goods without a permit. Regarding the question of extraterritoriality, she confirmed that legislative provisions establishing extraterritorial jurisdiction related solely to acts constituting grave breaches of international humanitarian law, in particular of article 147 of the Geneva

Convention relative to the Protection of Civilian Persons in Time of War. Those provisions were enforceable against persons subject to military law, regardless of whether the alleged offence was committed in Singapore or abroad.

24. **Mr. Gastaud** asked what action the Government took to prevent foreign nationals from recruiting children under 18 years of age for participation in armed conflict or armed activities abroad. What penalties were imposed for violating the regulations governing the export of arms? Why had the Government not enacted legislation establishing extraterritorial jurisdiction in respect of instruments other than the Geneva Conventions, for example the Optional Protocol?

25. **Ms. Subramanian** (Singapore) said that the Government was not aware of any cases of minors being recruited by paramilitary groups in Singapore with a view to their participation in armed conflict abroad. The Government relied on various social support networks to identify and assist any minors at risk of radicalization.

26. The penalties for a first conviction for breaching regulations governing the export of arms included a fine of up to S\$100,000 or three times the value of the transaction, whichever was greater, or a prison term of up to 2 years. There were more severe penalties for subsequent convictions. As to extraterritorial jurisdiction, the Government considered that the powers available to it under the Geneva Conventions Act were adequate to address such problems as arose in that regard.

27. With respect to the treatment of refugee children who might be former child soldiers, she said that, although Singapore was not party to the Convention relating to the Status of Refugees, the Government respected the principle of non-refoulement as a norm of customary international law. Accordingly, it would take no action to return a person, including a child, to a State where his or her life would be threatened. The Immigration and Checkpoints Authority worked with relevant international bodies such as the Office of the United Nations High Commissioner for Refugees to facilitate the resettlement of child asylum seekers in an appropriate country. The Ministry of Social and Family Development ensured the welfare of those children, pending their resettlement.

28. **Mr. Kotrane** asked whether the Government would agree to an extradition request from another State in respect of a person who had been accused or convicted abroad of causing a child under the age of 15 years to be involved in armed conflict.

29. **Ms. Subramanian** (Singapore) said any such request would be considered in the light of the specific facts of the case and handled in accordance with the domestic extradition regime. Under the Extradition Act, extradition was permitted for offences listed therein to either a Commonwealth country or a State with which Singapore had concluded an extradition treaty.

30. **Mr. Madi** said that it was his understanding from the delegation's responses that offences under the Optional Protocol were not being incorporated into the State party's legal order. Consequently, it seemed that there was a lacuna in the law in respect of the prosecution of offences under the Optional Protocol committed abroad. He asked for clarification in that regard.

31. **Ms. Subramanian** (Singapore) said it was not accurate to say that there was a lacuna in the legislation in respect of the Optional Protocol. As stated in the her Government's report and emphasized in the delegation's opening statement, legislative amendments had been enacted to implement the core obligations of the Optional Protocol, namely the prohibition of the conscription of minors and their direct participation in hostilities. With regard to extradition, the Extradition Act formed the basis of cooperation with other States.

32. **Mr. Madi** asked how the Government would go about establishing extraterritorial jurisdiction over an offence involving the recruitment of a child committed abroad by a national of the Singapore or by a foreigner who had habitual residence in Singapore. Likewise, he wished to know how the Government would proceed if the child concerned was a national of Singapore.

33. **Ms. Subramanian** (Singapore) said that the Government's response would depend on the specific circumstances of the case. It would certainly exercise extraterritorial jurisdiction in respect of any offence involving a breach of the Geneva Convention in accordance with the legislative framework established for that purpose. The Government would consider amending relevant legislation if the need arose.

34. **The Chairperson** asked how the Government ensured that a child asylum seeker was not returned to a country where he or she might be at risk of becoming a victim of an offence under the Optional Protocol. What kind of procedures were in place to identify such children? She enquired whether residence permits were issued to asylum seekers.

35. **Ms. Subramanian** (Singapore) said that the Government was not aware of any cases of a child soldier or former child soldier seeking asylum. Although Singapore was, in view of its size, not in a position to offer asylum to all those seeking it, the Government observed the principle of non-refoulement, working closely with the relevant international organizations to ensure that the needs of asylum seekers were met.

36. **The Chairperson** asked whether it was true that legislation provided for the corporal punishment of military personnel, including those under the age of 18 years.

37. **Mr. Ni** (Singapore) said that corporal punishment was provided for under military law, but it was used sparingly and only as a last resort for the most serious offences. Individuals receiving such punishment were subsequently monitored closely and provided with counselling.

38. **The Chairperson** asked whether the Government would consider amending its legislation to ensure that corporal punishment, including caning, was not imposed on voluntary recruits under the age of 18 years.

39. **Ms. Low** (Singapore) said that careful consideration would be given to that issue by the Inter-Ministry Committee. She stressed that corporal punishment was used only as a last resort and that it required the approval of the Minister of Defence.

40. **Mr. Gastaud** asked the delegation to clarify whether there were measures in place in Singapore to prevent the recruitment and use in hostilities of persons under the age of 18 years, as provided for in article 4 of the Optional Protocol.

41. **Ms. Subramanian** (Singapore) said that her Government had clearly stated in its report that there were no armed groups operating in Singapore distinct from the armed forces. Furthermore, Section 5 of the Internal Security Act prohibited quasi-military organizations and provided for legal measures to prohibit the practices covered by article 4 of the Optional Protocol.

42. **Ms. Low** (Singapore) said, in conclusion, that her Government wished to reiterate that it took its international obligations seriously and was fully committed to upholding the principles of the Optional Protocol. It had taken active steps to ensure that children took no direct part in hostilities and were not recruited and used in hostilities by armed groups.

43. The Government would continue to conduct regular reviews of its policies, programmes and initiatives, making any necessary improvements to ensure that the welfare and best interests of children remained protected.

44. **Mr. Gastaud** thanked the delegation for providing detailed replies to the Committee's many questions with patience and courtesy. Thanks to the dialogue, several areas of concern had been clarified. The Committee would make recommendations in its concluding observations to address those issues that remained outstanding.

*The meeting rose at noon.*