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2021 Trafficking in Persons Report: Singapore

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SINGAPORE: Tier 1

The Government of Singapore fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore Singapore remained on Tier 1. These efforts included convicting one sex trafficker under its trafficking law and one under the Women's Charter, providing grants to NGOs for awareness-raising campaigns, opening a temporary shelter to allow for social distancing, and training law enforcement and immigration officials on victim identification and trafficking legislation enforcement. Courts also upheld the government's previous two labor trafficking convictions during appeal. Although the government meets the minimum standards, it did not take steps to eliminate recruitment fees charged to workers by Singaporean labor recruiters and ensure any recruitment fees are paid by employers. The government identified fewer victims, and

NGOs continued to express concern that some potential unidentified victims were subject to punishment or deportation due to a lack of understanding by authorities on the impact indebtedness and psychological coercion has on a trafficking victim. While the government worked to limit the spread of COVID-19 among its large migrant worker population, it implemented regulations that allowed employers to limit the movement of migrant workers and kept these regulations in place longer than restrictions on the general public, thereby possibly increasing forced labor risks for migrant workers.

PRIORITIZED RECOMMENDATIONS:

Using the 2014 anti-trafficking law, increase investigations and prosecutions, particularly of labor trafficking, including cases involving domestic workers, debt manipulation, or psychological coercion; and convict and sentence convicted traffickers to penalties proportionate to the seriousness of the crime. • Increase resources for investigative and prosecutorial training on trafficking for Ministry of Manpower (MOM) officials who handle labor violations. • Strengthen efforts to proactively identify trafficking victims, including by conducting training for frontline law enforcement officials with a focus on screening for psychological coercion among women in commercial sex and individuals in debt. • Continue to implement reforms to the work permit sponsorship system so it does not provide excessive power to sponsors or employers in granting and maintaining the legal status of migrant workers. • Take steps to eliminate recruitment fees charged to workers by Singaporean labor recruiters and ensure any recruitment fees are paid by employers. • Strengthen the legal framework to enhance protection for victims from punishment for unlawful acts the trafficker compelled the victim to commit. • Develop formal policies to provide all victims the right to robust protective services. • Continue to strengthen cooperation and dialogue with NGOs for developing and implementing anti-trafficking policies and assisting victims.

PROSECUTION

The government maintained law enforcement efforts during the reporting period; while investigations and prosecutions decreased, it convicted one trafficker under its trafficking law and one under the Women's Charter, and courts upheld two previous labor trafficking convictions. The 2014 Prevention of Human Trafficking Act (PHTA) criminalized sex

trafficking and labor trafficking and prescribed penalties of up to 10 years' imprisonment and fines up to 100,000 Singapore dollars (SGD) (\$75,640), which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as kidnapping. In addition, Article 140 of the Women's Charter criminalized "forced prostitution" involving detention or physical force, and Article 141 criminalized the movement of women and girls for "trafficking" but did not define this term. Penalties prescribed for these offenses included a maximum of seven years' imprisonment and a fine of up to 100,000 SGD (\$75,640). The government investigated most suspected labor trafficking cases as labor law offenses under the Employment of Foreign Manpower Act (EFMA), or the Employment Act, which carried lower penalties than the anti-trafficking law.

In 2020, authorities investigated 19 trafficking cases, a decrease compared with 51 in 2019. Of these, 12 were cases of suspected sex trafficking, compared with 30 cases in 2019. MOM investigated seven suspected labor trafficking cases, compared with 21 cases in 2019. The government instituted pandemic-related restrictions including border closures and a nationwide partial lockdown and reported these subsequently resulted in fewer trafficking investigations. MOM determined that none of the suspected labor trafficking cases in 2020 violated the PHTA and prosecuted the majority of these cases under the EFMA for failure to pay fixed monthly salaries, collection of kickbacks, and illegal employment. MOM also determined none of the suspected sex trafficking cases in 2020 violated the PHTA and proceeded with either charges under the Women's Charter or issuances of stern warnings which did not result in penalties or jail time. The government did not initiate any prosecutions under the PHTA in 2020, compared with two alleged sex traffickers prosecuted in 2019. The government reported two labor trafficking cases and one sex trafficking case, initiated in an earlier reporting period, were ongoing. Due to pandemic-related restrictions, the government reported transitioning some court cases to an internet-based video software program to avoid court delays.

The government convicted one trafficker under the PHTA in 2020, compared with three traffickers convicted under the PHTA in 2019. In June 2020, courts convicted one perpetrator for sex trafficking, under the PHTA, in addition to charges under the Women's Charter and the penal code, in a case originating from 2016, and sentenced the perpetrator to 30 months' imprisonment and a fine of 3,000 SGD (\$2,270). In August 2020, courts convicted another potential sex trafficker under the Women's Charter (after

initially charging the perpetrator under the PHTA but subsequently amending the charges), in a case originating from 2019, and sentenced them to 16 months' imprisonment and a fine of 6,000 SGD (\$4,540). Courts upheld the previous conviction of two labor traffickers, under the PHTA from the previous reporting period; both perpetrators were incarcerated and serving their sentences at the end of the reporting period. The government had yet to prosecute or convict any cases of domestic servitude under the PHTA. The government convicted and imprisoned several employers of foreign domestic workers under non-trafficking laws for cases involving abuse, physical assault, and/or sexual assault.

Some NGOs continued to believe authorities set unreasonably high standards for crimes to qualify as trafficking and lacked an understanding of trafficking indicators such as indebtedness, psychological coercion, and deception, which continued to hamper proper victim identification. The government undertook efforts to increase research and awareness on the issue of psychological coercion. The government reported police, immigration, and MOM officials were continuously trained on anti-trafficking measures; in 2020, more than 440 such officials received legislation enforcement training and victim identification training. The government continued to partner with and participate in international trainings with foreign governments and to work closely with international counterparts on several cross-border investigations. In prior reporting periods, NGOs reported the occurrence of excessive force against individuals in commercial sex by police officials during raids of unlicensed brothels but that authorities took credible actions against such cases. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

PROTECTION

The government maintained protection efforts. Police, labor, and immigration officials had standard operating procedures for identifying victims, and the government had a victim referral process among government officials, civil society organizations, and foreign embassies. The government reported identifying 23 potential trafficking victims (16 sex and seven labor trafficking victims), compared with 62 potential victims (18 sex trafficking victims and 44 labor trafficking victims) in 2019. Three of the 23 potential

trafficking victims were referred to NGOs for assistance; several others were referred to the Ministry of Social and Family Development for counselling and other services. The government reported providing assistance to 24 potential trafficking victims in 2020, including 16 who received shelter services. All police officers received basic training and refresher courses on victim identification; however, several NGOs continued to report officials failed to recognize key indicators of trafficking when interviewing potential victims, particularly in cases involving psychological coercion or debt bondage, and among migrant workers. NGOs continued to voice concern that police did not consistently screen for trafficking indicators when police raided unlicensed brothels; as a result, the government may have prosecuted or punished unidentified sex trafficking victims for immigration violations or public solicitation, which traffickers likely compelled them to commit. Several NGOs reported a number of the cases they encountered exhibited trafficking indicators and that authorities may have penalized or deported numerous unidentified labor trafficking victims.

During the pandemic, NGOs reported frontline officers who were deployed to migrant worker dormitories were primarily focused on pandemic-mitigation efforts and did not proactively screen for trafficking indicators; as a result some victims may have remained unidentified. In 2020, public health experts and NGOs reported limited living space allocated in migrant worker dormitories and subsequent poor hygiene standards exacerbated the spread of COVID-19 among migrant workers, resulting in the majority of confirmed cases. In June 2020, the government announced it would build new dormitories for migrant workers to improve living standards; in addition, the government reported working with NGOs to provide food, reusable masks, medical assistance, and personal products to migrant workers. However, during the reporting period, the government instituted regulations that allowed employers to limit the movement of migrant workers. NGOs reported migrant workers' freedom of movement was restricted and limited to a greater extent than the general population, which may have hindered unidentified trafficking victims from seeking help, and reported instances of wrongful confinement of migrant workers by employers.

The government guaranteed food, shelter, psycho-social services, and other basic assistance to trafficking victims under the PHTA and used administrative discretion to provide additional support measures, customized according to victims' needs, including, interpreters, medical services, temporary work permits, and resettlement assistance. The

government reported that services were provided to victims on an individual basis based on assessments conducted by NGOs. Some victims likely did not receive all services necessary for rehabilitation as some services are provided on a case-by-case decision, and some victims may not be identified as such due to the lack of a formal policy mandating the provision of these services to all victims. The government reported spending approximately 156,000 SGD (\$118,000) to provide care and support services for trafficking victims, an increase from 108,000 SGD (\$81,690) the previous year. The government continued to fully fund shelters for the cost of caring for trafficking victims. The government had four shelters with a total capacity of 220 places for female trafficking victims and their children (these shelters also served victims of domestic violence, abuse, and other crimes). During the pandemic, the total capacity was reduced due to safe distancing measures; the Ministry of Social and Family Development opened an additional temporary shelter to ensure sufficient capacity. MOM funded two shelters, with a total capacity of 68 individuals, for male foreign workers, one of which was specifically designated for use by male trafficking victims. The government provided partial funding and oversight to 21 homes serving vulnerable children. The government opened an additional temporary shelter during the pandemic to ensure sufficient capacity due to pandemic-related restrictions within the other shelters.

Authorities permitted freedom of movement outside of the shelter for most shelter residents but restricted movement for residents deemed to be under physical threat. Several other NGOs and two foreign government embassies also provided shelter to trafficking victims and others who had experienced labor exploitation. The government issued special immigration passes that allowed foreign victims to remain in the country for the duration of the investigation and legal proceedings. However, an NGO reported that contrary to current policy, which would allow a foreign victim to apply for new employment and a work permit after the proceedings are over, authorities most likely required foreign victims to leave the country in practice. The government allocated funding for NGOs to provide victims with trauma recovery and safe resettlement services including counseling, medical care, skill development, legal support, employment, and assistance with resettlement in the victim's home country. In 2020, an NGO continued to support 11 foreign labor trafficking victims referred by the government in an earlier reporting period. The government reported that five victims continued to utilize short-term work permits, available for the duration of their legal process, compared with seven victims in the previous reporting period. In a prior reporting period, the High Court

stipulated that in criminal cases of abuse of foreign domestic workers, courts should consider compensation for pain and suffering as well as restitution for wages. NGOs continued to offer victims of trafficking *pro bono* legal assistance to pursue civil court claims for damages; the government reported no victims sought restitution in 2020.

PREVENTION

The government maintained efforts to prevent trafficking. The interagency task force, co-chaired by the Ministry of Home Affairs and MOM, coordinated anti-trafficking efforts through its “National Approach against Trafficking in Persons, 2016-2026.” Due to the pandemic, the task force did not hold its annual stakeholder consultation with NGOs, businesses, and academia to review the implementation of the national approach. Some representatives of the task force were reportedly diverted from their regular duties to address pandemic-related tasks, such as mitigating COVID-19 cases within migrant worker dormitories. The government reported conducting monthly, and sometimes twice-a-week, meetings with an NGO coalition focused on supporting migrant workers throughout the pandemic. The government continued to budget 80,000 SGD (\$60,510) to provide grants to civil society for awareness-raising campaigns; an NGO received a grant to produce educational videos to raise public awareness of trafficking. Singapore’s Employment Agencies Act (EAA) mandated licensing and regulation of recruitment agents. The EAA rules capped the maximum recruitment fee an employee may pay an agent at one month’s salary for each year of a valid work permit or the period of the employment contract, whichever was shorter, and subject to an overall maximum of two months’ salary. The majority of migrant workers in Singapore paid fees to agents in Singapore as well as to recruitment agents in their home country, which contributed to the workers’ vulnerability to debt bondage. During 2020, MOM prosecuted five recruitment agencies and issued warning letters to another 53 recruitment agencies for not being licensed, compared with the prosecution of 18 unlicensed agents in 2019.

MOM continued to manage the work permit process for foreign workers; Singaporean employers applied to MOM to sponsor skilled and semi-skilled workers whose employment and legal immigration status was tied to that specific employer. NGOs stated this restriction on job mobility, coupled with the ability of employers to terminate a worker’s employment at any time without the need to show cause, created a form of

“structural coercion” that prevented some foreign migrant workers from resisting and contesting exploitation. MOM permitted foreign workers to transfer their immigration status to a new employer during a short time window, though previous employers had the first right of renewal and could cancel the work permit, limiting the employee’s ability to find new employment. Singapore law did not prescribe a minimum wage. Under the Employment Act, wages were negotiated and outlined in individual contracts of service. Requirements were less detailed for foreign domestic workers and fishing crews employed locally, who were covered under the EFMA, and for whom employers were legally required to provide a document containing employment terms such as monthly salary, number of rest days, and agency fees. MOM continued to implement a policy stating that if employers reduced a migrant worker’s salary from what was stated on the application for the employee’s work permit, they must notify MOM after both the employer and employee had agreed to the change in writing. An NGO continued to note that this policy did not address the unequal power dynamic between employer and employee given the vulnerability of those who paid recruitment costs to be coerced to sign a new salary agreement through the threat of termination and repatriation. In 2020, 11 employers were convicted for making false declarations of higher salaries to obtain employee work passes. During the previous reporting period, MOM implemented a new work permit condition prohibiting employers of foreign domestic workers from retaining any wages or money belonging to the domestic worker; NGOs reported the retainment of wages was still common. In a prior reporting period, two NGOs and a local bank introduced fee-free bank accounts for all foreign domestic workers and low-wage migrant workers, into which their salaries can be electronically paid. MOM continued its work permit system to allow employers or recruitment agents to open one of these bank accounts on behalf of the employee as part of the recruitment process; due to the pandemic, the government required employers of migrant workers living in dormitories to open bank accounts for their workers and pay them electronically. Since the introduction of the accounts, two NGOs estimated that more than 770,000 migrant workers had bank accounts in 2020, and the government reported helping to open an additional 100,000 accounts during the pandemic. NGOs reported that despite these efforts, some of the workers were still being paid in cash, were not receiving their full base salaries, or had expenses illegally deducted from their pay. In the previous reporting period, the Ministry of Law introduced new measures to decrease the risk of indebtedness for foreign workers; these included limiting unsecured loans, prohibiting targeted advertisement

towards vulnerable groups, and barring the facilitation of loans by unauthorized third parties.

In the previous reporting period, the government expanded the mandatory 2017 “settling in program” from foreign migrant workers in the construction industry to include foreign migrant workers in manufacturing, marine, and processing industries. Migrant workers must attend the one-day orientation class, entirely delivered by an NGO, within 14 days of arriving in Singapore; one of the five modules covers employment rights and information on how to get help if necessary. An NGO reported that after completing the settling in program many migrant workers were still unaware of their rights or whom to reach out to for help. In addition to worker programs, an employer program is mandatory for first-time employers of foreign domestic workers to review their responsibilities; an NGO reported that over time employers likely forget many of the rules and regulations because they only have to complete the program once and can complete the program online. The government continued to screen a pre-departure video at overseas testing centers for construction workers to explain foreign workers’ employment rights in Singapore. MOM continued to publicize its phone number and a mobile phone application, as well as three NGO-operated 24-hour hotlines, for migrant workers who experience problems. MOM conducted ongoing campaigns to inform employers of the consequences for withholding passports or salaries. The government created and disseminated a migrant worker bulletin which provided pandemic-related updates including medical information, awareness of potential scams, and policy requirements; the bulletin was distributed multiple times per week to NGOs, on mobile phone applications, and to dormitory officials. The government did not make efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit foreign victims in Singapore. Some of the 848,200 foreign work permit holders who comprise almost one-quarter of Singapore’s labor force are at risk of trafficking. Most victims migrate willingly for work in construction, domestic service, performing arts, manufacturing, the service industry, or commercial sex. To migrate, many workers assume large debts to recruitment agents in their home countries and sometimes in Singapore, placing them at

risk for debt bondage. Foreign women who arrive in Singapore to work in the entertainment sector, including nightclubs and bars, may be vulnerable to labor trafficking. Traffickers compel victims into sex trafficking or forced labor through threats of forced repatriation without pay, restrictions on movement, physical and sexual abuse, and withholding wages and travel documents, such as passports. Some recruitment agencies illegally engage in contract switching and charge workers fees more than the legal limit. Foreign workers have credible fears of losing their work visas and being deported, since employers have the ability to repatriate workers legally at any time during their contracts with minimal notice. Unscrupulous employers exploit the limited transferability of low-skilled work visas to control or manipulate workers. In previous reporting periods, some employers, including traffickers, reportedly relied on repatriation companies to seize, confine, and escort foreign workers to the airport for departure from Singapore, including through the use of assaults, threats, and coercion, to prevent them from complaining about abuses to authorities. Foreign women sometimes arrive in Singapore with the intention of engaging in Singapore's regulated commercial sex sector, but under the threat of serious harm or other forms of coercion, they become victims of sex trafficking. Some fishing vessel captains of long-haul boats that transit or dock at Singaporean ports use physical abuse to force men to perform labor. A small number of Singapore residents facilitate and engage in child sex tourism abroad, including in nearby Batam, Indonesia.

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