

**United Nations**  
**Universal Periodic Review**  
**Third Cycle**  
**38<sup>th</sup> Session**

**SINGAPORE**

**Submission by the**  
**World Federalist Movement/Institute for Global Policy (WFM/IGP)**  
ECOSOC Special Consultative Status (1970)

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The World Federalist Movement/Institute for Global Policy (WFM/IGP), founded in 1947, is a non-profit, non-partisan civil society organization that campaigns for the establishment and strengthening of multilateral frameworks that can effectively address the causes and effects of violent conflict, human rights violations and other grave transnational challenges. The World Federalist Movement/Institute for Global Policy, Ltd., is a New York nonprofit corporation with tax-exempt Section 501(c)(3) status under U.S. law.

## **1. Introduction**

- 1.1. The World Federalist Movement/Institute for Global Policy (WFM/IGP), founded in 1947, is a non-profit, non-partisan civil society organization that campaigns for the establishment and strengthening of multilateral frameworks that can effectively address the causes and effects of violent conflict, human rights violations and other grave transnational challenges.
- 1.2. WFM/IGP uses a Coalition Operating Model and hosts the Secretariats of two hugely influential coalitions: the Coalition for the International Criminal Court, a global network of over 2,500 civil society organizations in 150 countries, and the International Coalition for the Responsibility to Protect, a global network of over 90 civil society organisations.
- 1.3. WFM/IGP hereby submits its written submission for the third cycle of the Universal Periodic Review (UPR) of Singapore. WFM/IGP's submission will focus on the need for Singapore to take concrete measures to ratify the Rome Statute of the International Criminal Court (ICC) and the Agreement on Privileges and Immunities of the ICC (APIC).

## **2. Context of Human Rights and Peace Initiatives of Singapore**

- 2.1. Since its independence in 1965, Singapore's development has risen exponentially, and it has gone from an under-developed country to one of the most developed countries in the world. Despite a high development index, Singapore recognizes it can still improve in many areas and has expressed its commitment to the protection and promotion of its citizens' human rights.<sup>i</sup>
- 2.2. Singapore has shown its commitment to promote regional peace through different actions, including by actively participating as a member of the Association of Southeast Asian Nations (ASEAN), hosting historic meetings between North and South Korea<sup>ii</sup> or recently by endorsing the United Nations' (UN) ceasefire appeal during the COVID-19 crisis.<sup>iii</sup>
- 2.3. However, by not having ratified the Rome Statute, and its surrounding legal framework, Singapore lags behind the international community's efforts to promote peace, justice and strong institutions (UN's Sustainable Development Goal 16).
- 2.4. Accordingly, as will be detailed below, WFM/IGP calls on the government of Singapore to promptly ratify the Rome Statute and the APIC, in line with the UPR Working Group's previous recommendations.

## **3. Ratification and Implementation of International Treaties**

### *Background*

- 3.1. Singapore has not ratified or signed the Rome Statute or the APIC. This shortcoming has been raised in previous UPR sessions.
- 3.2. During the UPR's First Cycle (2011), France recommended Singapore to prioritize its accession to the Rome Statute and the International Covenant on Civil and Political Rights.<sup>iv</sup> Singapore accepted the recommendation.<sup>v</sup>

- 3.3. During the UPR's Second Cycle, however, Singapore did not accept similar recommendations made by nine States and only took note of them.<sup>vi</sup> Austria<sup>vii</sup>, Bénin, Botswana, France, Ghana<sup>viii</sup> and Honduras<sup>ix</sup>, Latvia<sup>x</sup>, Peru<sup>xi</sup>, Poland<sup>xii</sup> were the States that recommended Singapore to ratify the Rome Statute of the International Criminal Court.
- 3.4. Despite supporting a recommendation to do so during the UPR's First Cycle, Singapore has failed to ratify the Rome Statute or the APIC. Singapore's mere noting of similar recommendations during the UPR's Second Cycle is a concerning step back in relation to its initial acceptance of a relevant recommendation at the UPR's First Cycle.
- 3.5. Lastly, Singapore has received similar recommendations by UN human rights treaty bodies. The UN Committee on the Rights of the Child recommended that Singapore ratify the Rome Statute due to the Committee's concern that (1) the domestic punishment for the recruitment of children to participate in hostilities is too lax, and (2) child recruitment is not defined as a war crime in Singapore's domestic legislation.<sup>xiii</sup>

#### *Access to Justice and the Fight against Impunity*

- 3.6. By ratifying the Rome Statute and accepting the ICC's complementary jurisdiction, States strengthen international justice; support the deterrence atrocity crimes; and respect, protect, and fulfill human Rights, including the rights to truth, justice, reparations, and guarantees of non-recurrence; and support the principle that no one is above the law.
- 3.7. Because the ICC is complementary to national criminal jurisdictions,<sup>xiv</sup> States retain the primary obligation to prevent and prosecute international crimes. Accordingly, ratifying the Rome Statute and enacting legislation to implement the Statute into national legislation is a necessary step in not only strengthening States' domestic criminal justice systems, but also ending impunity for crimes committed by State actors, as "all too often, such crimes were part of a systematic State policy and the worst criminals might be found at the pinnacle of State power".<sup>xv</sup>
- 3.8. As part of the international legal framework, the ICC Rome Statute provides a complementary judicial avenue for the protection of fundamental rights recognized in numerous international instruments, many of which have been ratified by Singapore. Ratifying the Rome Statute would further facilitate the respect, protection, and fulfillment of fundamental human rights recognized in the following international instruments to which Singapore is a State Party: the Convention on the Prevention and Punishment of the Crime of Genocide;<sup>xvi</sup> the International Convention on the Elimination of All Forms of Racial Discrimination;<sup>xvii</sup> the Geneva Conventions;<sup>xviii</sup> and other specific agreements protecting vulnerable groups, such as the Convention on the Rights of the Child<sup>xix</sup> and the Convention on the Elimination of All Forms of Discrimination Against Women.<sup>xx</sup>
- 3.9. Furthermore, the ICC promotes the respect of human rights and sustainable peace and justice in line with the purposes and principles set in Articles 1 and 2 of the UN Charter.<sup>xxi</sup> The Preamble of the Rome Statute reaffirms "the Purposes and Principles of the Charter of the United Nations".<sup>xxii</sup> This same idea was repeated in the 2010 Kampala

Declaration.<sup>xxiii</sup>

- 3.10. Therefore, Singapore's ratification and implementation of the Rome Statute and the Agreement of Privileges and Immunities can only advance the respect, protection and fulfillment of the human rights protected in the aforementioned instruments by which Singapore is already bound.

#### 4. Recommendations

4.1. WFM/IGP calls on the Government of Singapore to:

4.1.1. Ratify the Rome Statute of the International Criminal Court before the Fourth Cycle UPR of Singapore; and

4.1.2. Ratify the Agreement on Privileges and Immunities of the International Criminal Court before the Fourth Cycle UPR of Singapore.

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<sup>i</sup> HRC, 'National Report submitted in accordance with paragraph 5 of the Annex to Human Rights Council resolution 16/21', 28 October 2015, A/HRC/WG.6/24/SGP/1, p1 para. 4.

<sup>ii</sup> UN News, 'UN chief underscores value of cooperation with Southeast Asian countries', 30 January 2020, available at: <https://news.un.org/en/story/2020/01/1056382>. Accessed 8 October 2020.

<sup>iii</sup> UN News, '170 signatories endorse UN ceasefire appeal during COVID crisis', 24 June 2020, available at: <https://news.un.org/en/story/2020/06/1066982>. Accessed 8 October 2020.

<sup>iv</sup> Report of the Working Group on the Universal Periodic Review, First Cycle, for the HRC's 18<sup>th</sup> session, para. 96.16, France.

<sup>v</sup> Report of the Working Group on the Universal Periodic Review, Singapore, Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, for the HRC's 18<sup>th</sup> Session, Para 3.

<sup>vi</sup> Report of the Working Group on the Universal Periodic Review, Singapore, Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, for the HRC's 32<sup>nd</sup> Session, para. 33.

<sup>vii</sup> Report of the Working Group on the Universal Periodic Review, Singapore, for the HRC's 32<sup>nd</sup> Session, para. 166.49, Austria.

<sup>viii</sup> Report of the Working Group on the Universal Periodic Review, Singapore, for the HRC's 32<sup>nd</sup> Session, para. 166.48, Ghana.

<sup>ix</sup> Report of the Working Group on the Universal Periodic Review, Singapore, for the HRC's 32<sup>nd</sup> Session, para. 166.51, Honduras.

<sup>x</sup> Report of the Working Group on the Universal Periodic Review, Singapore, for the HRC's 32<sup>nd</sup> Session, para. 166.49, Benin, Botswana, France and Latvia.

<sup>xi</sup> Report of the Working Group on the Universal Periodic Review, Singapore, for the HRC's 32<sup>nd</sup> Session, para. 166.48, Peru.

<sup>xii</sup> Report of the Working Group on the Universal Periodic Review, Singapore, for the HRC's 32<sup>nd</sup> Session, para. 166.49, Poland.

<sup>xiii</sup> Committee on the Rights of the Child, 'Concluding observations on the report submitted by Singapore under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict', 13 October 2014, CRC/C/OPAC/SGP/CO/1, paras. 17,18.

<sup>xiv</sup> Article 1 of the Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002), 2187 UNTS 3.

<sup>xv</sup> United Nations, 'Summary records of the plenary meetings and of the Committee of the Whole', A/Conf.183/13 (Vol.II).

<sup>xvi</sup> Convention on the Prevention and Punishment of the Crime of Genocide (adopted 09 December 1948, entered into force 12 January 1951) 78 UNTS 277, available at: <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280027fac&clang=en>.

<sup>xvii</sup> International Convention on the Elimination of All Forms of Racial Discrimination (adopted 03 March 1966, entered into force 4 January 1969), 660 UNTS 1, available at:

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<https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280008954&clang=en>.

<sup>xviii</sup> Geneva Convention for the amelioration of the condition of the wounded and sick in armed forces in the field (adopted 12 August 1949, entered into force 21 October 1950), 75 UNTS 31, available at: <https://treaties.un.org/Pages/showDetails.aspx?objid=080000028015847c&clang=en>; Geneva Convention for the amelioration of the condition of the wounded, sick and shipwrecked members of the armed forces at sea (adopted 12 August 1949, entered into force 21 October 1950), 75 UNTS 85, available at: <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002801591b0&clang=en>; Geneva Convention relative to the treatment of prisoners of war (adopted 12 August 1949, entered into force 21 October 1950), 75 UNTS 135, available at: <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280159839&clang=en>; Geneva Convention Relative to the Protection of Civilian Persons in Time of War, (adopted 12 August 1949, entered into force 21 October 1950), 75 UNTS 287, available at: <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280158b1a&clang=en>.

<sup>xix</sup> Convention on the Rights of the Child (adopted 20 November 1989, entered into force 2 September 1990) 1577 UNTS 3, available at : <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800007fe&clang=en>

<sup>xx</sup> Convention on the Elimination of All Forms of Discrimination against Women (adopted 18 December 1979, entered into force 3 September 1981), 1249 UNTS 1, available at: <https://treaties.un.org/Pages/showDetails.aspx?objid=080000028000309d&clang=en>.

<sup>xxi</sup> Charter of the United Nations and Statute of the International Court of Justice (adopted 26 June 1945, entered into force 24 October 1945), available at: <https://treaties.un.org/doc/publication/ctc/uncharter.pdf>.

<sup>xxii</sup> Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 3, available at: [https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtmsg\\_no=XVIII-10&chapter=18&lang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=IND&mtmsg_no=XVIII-10&chapter=18&lang=en).

<sup>xxiii</sup> ICC Assembly of State Parties, Kampala Declaration, 1 June 2010, Declaration RC/Decl.1, adopted by consensus, available at: [https://asp.icc-cpi.int/iccdocs/asp\\_docs/Resolutions/RC-Decl.1-ENG.pdf](https://asp.icc-cpi.int/iccdocs/asp_docs/Resolutions/RC-Decl.1-ENG.pdf).