

Singapore

Updated February 2016

Issues

- Conscientious objection is not recognised in law or practice
- Those who refuse the draft face repeated imprisonment

1 Conscription

conscription exists

Conscription was introduced in 1967, shortly after Singapore's separation from Malaysia in 1965. The present legal basis of conscription is the 1967 Law on National Service.



Singapore's defence policy is founded on the concept of total defence. The guiding principle of total defence is that all Singaporeans have a shared responsibility in the defence of the country. Involvement of all citizens in the defence of the country is perceived to be essential by the Singaporean authorities, given the small size of the country. Total defence comprises psychological defence, social defence, economic defence, civil defence and military defence.¹

Military defence, according to the Singaporean government, involves "maintaining the Singapore armed forces as a strong, alert and friendly armed force".²

Civil defence is meant to train and organise the population to respond at times of emergency. The civil defence force is a paramilitary force and has units in every constituency. It is 105,000-strong, most of its members being volunteers. In peacetime civil defence force members are trained in such emergency services as fire-fighting and running ambulances, but they also receive military training.^{3 4 5}

military service

All men between the ages of 16 and a half and 50 are liable for military service (in fact, the law does not specify men-only, but the pronouns used in the law are all male, and in practice only men are drafted).⁶

The length of military service is two years, and two and a half years for those above the rank of corporal.⁷

As of 2016, the armed forces of Singapore include 39,000 conscripts. A further 3,500 conscripts are serving in the the Singapore Police Force, including the Coast Guard. Conscripts also serve in the paramilitary Civil Defence Force. Singapore also has over 30,000 "regular" (non-conscript) members of the armed forces and the various paramilitary forces.

Reservist obligations apply until the age of 40, or 50 in the case of officers and those trained in some special occupations. Reserve service involves training and mobilisation exercises for up to

1 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

2 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

3 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

4 Ministry of Information and the Arts of Singapore 1993. Singapore 1993.

5 Narayanan, Arujunan 1997. 'Singapore's Strategy for National Survival', in: Asian Defence Journal, 1/1997.

6 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

7 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

40 days annually. The service may be performed in the civil defence force.^{8 9 10}

In 1993 the government replaced the term 'reservist' with 'operationally ready national serviceman', in order to stress that reserve units are considered active units. 'Operationally ready national servicemen' who excel in fitness tests win money prizes.^{11 12}

postponement and exemption

There are no clear regulations permitting postponement and exemption. According to sect. 28 of the 1967 law "The proper authority may, by notice, exempt any person from all or any part of that service under the Act" (the term 'proper authority' meaning the military authorities). Regulation 25 of the enlistment regulations prescribed by the 1967 law further sets out the points to be taken into account when considering exemption applications: "(a) the requirements of the defence, economy and education system of Singapore; (b) exceptional hardship of the applicant or members of his household; (c) the extent to which the business responsibilities or interests of the applicant cannot be carried on his absence".¹³

It is not known just how these considerations are interpreted in practice and how often exemption is granted. Apparently exemption is only granted for medical reasons, for those having a criminal record and for those who can prove their enlistment would be a hardship for their family.¹⁴

The Singapore government has clearly stated: "No able-bodied Singaporean is exempted from National Service as every Singaporean benefits from the peace and security which National Service has helped to ensure".¹⁵

recruitment

Compulsory enlistment under the Enlistment Act may not take place before the eighteenth birthday, but voluntarily enlistment can begin any time after registration and fitness examination that occurs at the age of sixteen-and-a-half.

This low age of enlistment is contrary to Article 2 of the Optional Protocol to the Convention on the Rights of the Child on Children in Armed Conflict, which Singapore has ratified. As of 2011, Singapore was one of only eighteen States which legally permitted military recruitment below the age of seventeen years¹⁶.

2 Conscientious objection

The right to conscientious objection is not legally recognised and there are no provisions for substitute service.¹⁷

According to the government: "All male Singaporeans, regardless of race or religion, are expected to do National Service to defend our country. Singapore cannot make exceptions for any group. No Singaporean should be allowed to cite any reason to exempt himself from having to contribute to national defence effort as every Singaporean benefits from the peace and security which National Service has helped to ensure."¹⁸

Many Jehovah's Witnesses are known to have refused to perform military service. They are tried in military courts and usually sentenced to 12 or 15 months' military detention. They are then called up again. A second refusal to comply with military orders again results in arrest, charges, and custody pending a second court martial which leads to another two years' detention. This means

8 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

9 Ministry of Information and the Arts of Singapore 1993. Singapore 1993.

10 Narayanan, Arujunan 1997. 'Singapore's Strategy for National Survival', in: Asian Defence Journal, 1/1997.

11 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

12 Interview with Lieutenant General Ng Jui Ping, in: Asian Defence Journal, 10/1994.

13 Regional Council on Human Rights in Asia 1989. ECOSOC, 28 November 1989.

14 'Prisoners for Peace Day Supplement', in: Peace News, December 1997, London.

15 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

16 Child Soldiers International (formerly Coalition to Stop the Use of Child Soldiers), Louder than words: an agenda for action to end state use of child soldiers, London, September 2012, p53.

17 Amnesty International 1991. Conscientious objection to military service. AI, London.

18 Ministry of Defence of Singapore 1997. National Service fact sheet 1997.

the total punishment for refusing to perform military service amounts to three years' imprisonment.¹⁹ This is in clear breach of the principle of "ne bis in idem" (a person should not be punished repeatedly for the same offence. However, it would appear that in the past some conscientious objectors have been offered postings which were in fact compatible with their objections.²⁰

Since 1972 the Jehovah's Witnesses have been considered an illegal religious group by the Singapore authorities. The government decided they were a threat to law and order, although the real reason for the ban is thought to be the Jehovah's Witnesses' refusal to perform military service.²¹

Singapore has not ratified the International Covenant on Civil and Political Rights (ICCPR), under which this situation would be a clear breach of Article 18. It is however also contrary to Article 18 of the Universal Declaration on Human Rights (UDHR), which Singapore has endorsed.

3 Draft evasion and desertion

penalties

Under Para 4(2) of the Enlistment Act²², any person failing without lawful excuse to present himself for registration when summoned is liable on conviction to a fine of up to S\$10,000 (approximately US \$7,000 at 2016 exchange rates) or a term of imprisonment of up to three years, or both. Moreover, the court may order him to present himself for registration on or before a specific date, where after he may incur a further fine increasing at the rate of S\$50 (US\$35) per day.

practice

There are no known details about how many conscripts fail to respond to the call-up, nor how draft evasion is monitored in practice.

Given the authoritarian nature of the Singaporean state and the harsh punishment of Jehovah's Witnesses, curbing draft evasion is believed to be quite rigorous.

All male citizens and permanent residents aged between 13 years and 40 years (50 years in certain cases) require an exit permit issued by the Armed Forces Council to leave or remain outside Singapore. This is a severe interference with the freedom of movement guaranteed in Article 13 of the Universal Declaration of Human Rights (UDHR). After ten years of unauthorised absence they may be deprived of their citizenship, which is contrary to Article 15 of the UDHR.

5 History

Singapore was a British colony until 1959, when it became autonomous within the Commonwealth. In 1963 it joined with Malaya, Sarawak and Sabah to form the Federation of Malaysia. Tensions between Malaysians, dominant in the Federation, and ethnic Chinese, dominant in Singapore, led to Singapore's separation from Malaysia in 1965. Ethnic tension in Malaysia included the refusal of many ethnic Chinese to perform military service. (see: Malaysia)

Shortly after the separation from Malaysia the government decided that instituting compulsory military service was the best way to build up the country's armed forces. Government leaders were reportedly impressed by Israel's small regular armed forces, supported by a large reserve force, and believed that the development of this type of armed forces would encourage national pride and self-reliance. At that time Singapore had particularly strained relations with Malaysia and Indonesia.²³

19 Amnesty International 1995. Amnesty International condemns imprisonment of Jehovah's Witnesses. AI, London.

20 General Counsel of Jehovah's Witnesses. Evidence submitted to the OHCHR in response to the questionnaire on "best practices concerning the right of everyone to have conscientious objections to military service", August 2003, replies to questions 1,4 and 5.

21 Amnesty International 1995. Amnesty International condemns imprisonment of Jehovah's Witnesses. AI, London.

22 Act 25 of 21st May 1970, amended on numerous occasions, most recently by Act 16 of 19th April

2001. Text available at www.wri-irg.org/en/system/files/2001-Enlistment-Act.pdf

23 US Library of Congress 1989. Singapore - a country report. Area Handbooks, State Department, Washington DC.

Acknowledgements

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