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**THE INTERNATIONAL COMMISSION OF JURISTS' SUBMISSION
TO THE UNIVERSAL PERIODIC REVIEW OF SINGAPORE**

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Composed of 60 eminent judges and lawyers from all regions of the world, the International Commission of Jurists promotes and protects human rights through the Rule of Law, by using its unique legal expertise to develop and strengthen national and international justice systems. Established in 1952 and active on the five continents, the ICJ aims to ensure the progressive development and effective implementation of international human rights and international humanitarian law; secure the realization of civil, cultural, economic, political and social rights; safeguard the separation of powers; and guarantee the independence of the judiciary and legal profession.

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THE ICJ'S SUBMISSION TO THE UNIVERSAL PERIODIC REVIEW OF SINGAPORE

1. The International Commission of Jurists (ICJ) welcomes the opportunity to contribute to the Human Rights Council's Universal Periodic Review (UPR) of Singapore. In this submission, the ICJ brings to the attention of the Human Rights Council's Working Group on the UPR, and to the Human Rights Council, issues concerning: (1) corporal punishment; (2) the death penalty; (3) the continued criminalization of consensual same-sex relations; (4) corporate accountability for companies registered in Singapore; and (5) international human rights instruments and mechanisms.

CORPORAL PUNISHMENT

2. Singapore laws provide corporal punishment, in the form of caning,¹ as penalty for various crimes such as robbery;² drug-related crimes, including "drug abuse";³ vandalism;⁴ and even immigration-related offences (e.g. overstaying one's visa).⁵
3. On 4 March 2015, the Singapore Court of Appeal, the country's highest court, issued a judgment declining to declare judicial caning unlawful. The ruling was issued in the case of Yong Vui Kong, a 26-year old man who appealed against his sentence of 15 strokes of the cane and life imprisonment imposed as a punishment for an offence under the Misuse of Drugs Act. Upon his conviction in 2011, Yong Vui Kong had initially been sentenced to death. Following changes in the law and an application for re-sentencing to the High Court, his sentence was modified in 2013 to life imprisonment and '15 strokes of the cane'. In his appeal, which was dismissed by the Singapore Court of Appeal, Yong Vui Kong challenged this sentence on several grounds, including that caning constitutes torture, which is prohibited under international law.
4. The administration of caning violates the absolute prohibition of torture and cruel, inhuman or degrading punishment under international law.⁶ Despite this prohibition, the Court of Appeal determined that any international legal prohibition had no effect on Singapore, since the legislature had not made it part of the country's domestic law. The Court of Appeal also found that caning did not "breach the high threshold of severity and brutality that is required for it to be regarded as torture".⁷ Regarding whether caning constituted inhuman punishment, the Court of Appeal stated that, "there is no prohibition against inhuman punishment in Singapore law".⁸ In light of this, the Court found that caning would be permissible even if it constituted inhuman punishment.⁹
5. The fact that Singapore has not prohibited caning in its own national law in no way makes caning a lawful act.¹⁰ Under international law, caning remains wrong and unlawful,¹¹ irrespective of the country's domestic arrangements. More broadly, all forms of torture and cruel, inhuman or degrading treatment or punishment are absolutely prohibited under customary international law.¹² Although Singapore is not a party to the International Covenant on Civil and Political Rights (ICCPR) or the Convention against Torture, and Other Cruel, Inhuman, or Degrading Treatment or Punishment (CAT), it is a party to other binding treaties that prohibit torture and cruel, inhuman or degrading treatment or punishment, such as the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities (CPRD). No exception is envisaged in both conventional and customary international human rights or humanitarian law for violations of the absolute prohibition of torture or other cruel, inhuman or degrading treatment or punishments, including in respect of acts of corporal punishment inflicted pursuant to domestic legal sanction provisions, which, therefore, remain absolutely

The ICJ's submission to the Universal Periodic Review of Singapore

prohibited.

6. In 2011, the UN Committee on the Rights of the Child called on Singapore to "prohibit unequivocally by law, without any further delay, all forms of corporal punishment, including caning, in all settings."¹³ Under Singapore's previous Universal Periodic Review, it was recommended that Singapore abolish caning.¹⁴
7. Singapore's recent Court of Appeal ruling, as well as its lack of domestic laws prohibiting cruel, inhuman or degrading treatment or punishment, illustrates a failure to meet the State's obligations under international law.

DEATH PENALTY

Breaking the moratorium

8. With the execution of Tan Hai Liang and Foong Chee Peng on 18 July 2014, Singapore broke the moratorium on the death penalty, which it had imposed in July 2011. By resuming executions, Singapore is defying the global trend towards the abolition of the death penalty and the establishment of a world-wide moratorium on executions.¹⁵
9. The UN Secretary-General reported in 2013 that 174 of the 193 UN Member States were reportedly execution-free in 2012.¹⁶ Additionally, in his report to the UN General Assembly in 2014, the Secretary-General noted that 160 of the 193 Member States of the UN have abolished the death penalty or introduced a moratorium, either in law or practice.¹⁷ The trend towards the abolition of the death penalty and the establishment of a moratorium on execution is also evidenced by General Assembly Resolution 69/186, adopted on 18 December 2014, calling on all States to impose a moratorium on the use of the death penalty. This resolution, which expresses deep concern about the continued use of the death penalty, also calls upon all States "to reduce the number of offences for which the death penalty may be imposed".
10. Under Singapore's previous Universal Periodic Review, it was recommended that Singapore abolish the death penalty in practice and in law.¹⁸

Mandatory death penalty

11. Singapore's Misuse of Drugs Act was amended in 2012 to give courts the discretion to apply life imprisonment in certain defined situations.¹⁹ However, the death penalty is still mandatory for those found guilty of possessing a requisite quantity of drugs.²⁰
12. The death penalty must not be mandatory for any crime.²¹ The automatic and mandatory imposition of the death penalty constitutes an arbitrary deprivation of life since it is imposed without any possibility of taking into account the defendant's personal circumstances or the circumstances of the particular offence.²² The Special Rapporteur on extrajudicial, summary or arbitrary executions has also stated that under no circumstances should the death penalty be mandatory by law, regardless of the charges involved.²³
13. Under Singapore's previous Universal Periodic Review, it was recommended that Singapore repeal provisions providing for the mandatory imposition of the death penalty.²⁴

"Most serious crimes"

14. Furthermore, imposing the death penalty for drug-related offences also contravenes international standards, which clarify that States retaining the death penalty must ensure that its application is limited to "the most serious crimes". The General Assembly and many regional and international human rights bodies

The ICJ's submission to the Universal Periodic Review of Singapore

reflect these standards in their calls on States retaining the death penalty to apply it only to the "most serious crimes". The term "most serious crimes" should only be applied to the crime of murder or intentional killing; it does not include drug-related offences.²⁵

"ILLEGALITY" OF CONSENSUAL SAME-SEX SEXUAL RELATIONS

15. Section 377A of Singapore's Penal Code criminalizes consensual sexual relations between men and provides a jail term of up to two years for any person convicted under this provision. Singapore's High Court recently upheld the constitutionality of this provision in a 2013 decision, in the case *Tang Eng Hong v. Attorney General*.²⁶
16. Laws criminalizing consensual sexual activities – whatever sex, gender identity and sexual proclivities of those involved, and whatever the actual sexual practices – violate international human rights law and, among other things, undermine enjoyment of the rights to freedom from discrimination, equality before the law and equal protection of the law, privacy, and personal integrity.²⁷
17. Special Procedures of the Human Rights Council have stated that criminalization of these activities is contrary to the right to health,²⁸ the right to a fair trial and the principle of equality before the courts.²⁹
18. UN treaty bodies have repeatedly urged States to decriminalize consensual same-sex sexual conduct.³⁰ This includes the Committee on the Rights of the Child, acting under the auspices of the Convention on the Rights of the Child, to which Singapore is a party.³¹
19. The Attorney-General's Chambers ("AGC"), arguing the State's position before the court in *Tan Eng Hong*, used homophobic arguments to justify the continued validity of Section 377A. In its brief before the Court, the AGC argued that the retention of Section 377A "resists the mainstreaming of homosexual lifestyles" and serves as "a bulwark against an incrementalist homosexual agenda".³² The legal representative of the State's adoption of such inflammatory rhetoric promotes a denigrating atmosphere towards LGBT persons in Singapore.
20. Under Singapore's previous Universal Periodic Review, it was recommended that Singapore repeal provisions criminalizing sexual activity between consenting adults of the same sex.³³

CORPORATE ACCOUNTABILITY FOR SINGAPORE-BASED OR –REGISTERED COMPANIES

21. State officials have represented Singapore as a key legal and business hub within Asia, claiming that the authorities in the country are impartial and purporting adherence to rule of law.³⁴ However, Singapore-based or Singapore-registered companies are engaged in projects with significant human rights concerns within the regional neighboring state of Myanmar.
22. The Kyaukphyu SEZ – a planned special economic zone in western Myanmar – is being developed by a Singapore-led consortium of private companies.³⁵ ICJ's research has noted that the Kyaukphyu SEZ is displacing local communities without proper compensation or accountability for loss of land and livelihoods.³⁶ Villagers are pressured to sell the land for the SEZ at unfair prices, and no access to remedy exists.³⁷
23. Additionally, there is concern that Singapore is enabling US companies to escape their human rights obligations under the US sanctions policy. In November 2014, *Bloomberg News* reported that US companies registering in Singapore in order to

The ICJ's submission to the Universal Periodic Review of Singapore

avoid US sanctions were driving an increase in Singapore investment within Myanmar.³⁸

24. Singapore's obligation to respect and uphold human rights extends to the regulation of businesses domiciled or registered in the country, which operate abroad and where these operations may have significant human rights impact. This obligation is especially pressing given Singapore's efforts to promote itself as a base of business and legal operations in the region and also in light of the human rights concerns to which the operations of Singapore-based businesses are giving rise in Myanmar.³⁹

INTERNATIONAL HUMAN RIGHTS INSTRUMENTS AND MECHANISMS

25. Singapore is party to very few core human rights treaties and it is yet to become party to: the ICCPR, the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the CAT, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), the International Convention for the Protection of all Persons from Enforced Disappearance (CED) and the Convention on the Elimination of Racial Discrimination (CERD). In its report to the Human Rights Council following its last Universal Periodic Review, Singapore had agreed to consider ratifying core international human rights instruments to which it was not party.⁴⁰
26. Singapore is chronically late in its periodic reporting obligations. Singapore has failed to adhere to the reporting deadlines for its first, second and fourth report to the Committee on the Elimination of All Forms of Discrimination Against Women, its first, second and third report to the Committee on the Rights of the Child (CRC) under the Convention on the Rights of the Child, and its first report to the CRC under the Convention's Optional Protocol. These late submissions mark the substantial majority of Singapore's reporting obligations.⁴¹
27. Additionally, Singapore has pending requests for visits by two Special Procedures: the Special Rapporteur on the rights to freedom of peaceful assembly and of association,⁴² and the Special Rapporteur in the field of cultural rights.⁴³

RECOMMENDATIONS

28. The ICJ calls upon the Working Group and the Council to urge the Government of Singapore to:

Concerning the practice of caning

- a) Impose an immediate moratorium on the practice of caning as a judicially-imposed punishment, with a view to its abolition in law.
- b) Implement domestic legal provisions to uphold Singapore's commitment, under international law, to the prohibition of cruel, inhuman or degrading treatment or punishment.

Concerning the use of the death penalty

- c) Impose an immediate moratorium on the use of the death penalty.
- d) Review laws and policies on the use of the death penalty, including the practice of mandatory death penalty sentencing, with a view to its abolition in law.

Concerning the criminalization of consensual same-sex relations

- e) Abolish Section 377A of the Singapore Penal Code.

The ICJ's submission to the Universal Periodic Review of Singapore

- f) Initiate gender-sensitivity programmes for government authorities so that they would refrain from inflammatory or denigrating statements against LGBT persons.

Concerning corporate accountability for Singapore-based or –registered corporations

- g) Review Singapore's company registration policies, with the objective of ensuring that companies receiving registration are not acting to escape the human rights-related obligations of their home State.
- h) Review government policies concerning business obligations towards human rights, including obligations for businesses operating in the region, with the objective of ensuring Singapore-based or –registered companies are not complicit in human rights violations.

Concerning international human rights instruments and mechanisms

- i) Ratify or accede to the ICCPR, ICESCR, CAT, CMW, CED and CERD.
- j) Take urgent steps to provide its outstanding periodic reports to the Committee on the Elimination of All Forms of Discrimination Against Women and the Committee on the Rights of the Child.
- k) Accept the outstanding country visit requests from the Special Rapporteur on assembly and association and the Special Rapporteur on cultural rights.

ENDNOTES

¹ Section 325 (1) of the Criminal Procedure Code of Singapore provides that the following persons shall not be punished with caning: (a) women; (b) men who are more than 50 years of age at the time of infliction of caning; and (c) men sentenced to death whose sentences have not been commuted.

² First Schedule, Criminal Procedure Code, Cap. 68, Rev. Ed. 2012, *read with* Section 392, Penal Code, Cap. 224, Rev. Ed. 2008.

³ Second Schedule *read with* Section 33A, Misuse of Drugs Act, Cap. 185, 2008 Rev. Ed.

⁴ Section 3, Vandalism Act, Cap. 341, Rev. Ed. 2014.

⁵ Sections 6 and 57, Immigration Act, Cap. 133, 1997 Rev. Ed.

⁶ For additional ICJ analysis on this judgment, see International Commission of Jurists, Singapore: Court of Appeal judgment upholding caning flouts international law prohibiting ill-treatment, 6 March 2015. <http://www.icj.org/singapore-court-of-appeal-judgment-upholding-caning-flouts-international-law-prohibiting-ill-treatment/>

⁷ Yong Vui Kong v. Public Prosecutor, (2015) SGCA 11, 4 March 2015, para. 99.

⁸ *Ibid*, at para. 83.

⁹ *Ibid*.

¹⁰ The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment has emphasized in this regard that "it is international law and not domestic law which ultimately determines whether a certain practice may be regarded as 'lawful'", Report by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, E/CN.4/1988/17, paras. 42-44. See also the more recent report, A/67/279, para. 28.

¹¹ Several UN and regional human rights bodies have held that corporal punishment, such as flogging, whipping or amputations, constitutes cruel, inhuman or degrading treatment or punishment, or even torture, see Human Rights Committee, general comment No. 20, para. 5; Communication No. 759/1997, *Osbourne v. Jamaica* Views adopted by the Human Rights Committee on 15 March 2000, paras. 9.1, 9.2 and 11; Committee against Torture, concluding observations: Indonesia, CAT/C/IDN/CO/2, para. 15; and concluding observations: Yemen, CAT/C/YEM/CO/2/Rev.1, para. 18; Committee on Economic, Social and Cultural Rights, general comment no. 13, para. 41; Committee on the Rights of the Child, general comment No. 4, para. 17; Human Rights Council Resolution 8/8, art. 7(a). See also Inter-American Court of Human Rights, *Caesar v Trinidad and Tobago*, Judgment of 11 March 2005, Series C, No. 123, para. 88. According to the Human Rights Committee, the prohibition of torture and ill-treatment in the ICCPR "must extend to corporal punishment, including excessive chastisement ordered as punishment for a crime

or as an educative or disciplinary measure", Human Rights Committee, general comment No. 20, para.

¹² See, Human Rights Council Resolution 8/8. Torture and other cruel, inhuman or degrading treatment or punishment, which, *inter alia*, states, "Recalling further that a number of international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law", adopted without a vote on 18 June 2008, available at, http://ap.ohchr.org/Documents/E/HRC/resolutions/A_HRC_RES_8_8.pdf.

¹³ Committee on the Rights of the Child, *Concluding Observations: Singapore*, UN Doc CRC/C/SGP/CO/2-3 (2011), para. 40(a).

¹⁴ Report of the Working Group on the Universal Periodic Review: Singapore, UN Doc A/HRC/18/11 (2011), Recommendation 97.7 (Czech Republic and France), which was not accepted by Singapore.

¹⁵ UNGA Resolution 62/149, Moratorium on the Use of the Death Penalty, UN Doc. A/Res/62/149, 18 December 2007; UNGA Resolution 63/168, Moratorium on the Use of the Death Penalty, UN Doc. A/Res/63/168, 18 December 2008; UNGA Resolution 65/206, Moratorium on the Use of the Death Penalty, UN Doc. A/Res/65/206, 21 December 2010; UNGA Resolution 67/176, Moratorium on the Use of the Death Penalty, UN Doc. A/Res/67/176, 20 December 2012; UN Resolution 69/186, Moratorium on the Use of the Death Penalty, UN Doc. A/Res/69/186, 4 February 2015.

¹⁶ Report of the Secretary General, Question on the Death Penalty, UN Doc. A/HRC/24/18*, 1 July 2013 (reissued for technical reasons 24 July 2013), para. 4.

¹⁷ UNGA Resolution 69/288, Moratorium on the use of the death penalty, UN Doc. A/69/288, 8 August 2014.

¹⁸ UN Doc A/HRC/18/11 (2011), above, Recommendations 97.1-97.6 (Canada, Czech Republic, Finland, France, Slovenia, Switzerland and United Kingdom), which were not accepted by Singapore.

¹⁹ Section 33b of the Misuse of Drugs Act, as amended in 2012, provides that those convicted of offences under section 5 (1)(on trafficking of controlled drugs) and section 7 (on the import and export of controlled drugs), and where the punishment for these offences is death, the court has the discretion of not imposing the death penalty and instead impose life imprisonment with caning of not less than 15 strokes if it is proven that the convicted person's involvement is restricted to: (i) transporting, sending or delivering a controlled drug; (ii) offering to transport, send or deliver a controlled drug; or (iii) doing or offering to any act preparatory to or for the purpose of his transporting, sending or delivering a controlled drug.

²⁰ The Misuse of Drugs Act establishes that possession of drugs over a certain amount establishes the presumption of trafficking, and subsequently establishes the imposition of mandatory death penalty for the trafficking of drugs over a (separate) set amount. Accordingly, mere possession of the stated amount for which the death penalty is applied is sufficient to trigger the mandatory imposition of the death penalty under the Act. Second Schedule *read in conjunction with* Article 5(2) & Article 17, Misuse of Drugs Act, Cap. 185, 2008 Rev. Ed.

²¹ See for instance Communications No. 806/1998, *Thompson v Saint Vincent and the Grenadines*, Views adopted by the Human Rights Committee on 18 October 2000, para. 8.2; No. 1406/2005, *Weerawansa v Sri Lanka*, Views adopted by the Human Rights Committee on 17 March 2009, para. 7.2.; Human Rights Committee Concluding Observations: Uganda, CCPR/CO/80/UGA, para. 13; Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, A/HRC/4/20, paras 54-62. See also Inter-American Court of Human Rights, *Hilaire, Constantine and Benjamin v Trinidad and Tobago*, Judgment of 21 June 2002, Series C, No. 94, para. 103.

²² *Pagdayawon Rolando v. Philippines*, Views of the Human Rights Committee, Communication No. 1110/2002, UN Doc. CCPR/C/82/D/1110/2002 (2004) at para. 5.2.

²³ Report of the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, UN Doc. E/CN.4/1999/39 (1999) at para. 63.

²⁴ UN Doc A/HRC/18/11 (2011), above, Recommendation 97.6 (France and Slovenia), which was not accepted by Singapore.

²⁵ See UN Secretary General Ban Ki Moon, *Question of the death penalty*, UN Doc. A/HRC/24/18 (2013) at para. 24; Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, UN Doc. A/67/275 (2012) at para. 67. See also UN Doc. A/69/288, *supra* note 15, at para. 66 "In particular, in States that have not abolished the death penalty, capital punishment may only be imposed for intentional killing and may not be mandatory in such cases. The death penalty should not be imposed for "drug offences", "consensual or non-consensual adult sex", "adultery," "sodomy," "blasphemy" or any other acts that do not meet the threshold of "most serious crimes".

²⁶ *Tan Eng Hong v. Attorney General*, (2013) SGHC 199, 2 October 2013.

²⁷ See *generally* Report of the UN Commissioner for Human Rights, Discrimination and violence against individuals based on their sexual orientation and gender identity, UN Doc. A/HRC/29/93 (2015); Office of the High Commissioner of Human Rights, *Born Free and Equal: Sexual Orientation*

and Gender Identity in Human Rights Law (2012); Report of the UN Commissioner for Human Rights, Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity, UN Doc. A/HRC/19/41 (2011).

²⁸ Interim report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, UN Doc. A/66/254 at para. 17. The Special Rapporteur on the right to health has held that criminalization of consensual same-sex conduct may lead to discriminatory exclusion from prevention and treatment of HIV/AIDS on account of sexual orientation, see the Reports of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, E/CN.4/2003/58, para. 68; and A/HRC/14/20, para. 25.

²⁹ Interim report of the Special Rapporteur on the independence of judges and lawyers, UN Doc. A/66/289 at para. 74. The UN Human Rights Committee, in *Toonen v. Australia*, also found that "adult consensual sexual activity in private is covered by the concept of 'privacy'" under the International Covenant on Civil and Political Rights (ICCPR) (See: Communication No. 488/1992, Views of 31 March 1994, UN Doc. CCPR/C/50/D/488/1992 (1994) at paras. 6.8 and 8.2.)

³⁰ Concluding observations of the Human Rights Committee on Togo (CCPR/C/TGO/CO/4), at para. 14; Uzbekistan (CCPR/C/UZB/CO/3), at para. 22; Grenada (CCPR/C/GRC/CO/1), at para. 21; United Republic of Tanzania (CCPR/C/TZA/CO/4), at para. 22; Botswana (CCPR/C/BWA/CO/1), at para. 22; St. Vincent and the Grenadines (CCPR/C/VCT/CO/2); Algeria (CCPR/C/DZA/CO/3), at para. 26; Chile (CCPR/C/CHL/CO/5), at para. 16; Barbados (CCPR/C/BRB/CO/3), at para. 13; United States of America (CCPR/C/USA/CO/3), at para. 9; Kenya (CCPR/C/CO/83/KEN), at para. 27; Egypt (CCPR/CO/76/ EGY), at para. 19; Romania (CCPR/C/79/Add.111), at para. 16; Lesotho (CCPR/C/79/Add.106), at para. 13; Ecuador (CCPR/C/79/Add.92), at para. 8; Cyprus, (CCPR/C/79 Add.88), at para. 11; United States of America (A/50/40), at para. 287. Concluding observations of the Committee on Economic, Social and Cultural Rights on Kyrgyzstan (E/C.12/Add.49), at paras. 17, 30; Cyprus (E/C.12/1/Add.28), at para. 7. Concluding observations of the Committee on the Elimination of Discrimination against Women on Uganda (CEDAW/C/UGA/CO/7), at para. 43-44; Kyrgyzstan (A/54/38), at paras. 127, 128. Concluding observations of the Committee on the Rights of the Child on Chile (CRC/C/CHL/CO/3), at para. 29.

³¹ Concluding observations of the Committee on the Rights of the Child on Chile (CRC/C/CHL/CO/3), at para. 29.

³² High Court Submission by Attorney General's Chambers (AGC), *Tang Eng Hong v. Attorney General*, Originating Summons No. 944 of 2010, 4 February 2013, at paras. 39(a)-39(b).

³³ UN Doc A/HRC/18/11 (2011), above, Recommendation 97.12 (France and Slovenia), which was not accepted by Singapore.

³⁴ See e.g. Goh Yihan, "Summary of Speeches at the Opening of the Legal Year 2015", *Singapore Law Blog*, 6 January 2015. (describing the Attorney-General's speech in which he describes his vision of Singapore 'as a legal services hub' which 'depends on respect for international law'.) <http://www.singaporelawblog.sg/blog/article/76>

³⁵ Simon Lewis, "Singapore-Led Consortium Wins Kyaukphyu SEZ Consulting Tender," *Irrawaddy*, 3 March 2014. <http://www.irrawaddy.org/business/singapore-led-consortium-wins-kyaukphyu-sez-consulting-tender.html>

³⁶ See Daniel Aguirre & Vani Sathisan, "Kyaukphyu: History to Repeat Itself in Burma's Newest Special Economic Zone?" *Asian Correspondent*, 20 April 2015. <http://asiancorrespondent.com/132248/kyaukphyu-history-to-repeat-itself-in-burmas-newest-special-economic-zone/>

³⁷ *Ibid.*

³⁸ David Tweed & Kyaw Thu, "U.S. Companies Skirting Myanmar Sanctions Fuel Record Investment," *Bloomberg Business*, 17 November 2014. <http://www.bloomberg.com/news/articles/2014-11-17/u-s-companies-skirting-myanmar-sanctions-fuel-record-investment>

³⁹ See e.g. "Facts and Rankings" page, website of the Environmental Development Board of Singapore, identifying "the Republic's reputation as a key regional and global hub for companies to do business" and including its status as the "most transparent country in Asia." <https://www.edb.gov.sg/content/edb/en/why-singapore/about-singapore/facts-and-rankings/rankings.html>. See generally the webpage of the Environmental Development Board at <https://www.edb.gov.sg>. See also Edward Fennell, "Singapore Aims to Be Top Legal Hub," *Times*, 4 April 2013, <http://www.thetimes.co.uk/tto/law/article3730086.ece>; Laura Philomin, "Singapore to Remake Itself as Asia's Legal Hub with New Commercial Court," *Reuters*, 12 February 2014, <http://in.reuters.com/article/2014/02/11/singapore-law-idINDEEA1A0JC20140211>; "Singapore to Become Southeast Asian Legal Hub with Opening of the International Commercial Court." ASEAN

The ICJ's submission to the Universal Periodic Review of Singapore

Briefing, 4 February 2015, <http://www.aseanbriefing.com/news/2015/02/04/singapore-become-southeast-asian-legal-hub-opening-international-commercial-court.html>.

⁴⁰ Addendum of the Republic of Singapore to the Report of the Working Group on the Universal Periodic Review, UN Doc A/HRC/18/11/Add.1 (2011), para. 3.

⁴¹ Reporting Status for Singapore, website of the Office of the High Commissioner for Human Rights. http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=SGP&Lang=EN

⁴² The Rapporteur issued her request to visit in 2014. Country Visits, Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, Webpage of the Office of the High Commissioner for Human Rights. <http://www.ohchr.org/EN/Issues/AssemblyAssociation/Pages/CountryVisits.aspx>

⁴³ The Rapporteur first requested to visit in 2014, and reiterated her request in 2015. Country Visits, Special Rapporteur in the Field of Cultural Rights, Webpage of the Office of the High Commissioner for Human Rights. <http://www.ohchr.org/EN/Issues/CulturalRights/Pages/CountryVisits.aspx>