



**PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS**

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**STATEMENT BY MS DANIELLE YEOW PING LIN,
DELEGATE TO THE 70TH SESSION
OF THE UNITED NATIONS GENERAL ASSEMBLY
ON AGENDA ITEM 85,
ON THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS,
SIXTH COMMITTEE,
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1. Mr. Chairman, on behalf of my delegation, I wish to congratulate you and the members of your bureau on your elections and to assure you of our full cooperation and support for the work of this Committee.
2. Singapore associates itself with the statement of the Lao People's Democratic Republic on behalf of the Association of Southeast Asian Nations (ASEAN) and of the Islamic Republic of Iran on behalf of the Non-Aligned Movement (NAM). We also thank the Secretary-General for his report (document A/70/206) on this agenda item.
3. We welcome the theme of this year's discussion, ie, "The role of multilateral treaty processes in promoting and advancing the rule of law" in the discussions on the rule of law at the national and international levels.
4. On this 70th anniversary of the United Nations (UN), we applaud the important contributions that the UN has made to an international order based on the rule of law, through the multilateral treaty making process. With its universal participation, the UN

is an ideal place to negotiate international norms and standards that are responsive to and effective in addressing the global issues of today.

5. The rule of law has been and continues to be a fundamental tenet for Singapore. At the national level, the rule of law is the bedrock on which our country was founded. It is the cornerstone of Singapore's stability and continues to provide the framework for its proper functioning.

6. This conviction extends to the international level. It is a critical basis for international relations among states, and between states and other international legal entities. Its impact is far reaching, from the maintenance of international peace and security, to sustained economic growth and the pursuit of sustainable long-term development. We thus fully support the standalone goal on rule of law in the 2030 Agenda for Sustainable Development.

7. In an interconnected globalised world, challenges and issues of global concern simply cannot be addressed unilaterally and requires the collective effort of the global community. This is where multilateral treaties can play such a crucial and integral role in promoting and advancing the rule of law. Negotiating multilateral treaties involve a process of consultation and consensus building leading to the establishment of binding standards of international conduct and frameworks for the enforcement of rights and obligations between state parties. This invariably provides structure, predictability, accountability and fairness; and conversely, reduces arbitrariness and capriciousness in state conduct. A negotiating process that is transparent and inclusive, where diverse viewpoints are robustly debated and considered, leads to the development of common perceptions and agreed approaches. This ultimately enhances the legitimacy, acceptability, and implementation of the ensuing international legal framework.

8. We see this virtuous cycle in the impact of United Nations Convention on the Law of the Sea (UNCLOS) on the governance of the oceans, the agreements under the World Trade Organisation on the governance of international trade, and the United Nations Framework Convention on Climate Change in the area of climate change just to name a few.

9. Furthermore, multilateral treaties may reflect a codification of customary law, provide the basis for new directions in state practice and steer a change in the customary law. This is an essential part of a process of evolving customary law that keeps it responsive and relevant to the changing needs of the international community. We recall that Professor Ian Brownlie in his Hague Academy lecture on “The Rule of Law in International Affairs” spoke to this very impact of multilateral treaties.

10. Mr Chairman, the promotion and observance of the international rule of law is particularly important to small states. An environment where the rule of law is respected and adhered to mitigates the inherent power asymmetries and practical constraints small states face when engaging with other states on an international level and ultimately provides a more predictable and fairer global order.

11. With this conviction, Singapore actively participates in the development of multilateral treaties and its institutional structures such as the International Seabed Authority (ISA) and actively contributes to the functioning of bodies such as the United Nations Commission on International Trade Law (UNCITRAL). Most recently, on 28 September 2015, Singapore acceded to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. This marks an important step towards strong cooperation with international law enforcement agencies in the

fight against transnational crime and reaffirms Singapore's strong international commitment to combat human trafficking.

12. Mr Chairman, in preparation for this discussions, the Permanent Missions of Singapore, Cyprus, and Trinidad and Tobago, in cooperation with the Rule of Law Unit on behalf of the UN Rule of Law Coordination and Resource Group, organised a panel discussion on 19 May 2015 on the topic "Multilateral Treaty-Making: Perspectives on Small States and the Rule of Law". This provided a timely opportunity to examine the critical role of small States and particular challenges that they face in multilateral treaty making processes. This was valuable in promoting greater understanding between States on this integral aspect of the rule of law at the international level.

13. Singapore is of the firm view that small states are central to the success of the multilateral treaties and treaty regimes. Small states bring different but equally valuable perspectives to the table that contribute to the shaping of international treaties and norms. This develops the international system as well as promotes and advances the rule of law.

14. In recognition of this, Singapore established the Forum of Small States (or FOSS), an informal grouping of 105 states at the UN with populations of 10 million and under. Singapore also played an integral role in forming the Global Governance Group (or 3G), comprising 30 small and medium sized states, to promote the exchange of views on issues concerning global governance and small-state engagement in the G20 process.

15. Small does not equate to insignificant. Small states can be well-placed to bridge divergent viewpoints during the treaty-making process. Professionalism, neutrality, efficiency, and creativity in problem solving, are attributes independent of territorial boundaries or population size. This is attested to by the role Singapore played during

the negotiations for the UNCLOS and the Singapore Treaty on the Law of Trademarks. Experts from small states have enriched discussions in other platforms such as UNCITRAL, the ILC and the ISA, where legal and technical issues are canvassed in great depth. Small states can also promote and function as neutral, trusted venues for the resolution of disputes via alternative dispute resolution mechanisms such as the Permanent Court of Arbitration Singapore Facility. This represents another footprint in the international framework.

16. While we recognise the contributions of small states to the multilateral treaty making process and the promotion and advancement of the rule of law, we remain conscious of the challenges that small states face when seeking to participate in the process, such as resource, personnel and capacity constraints. One practical solution has been the formation of regional or other types of groups with a lead negotiator but that is not a complete panacea. How else can the international community assist and support this endeavour? Can we further enhance the delivery of capacity training that is responsive to the transformation in the multilateral treaty processes highlighted in paragraph 5 in the Secretary-General's report? What about the increasing infusion of different subject domains and specialised streams of international law in the same treaty-making forum? Can the existing design of multilateral treaty-making processes be enhanced or technology platforms more effectively harnessed to facilitate the constructive contribution of small states? These are questions we should continue to reflect on.

17. Mr Chairman, to conclude with the words of Singapore's Ambassador-at-Large Professor Tommy Koh, who on the Commemoration of the 20th Anniversary of the Opening for Signature of the UNCLOS said this of negotiators:-

"... our ambition was to make a contribution to the rule of law and to help the

UN to build a more peaceful and equitable world. Our dream is that one day we shall live in a world in which differences between States shall be settled peacefully and in accordance with the rule of law."

That aspiration continues to be a foundation of our participation in the multilateral treaty-making process to this day.

18. Thank you, Mr Chairman and we look forward to the deliberations on this agenda item over these two days.

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