



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

318 EAST 48TH STREET, NEW YORK, NY 10017
TEL: (212) 826 0840 FAX: (212) 826 2964

**STATEMENT BY MR. LUKE TANG, COUNSELLOR (LEGAL), PERMANENT
MISSION OF SINGAPORE TO THE UNITED NATIONS, ON AGENDA ITEM
86, ON THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL
LEVELS, SIXTH COMMITTEE, 8 OCTOBER 2018**

[Please check against delivery]

Mr. Chair,

1. Singapore has consistently subscribed to the view that the rule of law is a universal value. At the national level, it is one of the fundamental tenets on which our nation was founded, and continues to provide the framework for its proper functioning. At the international level, it provides the basis for international relations among States, and is a key component to maintaining international peace and security, and achieving sustainable development.

2. Our delegation wishes to make three points in our statement today. First, we wish to emphasize the important role that multilateral treaties play in strengthening the rule of law at the international level. Multilateral treaties enhance universality, consolidate international consensus, provide certainty and accountability on rights and obligations, and facilitate the peaceful settlement of disputes. For this reason, Singapore actively participates in the development of a wide range of multilateral treaties and actively contributes to the functioning of international bodies such as the United Nations Commission on International Trade Law (UNCITRAL). This year, we had the privilege of having one of our own preside over the intergovernmental conference to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine biological

diversity of areas beyond national jurisdiction. This conference presents an opportunity to contribute to the further development of the international legal framework established by UNCLOS, and its outcome would be significant for both present and future generations. Also this year, UNCITRAL, at its 51st session, finalised and approved the draft Convention on International Settlement Agreements Resulting from Mediation. The draft Convention was the result of extensive work and deliberation by UNCITRAL's Working Group II, which I am proud to say was also chaired by a Singaporean. UNCITRAL recommended that the General Assembly consider adopting the draft Convention and to authorise a signing ceremony to be held as soon as practicable in 2019 in Singapore, and that the Convention be known as the "Singapore Convention on Mediation".

Mr. Chair,

3. It is an honour and privilege for Singapore to be associated with such significant work on multilateral treaties, and we will continue to participate actively in multilateral treaty-making. This brings me to my second point, which is that Singapore strongly believes in doing our part to build capacity in international law. Since 2006, the Singapore Cooperation Programme (or SCP), which is Singapore's primary platform for delivering technical assistance, has been conducting capacity-building programmes on international law. We recently conducted a course on "International Law and its Application" in August 2018, and we will be conducting more international law courses in 2019, including on "International Law of the Sea" and "International Dispute Resolution". This year, Singapore will also be hosting the External Programme of the Hague Academy of International Law in November 2018 on the topic "Contemporary Questions of International Economic Law".

Mr. Chair,

4. Our third and last point relates to the Secretary-General's report on this agenda item, which contains useful updates on the assistance provided by the United Nations

during the past 12 months. We wish to commend, in particular, the support provided to Members States to strengthen oversight mechanisms and combat corruption. We fully agree that corruption is a destructive practice, which is a scourge that needs to be eradicated. We also commend the efforts to improve the coordination and cohesion within the United Nations on rule of law assistance, and we encourage the Rule of Law Unit to continue its efforts to engage Member States in that regard.

5. However, we do not agree with the comments in the report pertaining to the death penalty.

Mr. Chair,

6. Let us be clear. There is no international consensus against the death penalty. International law does not prohibit the use of the death penalty. The use of the death penalty is first and foremost a criminal justice issue. It is not a human rights issue. The use of the death penalty must therefore be viewed from a much broader perspective and weighed against the rights of the victims and the right of the community to live in peace and security.

7. Every State has an inalienable and sovereign right to choose its political, economic, social, cultural, legal and criminal justice systems. Accordingly, the question of whether to retain or abolish the death penalty, and the types of crimes for which the death penalty is applied, should be determined by each State, taking fully into account its own history, its legal traditions and national circumstances. As there is clearly no international consensus against the use of the death penalty, this is not an issue to be legislated by the United Nations nor the UN Secretary-General. Neither can one group of countries impose their views on another group of countries. We hope that future reports of the Secretary-General will capture the diversity of views among member states on this issue, in an objective, neutral and non-partisan manner.

.....