

**STATEMENT BY MS. JO-PHIE TANG,
DEPUTY PERMANENT REPRESENTATIVE OF SINGAPORE
TO THE UNITED NATIONS, ON AGENDA ITEM 83, ON
THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS,
SIXTH COMMITTEE, 11 OCTOBER 2019**

Mr. Chair,

1 Singapore is pleased to address the Committee on this important topic. The rule of law is a universal principle, to which Singapore is firmly committed. At the national level, it is one of the fundamental tenets on which our nation was founded, and continues to underpin our legal system. At the international level, it is essential to maintaining international peace and security, and achieving sustainable development. It is a cornerstone of all that we do here at the United Nations.

2 We thank Assistant-Secretary-General Volker Türk for introducing the Secretary-General's report on this agenda item. The report provides useful information on the activities and support provided by the United Nations to strengthen the rule of law. However, my delegation is disappointed with and object to paragraph 8 of the report, which contains inaccurate, imbalanced, and biased assertions. First, it is inaccurate to claim that General Assembly resolution 73/175 confirms a continuing downward trend concerning the application of the death penalty. The resolution in question does not purport to reflect and in fact does not reflect any trends concerning the death penalty. If it did, it would have also reflected the fact that a number of countries had reintroduced the application of the death penalty. Second, by selectively referring to General Assembly resolution 73/175 in such a manner, the Secretary-General's report ignores the fact that this was a voted resolution which divided the UN membership. The report also fails to take into account operative paragraph 1 of this resolution, which reaffirmed the sovereign right

of all countries to develop their own legal systems, including determining appropriate legal penalties, in accordance with their international law obligations. The manner in which the Secretary-General's report relied on the resolution as confirmation of a trend in the application of the death penalty is therefore inaccurate, inappropriate and misleading.

3 Third, we regret that the Secretary-General's report has once again presented this issue in an imbalanced, selective and biased manner, by adopting the perspective of one group of States and ignoring the views of others. A similar issue arose during the 73rd session of the General Assembly, during which Singapore and a number of other Member States expressed our concerns with the manner in which the Secretary-General had reported on the issue of the death penalty. In that statement before this Committee, we had expressed the hope that future reports would accurately reflect the diversity of views among Member States on this issue, in an objective, neutral and non-partisan manner. We are therefore very disappointed in the Rule of Law Unit, which had chosen to disregard the views that were clearly expressed by a number of Member States in this Committee.

Mr. Chair,

4 Let us be clear. There is no international consensus against the use of the death penalty. This is evidenced by the fact that General Assembly resolution 73/175 was not adopted by consensus, but was instead put to a vote. International law does not prohibit the use of the death penalty. 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, reintroduce 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 history, its legal traditions and national circumstances. This is not an issue to be legislated by the United Nations or the Secretary-General. In this regard, Singapore fully expects that any future reports on this issue will be presented in an objective, neutral and non-partisan manner that avoids inaccurate, selective or biased characterisations of any General Assembly resolution.

Mr. Chair,

5 I turn now to the subtopic under consideration – “Sharing best practices and ideas to promote the respect of States for international law”. I will make three brief points. First, Singapore promotes respect for international law by improving accessibility to international dispute settlement mechanisms. For instance, Singapore hosts the regional office of the Permanent Court of Arbitration and is also a venue for the peaceful settlement of disputes before the International Centre for the Settlement of Investment Disputes. We believe that increasing accessibility to such mechanisms will assist to promote the rule of law in our region.

6 Second, Singapore is a firm believer in the multilateral rules-based system, and contributes actively to the development of multilateral legal instruments. This is evidenced by our active participation in the work of the United Nations Commission on International Trade Law (UNCITRAL), as well as the ongoing 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. We firmly believe that such multilateral processes and the legal instruments that result from them are integral to promoting respect of States

for international law. This year, on 7 August, Singapore hosted the signing ceremony for the United Nations Convention on International Settlement Agreements Resulting from Mediation, also known as the Singapore Convention on Mediation. The signing ceremony was attended by 70 countries, with 46 countries signing the Convention. More recently, another five countries signed on to the Convention during the annual Treaty Event held at the United Nations last month. This is a strong show of support for the Convention and a recognition of the benefits that the Convention will bring for mediation and international trade and commerce.

7 Finally, Singapore is of the view that respect of States for international law can be further promoted with more interaction, as appropriate, between Member States and members of international courts and tribunals. In this regard, we welcome the practice of the Sixth Committee of inviting the President of the International Court of Justice to our meetings in the course of International Law Week, during which Member States have an opportunity to interact with the President. We welcome opportunities for such interaction, which improve understanding of how international courts and tribunals function in practice, and foster greater trust in international dispute settlement processes. Singapore, together with Slovakia and the Republic of Korea, will be organising a side event on 29 October 2019, which will feature speakers from the International Court of Justice and the International Tribunal for the Law of the Sea. We invite all delegations to attend and participate in the dialogue at this side event.

Mr Chair,

8 Singapore is pleased to have had this opportunity to share our views on this subtopic, and to learn from the best practices and ideas of other Member States.

We look forward to continuing this exchange of views and we also take this opportunity to reaffirm Singapore’s firm commitment to upholding and promoting respect for international law.

9 Thank you.

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