

SINGAPORE AND INTERNATIONAL LAW

THE objective of this section of the Review is to reproduce materials and information which illustrate Singapore's attitude to, and approaches on, questions of international law and international organisations. As far as possible, primary materials are reproduced but where unavailable, and the topics are important, secondary materials including relevant extracts from newspaper reports are reproduced. The materials are presented under the following headings:

- I. Policy Statements
- II. Legislation *
- III. Judicial Decisions *
- IV. Treaties (other than Asean Instruments)
- V. Asean Treaties, Declarations and other Instruments
- VI. Singapore in the United Nations and other International Organisations and Conferences

The materials are selective. As the materials are compiled from the Law Library and other sources, it should be stressed that any text contained herein is not to be regarded as officially supplied to the Review. *Singapore & International Law Section Editor.*

I. POLICY STATEMENTS

- (a) *GRENADA: Ministry of Foreign Affairs Statement of 28 October 1983 (Singapore Government Press Release No. 43/Oct, 09-0/83/10/28)*

Singapore deplors external intervention by force in Grenada. It notes that Grenada has a recent history of heavy involvement by outside powers in its internal affairs. There had been a power struggle in the Grenadian leadership which resulted in the overthrow and execution of political leaders belonging to the same ruling group. The role played by the foreign mentors of this ruling group points to the dangerous consequences of their involvement.

While Singapore acknowledges the right of regional states in the Caribbean to take appropriate actions for their collective self-defence, it nevertheless calls for respect for UN Charter principles that safeguard the independence, sovereignty and territorial integrity of states. All foreign forces should therefore be expeditiously withdrawn from Grenada to enable the people of Grenada to make their own decisions.

* There is no material under these headings in this issue

- (b) *RANGOON BOMBING: Ministry of Foreign Affairs Statement, 18 November 1983 (Singapore Government Press Release No. 45/83, 09-0/83/11/18)*

A senior Ministry of Foreign Affairs official today expressed to the Ambassador of the Democratic People's Republic of Korea the abhorrence of the Singapore Government at the bomb explosion perpetrated in Rangoon on 9 October 1983. The Ambassador, HE Mr Kang Dal Son, was told as follows:

- i) The Government of the Socialist Republic of the Union of Burma announced on 4 November 1983 that its investigations have established conclusively that the perpetrators of the bomb attack at the Martyrs' Mausoleum on 9 October 1983, were North Koreans acting under the instructions of the Government of the Democratic People's Republic of Korea.
- ii) The Singapore Government wishes to express its abhorrence at this act of terrorism which caused the tragic deaths of nationals of the Socialist Republic of the Union of Burma and the Republic of Korea.
- iii) The Singapore Government vigorously condemns such a calculated and premeditated violation of international law and civilised norms.
- iv) The Singapore Government calls upon the Government of the Democratic People's Republic of Korea to heed international opinion against this outrage.

IV. TREATIES (OTHER THAN ASEAN INSTRUMENTS)

- (a) *Ratification of COMMON FUND AGREEMENT (Singapore Government Press Release No. 29/Dec, 09-0/83/12/17, Ministry of Foreign Affairs, 17 December 1983)*

COMMON FUND AGREEMENT

Singapore has ratified the Agreement establishing the Integrated Programme for Commodities commonly known as the Common Fund Agreement. Singapore's Ambassador to the UN, Mr TTB Koh deposited the Instrument of Ratification with the UN Secretary General in New York on 16 December 1983. Singapore signed the Agreement in December 1982.

The Common Fund is intended to stabilize prices of 18 agreed Commodities through financing of buffer stock operations and also to assist in bringing greater commodity market stability by financing various development measures e.g. research and development and market and distribution. The latter is to be done through the Fund's Second Account, to which Singapore has pledged US\$250,000 in May 1979.

The Common Fund will come into operation when 90 countries accounting for two thirds of the Directly Contributed Capital of the Fund have ratified the Common Fund Agreement. Sixty-eight countries have done so.

Editors Note: The Agreement is also referred to as the Agreement Establishing the Common Fund for Commodities. It was adopted on

27 June 1980 by the United Nations Negotiating Conference on a Common Fund under the Integrated Programme for Commodities, which met at Geneva from 5 to 27 June 1980. The Conference was convened under the auspices of the United Nations Conference on Trade and Development (UNCTAD).

- (b) *TAXATION: Ratification of Protocol Amending the Double Taxation Convention between Singapore and Sweden (Singapore Government Press Release No. 23/Dec, 08-0/83/12/14, Ministry of Finance, 14 December 1983)*

The Protocol amending the double taxation agreement between Singapore and Sweden, which was signed in Singapore on 28 Sep. 83, was ratified today at 3.00 pm in the Ministry of Foreign Affairs with the exchange of the Instruments of Ratification between Singapore and Sweden. The exchange was carried out by Sweden's Ambassador to Singapore, Mr Hakan Berggren, on behalf of Sweden and Mr Michael Cheok, Director International Section, Ministry of Foreign Affairs.

The main features of the Protocol are the extension up to 31st December 1985 of tax matching credit on dividends and interest and the exemption on royalties derived from sources within Singapore. Sweden gives tax matching credit at 15 per cent of the net amount of dividends and 15 per cent of the gross amount of interest and exempts 50 per cent of the royalties from tax.

A new provision has been included to define the term 'Singapore tax payable' to include Singapore tax which would have been paid on business income or income from the provision of services but for the exemption or reduction of tax granted under the incentive provisions contained in Singapore laws designed to promote economic development. This tax sparing credit is to give due recognition to the tax given up by Singapore as incentives to encourage economic growth.

The Protocol also provides for total tax exemption on profits derived from the operation of aircraft in international traffic with effect from Year of Assessment 1983.

V. ASEAN TREATIES, DECLARATIONS AND OTHER INSTRUMENTS

- (a) *BASIC AGREEMENT ON ASEAN INDUSTRIAL JOINT VENTURES (BAAIJV) AND ITS SUPPLEMENTARY AGREEMENT signed by the ASEAN Foreign Ministers in Jakarta on 7 November 1983. (Copy courtesy of Ministry of Foreign Affairs, Singapore)*

THE BASIC AGREEMENT ON ASEAN INDUSTRIAL JOINT VENTURES (BAAIJV)

THE GOVERNMENTS OF THE REPUBLIC OF INDONESIA, MALAYSIA, THE REPUBLIC OF THE PHILIPPINES, THE REPUBLIC OF SINGAPORE AND THE KINGDOM OF THAILAND.

MINDFUL of the Declaration of ASEAN Concord signed in Bali, Indonesia on 24 February, 1976, which provides that Member Countries shall take cooperative action in their national and regional development programmes, utilizing as far as possible the resources available in the

ASEAN region to broaden the complementarity of their respective economies;

REAFFIRMING their desire to collaborate for the acceleration of economic growth in the region, to promote the greater utilization of their agriculture and industries, the expansion of their trade and the improvement of their economic infrastructure for the mutual benefit of their people;

CONVINCED that the consolidation of markets among ASEAN countries can support meaningful industrial joint ventures which can greatly contribute to strengthening and broadening the base of the industrial sectors of their respective economies, promoting the greater utilization of their industries and expansion of their trade;

NOTING the suggestion on industrial joint ventures which have been advanced by the ASEAN Chambers of Commerce and Industry (ASEAN-CCI), and the confidence demonstrated by the ASEAN-CCI in the viability of ASEAN industrial joint venture;

AFFIRMING that in the economies of the ASEAN countries, the private sector shall continue to be encouraged to play the major role in most of the economic activities, including industry and trade;

DESIRING to provide the guidelines and institutional framework within the ASEAN Governmental machinery and the private sector through the ASEAN-CCI may collaborate to identify opportunities, formulate programmes and design projects for pursuing industrial joint-ventures on the basis of mutual and equitable benefits for the member countries and increased industrial production for the region as a whole.

DO HEREBY AGREE to pursue ASEAN Industrial Joint Ventures as stipulated by the following provisions:

ARTICLE I

GENERAL PROVISIONS

1. An ASEAN INDUSTRIAL JOINT VENTURE (AIJV) product is any processed or manufactured product which is included in the final list of AIJV products approved by the ASEAN Economic Ministers (AEM) and referred to in Article II, paragraph 3.
2. An AIJV product may be an existing product or a new product:
 - a) An existing product is one which is being processed or manufactured in any of the participating countries at the time of its inclusion in the final list.
 - b) Any product not covered by the definition of an existing product is a new product.
3. An AIJV is any entity which:
 - a) produces an AIJV product in any of the participating countries;
 - b) has equity participation from nationals of at least two participating countries;
 - c) satisfies the equity ownership provisions specified in paragraph 5 of this Article.

4. With respect to a particular AIJV product, a participating country is an ASEAN member country which has indicated its intention to participate by way of providing tariff preference as provided for Article III for that AIJV product in the final list approved by the AEM. An ASEAN member country which has not indicated its intention to so participate is a non-participating country with respect to that particular AIJV product.
5. A minimum ASEAN equity ownership of 51 per cent shall be required for any proposed AIJV except that this requirement shall not apply to an entity in any of the following cases:
 - a) where the participating countries in a proposed AIJV product agree to a higher equity participation by non-ASEAN investors;
 - b) where more than 50 per cent of the product produced by such entity will be exported to non-ASEAN markets;
 - c) where the product is already being produced by an entity in a participating country prior to its inclusion in the final list; or
 - d) where an entity has already been approved by a participating country to produce that product prior to the inclusion of the product in the final list.
6. The investors in an AIJV shall be free to locate their projects in any of the participating countries.
7. The approval by the AEM of the final list carries with it the pre-commitment to extend a minimum 50 per cent margin of tariff preference to AIJV products by participating countries as provided for in Article III paragraphs 1 and 6.
8. Non-participating countries in an AIJV product shall waive tariff preferences extended under Article III subject to the conditions therein stated.
9. Any tariff preferences extended by non-participating countries among themselves for AIJV products shall be in accordance with the provisions of Chapter II Article 8 paragraph 2 of the Agreement on ASEAN Preferential Trading Arrangements (PTA).

ARTICLE II

INSTITUTIONAL ARRANGEMENTS FOR APPROVAL OF AIJV PRODUCTS

1. The Committee on Industry, Minerals and Energy (COIME) shall invite nominations for AIJV products from the ASEAN-CCI and ASEAN member countries. All nominations for existing AIJV products shall be accompanied by details of existing production facilities, such as ownership, location and production capacities. These shall be compiled at a COIME meeting into a tentative list of AIJV products.
2. ASEAN member countries shall examine such tentative list and indicate to COIME at a subsequent meeting, the products in which they would like to participate and declare any existing production facilities they have for such products. Those products for which at least two ASEAN member countries have indicated their intention

to participate shall be included in the final list of AIJV products, showing the participating member countries.

3. The final list shall be submitted to the AEM for approval and thereafter be made available to the ASEAN-CCI and national Chambers of Commerce and Industry in ASEAN member countries.

4. For new AIJV products, interested parties shall be given six months from the date the final list is approved by the AEM to obtain approval from the appropriate government agencies to produce such products.

5. At the end of the stipulated six month period, all participating countries shall inform COIME of those applications for the production of new AIJV products, for which approval has been granted. Any product for which approval has not been granted within the stipulated six month period shall be automatically deleted from the list.

6. COIME shall inform all member countries of those new AIJV products for which approval has been granted.

7. For existing AIJV products, interested parties shall seek their respective governments' confirmation that their entities qualify as AIJVs under this Agreement, after the inclusion of their AIJV products in the final list approved by the AEM.

8. For existing AIJV products, all participating countries shall inform COIME of entities that have qualified as AIJVs under this Agreement.

ARTICLE III

PRIVILEGES AND OBLIGATIONS UNDER THE ASEAN INDUSTRIAL JOINT VENTURE PROGRAMME

New AIJV Products

1. Where an application for the production of an AIJV product has been approved by any participating country, and due notification thereof has been given to COIME, all participating countries shall extend a minimum margin of tariff preference of 50 per cent for that AIJV product within 90 days of its commercial production.

2. The tariff preference described in Article III paragraph 1 shall apply, during the initial three year period, only to AIJVs in participating countries. The three year period shall commence from the actual date of commercial production of the AIJV product, or upon expiry of 30 months from the date the AEM approved the inclusion of that product in the final list, whichever is earlier.

3. Non-participating countries shall waive their rights under Chapter II, Article 8, paragraph 2 of the ASEAN PTA for the three year period. Participating countries shall also similarly waive their rights, during the three year period, in respect of entities which are not AIJVs within their countries but produce the same AIJV products. At the end of the initial three year period for a given AIJV product, non-participating countries shall be deemed to be participating countries and shall extend the same margin of tariff preference for that AIJV product. Furthermore, after the initial three year period, any entity in any ASEAN member country which produces the same AIJV

product, irrespective of whether or not it qualifies as an AIJV, shall enjoy the same margin of tariff preference.

4. In the event that there is only one approved project for a new AIJV product by the end of the stipulated six month period, the participating countries shall grant to that AIJV exclusivity privileges. Exclusivity privileges shall continue for a period of three years commencing from the actual date of commercial production of the AIJV product or upon the expiry of 30 months from the date the AEM approved the inclusion of that product in the final list, whichever is earlier. In the event that there is more than one approved project for a new AIJV product, exclusivity privileges shall not be granted.

5. Exclusivity privileges in this Agreement shall mean that during the exclusivity period of three years, the participating countries cannot set up new production facilities for the same product, other than the approved project, unless 75 per cent of its production is for export to non-ASEAN countries. A production facility is deemed to have been set up when it is in commercial production.

Existing AIJV Products

6. The participating countries shall extend to an existing AIJV product the same tariff preferences as provided for in Article III paragraph 1 within 90 days from the date the AEM approves the inclusion of that product in the final list.

7. The tariff preferences described in Article III paragraph 6 shall apply, during the initial three year period, only to AIJVs in participating countries. The three year period shall commence from the actual date of implementation of tariff preferences.

8. Non-participating countries shall waive their rights under Chapter II, Article 8, paragraph 2 of the ASEAN PTA for the three year period. Participating countries shall also similarly waive their rights, during the three period, in respect of entities which are not AIJVs within their country but produce the same AIJV products. At the end of the initial three year period for a given AIJV product, non-participating countries shall be deemed to be participating countries and shall extend the same margin of tariff preference for that AIJV product. Furthermore, after the initial three year period, any entity in any ASEAN member country which produces the same AIJV product, irrespective of whether or not it qualifies as an AIJV, shall enjoy the same margin of tariff preference.

9. Existing AIJV products shall not be granted exclusivity privileges.

ARTICLE IV

SUPERVISION AND REVIEW OF ASEAN INDUSTRIAL JOINT VENTURE PROGRAMME

COIME shall supervise the implementation of this Agreement and shall draw up rules and regulations for such implementation. All decisions of COIME shall be taken by consensus.

ARTICLE V

MISCELLANEOUS AND FINAL PROVISIONS

1. This Agreement shall enter into force on the thirtieth (30th) day after the deposit of the fifth Instrument of Ratification.
2. This Agreement may not be signed with reservation nor shall reservations be admitted at the time of ratification.
3. All articles of this Agreement may be modified through amendments to this Agreement agreed upon by consensus. All amendments shall become effective upon acceptance by all Member Countries.
4. This Agreement shall be deposited with the Secretary-General of the ASEAN Secretariat who shall promptly furnish a certified copy thereof to each Member Country.
5. Each Member Country shall deposit its Instrument of Ratification with the Secretary-General of the ASEAN Secretariat who shall promptly inform each Member Country of such deposit.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments have signed this Basic Agreement on ASEAN Industrial Joint Ventures.

Done in JAKARTA this 7th day of November, 1983 in a single copy in the English language.

For the Government of the
Republic of Indonesia

Signed
Foreign Minister of the
Republic of Indonesia

For the Government of Malaysia

Signed
Foreign Minister of
Malaysia

For the Government of the
Republic of the Philippines

Signed
Acting Foreign Minister of the
Republic of the Philippines

For the Government of the
Republic of Singapore

Signed
Foreign Minister of the
Republic of Singapore

For the Government of the
Kingdom of Thailand

Signed
Foreign Minister of the
Kingdom of Thailand

SUPPLEMENTARY AGREEMENT TO AMEND
THE BASIC AGREEMENT ON ASEAN
INDUSTRIAL JOINT VENTURES (BAAIJV)

WHEREAS, the Governments of the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand had on the seventh day of November 1983 signed the Basic Agreement on ASEAN Industrial Joint Ventures (BAAIJV); and

WHEREAS, under paragraph 3 of Article V of the Agreement, amendments may be made to the Agreement; and

WHEREAS, the parties desire to make certain amendments to the Agreement.

NOW THE PARTIES HAVE AGREED AS FOLLOWS :

- (1) That the term “three year period” referred to in paragraphs 2 and 7 of Article III of the Agreement be amended to read as “four year period”. The amended version of paragraphs 2 and 7 of Article III of the Agreement is to read as follows:

“The tariff preference described in Article III paragraph 1 shall apply, during the initial four year period, only to AIJVs in participating countries. The four year period shall commence from the actual date of commercial production of the AIJV product, or upon expiry of 30 months from the date the AEM approved the inclusion of that product in the final list, whether is earlier.

The tariff preferences described in Article III paragraph 6 shall apply, during the initial four year period, only to AIJVs in participating countries. The four year period shall commence from the actual date of implementation of tariff preferences.”

- (2) That paragraphs 3 and 8 of Article III of the Agreement be amended to read as follows:

“Non-participating countries shall waive their rights under Chapter II, Article 8 paragraph 2 of the ASEAN PTA for the four year period. Non-participating countries need not extend a margin of preference to participating countries on AIJV products. Non-participating countries, which so desire and upon notification and concurrence of COIME, may become participating countries at any time and shall extend the same margin of tariff preference for that AIJV product.

Participating countries shall waive their right under Chapter II, Article 8 paragraph 2 of the ASEAN PTA for the four year period in respect of entities which are not AIJVs but produce the same products within their countries. After the four year waiver period for an AIJV product, any entity in any member country which produces that AIJV product, irrespective of whether it qualifies as an AIJV or not, shall enjoy

the margin of tariff preference in the participating countries for that particular AIJV product.”

- (3) That this Supplementary Agreement shall come into force on the date on which it shall receive the approval of the Contracting Parties.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments have signed this Supplementary Agreement.

Done at Jakarta in the English Language this 7th day of November 1983.

For the Government of the
Republic of Indonesia

Signed
Foreign Minister of the
Republic of Indonesia

For the Government of Malaysia

Signed
Foreign Minister of
Malaysia

For the Government of the
Republic of the Philippines

Signed
Acting Foreign Minister of the
Republic of the Philippines

For the Government of the
Republic of Singapore

Signed
Foreign Minister of the
Republic of Singapore

For the Government of the
Kingdom of Thailand

Signed
Foreign Minister of the
Kingdom of Thailand

- (b) *KAMPUCHEA: Statement of ASEAN Foreign Ministers of 21 September 1983—An Appeal For Kampuchean Independence*

AN APPEAL FOR KAMPUCHEAN INDEPENDENCE

1 The central issue in the Kampuchean problem is the survival of the Kampuchean nation and the restoration of its independence and sovereignty. The total withdrawal of foreign forces, the exercise of self-determination and national reconciliation are essential elements for the survival of an independent and sovereign Kampuchea. The continuing foreign occupation of Kampuchea and violation of Kampuchean sovereignty, independence and territorial integrity threaten regional and international peace and security.

2 The Foreign Ministers therefore call on the international community, particularly Vietnam and the five Permanent Members of the UN Security Council as well as other states concerned to join them in intensifying efforts to achieve a just solution whereby Kampuchea can emerge once again as an independent and sovereign nation in fact as well as in law.

3 In order to restore Kampuchea's independence, sovereignty and territorial integrity, the Foreign Ministers further appeal to all countries concerned to refrain from all interference, direct or indirect, in the internal affairs of Kampuchea and to respect the neutral and non-aligned status of Kampuchea, which is essential to the legitimate security concerns of all countries in Southeast Asia.

4 Moreover, following the total withdrawal of foreign troops from Kampuchea, the Kampuchean people must be able to exercise their inalienable right to self-determination through internationally-supervised elections in which all Kampuchean shall participate and all political groups in Kampuchea should be encouraged to work towards the goal of national reconciliation.

5 In consonance with the on-going international efforts, the Foreign Ministers reiterate their willingness to consult with all parties concerned regarding possible initial steps that could be taken in pursuit of a comprehensive political settlement of the Kampuchean problem. These steps could include the following:

- (a) With regard to the declared intention of Vietnam to conduct partial troop withdrawals, such partial withdrawals should take place on a territorial basis, and could begin with withdrawal from the western-most territory of Kampuchea along the Thai-Kampuchean border. These withdrawals should begin as soon as possible in phases within a definite period to be worked out as part of a comprehensive political settlement.
- (b) In this context, a ceasefire should be observed in these areas, which should then be constituted as safe areas for uprooted Kampuchean civilians under UNHCR auspices. In addition, peace-keeping forces-observer groups should be introduced to ensure that the withdrawals have taken place and the ceasefire and safe areas are respected. International economic assistance programmes should be encouraged in these safe areas.

6 The Foreign Ministers, conscious of the plight of the Kampuchean people resulting from the ravages of war and mindful of the need for the economic reconstruction of Kampuchea and the rehabilitation of the social and cultural life of the Kampuchean people, hereby appeal to the international community to mobilise resources for a programme of assistance as part and parcel of the comprehensive political settlement of the Kampuchean problem. An international conference for the reconstruction and rehabilitation of Kampuchea should be convened at an appropriate time.

Dr Mochtar Kusumaatmadja
Minister of Foreign Affairs, and
Chairman of the ASEAN Standing Committee.
Republic of Indonesia

Tan Sri Mohamed Ghazali bin Shafie
Minister of Foreign Affairs
Malaysia

General Carlos Romulo
Minister of Foreign Affairs
Republic of the Philippines

Mr S Dhanabalan
Minister for Foreign Affairs
Republic of Singapore

Air Chief Marshal Siddhi Savetsila
Minister of Foreign Affairs
Kingdom of Thailand

21 September 1983

VI. SINGAPORE IN THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS AND CONFERENCES

- (a) *UNITED NATIONS SECURITY COUNCIL: Statement by Singapore's Permanent Representative to the UN in New York, Professor T.T.B. Koh, before the U.N. Security Council, on 28 October 1983 on the SITUATION IN GRENADA (Singapore Government Press Release No. 48/Oct, 09-0/83/10/29, Ministry of Foreign Affairs, 29 October 1983)*

Mr President, Singapore is one of the smallest states of the United Nations. It is a militarily weak state. Because we are small and because we are militarily weak, we therefore have a major stake in the efficacy of international law, in the principles of the United Nations Collective Security System. It is because our national security is threatened whenever a small or militarily weak state falls victim to the aggression, intervention and interference by a bigger or militarily more powerful state, that Singapore has been so outspoken in defence of the fundamental principles of the United Nations Charter. We believe that all small and militarily weak states share the same interest with us in protecting these principles which afford us a degree of protection in a world which is all too prone to violence.

Mr President, it is easy enough for us to demonstrate our adherence to principle when to do so is convenient and advantageous and costs us nothing. The test of a country's adherence to principle is when it is inconvenient to do so. I find myself in such a situation today. Barbados, Jamaica, the United States and the Member States of the Organisation of East Caribbean States are friends of my country. It is extremely convenient for me to acquiesce in what they have done or to remain silent. To do so will, in the long run, undermine the moral and legal significance of the principles which my country regard as a shield. This is why we must put out adherence to principle above friendship. This is why we cannot condone the action of our friends in Grenada. The stand my country has taken in this case is consistent with the stand we have taken in other cases.

Mr President, I regret that I will have to say that some of the countries which are clamouring the loudest for the condemnation of

the foreign intervention in Grenada have not demonstrated their adherence to the principle of non-interference in the internal affairs of states in other cases. Let me quote just one example. In December 1979, the Soviet Union committed aggression against Afghanistan. Soviet troops are in occupation of that country and the number of Afghans who are killed daily in resisting Soviet occupation is probably larger than all the casualties suffered in Grenada. On the 29 November 1982, the 37th Session of the United Nations General Assembly adopted Resolution 37/37 on Afghanistan. Which countries voted with the Soviet Union against the Resolution? They were: Angola, Bulgaria, Byelorussia, Cuba, Czechoslovakia, Democratic Yemen, Ethiopia, German Democratic Republic, Hungary, Laos, Libya, Madagascar, Mongolia, Mozambique, Poland, Syria, Ukraine and Vietnam. By their support for the Soviet intervention in Afghanistan, these 18 countries have clearly shown that they owe no allegiance to the principle of non-interference in the internal affairs of states. The real basis for their opposition to the action of United States and others in Grenada is not based upon principle but upon the fact that those who have violated the principle are their ideological adversaries and those who are the victims of foreign intervention are their ideological comrades. The world should therefore not be deceived by the opportunism and hypocrisy of these countries.

- (b) *REPRESENTATION OF KAMPUCHEA IN THE UNITED NATIONS: Ministry of Foreign Affairs Statement of 22 October 1983 on the outcome of the Democratic Kampuchean Credentials Issue at the 38th United Nations General Assembly. (Singapore Government Press Release No. 33/Oct, 09-0/83/10/22)*

Vietnam, in deciding not to challenge the credentials of Democratic Kampuchea at this year's UN General Assembly, has conceded that it cannot unseat the DK Government at the UN, especially after the formation of the coalition government headed by Prince Sihanouk.

This is a major political step forward for the coalition government in its efforts to regain Kampuchean independence. It is clear that Vietnam has failed to win international acceptance of its invasion of Kampuchea in 1978. The international community's support for the coalition government is now indisputable.

Singapore appeals once again to Vietnam not to seek a military solution in Kampuchea, but to negotiate a withdrawal which would allow for the exercise of self-determination and return to the Kampuchean nation its sovereign, independent and neutral status.

- (c) *UNITED NATIONS GENERAL ASSEMBLY: Speech by Mr. S. Dhanabalan, Minister for Foreign Affairs, before the U.N. General Assembly on Tuesday 27 September 1983 (Singapore Government Press Release No. 60/SEP, 09-2/83/09/27)*

Last month, the world condemned a superpower for shooting down a civilian airliner and killing all 269 passengers on board. Although the International Civil Aviation Organisation is still investigating the tragedy, two facts are beyond dispute. First, the conduct of Soviet Union in shooting down the civilian airliner and denying others access to their waters for search and rescue operations is in

violation of the rules of international civil aviation. Second, the domestic laws of the Soviet Union, which authorise the destruction of intruding civil aircraft, are inconsistent with the Soviet Union's international obligations. We therefore add our voice to the world-wide appeal to the Soviet Union to admit its responsibility for the tragedy, to pay compensation to the victims and to bring its domestic laws into line with its international under-takings.

It is difficult to identify any political problem or conflict where the prospects of achieving progress in the near term look promising. In the Middle East, peace with justice continues to elude us. The Palestinians continue to be denied the right of self-determination and to a homeland of their own. The outcome of efforts to persuade foreign forces to withdraw from Lebanon has not been satisfactory.

Both the Soviet and Vietnam continue to defy the international community and their troops remain in occupation of Afghanistan and Kampuchea respectively. Military might has not, however, been able to crush the spirit of resistance. Nationalist forces in both Afghanistan and Kampuchea have grown steadily in strength, ensuring that the invaders will continue to pay a high price.

We in ASEAN have continued to seek a political settlement in Kampuchea. Our proposals would secure the legitimate interests of all the countries of Southeast Asia and the right to self-determination of the Kampuchean people. Our proposals have been endorsed by the overwhelming majority of the international community, but Hanoi has refused to loosen its grip over Kampuchea. The tragedy is that it is the people of Kampuchea who suffer. We in ASEAN invite Vietnam to join in the search for a process that would result in the total withdrawal of Vietnamese forces and the establishment of a neutral Kampuchea.