

## SINGAPORE AND INTERNATIONAL LAW

THE objective of this section is to reproduce materials which illustrate Singapore's attitude and approaches on questions of international law. As far as possible, primary materials are reproduced but where they are unavailable, secondary sources will be included. The materials are presented under the following headings:

- I. Policy Statements
- II. Legislation\*
- III. Judicial Decisions\*
- IV. Treaties (other than ASEAN **Instruments**)\*
- V. Association of South-East Asian Nations (ASEAN) Treaties, Declarations and other Instruments
- VI. Singapore in the United Nations and other International Organisations and Conferences

The materials are compiled from various sources, including Singapore Government Press Releases. It should be stressed that any text reproduced herein is not to be regarded as officially supplied to the *Singapore Journal of Legal Studies*.

The following extracts include speeches and statements which focus on key issues.

### I. POLICY STATEMENTS

- (a) *SINGAPORE AND THE U.S.*: Speech by Mr Wong Kan Seng, Minister for Foreign Affairs, at the **Ground-Breaking** Ceremony of the New Singapore Embassy Chancery in Washington DC on 4 October 1991 (Singapore Government Press Release No: **05/OCT**, 09-1/91/10/05)

... Singapore **and** the United States share a common philosophical approach to economic issues. Our two countries support an international free-trading system and have been working together in various international organisations

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\* There are no materials under this heading in this issue.

such as the GATT. Senior Minister Lee Kuan Yew's visit to Washington in January and Vice President Dan Quayle's visit to Singapore in May this year served to further boost our bilateral relations. Our two countries will soon conclude a bilateral trade and investment framework agreement. This framework agreement will be a significant step in refining Singapore-US economic relations.

The Asia-Pacific will continue to offer many new growth areas and rich opportunities. Continued economic growth in this region would require a climate of peace and stability. The United States has contributed greatly to the favourable conditions that have made regional economic progress and prosperity possible. We look forward to a sustained and growing US presence in the region.

Singapore and the United States share a common strategic vision for peace and stability in the Asia-Pacific. To this end, Singapore is willing to do what it can to be helpful. As affirmed during Vice President Quayle's recent visit to Singapore, the implementation of the bilateral Memorandum of Understanding on the increased use of **Singapore's** facilities by the US armed forces is proceeding well...

- (b) *SINGAPORE AND INDOCHINA*: Speech by the Prime Minister at the State Banquet in Honour of Mr Vo Van **Kiet**, Chairman of the Council of Ministers of the Socialist Republic of Vietnam, at the Istana, on Thursday, 31 October 1991 (Singapore Government Press Release No: 36/OCT, 02-1/91/10/31)

... Nine days ago, an unhappy chapter in the history of Cambodia was closed with the signing of the Final Act of the Paris Conference on Cambodia. Your visit today opens a new phase in relations between Singapore and Vietnam. Except for the Cambodian issue, there have been no bilateral problems between Singapore and Vietnam. We have always affirmed that Cambodia was the only obstacle in the way of better relations. For Singapore, Cambodia was a matter of vital principle. Now that the Cambodian peace agreement has been signed, we can look forward to a more positive relationship between our countries.

I am confident that links between Vietnam and Singapore can quickly grow and broaden. We have maintained trade between us. Now there is scope for more trade and economic cooperation in industry, tourism and services. We will consider Vietnam's needs for technical assistance within our Singapore Cooperation Programme. However, it is the private sector which can and will make the investments and expand business links across the board.

Vietnam is an important Southeast Asian country with great potential. A peaceful and economically vibrant Vietnam is in the region's interest.

Singapore wants to see Vietnam at peace with its neighbours, developing and prospering, and contributing to the overall vitality and stability of Southeast Asia. Then all will benefit. I have no doubt that you will achieve rapid development and prosperity through your own efforts, by pursuing the right economic policies and creating a conducive environment for growth. The *doi moi* reform programme adopted by Vietnam in 1986 is a good beginning. Its successful implementation will broaden and deepen links between Vietnam and the other countries in the region.

International relationships are being re-ordered as a result of the profound and dramatic changes in the world. A new relationship between Vietnam and ASEAN is emerging against a very different world backdrop, a world without the Cold War. Singapore welcomes Vietnam's desire to accede to the Treaty of Amity and Cooperation. Constructive relations between Vietnam and ASEAN can eventually lead to a more relaxed strategic environment in Southeast Asia as Vietnam's economy and policies become more compatible with the ASEAN countries'. This will mean peace and prosperity for our peoples. I am confident that Vietnam, Singapore and ASEAN, will work together to bring this about.

- (c) *SINGAPORE'S VIEWS ON THE CIS*: Comments by MFA Spokesman (Singapore Government Press Release No: 11/DEC, 09-0/91/11/14)

In response to a question, the MFA spokesman said: "Singapore has closely followed the recent developments in the Soviet Union. We note that the decision of the leaders of the Russian Federation, the Ukraine and the Republic of Belarus to form the "Commonwealth of Independent States" (CIS) has been overwhelmingly endorsed by their respective parliaments. We also note that a number of other Soviet republics have endorsed the CIS and plan to join it. Singapore welcomes the assurances given by the CIS to respect human and minority rights and territorial integrity and inviolability of existing borders. Singapore is also pleased that the CIS has pledged to control nuclear weapons in the country and honour its obligations on all arms control agreements. We also welcome their commitment to the aims and principles of the UN Charter and the Helsinki Final Act."

He added, "As the transformation of the Soviet Union enters this crucial phase, Singapore joins the international community in calling upon the CIS and the other Soviet republics to work out the new arrangements in a democratic, orderly and peaceful manner."

- (d) *ASEANDEFENCE*: Opening Address by Dr Yeo Ning Hong, Minister for Defence, at the Asia-Pacific 1992 Conference in Singapore on Wednesday, 26 February 1992 (Singapore Government Press Release No: 26/FEB, 05-1/92/02/26)

... Globally the new world order has brought mixed blessings, with different impacts on different countries in different regions of the world. The US and Western Europe are the major beneficiaries of the relaxation in **East-West** tension. They were in the direct shadow of the Soviet war machine, **with** its 30,000 nuclear warheads targeted at American and European capitals and cities. West Germany was the first and most direct beneficiary of the collapse of Communism. Without delay East and West Germany were re-united to give rise to a formidable economic power in the making. With its 70 million people, it is well positioned to become the unproclaimed leader of a united Europe.

... No country in Southeast Asia is overjoyed with the reduction in US presence. None of them has declared a peace dividend. No one has reduced its defence expenditure. There are good reasons. As Southeast Asia looks towards the 21st Century eight years hence, the likelihood of a United States that is less engaged in the region cannot be ruled out. This is especially so if the US does not recover smartly from the current recession, and restore quickly its international competitiveness, through improved productivity of its workforce and higher quality products and services. Calls for increased protectionism and isolationism are striking **responsive** chords among American workers once again. Pat Buchanan and his platform of "America First" received good ground support at the New Hampshire primary earlier this month.

Any sharp pull-back of United States military forces from the Asia Pacific will have a negative impact on the region. Japan may feel compelled to rearm to safeguard its trade route beyond the thousand nautical miles south of Tokyo. This could in turn prompt the Chinese and the Koreans, who have not forgotten the past atrocities inflicted on their people, to build up their respective armed forces to counter and contain any Japanese rearmament. A whole chain reaction of destabilisation could follow. In such a situation, there will be no winner. It is therefore in the interest of all countries in the Asia Pacific including Japan and the United States, to see that the United States remains engaged in the region - economically, politically and militarily.

To play its part, Singapore offered the use of its facilities to the US for port calls by its warships and rolling deployments by its aircraft. A Memorandum of Understanding (MOU) was signed in 1990. Earlier this year, during President **Bush's** visit to Singapore, Singapore agreed in principle to the transfer of a logistics element to Singapore in the context of the

1990 MOU. Other ASEAN countries have also offered maintenance and repair facilities for US warships and aircraft. Such actions signal ASEAN's desire to see the continued engagement of the US in the region and our willingness to assist.

Just as we want the United States to remain committed in the region, we welcome too other regional powers to engage in constructive economic and political cooperation with us. This coincides with an intensified interest among regional powers in East Asia. Japan is paying increasing attention to Southeast Asia and is poised to become the most important investor and trading partner. On top of this, it is preparing to play a greater political role through participation in the United Nations' peace initiatives. Similarly, China, India and Vietnam see economic cooperation with Southeast Asian countries as an essential complement to their own economic reforms and progress.

In addition to helping the US and other regional powers remain engaged in the region, ASEAN can respond to the end of the Cold War in three other ways. Firstly, ASEAN countries will continue to invest in defence to ensure peace and stability in the region. Such a stability will ensure a climate conducive to economic development and the uplifting of the quality of life for people in ASEAN, without distraction, or diversion of scarce resources to war. In ASEAN's parlance, each of us will strive to achieve national resilience. This in turn will contribute towards regional resilience.

Secondly, each of the countries will foster closer defence relations with its neighbours. In the process we will create a multiplicity of bilateral relations, enhancing mutual and regional understanding and giving added strength to our security network. Joint exercises of land, sea and *airforces*, on-going between many ASEAN countries, will continue to be encouraged and expanded.

Thirdly, ASEAN countries will initiate regional discussions and exchanges of views on security issues, both among countries in the region as well as with extra-regional powers. Last month, the ASEAN Heads of Government met in Singapore for the Fourth ASEAN Summit. They signed the Singapore Declaration which called for a move to a higher plane of political and economic cooperation, promotion of free trade, safeguarding of collective interests and the maintaining of economic growth in the region. The Declaration also recognised that economic growth and prosperity could not be achieved without stability and security in the region. So for the first time in the history of ASEAN, leaders of member nations agreed to engage in a collective dialogue on security issues and to explore new avenues for security cooperation. ASEAN will also engage its dialogue partners at its Post Ministerial Conference in similar security discussions.

An enhanced responsibility for regional security, in concert with its growing economic power, has made the Asia-Pacific region a major market

for defence-related hardware and software. While the United States is expecting defence budget cuts amounting to US\$50 billion, defence spending in the Asia-Pacific will continue to rise. Faced with shrinking markets in Europe and the United States, defence equipment manufacturers are looking to Asia for new markets and new sources of funds.

Meanwhile, Southeast Asia will continue to look to the US and EC for the purchase of defence equipment. The defence budgets of Southeast Asia are modest, relative to the massive cuts made in the US and the EC. However, they could represent a significant and much welcome uptake of the excess capacity of the global defence industry.

The Southeast Asian countries are also keen to develop their own defence industries, and to achieve a minimal level of self-sufficiency in defence hardware. The trend here is towards licensed manufacturing of defence hardware in the region. Programme development and risk sharing are other forms of cooperation between manufacturers in the West and industries in Southeast Asia. These forms of cooperation provide markets for the manufacturers while facilitating the transfer of technology to the Asia-Pacific.

The launching of this First Asia-Pacific Defence Conference, just a year after the Gulf War, and three months after the disintegration of the Soviet Union, is significant and timely. This conference, with its distinguished list of speakers, will provide points of view seen from different perspectives, and in the process create a better understanding of the new political and economic environment. It will also highlight new investment opportunities and markets for the defence industry.

- (e) *SINGAPORE'S VIEWS ON MYANMAR*: Comments by MFA Spokesman (Singapore Government Press Release No: 10/MAR, 09-0/92/03/11)

In response to a question, the MFA spokesman said that "Singapore is concerned about the situation at the **Myanmar-Bangladesh** border. The influx of large numbers of refugees from **Myanmar** into Bangladesh is creating a potential area of instability for the region and human suffering. Press reports indicate there are about **150,000** refugees to-date and the numbers seem to be increasing." The MFA spokesman added that "Singapore hopes that the Myanmar authorities would take action that would allow the refugees to return home safely and thus defuse a potential source of regional instability and tension."

- (f) *SINGAPORE'S VIEWS ON CAMBODIA*: Comments by MFA Spokesman (Singapore Government Press Release No: 11/MAR 09-0/92/03/14)

The MFA spokesman today said that Singapore was gravely concerned by press reports that the Khmer Rouge had launched a new offensive in Cambodia. The MFA spokesman said that he considered the press reports credible because they were based on UN sources. "The Khmer Rouge's behaviour is deplorable. Singapore condemns such cynical and irresponsible actions which can only prolong the agony of the Cambodian people," he said. The MFA spokesman added that a continuing military offensive could jeopardise the deployment of UNTAC and threaten the Cambodian peace settlement. "If the Paris Agreements unravel, the world will know who is responsible," he said. The MFA spokesman called upon the Khmer Rouge to demonstrate their commitment to peace by immediately halting their military offensive and cooperating with the UN.

#### V. ASSOCIATION OF SOUTH-EAST ASIAN NATIONS (ASEAN) TREATIES, DECLARATIONS AND OTHER INSTRUMENTS

- (a) *PEACE IN THE REGION*: Speech by BG (Res) George Yong-Boon Yeo, Minister for Information and the Arts and Second Minister for Foreign Affairs, at the Launch of the Commemoration of the 50th Anniversary of the Fall of Singapore in Singapore, 8 December 1991 (Singapore Government Press Release No: 04/DEC, 03-1-91/12/08)

The first lesson is the need to construct a structure of peace in the region which enables conflicts among nations to be settled in a peaceful manner without recourse to violence. The message must be driven home that violence does not pay, whether the aggressor was Japan in the Second World War, Vietnam in Cambodia or Iraq in Kuwait.

We need a structure of peace at two levels. On one level, we need an Asian-Pacific architecture which balances and brings together in peaceful cooperation the United States, Japan, China, Russia and India. Over the next 10 years, the existing equilibrium in the Asia-Pacific will come under great stress. The relative decline of the United States, the growing economic power of Japan, the break-up of the Soviet Union and the leadership transition in China mean that a new equilibrium must be established. We need political and economic institutions which keep disputes among the major powers within bounds. It was precisely the lack of such institutions which brought about the war in the Pacific. Imperial powers were then in furious contention. The United States retaliated against the Japanese invasion of China and the occupation of French **Indo-China** with an embargo on strategic materials, principally oil. The result was a war which led to the deaths of tens of millions in Asia. We have the opportunity now to build a different kind of co-prosperity sphere in the Asia-Pacific region. We must seize it.

But it is not enough just to have the big powers in balance. We also need a structure of peace in the immediate region around us. This is why ASEAN is so important to Singapore. Before the Japanese could invade Malaya, it had first to occupy **Indo-China** and then obtain the agreement of Thailand for the passage of its forces. Malaya fell before Singapore did. And it was from Singapore that Japanese forces invaded Sumatra and other parts of the Dutch East Indies. Thus, the security of Indonesia, Singapore and Malaysia is indivisible; the security of Malaysia and Thailand is indivisible; and the security of Thailand and Indo-China is also indivisible. The more we cooperate politically in ASEAN, the more our economies are integrated, the safer our future will be. United we stand, divided we fall. Divided, our own interests are likely to be traded off in the larger game played by the big powers.

In other words, to have peace in Singapore, we need peace in Southeast Asia and peace in the Asia-Pacific region. Singapore's foreign policy is therefore directed towards the creation of a structure of peace which balances the major powers and which facilitates political and economic cooperation in Southeast Asia and in the Asia-Pacific region.

... On the larger chessboard of international politics, a minor piece like Singapore is never indispensable. While we should always make ourselves useful to others, we must never be under the illusion that we are indispensable to anyone. We must always be prepared to stand up for ourselves. This is what independence means and there is no greater expression of our independence than the **SAF**. Hongkong is similar to Singapore in many ways, but on this point we are completely different. Hongkong is now a British colony and will revert to China as a Special Administrative Region in 1997. It does not need an army.

- (b) *ASEAN CO-OPERATION*: Speech by BG (Res) George Yeo, Minister for Information and the Arts and Second Minister for Foreign Affairs, at the Opening Ceremony of the First Meeting of the Joint Technical Committee between Indonesia and Singapore on Cooperation in the Fields of Broadcasting and Information in Jakarta on 28 April 1992 (Singapore Government Press Release No: 40/APR, 03-1/92/04/28)

... Great challenges confront us. In a world changing so rapidly, no one can predict the future. With the sudden collapse of the Soviet Union, we are left with only one superpower in the world, and that one superpower is itself in relative decline. Other powers are becoming more important. All these changes will affect us in a profound way, how exactly we cannot be sure. There are great opportunities but there are also great dangers. What we must do in ASEAN is to stick together in good times and bad. As they say, if we do not hang together, we will hang separately. Whatever happens



to the rest of the world, we are better off operating within a strong regional framework. The ASEAN Summit held in Singapore in January marked a major milestone in the development of Southeast Asia. The agreement to create an ASEAN Free Trade Area in 15 years demonstrates our common resolve to create a Southeast Asian community big and strong enough to stand up to others in the world. The more we cooperate in Southeast Asia, the louder our collective voice will be at international forums, and the better able we will be to cooperate with others on the basis of mutual respect and mutual non-interference.

We have a tradition of being practical in the way we advance regional cooperation in ASEAN. We achieve our goal not by grand pronouncements **but** by concrete measures. The Growth Triangle of Riau, **Johore** and Singapore, for example, is an important step towards the creation of a larger economic community in ASEAN. Only ten days ago, Indonesian President Suharto and Singapore Prime Minister Goh Chok Tong jointly declared open the **Batamindo** Industrial Park in **Batam**.

Regional cooperation is multi-faceted. It is not only economic and political. Information and cultural exchanges are also very important. Before the arrival of the European powers, there was a lot of contact among Southeast Asians. The waterways were the **highways** linking mainland **and archipelagic** Southeast Asia together. For example, there is now little doubt that the builders of Angkor Wat were inspired by the construction of the Borobudur. It was only later when the European powers divided Southeast Asia into different spheres that we lost contact. The Anglo-Dutch Treaty of London in 1824 drew a clear line across the old Johore-Riau area, separating Bintan, Batam and Karimun from Singapore. Under British colonial administration, text books in Singapore schools neglected the Riaus entirely. Indonesia was given only minimal attention. Now we are re-discovering each other.

Without a much deeper understanding of each other, further economic and political cooperation will be difficult. Singapore has a lot to learn from Indonesia. Before we formulated **Singapore's** shared values in a White Paper in January **1991**, we studied the experience of the Indonesian people, especially the idea of Pancasila. More Singaporeans are visiting Indonesia, not just Jakarta but other cities and islands as well. There is increasing coverage of Indonesia in Singaporean newspapers. We should promote even more contact at all levels.

I welcome greater Indonesian coverage of Singapore. We welcome the basing of more Indonesian journalists and news agencies in Singapore, not just to report on Singapore but also to cover international trade and finance. Over the last year and a half, I have had the pleasure of meeting many senior Indonesian journalists who visited Singapore.

I fully support Minister **Harmoko's** proposal to use broadcast satellite technology to promote a greater sense of the region and also to promote

the region to the rest of the world. There is no reason why we should passively accept outside broadcasts into the region and not take active steps ourselves to publicise and promote our regional point of view. The technology is already available at a reasonable cost. What we need is cooperation and organisation. At the Second Conference for ASEAN Information Ministers in Kuala Lumpur last year, all the ministers agreed that member countries should harness resources in information technology to communicate ASEAN's ideals and achievements more effectively within the region and internationally.

We need not wait for all of ASEAN to reach a consensus before we take the first step. Member states can begin with bilateral cooperation. Others can then be brought in. In economic cooperation, close cooperation between Indonesia and Singapore in the Riaus is an important component of the Growth Triangle which in turn becomes a building block for the ASEAN FTA. We should adopt a similar approach in information and cultural exchange by starting with modest bilateral projects and building on from there. Success breeds success and, as we say in Malay, "*sedikit-sedikit lama-lama jadi bukit.*"

- (c) *NAFTA, THE SEM AND SINGAPORE*: Address by Mr Wong Kan Seng, Minister for Foreign Affairs, at the Annual General Meeting Luncheon of the Singapore International Chamber of Commerce, on Monday, 13 April 1992 (Singapore Government Press Release No: 14/APR, 09-1/92/04/13)

... For the Japanese the process of establishing a new *modus vivendi* with the US to reflect global changes is part of an attempt to define a broader international role for themselves. There is as yet no domestic consensus in Japan on its role. The process of adjustment is uncomfortable for both Tokyo and Washington. The US-Japan relationship is likely to be troubled for some time. This will affect us.

Europe is also preoccupied with its own affairs as the EC simultaneously moves towards greater integration and tries to reach an accommodation with their newly free but poorer neighbours to the East.

The Maastricht Treaty was an historic step towards the vision of a single Europe. But the cultural and political distinctiveness of various parts of Europe that evolved over centuries will not be erased by a stroke of the pen. The collapse of communism in the East has also allowed long suppressed forces and interrupted historical processes to reemerge and work themselves out. A new dynamic and balance of power must eventually evolve, both within a more unified EC and between western and eastern Europe. Until that balance is established, we should not be surprised if Europeans became more inward-looking.

One manifestation of the more pronounced internal assertion of two out of three of the major global powers is the trend towards economic regionalism, whether in the form of the NAFTA (North America Free Trade Area) or the SEM (Single European Market). Natural economic forces are also moving other regions towards greater economic **cooperation....**

There have been repeated assurances that the SEM and NAFTA will be open, not protectionistic. Strengthening the multilateral trading system will help ensure that this is in fact the case. This will in turn help ease US-Japan relations and maintain optimal conditions for growth and prosperity in the Asia-Pacific.

It is therefore important **that** the Uruguay Round should succeed. Scheduled to conclude by December 1992, the Round has been stalemated by disagreement between the US and the EC over agricultural subsidies. This has been compounded by domestic difficulties and strong resistance from the farm lobbies. If the Uruguay Round fails, this will unleash protectionistic forces and undermine confidence in an open and predictable multilateral trading system under the GATT. It will compel the economic majors to form trading blocs to protect their own interests.

But even if the SEM and NAFTA remain open, they will still pose a decisive challenge for the rest of the world. The SEM and NAFTA will serve as magnets for trade and investors, diminishing the relative attractiveness of other **areas**. The decision of the 4th ASEAN Summit to establish an ASEAN Free Trade Area (**AFTA**) in 15 years was a response to this challenge.

**AFTA** is not a perfect agreement. But this is not a perfect world. **AFTA** is nevertheless a significant development. It showed **that** the ASEAN countries have understood the profound international changes that have occurred. ASEAN has to respond to them in a realistic and confident manner. **AFTA** is intended to keep ASEAN attractive and competitive for trade and investments no matter what happens in Europe and America. It is a major political step forward and a prudent investment against an uncertain future.

ASEAN must now find the political will to sustain the momentum to follow through **AFTA**, if possible even more quickly and in more areas than had been agreed. There must be short-term sacrifice for long-term gain. I do not know how **AFTA** will eventually work out. Its success cannot be taken for granted. But so far so good. The initial steps taken after the Summit have been encouraging and on the right track.

Elsewhere in Southeast Asia the major changes that have occurred are also creating new opportunities. The Paris Agreement on Cambodia opened the way for ASEAN to develop a more positive relationship with the countries of Indochina. The situation there is mixed.

... Vietnam now attracts attention because it is pursuing economic restructuring. Its needs are enormous and its reconstruction will require a

major international effort in which the major economies like Japan must take the leading role. But the potential for all countries is good.

**Singapore's** economic relations with Vietnam have grown since we lifted our investment ban last November. Businessmen like you have to take the lead. If Hanoi continues to adopt and implement policies that will make it an attractive partner for trade and investments, the private sector will develop the links that will gradually integrate Vietnam with the rest of the region. This will be a plus for all. As Vietnam develops and shakes off its ideological shackles, it will eventually prosper and become a significant influence in the region.

What happens in China will also have an immense impact on us. If China pursues its present course, remains reform orientated and gets through leadership changes with minimal instability, it will become more and more integrated into the Asia-Pacific as a positive force for stability and **prosperity**.

China has great economic potential. Southern China is already one of the growth nodes of the region. There can be more such growth nodes in other regions of China. A China that is peacefully integrated into the region can also complement Japan, South Korea and the ASEAN countries in contributing to peace and stability in the Asia-Pacific.

China is now undergoing a period of political transition. I am fairly optimistic, although it would be foolish to try and predict the outcome with any precision. Whatever their differences, all Chinese leaders seem committed to economic reforms, even though they may differ about the pace and scope. All Chinese leaders understand the need for stability, discipline and order to govern a country as vast and populous as China. They have seen what happened in the former Soviet Union. They are determined that the same will not happen in China.

I think they are right. I hope that they will be able to achieve growth with stability. For good or ill, what happens in China has an enormous impact on the rest of the region. Prolonged instability in China, possibly leading to a massive outflow of refugees, will be very troublesome. A vast and ancient country of more than a billion people can never be governed as a "democracy" in the Western sense. It has its own culture and imperatives which cannot be denied. Pressures by the West on China to adopt their models of democracy and human rights which ignore this reality will do more harm than good. Even Fang Lizhi has opposed too rapid and violent changes because they could lead to the kind of social unrest experienced in Yugoslavia, Eastern Europe and the former Soviet Union.

India is also adjusting to the changed international climate. It is reorientating its economic policies towards the market. For Singapore, the global changes and the settlement of regional disputes such as Afghanistan and Cambodia has opened up the prospects for a closer relationship with India. Both sides

can gain on the basis of comparative advantage. There is now more scope and incentive for Singapore companies to invest in India.

Singapore is and will always be a very small and exposed country in an uncertain and often dangerous world. We are not and will never be economically self-sufficient. We will never be. We cannot influence the global events which will have a great impact on our future.

The end of the Cold War will not change these permanent facts of life. But I hope that my quick sketch has done something to convince you that the post Cold War world offers opportunities as well as challenges. I hope that an appreciation of these realities will serve as a spur to greater efforts rather than a dampener on our morale. Our foreign policy must always be agile enough to take advantage of opportunities or get out of harm's way. But it will be businessmen like you that must ultimately follow through to exploit the opportunities and make the decisions that will keep Singapore prosperous.

- (d) *ASEAN CO-OPERATION ON THE ENVIRONMENT*: Speech by Dr Ahmad Mattar, Minister for the Environment, Singapore at the Opening Ceremony of the Fifth Asean Ministerial Meeting on the Environment held in Singapore on Monday, 17 February 1992 (Singapore Government Press Release No: 10/FEB, 07-1/92/02/17)

... The world has undergone many changes since the Fourth AMME in Kuala Lumpur, Malaysia in 1990. With the end of the Cold War, we are experiencing today the evolution of a new international order for better cooperation among nations and peoples at all levels. There is also an increased awareness of the growing environmental problems in the world.

But being aware of the environmental problems alone is insufficient. The global environmental threats we face will always remain unless there is a true transition from awareness to action to protect the environment and to bring about real changes to our lifestyles.

Environmental protection will remain a major challenge to mankind in this decade. Many environmental problems are **transboundary** and cross-sectoral in nature. Individuals and countries acting in isolation are not enough to resolve problems of such magnitude. We need to cooperate and to act collectively to stem the tide of global environmental deterioration.

The Fifth AMME is held at an opportune time. Not only will it provide ASEAN the platform to consider its joint response on global environmental issues, it also allows the Environment Ministers to deliberate on the environmental directions agreed to at the recent Fourth ASEAN Summit held in Singapore.

In June this year, the world will gather in Rio De Janeiro, Brazil for the United Nations Conference on Environment and Development (UNCED),

or the Earth Summit. The Earth Summit offers a rare and unique opportunity for reaching global consensus on ways to save the ailing planet Earth. I sincerely hope that cooperation, instead of confrontation, will prevail at the Earth Summit. Like you, I look forward to a successful UNCED.

At the last Ministerial Meeting, it was agreed that ASEAN should address the issues to be discussed in UNCED on a united, regional front. Our senior officials have done a good job in developing an ASEAN common stand on UNCED issues for the consideration of the Fifth AMME. This proposed common stand will form the basis for our deliberation and provide a useful ASEAN regional contribution to the Earth Summit.

The ability of ASEAN nations to forge a common stand on UNCED will signify the traditional closeness of the ASEAN spirit of understanding and cooperation. This same spirit was clearly demonstrated at the recent Fourth ASEAN Summit held in Singapore. At the Summit, the Heads of Government jointly set out a clear direction for the future of the region. Together, they charted the course for stronger intra-ASEAN cooperation.

At the Fourth ASEAN Summit, the Heads of Government agreed that ASEAN member countries should continue to support the principle of sustainable development and work closely on the inter-related issues of environment and development. ASEAN member countries have endorsed the principle and concept of sustainable development since the early 1980s. All of us in ASEAN realised that the true measure of our success in economic growth will depend on how well we have managed our environment in the course of achieving the growth.

The landmark agreement that was reached by the ASEAN leaders to cut tariffs and create a free trade area in the region within 15 years provides a clear vision for ASEAN. The proposed ASEAN Free Trade Area (AFTA) will not only serve to intensify the economic activities in the region but will also reinforce the **region's** entity as one of the most vibrant and promising economic groupings in the world. The benefits of AFTA will spread beyond economics.

It is my hope that while ASEAN strives for greater economic achievement, it will also emerge as a regional entity successful in maintaining a balance between development and environment. The affirmation of support by the ASEAN Heads of Government for sustainable development indicates the strong political will that prevails in ASEAN to protect the regional and global environment. With support at the highest level, I am sure that we can work together to make ASEAN the role model for sustainable development.

The Heads of Government have directed the Fifth AMME to discuss specific actions and activities to promote regional cooperation on environment and development. They have also agreed that ASEAN should secure support for the **region's** views and programmes on the environment in the

international fora. The direction provided by our Heads of Government is clear. We are charged with the important task of producing appropriate environmental action plans to complement the economic progress of ASEAN. The Fifth AMME has the important mission to begin the process that will take us towards our objectives.

One of the on-going priority areas of ASEAN environmental cooperation is in the control of **transboundary** pollution. It is in **ASEAN's** interest to ensure that environmental problems resulting from economic activities are kept under control. I am pleased to note that some work has been initiated by our senior officials on ways that ASEAN countries can share and exchange information to prevent and minimise transboundary pollution. This is an area that the Fifth AMME can look into to provide the support for the development of this initiative.

Another long term goal of ASEAN environmental cooperation has been to achieve the harmonization of environmental quality standards within the region. To reach this objective, ASEAN member countries will have to work closely together. Due consideration must be given to the different stages of development in each of the ASEAN countries. In this regard, member states should also take steps to jointly identify the technological and financial needs for achieving the set environmental standards.

In the spirit of UNCED, the transfer of environmentally sound technology to developing countries is expected to increase worldwide. Much of this technology transfer can benefit the fast growing Asia-Pacific region, especially ASEAN. We must however create a climate conducive for the use of environmental technology in the region.

- (e) *THE ASEAN FREE TRADE AREA*: Address by BG (Res) Lee Hsien Loong, Deputy Prime Minister and Minister for Trade & Industry, at the Foreign Correspondent's Association (**FCA**) Lunch in Singapore, Friday, 21 February 1992 (Singapore Government Press Release No: **20/FEB**, 15-1/92/02/21)

The ASEAN Summit meeting held in January represented a significant step forward for ASEAN. It approved a major initiative - the ASEAN Free Trade Area (**AFTA**). It firmly set economic cooperation as the major item on the ASEAN agenda.

Understandably, many commentators would like ASEAN to go even further. But ASEAN has in fact come a long way in a short time. How far can be seen by contrasting this summit with the previous one in Manila. In 1987, the ministers and officials laboured hard to prepare for the summit. But despite a common desire to strengthen economic cooperation, we found it very difficult to translate this into a substantive proposal. The very idea of an ASEAN Free Trade Area was too delicate even to be openly discussed.

We eventually worked out a package of measures, but none of the countries was truly satisfied.

Four years later, ASEAN has made a formal commitment to form a free trade area. It has set a definite time frame of 15 years for achieving this. This is a major shift in attitudes, much more significant than the fine print of the **AFTA**. It shows a pragmatic recognition of the realities of the international economic environment, and an appreciation of the policies necessary to promote economic development.

### *Reasons for Shift*

This shift has taken place because of objective developments, both within and outside the ASEAN economies. Firstly, the outward-looking, market-oriented policies pursued by Indonesia, Malaysia, and Thailand in recent years have shown dramatic results. As the economies have been liberalised, and tariffs and red tape reduced, foreign investments have flowed in, especially from Taiwan, South Korea and Japan. These investments have created jobs and pushed up growth rates. Malaysia and Thailand have become **NIEs** in all but name. ASEAN members have gained confidence that their manufacturing industries can compete in the world market. They know that their industries need not, and indeed cannot, depend on a protected domestic market.

Secondly, economic links among ASEAN members between the private sectors have proliferated, independently of the formal schemes of economic cooperation like the ASEAN Preferential **Tariffs** Arrangements or the ASEAN Industrial Joint Ventures. Despite the inconsequential coverage of the **PTA** scheme, in the last two years, Singapore's trade with ASEAN, especially with Malaysia and Thailand, has expanded much faster than its trade with the rest of the world.

The Growth Triangle among Indonesia, Malaysia and Singapore is one instance where the private sector, encouraged by the host governments, has gone ahead to achieve greater and faster success than any formal scheme could have done. The Singapore-Indonesia side of the triangle has attracted more publicity, because of the industrial estate developed on Batam, and the tourism resort being planned on Bintan. But in fact **Singapore's** economic links with Malaysia are broader and more well-established. Much of this is with Johor, where many companies **have** set up **factories** to make components supplying plants in Singapore. But our trade with other states too has gone up, especially with Penang, which is a major electronics manufacturing centre. These positive developments have persuaded ASEAN members that growth is indeed not a zero-sum game.

Thirdly, ASEAN members have followed closely the major developments elsewhere in the international **economy**, and read the implications for themselves.



If the Europeans feel the need to form a Single European Market, and the US, Canada and Mexico are forming North American Free Trade Area, then can ASEAN afford not to get its own act together? Even if neither the SEM nor NAFTA becomes a closed trading bloc, both will become more formidable competitors. It will be some time before Mexico becomes a major target for foreign investments. Eastern Europe will take even longer. But long before that, NAFTA will be attracting more investments from Japan, and the SEM more investments from the US.

A decade ago, when MNCs had fewer alternatives to the Asia-Pacific to choose from, we could in our more complacent moments imagine that investors needed ASEAN more than ASEAN needed them, and that ASEAN should not sell itself too cheaply in its efforts to woo investors. I doubt many in ASEAN feel like that today.

Fourthly, the experience of other developing countries, like India and the PRC, has been both an example and a challenge to ASEAN. India, after spending 40 years pursuing state planning and self-sufficiency, is now trying to promote foreign investments and dismantle the licence raj. The explosive development of South China under Deng Xiaoping's economic reforms has left an even deeper impression on ASEAN. Nobody who has visited Shenzhen and seen the prosperity of the Pearl River delta, as many ASEAN leaders have, can fail to realise what a major player South China will become in the regional economy within the next decade. The more developed ASEAN countries, like Malaysia, are some way ahead of Guangdong province. But for countries like Indonesia, which hope to industrialise on the basis of abundant low cost labour, the challenge is direct. Shenzhen shows both what they can achieve, and what they are up against.

Recently, the Indonesian Minister of Industry, Mr Hartarto, was reported (BT, 18 Feb) as saying that many Indonesian tariffs were aimed specifically at protecting Indonesian industries from the PRC, not from the exports of other ASEAN countries. Indonesia and the PRC have a similar level of industrial development and low wage costs, whereas other ASEAN countries have higher labour and manufacturing costs than Indonesia, so their products are unlikely to threaten Indonesian goods. I am not sure that tariffs are a long term solution to competition from the PRC, but Mr Hartarto's remarks show that this competition is prominently in the mind of Indonesian and no doubt other ASEAN policy makers.

Besides these objective factors, one fortuitous development helped ASEAN to crystallise the free trade area proposal: the military coup in Thailand last year led to the appointment of Mr Anand Panyarachun as Prime Minister of Thailand. It was Prime Minister Anand who originally floated the idea of AFTA, and sold it to the other ASEAN countries. His personal commitment to the proposal helped turn it from a concept to an agreement in less than a year.

*AFTA is only the Beginning*

For all these reasons, ASEAN moved on the AFTA. But we will all be disappointed if AFTA is the only response ASEAN makes to the new circumstances. AFTA can only be the first step in this response. More work is necessary, even on the AFTA scheme itself, to turn the bare bones of the idea into a substantial and valuable programme. But the ASEAN Governments will have to take additional steps beyond AFTA long before the 15 years are up. The heads of government have said that the 15 years is an upper bound, and that we should aim to get there sooner if possible. The regular summit meetings to be held every three years will force the pace. The situation is a dynamic one, and the perspectives and policies of ASEAN decision makers will have to evolve to keep abreast with it.

*Measuring Success of ASEAN Economic Cooperation*

The success of ASEAN economic cooperation should not just be measured by the technical success of the AFTA scheme alone - how many products are covered, how quickly the tariffs can be brought down, whether individual non-tariff barriers are removed. A truer measure is a broader one - how quickly the ASEAN economies have grown, how strongly economic links have developed among them. Many of these will be private sector links, as is already the case. The ASEAN governments must continue to foster a congenial political environment, and encourage private enterprise to take advantage of the opportunities to venture and prosper, and carry the countries forward with them.

The direct effect of an ASEAN Free Trade Area is to encourage division of labour to produce for the domestic market, so that a plant sited in one of the ASEAN countries will have access to all of the ASEAN domestic markets. But the indirect, wider objective is to foster division of labour for *export*, to encourage companies to site multiple plants in several ASEAN countries, cooperating with one another to produce for world markets. In today's global economy, the potential for growth lies with foreign investments by MNCs. MNC projects require economies of scale far larger than ASEAN's combined domestic markets can provide. Companies which rely on ASEAN itself for a major share of their markets cannot take advantage of modern technologies of mass production, and will not generate enough growth. The AFTA is the bait, an additional incentive for the foreign investors to come to ASEAN. Although purchasing power within ASEAN is increasing rapidly, ASEAN's growth will for many years remain export driven. This is as well, as it makes economic cooperation a less contentious exercise.

*Factors in Success*

ASEAN economic cooperation is headed in the right direction. But how swift and successful it will be depends on many factors, not all within ASEAN's control. Firstly, it depends on the global economic environment. A less orderly trading regime will put a premium on closer cooperation. In the protracted wrangling at the GATT talks, the ASEAN countries have found considerable common interest negotiating as a group against other larger players. If economic relations between the US and Japan deteriorate, and the US moves away from multilateral GATT disciplines to rely more on unilateral retaliation like **Super-301** actions, ASEAN will quickly feel the need to band together for self-protection. I am not suggesting that ASEAN will be better off with an unfavourable global environment. But to be realistic there is bound to be some rough weather over the next few years. This adversity will push ASEAN to speed up its economic cooperation.

Secondly, economic cooperation depends on the regional security environment. Here, unlike in the case of external difficulties, success depends on **tranquility**. The status quo is underpinned by a reassuring US presence in the region. This has enabled ASEAN countries to concentrate on economic development, and develop mutual confidence and trust. But the security environment is changing with the end of the cold war and the collapse of Soviet power. Sooner or later the US will come under pressure to reevaluate its role in the region. As against the cold war tensions, the new superpower alignment is incomparably a change for the better. But we cannot assume that things will automatically work out right for our region. A smooth evolution from the current state of affairs is necessary, to give the region time to adjust and **find** a new equilibrium. This will avoid tensions which would otherwise put off investors, divert resources, and hinder growth.

Thirdly, economic cooperation requires political direction. ASEAN Governments must decide when such policies are in their interest, and take positive action to implement them. Political will depends not only on the personal courage of leaders, but also on their assessment that the action is politically advantageous, or at least not too costly. This is especially so when the leaders have to be elected, as they do in five of the ASEAN countries. This contradicts the conventional liberal wisdom that democratically elected governments automatically do what is in the overall interest of the country. But as Prime Minister Anand told you last month, his government could implement long overdue but necessary policies, including the **AFTA**, precisely because "none of us in the cabinet is running for office and has no vested interests."

Elections in Thailand are due in March. The present Thai cabinet is acutely seized with the problem of committing the next government to supporting ASEAN economic cooperation. Many Thai local industries oppose the tariff

reductions and loss of protection which the **AFTA** will entail. The Commerce Minister, Mr **Amaret** Silaon, has said that his government will be taking steps to make it "extremely difficult to reverse the process of liberalisation." But that can only be a temporary solution, as in the longer run the popular will cannot be denied.

Finding a more permanent solution should not be impossible. **ASEAN's** recent record has been encouraging. In preparing for the recent summit, the politicians have been more forthcoming than the bureaucrats. Traditionally, Indonesia has been the most cautious ASEAN member when it comes to economic cooperation. But this time Indonesia was willing to move forward, including bringing capital goods into the AFTA. The idea of Common Effective Preferential Tariffs, through which AFTA is intended to be implemented, was an Indonesian one. This was key to the successful conclusion of the AFTA scheme.

Making a success of AFTA depends on continuation of the policies of PM Anand in Thailand, and President Suharto and his ministers in Indonesia. One way to make these policies less dependent on who is in charge, and insulate them from domestic political pressures, is to institutionalise the linkages and benefits of economic cooperation. We need to create vested interests in keeping the projects going. For example, when the **Batam** and **Bintan** projects mature, tens of thousands of jobs will be created for Indonesian workers in factories on Batam. Tourists to Bintan will bring in a steady flow of foreign exchange, and create more employment. Singapore will benefit from steady business for the port, the airport and the tourism industry. Singapore industries linked to feeder factories in Indonesia will prosper, which would otherwise find no place here. These will be powerful incentives for governments in both countries to maintain good relations with each other.

### *Singapore's Role and Stake*

Singapore's role in promoting ASEAN economic cooperation has always been a delicate one. Being a free trading economy, we do not want to be misunderstood to be cashing in on concessions being made by the others, or to be promoting freer trade to gain a unilateral advantage. In fact, our interest is less in gaining access to Indonesian or Thai markets, and more in making ASEAN a stronger raft to attach ourselves to. Just as Hong Kong prospers as part of a wider South China region, but does not depend on South China as a major market for its products, so too Singapore hopes to draw strength from our linkages with our neighbours, and from their prosperity.

If Singapore insists on being in on every market opening scheme, on the principle that every ASEAN scheme must involve every **ASEAN** member, we may prompt others to hold back and slow down the pace of liberalisation.

Therefore we are willing to stay out of individual cooperation projects until the others are ready for us to join. This is why we pushed for the 6-X principle, which ASEAN has now adopted. While all members participate in the overall scheme, when it comes to specific product groups those countries who are ready to start can go ahead without waiting for the rest. ASEAN as a whole can **then** be covered with multiple overlapping subgroups, rather than having to advance rigidly in lockstep. Some observers think that is a loophole watering down the scheme, but in fact we see it as a flexibility which will enable ASEAN to progress faster overall.

### *The Longer Term*

In the longer term, a vibrant and prosperous ASEAN will play a larger role in the Asian-Pacific economy. Vietnam will eventually join ASEAN, when its political culture and economy have become more compatible with ASEAN'S. It already has substantial economic links with ASEAN. It faces enormous problems as a result of its policies and wars over the last few decades, but all those who have visited the country are convinced of its economic potential.

Others besides the **Indo** Chinese countries also want to strengthen ties with ASEAN. When the New Zealand Trade Minister, Mr Philip Burdon was here recently, he emphasised that New Zealand saw itself as part of this region, and asked me whether New Zealand could join AFTA, as a "**de facto** associate member" with free access to AFTA. I told him that this would take some time, as AFTA is just in the process of being born. Clearly other countries feel pressure to join the club. This shows the confidence that they must have in ASEAN's future prosperity.

Outside the region, a stronger ASEAN may be able to institutionalise linkages with NAFTA, the SEM, and Japan. ASEAN already has an umbrella agreement with the US - the ASEAN-US Initiative. Hitherto the relationship consisted mainly of regular meetings where both sides raise trade issues. The AUI can now form the basis for more substantial cooperation between the two.

ASEAN economic ties with Japan are more informal, but at the ASEAN Economic Ministers' Meeting in Manila later this year, for the first time we will be inviting the Japanese MITI Minister to come for a post-meeting dialogue with the ASEAN ministers. This is a useful step forward.

Thus far, even though ASEAN's achievements in economic cooperation have been modest, ASEAN can fairly be considered a successful organisation, because of its political priorities, particularly its role in solving the Cambodian problem. In the next phase, economic cooperation will loom much larger in ASEAN affairs. ASEAN has to make AFTA work, and build

on **AFTA** to interlink its economies together. The summit has sent this enterprise off to a fair start. I am confident that it will prosper.

- (f) **AFTA AND THE ENVIRONMENT:** Speech by Dr Ahmad Mattar, Minister for the Environment, at the Opening Ceremony of the **Environmexasia/ Watermexasia '92** held in Singapore on 18 February 1992 (Singapore Government Press Release No: **11/FEB**, 07-1/92/02/18)

The ASEAN Governments have long recognised that environmental protection transcends all cultural, ideological and geographical boundaries. The recognition that regional cooperation is essential for ASEAN's environmental well-being led to the convening of the triennial **AMME**,<sup>1</sup> first held in **1981**.

The AMME has served as an effective forum for the assessment of the region's state of the environment. It has enabled the ASEAN Ministers responsible for the environment to discuss regional strategies aimed at protecting the ASEAN environment. This is the first time that Singapore has the privilege of hosting the AMME. Singapore is proud to be accorded the honour of hosting the Fifth AMME.

The decision of the ASEAN Heads of Government to establish an ASEAN Free Trade Area (AFTA) is much heralded by the people of ASEAN. AFTA holds the promise of closer trade linkages between the ASEAN countries. It will also bring about economic cooperation and healthy competition in the region. An open regional market will undoubtedly lead to a greater flow of commercial activities as industries and businesses become more mobile in search of more favourable factors of production.

As a region, ASEAN would benefit from the free trade concept. However, this free market condition should not be exploited by unscrupulous operators who shift their environmentally sub-standard operations from place to place, in an attempt to escape compliance with local environmental standards.

One way to minimise these undesirable movements is for ASEAN member countries to consider the adoption of common environmental practices and emission standards. ASEAN countries need not immediately adopt measures comparable to the industrialised world. We can work towards that in the long-term. In the interim, ASEAN member countries can consider the adoption of minimum, practicable emission standards. These interim standards can be progressively upgraded to reflect the environmental needs of the region. They will also reflect the state of development in the individual ASEAN countries and their capacities to upgrade.

To help chart the course for the regional effort, ASEAN can set long-term environmental emission goals for air and water quality, which the region

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<sup>1</sup> ASEAN Ministerial Meeting on the Environment.

can aim to achieve by the year 2010. Given the serious concern as demonstrated by all the ASEAN Governments and people, it will not be an insurmountable task.

Another important factor that will determine the rate of progress in ASEAN in achieving its long-term goals is environmental technology. Not all of the technology available in the developed world today is suitable for use in the ASEAN region without appropriate research and development. There is also the question of affordability. This is where I would like to see the active participation of the environmental technology sector.

The issue of technology transfer is a keenly debated topic in global environmental fora. There are many proposals on the mechanisms to effect technology transfer. Each of the proponents has offered perfectly logical arguments in favour of its proposal. Ultimately, I believe the solution lies in the private sector, especially the environmental technology sector.

For the ASEAN region, the environmental technology sector can help to address the issues of technology transfer, **affordability** and technological appropriateness by conducting more of its research and development activities and manufacturing operations in the region. The ASEAN region is not bereft of qualified and skilled human resources. With proper transfer of skills and technology, ASEAN can improve your competitiveness in the global market. In return, ASEAN will benefit from the expertise and technology transfers, and the lower costs.

This direct approach between the **transferer** and the transferee on a semi-commercial basis is, in my opinion, one of the ways to achieve results as we push for better environmental protection and **quality**....

- (g) *THE ROLE OF ASEAN*: Speech by Dr Tay Eng Soon, Senior Minister of State for Education, at the Opening of the **17th ASEAN-Japanese Businessmen's Meeting** in Singapore on 21 November 1991 (Singapore Government Press Release No: **44/NOV, 06-2/91/11/21**)

### *Progress in ASEAN*

... This is a significant period in the history of ASEAN. Since its formation in 1967, ASEAN has focussed its energies and priorities on political and security issues in the region. The successful settlement of the Cambodian problem after 15 years of continual efforts by ASEAN countries to keep it on the international agenda is a testimony to the strength of our collective voice. ASEAN's credibility in the world today is high and we have gained international recognition as a cohesive and coherent grouping.

With the resolution of key political and security problems that have been ASEAN's main preoccupation until now, ASEAN countries are now poised to enter into a new and exciting phase of closer economic cooperation. We

have already cooperated closely on economic matters, for instance, in trade through schemes **such** as the ASEAN Preferential Tariff Arrangement (APTA) and in investment through the ASEAN Industrial Joint Ventures. While these are still on-going schemes, we are now finding new ways to enhance economic cooperation.

### *Trade Cooperation*

ASEAN countries remain committed to ensuring that the multilateral world trading regime remains open and free. In various international and bilateral forums, ASEAN as a grouping has reiterated its commitment to GATT principles. We have jointly participated actively in the current Uruguay Round of GATT negotiations. Individually also, ASEAN countries like Indonesia and Thailand have unilaterally implemented substantial tariff reductions. Singapore has, for a long time, been one of the most open economies in the world. We are prepared to extend further our free market policies in tandem with reciprocal efforts made by our major trading partners.

In the forthcoming 4th ASEAN Summit to be held in Singapore in January '92, the ASEAN Heads of Government will consider a package of bold measures to facilitate intra-ASEAN trade, with the ultimate objective of creating an ASEAN Free Trade Area in 15 years' time. These measures include a progressive reduction of intra-ASEAN tariffs across-the-board and phasing out of non-tariff barriers such as quantitative restrictions, export controls and subsidies. With a total population of 294 million, ASEAN has a substantial internal market for its products. The economic growth of the ASEAN region in 1990 was 7.7 per cent. This year it is estimated to be 6.8 per cent. The ASEAN region is poised for continued growth in the next few years. This is high by world standards for any regional group.

### *Investment Cooperation*

We are, therefore, actively seeking to promote investments into ASEAN, both internally among ASEAN countries as well as from overseas. The ASEAN Free Trade Area will allow ASEAN economies to harness their comparative advantages in technology, management expertise, human and natural resources. This will not only benefit ASEAN producers, but also foreign investors who invest in ASEAN.

The Growth Triangle venture among Singapore, Indonesia and Malaysia is also an excellent example of how ASEAN countries are continually finding ways to enhance economic cooperation. Large Japanese multinationals like Sumitomo have established operations in the Growth Triangle, with different parts of their production located in each of the three countries. Singapore, with a comparative advantage in infrastructure and technology, complements



Batam and **Johore** with their abundant land and manpower resources. The Growth Triangle model of sub-regional economic cooperation opens up new possibilities for ASEAN countries to tap the comparative advantages of each other. There is now interest in sub-regional economic arrangements. The proposed Northern Triangle covering Sumatra in Indonesia, Southern Thailand and the Northern States of West Malaysia is a case in point.

### *Role of Japan in ASEAN*

Japan's economic role in ASEAN is a vital one. Japan has surpassed the US as ASEAN's leading trading partner with ASEAN-Japan trade amounting to more than US\$60 billion in 1990. Japan is also one of the largest investors in ASEAN, with current investments totalling nearly US\$5 billion in 1990. Japan has contributed much to the training and development of our labour forces, and to the upgrading of our technological know-how and facilities.

There is much that ASEAN countries can emulate from Japan. We would benefit from Japan's enlarged economic presence. This is particularly so with the possible diversion in the attention of major world economies like the US and Western Europe from this part of the world with the setting up of the North America Free Trade Area and the Single European Market. ASEAN's new priorities in economic cooperation should offer much scope for Japan to increase its trade and investment flows into the region. We would welcome Japan's proposals on ways which would facilitate mutual trade and investment with ASEAN countries.

### *New initiatives*

ASEAN officials have mooted the idea of an ASEAN-Japan Initiative as a framework for strengthening economic cooperation. Such an Initiative would build on the existing ASEAN-Japan Dialogue and provide greater opportunities for our government officials to consult on issues of common interest, such as the problems faced by our business communities and ways in which we can assist them. To have an effective and meaningful consultative forum under the proposed Initiative, it would be important for us to tap ideas from our private sectors and obtain feedback from them.

We can also promote warmer ties through other ASEAN-Japan projects such as the ASEAN-Japan Youth Programme and ASEAN-Japan cultural exchanges. It is through such programmes that we can lay the foundations for greater understanding among our peoples. This annual meeting of the ASEAN-Japanese Businessmen is an opportunity for a frank and wide-ranging exchange of views, as well as for our business leaders to establish informal friendships with each other.

- (h) *VARIOUS ASEAN ISSUES*: Mr Wong Kan Seng, Minister for Foreign Affairs', **Interview** on the 4th Asean Summit with the Singapore Media (Singapore Government Press Release No: 16/JAN, 09-1/92/01/17)

*Question 1*

Do the ASEAN leaders see a new regional order evolving, and how will ASEAN relate to the new Indochina and the larger Asia-Pacific world?

*Answer*

The world has certainly changed in a profound manner and Southeast Asia will not be unaffected. But it will be sometime before things stabilise and the final shape of a new regional order becomes clearer. At present we can make only tentative guesses about the future. Some of the changes that are already apparent have been positive. The settlement in Cambodia has opened the way to a better relationship between ASEAN and Indochina. Vietnam and Laos have formally asked to accede to the Treaty of Amity and Cooperation in Southeast Asia. Singapore welcomes this. A formal collective decision will have to be taken by ASEAN at an appropriate time. After this, officials can then work out the modalities and timing of the actual acts of accession by both Vietnam and Laos. I expect it will be sometime later in the year.

There is no reason why Cambodia, after free and fair elections, cannot also accede to the Treaty of Amity and Cooperation. **Myanmar** is welcome to do so when it is ready. In fact the Treaty has the potential to, for the first time, bring together all states in Southeast Asia to observe common principles and norms like the peaceful settlement of disputes. We should allow some time for relations between ASEAN and the Indochinese countries to grow before taking further steps towards closer association.

The prestige and importance of the Treaty of Amity and Cooperation could be further enhanced if other countries with important interests in the region accede to it. Papua New Guinea has already done so. This may be discussed at the Summit as well.

ASEAN cannot shut itself off from the rest of the world, all the more so since we cannot assume that the effects of the international changes on Southeast Asia will necessarily always be positive. Our security and our livelihood will always depend on maintaining linkages with the rest of the world. We must continue to tap the dynamism of the Asia-Pacific region to consolidate the existing prosperity and equilibrium in Southeast Asia. We are fortunate that there are already existing links such as the PMC, APEC and the incipient EAEC that would enable us to do this. We must

build on them, politically as well as economically. We must also strengthen our ties with the United States, Japan and Europe. ASEAN must always remain open and engaged with the whole world. I expect the Summit to also discuss ways of ensuring this.

### *Question 2*

With the Cambodian problem receding into the background, are the ASEAN leaders concerned that ASEAN would no longer be as cohesive a unit as before and that nagging bilateral problems would take greater prominence?

### *Answer*

This is an old question which is really based on a misunderstanding of what ASEAN is all about. ASEAN existed before there was a Cambodian issue, and I am confident that it will continue to thrive after the conflict in Cambodia has become only an unhappy memory.

The origins of ASEAN lie in the basic commitment by its founding fathers to improving the lives of their peoples and their insight that all of us would always be better off by working cooperatively than working against each other. This fundamental concern with stability and economic development was and remains ASEAN's *raison d'être*. This does not mean that there will not be occasional problems, as must arise from time to time between all close neighbours and friends. But as long as each of us sees more to gain from working together, I am confident that the problems can always be managed and will not affect the basic thrust towards more cooperation.

Cambodia was therefore only a convenient rallying point, not the basis of ASEAN cooperation. Of course, we may need to find new rallying points. The new international situation is not as clear-cut as it was during the Cold War period. To remain relevant, we must have the courage to set bold new directions, reexamine and, if necessary, discard old concepts that may no longer be applicable in the post Cold War period. The emphasis may now have to be more on economic cooperation. I am confident that we will be able to meet these new challenges.

### *Question 3*

What economic issues now dividing ASEAN do the leaders hope to resolve at this Summit?

*Answer*

In terms of economic development, there exist vast dissimilarities among ASEAN countries. Some ASEAN countries are resource-rich while some have strong manufacturing bases. It is also widely known that Singapore and Brunei Darussalam have an open trading regime while others are still in the course of deregulating their tariff and non-tariff barriers. These factors which could have potentially divided ASEAN have not done so. Through its economic cooperation programmes, ASEAN has identified ways for members to complement each other. An excellent example is the ASEAN Industrial Joint Venture scheme and the Growth Triangle concept which provides the opportunity for member countries to cooperate in developing industrial bases and reap the benefits of the complementary economies.

*Question 4*

What new plans will the Summit have to enhance closer economic cooperation and what is the time frame for these plans?

*Answer*

One of the main items on the Agenda of the 4th ASEAN Summit will be new plans to further enhance ASEAN economic cooperation. Since the last ASEAN Summit in 1987, ASEAN countries have assiduously sought new ways in which to quicken the pace of enhancing intra-ASEAN trade. Thailand's proposal to form an **FTA** in ASEAN within a time frame of 15 years is therefore very timely and appropriate. Indonesia's proposal of using the Common Effective Preferential Tariff (**CEPT**) scheme as the main mechanism to reach an **FTA** is also an attractive one. Such a scheme will provide the much needed impetus to systematically reduce tariff rates to enhance intra-ASEAN trade.

The proposed establishment of an FTA for ASEAN within a 15 year time frame is also an effective way for ASEAN to respond to current changes in the world economy. ASEAN needs to channel its efforts in pushing for greater access to international markets through an open world trading environment. In addition, there will also be greater inflows of foreign investment through a liberalised ASEAN market.

*Question 5*

What does Singapore hope to see achieved at this Summit OR What is the significance of the Summit to Singapore?

*Answer*

ASEAN is of central importance to Singapore. It is one of the cornerstones of our foreign policy. ASEAN's achievements over the last 25 years have conclusively demonstrated that ASEAN cooperation is vital to the well-being of all member states. However it has also become obvious that the profound international changes that have occurred since the last ASEAN Summit in Manila in 1987 make a review and intensification of ASEAN cooperation imperative. We want to see ASEAN remain a vibrant and relevant organisation.

To meet the new challenges, it is my hope that the Summit will move ASEAN towards a higher plane of political and economic cooperation. ASEAN must respond to the formation of new economic groupings by developed countries and to do so it must continue to promote an open international economic regime as well as intensify efforts to stimulate intra-ASEAN economic cooperation. We want to see the efforts that have been invested by all the ASEAN countries in a Free Trade Area bear fruit. In the post Cold War period, ASEAN must also reexamine old security concepts and explore avenues to engage its members in new areas of cooperation on security matters, both within the region and with other states.

## VI. SINGAPORE IN THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANISATIONS AND CONFERENCES

- (a) *SINGAPORE'S ATTITUDE TOWARDS THE UN*: Speech by the Foreign Minister of Singapore, Mr Wong Kan Seng, to the 46th United Nations General Assembly, 30 September 1991 (Singapore Government Press Release No: 43/SEP, 09-1/91/09/30)

... It is my pleasure, Mr President, to take this opportunity to welcome the Republic of Korea and the Democratic People's Republic of Korea into the family of the United Nations. Membership for the two Koreas in the UN does not preclude their efforts for peaceful reunification. Indeed we hope that the entry of the two Koreas into the UN will herald a further easing of tensions on the Korean Peninsula. I am also pleased to welcome the Federated States of Micronesia and the Marshall Islands as UN members. As an island country, Singapore is happy to see more island countries become members of the UN. I also welcome the entry into the UN of the three Baltic States, Lithuania, Estonia and Latvia, whose independence and sovereignty have now been recognised by the Soviet Union and many members of the international community, including Singapore.

This 46th session of the UN General Assembly meets at a time of renewed faith in the United Nations and its role in the world. Freed from the constraints

of the Cold War, the UN responded with unprecedented speed to the Iraqi invasion of Kuwait. The action in the Gulf became possible because the Permanent Members of the Security Council cooperated in a matter of peace and security in the way originally foreseen when the UN was founded. This fundamental objective of the UN was realised through the sustained co-operation and an increased commonality of interests among the major powers. The UN's role in the Gulf war has given new hope to the smaller countries of the world like Singapore: we now have more confidence that this is a world in which nations can be secure because of the capacity of the United Nations to guarantee their security through collective measures. This is an important element in a New World Order.

The UN emerged from the Gulf crisis strengthened and revitalised. Together with the changes in the world political order, the UN is being gradually transformed. In such a period of unprecedented changes in the world, the UN is well-poised to play an increasingly significant role. **Already**, the UN can be congratulated for its role in resolving some long-standing regional conflicts, such as the Iran-Iraq war, Namibia, the civil war in Angola and Cambodia.

As a Southeast Asian country, Singapore is especially pleased to note the progress towards a comprehensive settlement in Cambodia. This was possible because of the outstanding support given by the international community since 1978, the perseverance of the two Co-Chairmen of the Paris Conference on Cambodia, France and Indonesia, the cooperation of the Perm Five, regional and other states, as well as the UN Secretary General and the Secretariat, including Mr **Rafeudin** Ahmed and his staff. Singapore would like to express its appreciation to the President of the International Conference on Kampuchea (**ICK**), the Federal Minister for Foreign Affairs of Austria, Mr Alois Mock, and his distinguished predecessors. We also extend our thanks to the Ambassador of Senegal, Madame Absa Claude Diallo, and her predecessor, for chairing the Ad Hoc Committee of the ICK. But our particular appreciation and congratulations must be extended to HRH Prince Sihanouk and the leaders of the other factions, who through a series of compromises and cooperation at a number of recent meetings, have made possible a settlement, consistent with the Perm Five framework of August 1990, that will bring peace and national reconciliation to Cambodia. We welcome the presence of the Supreme National Council delegation led by HRH Prince Sihanouk at this UN General Assembly. Singapore will cooperate fully with the United Nations and the SNC to help ensure that the Cambodian people will be able to exercise in free and fair elections their right of self-determination and to live in peace and harmony in an independent Cambodia. In so doing, all of us have helped to finally achieve what ASEAN has been seeking to accomplish in Cambodia over the past 13 years.

We hope that the present atmosphere prevailing at the UN could also provide the window of opportunity to resolve the longstanding disputes and conflicts between the states and peoples of the Middle East. A durable and equitable peace settlement in the Middle East can only be built on a basis of compromise and reconciliation. We call on both sides to display flexibility and moderation for the sake of peace and the welfare of their peoples. In this context, we welcome and support the efforts to convene a Middle East peace conference based on UN Resolutions 242 and 338. Singapore has always recognised both the right of Israel to live peacefully within secure and recognised borders, and the right of the Palestinian people to their own homeland in the occupied territories.

But even as we look to the future with hope, the current political upheaval in the Soviet Union, one of the Permanent Members of the Security Council, gives us cause for concern. It is difficult to predict how its internal and external policies are going to evolve. Whatever the outcome of the crisis, it seems clear that the Soviet Union will probably be preoccupied with its internal problems for some time to come.

Mr President, with the ~~end~~ of the Cold War and the end of the confrontation between competing ideological blocs, it is timely ~~for~~ the international community to strengthen the system for peace and security. Whenever international law and the principles of the Charter are violated, resolute action must be taken by the United Nations. The collective action taken by the UN to reverse the occupation of Kuwait was a unique case because the violation of basic principles of sovereignty and territorial integrity was so flagrant. It will probably be far more difficult to organise resistance to less clear cut challenges. The question before the international community is how to make the UN more effective in the post-Cold War world.

Singapore firmly believes that the UN must have improved capabilities for anticipating and preventing conflicts. The UN needs a better monitoring apparatus so that conflicts can be contained and resolved peacefully before hostilities begin. Also, while the Secretary-General is already authorised to bring to the attention of the Security Council "any matter which in his opinion may threaten the maintenance of international peace and security," we agree with the view that the Secretary-General should be given a stronger position and the means to exercise authority. In addition, strengthening the enforcement powers of the UN could be further explored.

The role of UN peace-keeping forces should also be expanded. They should not only deal with monitoring ceasefires and supervising the end of inter-state conflicts, but could also be used to ensure that conflicts are contained before they break out into open warfare. **Singapore's** support for UN peace-keeping operations has been demonstrated by the fact that we have contributed military observers and police units to participate in UN peace-keeping missions in Namibia in 1989, the Iraq-Kuwait border at the

end of the Gulf war, in the peacekeeping missions to Angola earlier this year, and to the Western Sahara, hopefully later this year.

We believe that a system of security must be built on principles of sovereignty and collective security, not on the military might of individual powers, although the Cold War has ended with some countries in a position of unparalleled political and economic influence. Collective security arrangements by the UN, as defined in Chapter 7 of the UN Charter, according to sceptics, is neither collective nor secure if arranged and dominated by the big powers, as they will shape the agenda and frame the targets. While being realistic about the leadership role of the big powers, there is a role for the smaller member states. This would include inputs by the General Assembly on the implementation of UN collective security procedures. In order to play this role responsibly, the majority of UNGA members who are developing countries should be rigorous in upholding standards of international conduct. They should be vigilant against transgressions of principles of international law.

Mr President, as we enter a new era in international relations, we feel that the UN itself needs to be improved to meet the challenges of the 1990s and beyond. It is timely to capitalise on the new spirit of cooperation at the UN and re-examine old priorities, the proliferation of agencies and the need for greater coordination among them. The UN could be revitalised by streamlining its structure and procedures. In order to inspire confidence and build consensus and support from the majority, the process of UN reforms should be transparent and democratic.

In the last 40 years, during the Cold War and its prevailing **East-West** tensions, the most difficult and urgent task before the UN was the maintenance of international peace and security. While this is still the UN's main objective, we believe that in a changed international environment, the UN can make itself the major forum to promote global economic and social development through greater self-help and North-South cooperation. The most formidable problem before the world community is the widening gulf between rich and poor countries. The peace of rich nations will not last long when the crisis of the global underclass assumes overwhelming proportions. There is no doubt that each country bears the main responsibility for its economic progress. But it is also the responsibility of both developed and developing countries to help poorer countries help themselves. One means of such help is to provide technical assistance and manpower training in relevant fields of development. Very often it is the shortage of educated and trained manpower, together with rapid population expansion which slows down economic growth and development in developing countries.

The developed countries can help the developing ones with effective population planning, improved primary health care and above all, reinforce and extend the multilateral trading system and the openness of the global



economy to facilitate trade and investment flows to developing countries. There is now a greater need than ever for multilateral institutions and multilateral cooperation. The world of the 1990s bears little resemblance to the world of 1945 when the UN system was set up. Nation states, the basic units of the UN system, have less and less control over the external forces that are shaping the future. The UN system for all its shortcomings is the only available universal system. It has to rise up to the new challenges facing mankind if it is not to become irrelevant.

Apart from the gap between the rich and poor, one of the major challenges facing the international community and which requires a multilateral approach is the environment. The environment is our common heritage. Environmental degradation and the depletion of the ozone layer endanger all mankind. The UN is best placed to coordinate the efforts and to tackle urgent environmental issues which are complex, multifaceted and related to issues of development. The other problem which requires a global approach is the drug problem. The drug trade can survive only if the forces of supply and demand are at work. The problem has to be tackled multilaterally, at the sources of production and in the countries which are the major markets for drug suppliers.

- (b) *THE ROLE OF APEC*: Opening Remarks by BG (Res) Lee Hsien Loong, Deputy Prime Minister and Minister for Trade & Industry, at the Third Asia Pacific Economic Cooperation (APEC) Ministerial Meeting in Seoul on 13 November 1991 (Singapore Government Press Release No: 30/NOV, 15-1-91/11/13)

... It has been an eventful year since the APEC ministers last met in Singapore in July 1990. International developments, both in the region and outside it, have underlined the increasing importance of regional economic cooperation in the Asia Pacific.

### *The Security Dimension*

Days after our last meeting ended, Iraq invaded Kuwait. This started a chain of events which led eventually to the Gulf War, and fortunately a **reassertion** of the primacy of the United Nations and the international rule of law. This has been a timely reminder of how important security considerations remain in this post-Cold War era. It has demonstrated how useful it is for benevolent powers to remain engaged in the Asia Pacific region, to discourage untoward and upsetting changes to the strategic environment. APEC is an economic, not a political grouping. But APEC is nevertheless a significant and valuable demonstration of the commitment of all its members to regional stability and progress.

## **GATT**

The continuing impasse in the GATT Uruguay Round negotiations puts a premium on Asia-Pacific countries finding common ground in these complex negotiations. We need both to give the discussions a push forward and to promote an outcome which will take our collective concerns into account. At our last meeting, APEC ministers resolved to press for progress in the Uruguay Round GATT multilateral trade negotiations, and regionally to promote a more open trading arrangement in the Asia-Pacific. Since then, APEC members have individually and jointly made significant efforts to move the Uruguay Round negotiations forward. Several, like Japan, Australia and Singapore, have followed the US lead and tabled substantive offers in services. Other countries like Indonesia, Malaysia and Thailand have unilaterally implemented significant reductions in tariffs for a wide range of products.

The meeting of APEC trade ministers in Vancouver in September last year demonstrated the challenge as well as the value of putting together an APEC consensus on some of the major issues at GATT. We should not expect to develop this consensus effortlessly, or to find unanimity within APEC on all GATT issues. But as APEC matures, I am sure further deliberations will widen our common ground.

## **EC 92 & NAFTA**

The approach of the Single European Market in 1992, as well as the progress being made by the US, Canada and Mexico towards forming a North American Free Trade Area, and eventually an Initiative for the Americas, have brought home to many Asia-Pacific countries the need to remain competitive in order to attract investments. Neither EC 92 nor NAFTA are likely to develop into regional trading blocs, any more than APEC itself will. But their success as free trade areas will make them more attractive investment destinations and more formidable competitors. Reducing trade barriers in the Asia-Pacific through initiatives like APEC will ensure that this region maintains its relative position and does not fall behind.

## ***Prosperity and Interdependence***

Within the region, many countries in the Asia Pacific continue to enjoy high rates of economic growth. The Republic of Korea is projecting to reach \$10,900 per capita GNP by 1996. As their standards of living have risen, their economies have become more interdependent on one another, and more reliant on market access and free flows of trade and investments throughout

the region. It will be some time before APEC as a body is ready to implement major trade liberalising initiatives, although we should start studying possibilities now. But already APEC's very existence has spurred other smaller scale but nevertheless invaluable efforts.

For example, ASEAN has recently taken the bold step of progressively creating an ASEAN Free Trade Area, to be fully achieved in 15 years. The ASEAN Free Trade Area will not only enhance *intra-ASEAN* economic cooperation, but also contribute towards stronger trade linkages with our major trading partners.

As APEC establishes itself, and as other regional economies develop and expand their economic ties with APEC countries, APEC's membership will surely grow. The People's Republic of China, Hong Kong and Chinese Taipei will be attending for the first time at this meeting. I am happy to join other members in welcoming them. The skilful and active diplomacy of our host, the Republic of Korea, has made this participation possible. These three economies make significant contributions to the economic vitality of the Asia-Pacific region. I am confident that their participation will make APEC a more complete and effective organisation.

Beyond the exchange of views, APEC needs to get significant work projects going and show practical results. Seven APEC work projects were approved at the last APEC meeting. These projects cover key economic areas, including exchange of trade information, trade promotion, investment and technology transfer, and human resource development. Three new areas, namely tourism, transportation and fisheries, have been added this year. Our senior officials are already implementing these projects. Through them, APEC members can derive concrete benefits from the shared expertise and resources available to us.

The APEC process has made substantial progress in the past one year. There is no longer doubt that this is a viable and valuable economic grouping, which will continue to grow and develop. This meeting in Seoul should provide further impetus for strengthening Asia-Pacific economic cooperation. I look forward to it doing so, under the able chairmanship of the Republic of Korea.

- (c) *SHARING OF COMMONWEALTH LEGAL DATABASES*: Speech by Prof S Jayakumar, Minister for Law & Home Affairs, at the Opening of the 1992 meeting of Senior Officials of Commonwealth Law Ministries in Singapore, 30 March 1992 (Singapore Government Press Release No: **21/MAR**, 13-1/92/03/30)

... This Commonwealth Meeting brings together the leaders of the legal systems of many countries, systems which are rich and diverse but yet sharing a common heritage in the Common Law. Not surprisingly Commonwealth

lawyers can therefore instantly strike a rapport with each other. This factor, together with the unstinting efforts of the Secretariat, has accounted for the substantial progress the Commonwealth has made in legal cooperation and research. Because of the diversities and different experiences of our various countries in the development of our respective legal systems, Commonwealth countries are able through meetings such as this to tap a wide **pool** of expertise and experience. It is also a unique forum to achieve substantial progress in the international **harmonisation** of law and legal processes. Unlike other regional and international forums, the Commonwealth shares a common legal system.

In this post-Cold War era of the global village, it is imperative that international trade laws be harmonised to remove obstacles to increased trade. Regrettably, an undesirable consequence of these developments is the proliferation of crossborder crimes. It is thus equally important that, through mutual legal assistance schemes such as that emanating from the work of the Commonwealth, cross-boundary crimes can be effectively combatted.

I understand that one major focus of the discussions here will be the sharing of computerised statutes databases of Commonwealth countries. This will give quick and up-to-date access to the laws of Commonwealth countries. I commend and fully support this proposal. Just as the law must keep in pace with technology, so must technology be used as a leverage in the development of laws.

Indeed, I understand from my Attorney-General that we have been able to share our experiences in legal computerisation with other Commonwealth jurisdictions such as Bangladesh, Brunei **Darussalam**, Hong Kong, Papua New Guinea and Sri Lanka.

The **Secretariat's** proposal will assist the development of our respective legal systems and improve the quality of legislative drafting. It is no secret that whenever we seek to draft new laws, we invariably cast our sights on what has been achieved by other Commonwealth countries. But to maintain the current statutes of Commonwealth countries is a herculean task for any law librarian.

Let me give a concrete example. Last month, I introduced in Parliament a Drug Trafficking (Confiscation of Benefits) Bill. In drafting the Bill we looked at relevant legislation in Australia, Hong Kong and the United Kingdom in our efforts to draft a comprehensive piece of legislation to combat money laundering and seize the tainted proceeds of drug trafficking. We hope that it would thereby be a hybrid of the best elements in the laws of other countries. This Bill will also provide the framework for international or cross-border cooperation on the seizure of assets of convicted drug traffickers. There are also safeguards to protect the rights of innocent parties as well as to ensure that banking secrecy laws are not undermined.

In order for law not to obstruct the development of technology, I suggest that the Commonwealth Secretariat can carry out useful work in the nature of model legislative provisions for the drafting of laws to facilitate changes in technology. Some of the issues that will need to be addressed are the requirement for "electronic signatures", submission of legal documents through electronic form using EDI technology and the consequences of data or transmission errors. The law of evidence has also to be closely examined and reviewed to keep up with the times.

In the field of law reform and the training of a core of experienced legislative draftsmen, the Commonwealth legal community can be of immense assistance. The Attorney-General tells me that the Committee he has appointed to review our Arbitration Laws have had the benefit of studying the law reform reports from a number of Commonwealth jurisdictions. They are Australia, British Columbia, Hong Kong, New Zealand and the UK. As in any other Commonwealth country, we face the common difficulty of training and building a core of able and experienced legislative draftsmen. There are few training programmes available and draftsmen prefer to learn from on the job training. I understand that the Commonwealth Secretariat is proposing a scheme for the distance training of draftsmen by correspondence. This is certainly a novel and welcome development which I hope will succeed in elevating the standards of legislative drafting in the Commonwealth. Perhaps in this or another meeting, we should address the larger problem of how Commonwealth countries can best develop and retain a sufficiently large corpus of legislative draftsmen.