

## REGULAR FEATURES

### RECENT DEVELOPMENTS IN SINGAPORE ON INTERNATIONAL LAW

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April 2005 to March 2006 was an eventful year for Singapore as she successfully concluded several Free Trade Agreements (F.T.As) with her trading partners, as well as amicably resolved two international disputes with her neighbours. There were numerous bilateral and multilateral agreements reached by Singapore, forming strategic linkages with other countries. Singapore also continued to be active in various international fora such as the Association of South-east Asian Nations (ASEAN), the United Nations, the World Trade Organisation and the Commonwealth.

#### I. FREE TRADE AGREEMENTS<sup>1</sup>

##### A. *The India-Singapore Comprehensive Economic Co-operation Agreement*

The negotiations on the *India-Singapore Comprehensive Economic Co-operation Agreement* (C.E.C.A.)<sup>2</sup> commenced in May 2003. After two years and thirteen formal rounds of negotiations, the C.E.C.A. was signed by the Indian Prime Minister Manmohan Singh and Prime Minister Lee Hsien Loong on 29 June 2005. This was considered a historic agreement as it is India's first C.E.C.A. and the first economic pact between Singapore and a South Asian country.

The C.E.C.A. is a comprehensive agreement that covers areas including trade in goods, rules of origin, customs, standards and technical regulations, sanitary and phytosanitary measures, investment, trade in services, movement of natural persons, and electronic commerce. The C.E.C.A. will improve trade in goods by eliminating or substantially reducing tariffs over a period of five years on exports to the other party. In terms of investment, there are improvements such as the provision of national treatment for investors, the binding of liberalised rules in India for real estate and joint ventures, and the ability to submit investment disputes to international arbitration. For trade in services, market access and national treatment are provided for service suppliers. India has also made specific commitments in two key sectors, namely, financial and telecommunications services.

There are also co-operation chapters that will facilitate bilateral cooperation in intellectual property, science and technology, education and media. The C.E.C.A. process has also incorporated a review of the existing Avoidance of Double Taxation Agreement (D.T.A.) between India and Singapore, which culminated in a protocol to improve the existing D.T.A. by, *inter alia*, letting tax residents enjoy capital tax exemption on investments in India.

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<sup>1</sup> More information on Singapore's F.T.As can be found at the official F.T.A. website <<http://www.fta.gov.sg>>.

<sup>2</sup> The text of the C.E.C.A. can be found at <[http://app.fta.gov.sg/asp/fta/ceca\\_text.asp](http://app.fta.gov.sg/asp/fta/ceca_text.asp)>.

The C.E.C.A., in the words of Indian Prime Minister Manmohan Singh, “opens doors for a quantum jump in trade and investment flows”<sup>3</sup> between India and Singapore. This is especially significant as India is the world’s second-fastest growing major economy.

#### B. *The Korea-Singapore Free Trade Agreement*

The Korea-Singapore F.T.A. (KSFTA)<sup>4</sup> negotiations were substantially concluded on 28 November 2004, after seven rounds of negotiations between the officials. Finalisation of the text and legal editing took some time and the KSFTA was signed on 4 August 2005 by the Ministers from both sides. The KSFTA came into force on 2 March 2006 after both countries had completed their respective legal and administrative procedures to implement the agreement.

The KSFTA is a comprehensive F.T.A. covering areas such as trade in goods, services, investment, customs procedures, mutual recognition agreements, intellectual property rights, competition policy, government procurement and cooperation. Under the KSFTA, almost three-quarters of Singapore’s domestic exports to Korea will enjoy tariff elimination. On the other hand, all Korean imports will enter Singapore tariff-free. Singapore will also benefit from enhanced access to the Korean services market in areas such as education, logistics and environmental services while Korea will gain access into Singapore’s construction, logistics and professional services markets. Singaporean and Korean investors will also enjoy comprehensive protection for their investments.

#### C. *The Trans-Pacific Strategic Economic Partnership Agreement*

Singapore, Chile, New Zealand and Brunei conducted the fifth round of negotiations from 18 to 23 April 2005 in Singapore. Brunei, which was an observer in previous rounds, participated in the fifth round as a full negotiating party. With the inclusion of Brunei, the *Pacific-Three F.T.A.* was transformed into the *Trans-Pacific Strategic Economic Partnership Agreement* (Trans-Pacific S.E.P.).<sup>5</sup> On 3 June 2005, the Ministers of the parties announced the substantive conclusion of the Trans-Pacific S.E.P., which is the first F.T.A. to span three continents, building bridges between Asia, the Pacific and Latin America. Parallel negotiations on environmental cooperation and labour cooperation were also concluded by the parties. Subsequently Chile, New Zealand and Singapore signed the Agreement on 18 July 2005 while Brunei signed the Agreement on 2 August 2005.

The Trans-Pacific S.E.P. covers trade in goods, rules of origin, customs procedures, trade remedies, sanitary and phytosanitary measures, technical barriers to trade, trade in services, temporary entry of persons, intellectual property, competition, government procurement and dispute settlement. It also includes provisions on cooperation in education, primary industry, culture and science and technology. Under the Trans-Pacific S.E.P., more than ninety percent of the total trade in goods will be duty-free and there will be a liberalising framework for trade in services. However, negotiations on investment and financial services were not concluded in time for the signing of the agreement and these areas will be incorporated into the agreement upon conclusion of those negotiations.

<sup>3</sup> Ravi Velloor “Singapore, India sign historic pact” *the Straits Times* (June 30 2005).

<sup>4</sup> The text of the KSFTA can be found at <[http://app.fta.gov.sg/asp/fta/pagetemplate1.asp?pg\\_id=korea\\_legal\\_text&ctryname=Korea&pagetitle=Legal%20Text](http://app.fta.gov.sg/asp/fta/pagetemplate1.asp?pg_id=korea_legal_text&ctryname=Korea&pagetitle=Legal%20Text)>.

<sup>5</sup> The text of the Trans-Pacific SEP can be found at <[http://app.fta.gov.sg/asp/fta/pagetemplate1.asp?pg\\_id=tpsep\\_legal\\_text&ctryname=Trans-Pacific%20SEP%20\(Brunei,%20New%20Zealand,%20Chile,%20Singapore\)&pagetitle=Legal%20Text](http://app.fta.gov.sg/asp/fta/pagetemplate1.asp?pg_id=tpsep_legal_text&ctryname=Trans-Pacific%20SEP%20(Brunei,%20New%20Zealand,%20Chile,%20Singapore)&pagetitle=Legal%20Text)> .

#### D. *The Panama-Singapore Free Trade Agreement*

The Panama-Singapore F.T.A. (PSFTA)<sup>6</sup> was successfully concluded on 8 April 2005 at the end of the third round of negotiations. The PSFTA was signed on 1 March 2006 and it is a wide-ranging agreement covering trade in goods, trade in services, investment, customs procedures, competition policy, government procurement, financial services, telecommunications, e-commerce and dispute settlement. Under the PSFTA, the tariffs on most of Singapore's domestic exports will be eliminated while there will be duty-free access to all Panamanian goods. Service suppliers from both countries will also have non-discriminatory access to each other's markets. The PSFTA also provides for trade and investment cooperation as well as technical and scientific cooperation.

In 2005, Panama was Singapore's largest trading partner in Latin America. The signing of the PSFTA will not only boost bilateral trade and investment links, but will also provide another gateway to the rest of Latin America.

#### E. *The Qatar-Singapore Free Trade Agreement*

The negotiations between Singapore and the State of Qatar for the Qatar-Singapore F.T.A. (QSFTA) have been substantially concluded. The fourth and final round of negotiations was held on 6 to 10 June 2005 and officials from both parties will continue discussions to finalise the text of the agreement.

The QSFTA will be the first F.T.A. between Singapore and a Gulf Cooperation Council country. It is a comprehensive agreement that covers areas such as trade in goods and services, investment, government procurement, customs and media cooperation. The full details of the agreement will only be available upon its signing and/or entry into force.

#### F. *The Kuwait-Singapore Free Trade Agreement*

The State of Kuwait and Singapore completed the second round of negotiations on the Kuwait-Singapore F.T.A. from 11 to 13 April 2005 in Kuwait. The third round of negotiations was held in Singapore from 20 to 23 June 2005. In the course of these two rounds, both parties made substantial progress on the key issues in the trade in goods, rules of origin, trade in services, financial services, investment and government procurement chapters.

#### G. *The Pakistan-Singapore Free Trade Agreement*

Negotiations for the F.T.A. between the Islamic Republic of Pakistan and Singapore were launched and the first round of negotiations took place from 24 to 26 August 2005 in Singapore. The second round of negotiations was held from 16 to 18 January 2006 in Islamabad. The parties made progress on the key issues concerning trade in goods, rules of origin, trade in services and investment. Officials also discussed dispute settlement, e-commerce, sanitary and phytosanitary measures, and technical barriers to trade.

#### H. *The ASEAN-China Free Trade Agreement*

*The Agreement on Trade in Goods of the Framework Agreement on Comprehensive Economic Co-operation between the Association of Southeast Asian Nations and the People's*

<sup>6</sup> The text of the PSFTA can be found at <[http://app.fta.gov.sg/asp/fta/pagetemplate1.asp?pg\\_id=panama\\_legal\\_text&ctryname=Panama&pagetitle=Legal%20Text](http://app.fta.gov.sg/asp/fta/pagetemplate1.asp?pg_id=panama_legal_text&ctryname=Panama&pagetitle=Legal%20Text)>.

*Republic of China* (TIG Agreement)<sup>7</sup> was signed on 29 November 2004 and the implementation date for the TIG Agreement was postponed from 1 July 2005 to 20 July 2005. China had cited technical difficulties in their implementation but nonetheless committed to completing all necessary processes to ensure that goods originating from Brunei, Indonesia, Malaysia, Myanmar, Thailand and Singapore would be granted concessions as prescribed under the TIG Agreement from 20 July 2005 onwards.

The negotiations for the *Agreement on Trade in Services and the Agreement on Investment* are continuing.

### I. *The ASEAN-Korea Free Trade Agreement*

The *Framework Agreement on Comprehensive Economic Cooperation Among the Governments of the Member Countries of ASEAN and the Republic of Korea* (Framework Agreement)<sup>8</sup> was signed on 13 December 2005. The *Agreement on Trade in Goods* as well as the *Agreement on Dispute Settlement Mechanism*<sup>9</sup> under the Framework Agreement were also signed on 13 December 2005.

### J. *Other Free Trade Agreements*

On the bilateral front, the Singapore-Jordan F.T.A.<sup>10</sup> and Bilateral Investment Treaty, which were signed on 16 May 2004, came into force on 22 August 2005 after both parties had completed their legal and administrative procedures to implement the agreements. On the multilateral front, Singapore has been participating in the negotiations of ASEAN F.T.As with India, Japan as well as Australia and New Zealand. The negotiations for these multilateral F.T.As are still ongoing.

## II. OTHER ECONOMIC AGREEMENTS

### A. *Double Taxation Agreements*<sup>11</sup>

A number of double taxation agreements were concluded in the period from April 2005 to March 2006. The *Agreement between Singapore and the Slovak Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income* was signed on 9 May 2005. The *Agreement between Singapore and the State of Israel for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income* was signed on 19 May 2005 and entered into force on 6 December 2005. This new agreement replaces the previous one signed on 27 September 1971.

On 5 September 2005, a *Third Protocol to the Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income* (D.T.A.) was signed between Singapore and New Zealand to update the existing D.T.A. and to provide greater clarity on the taxation of services under the D.T.A. Singapore and the Republic of the Fiji Islands signed an *Agreement for the Avoidance of Double Taxation and the Prevention*

<sup>7</sup> The text of the ASEAN-China Agreement on Trade in Goods can be found at <<http://www.aseansec.org/16646.htm>>.

<sup>8</sup> The text of the ASEAN-Korea Framework Agreement can be found at <<http://www.aseansec.org/18063.htm>>.

<sup>9</sup> The text of the ASEAN-Korea Agreement on Dispute Settlement Mechanism can be found at <<http://www.aseansec.org/18129.htm>>.

<sup>10</sup> The text of the Singapore-Jordan F.T.A. can be found at <[http://app.fta.gov.sg/asp/fta/jordan\\_text.asp](http://app.fta.gov.sg/asp/fta/jordan_text.asp)>.

<sup>11</sup> The texts of Singapore's Double Taxation Agreements can be found at <[http://www.iras.gov.sg/ESVPortal/tax\\_resources/treaties/index.asp](http://www.iras.gov.sg/ESVPortal/tax_resources/treaties/index.asp)>.

of *Fiscal Evasion with respect to Taxes on Income* on 20 December 2005. On 21 March 2006, Singapore and Malta signed an *Agreement for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income*.

The new *Agreement between Singapore and Malaysia for the Avoidance of Double Taxation and Prevention of Fiscal Evasion with respect to Taxes on Income* entered into force on 13 February 2006 following the completion of ratification formalities. The revised terms of the Singapore-Malaysia D.T.A. include the reduction of rates of withholding tax on interest and royalties and the clarification of tax treatment of technical fees.

### B. *Investment Guarantee Agreements and other Economic Cooperation Agreements*

Singapore has completed negotiations on an investment guarantee agreement with Saudi Arabia and is currently negotiating an investment guarantee agreement with Iran. A *Memo-randum of Understanding between Singapore and Thailand on the 1987 Agreement Among the Governments of Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore and Thailand for the Promotion and Protection of Investments* was signed on 23 November 2005.

Singapore and Morocco signed an *Agreement on Economic, Technical, Scientific and Cultural Cooperation* on 29 April 2005. On 10 December 2005, Singapore also signed the *Agreement between the Governments of the Member Countries of the Association of Southeast Asian Nations and the Government of the Russian Federation on Economic and Development Cooperation*.<sup>12</sup>

## III. INTERNATIONAL AIR AGREEMENTS

### A. *Open Skies Agreements*

Singapore and Bahrain signed an Open Skies Agreement (O.S.A.) on 7 April 2005, demonstrating their commitment to achieve freer skies in the global aviation arena. The O.S.A. lifts all restrictions on flights between Singapore and Bahrain, via and beyond to any third country. Singapore and Sri Lanka also formally signed an O.S.A. on 4 August 2005, which would allow airlines of both countries to operate between and beyond Singapore and Sri Lanka with no restrictions on capacity, routing and aircraft type. This was another step towards an open global aviation environment.

### B. *Other Air Agreements*

In August 2005, Singapore and Indonesia concluded a Memorandum of Understanding (M.O.U.) to expand the Singapore-Indonesia bilateral air services agreement. The M.O.U. formalised the in-principle agreement between both sides for an expansion of air links between Singapore and two Indonesian cities, namely Jakarta and Denpasar. The agreement included additional fifth freedom traffic rights.

Air services consultations were held between Singapore and India on 23 and 24 August 2005 in New Delhi. The two sides concluded the consultations with the signing of a M.O.U. which would allow carriers from both countries to start or expand flights between Singapore and the Indian cities of Kolkata, Bangalore and Hyderabad. Additional fifth freedom traffic rights were also granted to the airlines of both parties under the M.O.U.

<sup>12</sup> The text of the Agreement can be found at <<http://www.aseansec.org/18023.htm>>.

On 30 November 2005, Singapore and China signed an expanded air services pact which would allow airlines of both parties to operate passenger and all-cargo services between China and Singapore with no restrictions on capacity, routing or aircraft type. This is a landmark agreement which would provide opportunities for the airlines of the parties to leverage on the rapid growth in China's civil aviation market.

#### IV. INTERNATIONAL DISPUTES

##### A. *Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia/Singapore)*

On 6 February 2003, Singapore and Malaysia signed a Special Agreement to submit to the International Court of Justice (ICJ) their dispute over the sovereignty of Pedra Branca, Middle Rocks and South Ledge.<sup>13</sup> Both parties submitted the first round of written pleadings (the Memorials) to the ICJ on 25 March 2004. In accordance with Article 4 of the Special Agreement, the next round of written pleadings (the Counter-Memorials) was submitted to the ICJ on 25 January 2005. The third round of pleadings (the Replies) was submitted to the ICJ on 25 November 2005, following the Order of 1 February 2005 which fixed the November date as the time-limit for the filing of a Reply by each of the Parties.

##### B. *Case Concerning Land Reclamation by Singapore In and Around the Straits of Johor (Malaysia v Singapore)*

After negotiations in late 2004 and early 2005, which followed the conclusion of a year-long joint study ordered by the International Tribunal for the Law of the Sea (ITLOS), the Governments of Malaysia and Singapore signed a Settlement Agreement (S.A.) for the *Case Concerning Land Reclamation by Singapore In and Around the Straits of Johor (Malaysia v Singapore)*<sup>14</sup> on 26 April 2005. This S.A. represents a full and final resolution of the bilateral dispute between Malaysia and Singapore over the latter's reclamation works. Under the S.A., both Governments undertake to carry out various mitigating measures to address some minor and moderate impacts, pursuant to the recommendations of a group of independent experts appointed by both Governments to carry out a joint study of the impact of Singapore's reclamation works.

The more pertinent aspects of the S.A. included a modification to the reclamation profile of a certain area at Pulau Tekong, sharing the cost of scour protection for two jetties, and a lump sum compensation for fishermen. Singapore also reassured Malaysia that the safe and smooth passage of ships through Kuala Johor and Calder Harbour would not be adversely affected by the Pulau Tekong reclamation. In addition, the Parties agreed that the terms of reference for the Malaysia-Singapore Joint Committee on the Environment would include: the exchange of information on, and discussion of matters affecting their respective environments in the Straits of Johor; and the undertaking of monitoring activities; and addressing any adverse impacts, if necessary.

The S.A. entered into force on the date of signature. The S.A. was the full and definitive settlement of Malaysia's case and terminated the arbitration. There was only one outstanding issue of maritime boundaries and the parties agreed that this issue would be separately negotiated in future. The parties also agreed that they would jointly apply to the Annex VII Arbitral Tribunal to adopt the S.A. in terms of an agreed Award that would be final

<sup>13</sup> More information on the dispute and the hearing before the ICJ can be found at the official ICJ website at <<http://www.icj-cij.org>>.

<sup>14</sup> *Land Reclamation by Singapore in and around the Straits of Johor (Malaysia v. Singapore) (Request for Provisional Measures)* (8 October 2003), ITLOS Case No. 12, online: ITLOS <<http://www.itlos.org>>.

and binding on the Parties. Following the submission of the joint application, the Arbitral Tribunal issued its final Award at a ceremony in the Hague on 1 September 2005. Its final Award adopted by consent the terms of the S.A. signed on 26 April 2005.

### C. *Basel Convention Dispute*

The dispute over the export of organic material or waste from Singapore to Indonesia was settled on 11 May 2005 by the parties after negotiations under the good offices of the Secretariat of the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal* (Basel Convention).<sup>15</sup>

The dispute arose over a shipment of organic material from Singapore to Batam which Indonesia claimed contained heavy metals and was hazardous under Indonesian laws. Singapore rejected the claim, stating the material was compost used as a soil conditioner and fertiliser. In addition, at the time of export, Indonesia had not classified such material as hazardous waste under the Basel Convention.

At the meeting before the Secretariat of the Basel Convention, it was agreed by the parties that Singapore acted in accordance with its domestic law, and the export of the material from Singapore to Indonesia on 27 July 2004 did not breach the Basel Convention. In the interest of resolving the issue amicably and in the spirit of good neighbourliness, Singapore agreed to allow the return of the material from Indonesia to Singapore even though it was under no obligation to do so under the Basel Convention.

## V. OTHER INTERNATIONAL DEVELOPMENTS

### A. *Maritime Boundaries between Indonesia and Singapore*

Indonesia and Singapore held their second round of technical discussions on maritime boundaries from 24 to 25 January 2006 in Jakarta. Both sides agreed to follow up on matters discussed at the first meeting and had a useful discussion on the draft terms of reference for the commencement of technical works. It was agreed that a Joint Technical Working Group would be established to carry out further work on the terms of reference and the said Working Group would meet inter-sessionally before the third round of technical discussions.

### B. *Mutual Legal Assistance Treaty*

The *Agreement between Singapore and India Concerning Mutual Legal Assistance in Criminal Matters* was signed on 29 June 2005. The agreement provides a framework for cooperation between the authorities of both parties in the fight against terrorism and serious criminal offences. The agreement also allows the authorities to render assistance for investigation into serious offences. This assistance may include the provision of relevant documents and records and the obtaining of evidence from witnesses.

### C. *Defence Cooperation Agreements*

On 12 July 2005, President George W. Bush and Prime Minister Lee Hsien Loong signed the *Strategic Framework Agreement Between the United States of America and the Republic of Singapore for a Closer Cooperation Partnership in Defense and Security*. The

<sup>15</sup> *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal*, 22 March 1989, 1673 U.N.T.S. 126.

agreement recognises the role of Singapore as a Major Security Cooperation Partner and will expand the scope of current cooperation in areas such as counter-terrorism, counter-proliferation, joint military exercises and training, policy dialogues and defence technology.

Singapore also concluded a Defence Cooperation Agreement (D.C.A.) with Germany in September 2005. This D.C.A. builds on existing defence interactions such as visits, military courses, policy dialogues, technology collaboration and research in military medicine. The D.C.A. will provide for closer cooperation in mutually beneficial areas.

#### D. ASEAN Agreements

Singapore has become a party to two ASEAN agreements which were signed at the ASEAN Ministerial Meeting at Vientiane in July 2005. The two agreements are the *Agreement on the Establishment of the ASEAN Development Fund*<sup>16</sup> and the *ASEAN Agreement on Disaster Management and Emergency Response*.<sup>17</sup> A number of ASEAN Agreements were also signed during the ASEAN Summit which took place in Kuala Lumpur in December 2005. The agreements that were signed included the *Agreement to Establish and Implement the ASEAN Single Window*,<sup>18</sup> the *Agreement on the ASEAN Harmonized Electrical and Electronic Equipment Regulatory Regime*,<sup>19</sup> and the *ASEAN Mutual Recognition Arrangement on Engineering Services*.<sup>20</sup>

#### E. United Nations: Comprehensive and Integral Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

Singapore participated at the sixth and seventh sessions of the Ad-Hoc Committee on the *Comprehensive and Integral Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities* from 1 August 2005 to 12 September 2005 and 16 January to 3 February 2006 respectively. At the latter session, the Committee concluded a second full reading of the draft convention, reaching a breakthrough agreement on privacy rights, and coming close to an accord on numerous other issues, including the right to education, health and employment.<sup>21</sup>

#### F. United Nations: Group of Legal Experts

The United Nations Secretary-General appointed a legal officer from the International Affairs Division of the Attorney-General's Chambers as a member of the Group of Legal Experts to Advise on the Accountability of United Nations Staff and Experts on Mission with respect to Criminal Acts Committed in Peacekeeping Operations. The Group commenced its work in October 2005 and submitted its report in March 2006.

<sup>16</sup> The text of the Agreement can be found at <<http://www.aseansec.org/17577.htm>>.

<sup>17</sup> The text of the Agreement can be found at <<http://www.aseansec.org/17579.htm>>.

<sup>18</sup> The text of the Agreement can be found at <<http://www.aseansec.org/18005.htm>>.

<sup>19</sup> The text of the Agreement can be found at <<http://www.aseansec.org/18012.htm>>.

<sup>20</sup> The text of the Agreement can be found at <<http://www.aseansec.org/18009.htm>>.

<sup>21</sup> More information on the seventh session of the Ad-Hoc Committee on the Comprehensive and Integral Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities can be found at <<http://www.un.org/esa/socdev/enable/rights/ahc7.htm>>.



G. *United Nations Commission on International Trade Law Working Group III on Transport Law*

Singapore participated in the fifteenth and sixteenth sessions of the United Nations Commission on International Trade Law Working Group III on Transport Law from 18 to 28 April 2005 and 28 November to 9 December 2005 respectively. The Working Group continued its review of the “draft instrument on the carriage of goods [wholly or partly] [by sea]”.

H. *World Trade Organisation: General Agreement on Trade in Services – Legal Services*

Singapore was part of the Friends of Legal Services Group which met in Geneva from 13 to 17 February 2006 during the February cluster at the World Trade Organisation to develop the plurilateral request on legal services. The objective is to liberalise international trade in legal services as a means to facilitate the availability of comprehensive legal services covering multiple (foreign, domestic and international) jurisdictions in economies of commercial interest to Members.

I. *World Intellectual Property Organisation Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty*

The Diplomatic Conference for the Adoption of a Revised Trademark Law Treaty, organised by the World Intellectual Property Organisation (WIPO), was held from 13 to 31 March 2006 in Singapore. This marked the first time an Asian country hosted a Diplomatic Conference, which is convened by international law-makers to conclude an international treaty.

The objective of the Conference, which brought together top intellectual property policy and law makers and government experts from the 183 WIPO member states as well as observer delegations, was to update the existing 1994 *Trademark Law Treaty* to bring it in line with the technological advances of the past decade and to simplify the legal requirements for trademark licensing. The Conference was successfully concluded with a new treaty, which was named the *Singapore Treaty on the Law of Trademarks*, after the host country. The revised treaty is expected to benefit national and regional trademark administration authorities through simplified and streamlined procedures.

J. *Aceh Monitoring Mission*

A M.O.U. was signed on 15 August 2005 between the Government of Indonesia and the Free Aceh Movement, promising to bring peace to the civil war-ravaged Indonesian province of Aceh. Following this, the Indonesian government invited the European Union, as well as Brunei Darussalam, Malaysia, the Philippines, Singapore and Thailand, to monitor the implementation of the terms of the M.O.U. In this regard, Singapore participated in the Aceh Monitoring Mission (AMM).<sup>22</sup> The AMM started its work in Aceh in September 2005, and is expected to fulfil its mandate by June 2006, culminating in the holding of local elections in Aceh.

<sup>22</sup> More information on the AMM can be found at <<http://www.aceh-mm.org>>.

K. *Vienna Convention on Diplomatic Relations and Vienna Convention on Consular Relations*

The *Diplomatic and Consular Relations Act 2005* was passed by Parliament on 25 January 2005 and assented to by the President on 3 February 2005. The legislation came into operation on 1 May 2005. Singapore acceded to the *Vienna Convention on Diplomatic Relations and Vienna Convention on Consular Relations* on 1 April 2005 and both Conventions entered into force for Singapore on 1 May 2005.

VI. LIST OF TREATY ACTION

The following is a list of some of the treaty actions taken by Singapore from 1 April 2005 to 31 March 2006:

*Vienna Convention on Diplomatic Relations*

Accession: 1 April 2005

Entry into force: 1 May 2005

*Vienna Convention on Consular Relations*

Accession: 1 April 2005

Entry into force: 1 May 2005

*Air Services Agreement between the Government of the Kingdom of Bahrain and the Government of the Republic of Singapore*

Signature: 7 April 2005

*Case Concerning Land Reclamation by Singapore In and Around the Straits of Johor (Malaysia v Singapore) Settlement Agreement*

Signature: 26 April 2005

Entry into force: 26 April 2005

*Singapore-Australia Free Trade Agreement — Sectoral Annex pursuant to Chapter 5 Technical Regulations and Sanitary and Phytosanitary Measures Sectoral Annex On Food Products*

Signature: 21 April 2005

*Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia*

Ratification: 28 April 2005

*Memorandum of Understanding on Cooperation in Maritime Transport between Germany and Singapore*

Signature: 29 April 2005

*Memorandum of Understanding on the Establishment of the Political Consultation Mechanism between the Ministry of Foreign Affairs and Cooperation of the Kingdom of Morocco and the Ministry of Foreign Affairs of the Republic of Singapore*

Signature: 29 April 2005

*Agreement between the Government of the Slovak Republic and the Government of the Republic of Singapore for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income*

Signature: 9 May 2005

*Singapore-Pakistan Memorandum of Understanding on Combating Terrorism and Other Transnational Crimes*

Signature: 10 May 2005

*Memorandum of Understanding on Tourism Cooperation Framework between Singapore Tourism Board and Shandong Provincial Government of the People's Republic of China*

Signature: 12 May 2005

Entry into force: 12 May 2005

*Agreement on the Establishment of a China-Singapore Bilateral Investment Promotion Committee*

Signature: 18 May 2005

*Agreement between the Government of the State of Israel and the Government of the Republic of Singapore for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income*

Signature: 19 May 2005

Entry into force: 6 December 2005

*Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade*

Accession: 24 May 2005

*Stockholm Convention on Persistent Organic Pollutants*

Signature: 23 January 2001

Ratification: 24 May 2005

*Memorandum of Understanding Between the Food and Drug Administration Of The Department of Health and Human Services of the United States of America and the Health Sciences Authority of the Republic of Singapore Establishing the Medical Products Working Group*

Signature: 24 June 2005

Entry into force: 24 June 2005

*Comprehensive Economic Cooperation Agreement between the Republic of India and the Republic of Singapore*

Signature: 29 June 2005

*Agreement between Singapore and India Concerning Mutual Legal Assistance in Criminal Matters*

Signature: 29 June 2005

*Strategic Framework Agreement Between the United States of America and the Republic of Singapore for a Closer Cooperation Partnership in Defense and Security*

Signature: 12 July 2005

*Trans-Pacific Strategic Economic Partnership Agreement*

Signature: 18 July 2005

*Agreement on Trade in Goods of the Framework Agreement on Comprehensive Economic Co-operation between the Association of Southeast Asian Nations and the People's Republic of China*

Entry into force: 20 July 2005

*Memorandum of Understanding between Shanghai Administration Institute, People's Republic of China and Civil Service College, Singapore*

Signature: 25 July 2005

Entry into force: 25 July 2005

*ASEAN Agreement on Disaster Management and Emergency Response*

Signature: 26 July 2005

*Agreement on the Establishment of the ASEAN Development Fund*

Signature: 26 July 2005

*Air Services Agreement between the Government of the Republic of Singapore and the Government of the Democratic Socialist Republic of Sri Lanka*

Signature: 4 August 2005

*Ministerial Understanding on ASEAN Cooperation in Minerals*

Signature: 4 August 2005

Entry into force: 4 August 2005

*Agreement between the Government of the State of Israel and the Government of the Republic of Singapore on the waiver of Visa requirement for their Nationals*

Signature: 4 August 2005

Entry into force: 3 October 2005

*Free Trade Agreement between the Republic of Korea and the Republic of Singapore*

Signature: 4 August 2005

Entry into force: 2 March 2006

*Agreement on the Establishment of the ASEAN Centre for Biodiversity*

Signature: 5 August 2005

*An Undertaking Concerning the Recognition of Training and Certification of Seafarers for Service on Board Vessels Registered in St. Vincent and The Grenadines Between The St. Vincent and the Grenadines Maritime Administration on behalf of the Government of St. Vincent and the Grenadines And The Maritime and Port Authority of Singapore on behalf of the Government of Singapore*

Signature: 8 August 2005

Entry into force: 8 August 2005

*Agreement between the Government of the Hashemite Kingdom of Jordan and the Government of the Republic of Singapore on the Establishment of a Free Trade Area*

Entry into force: 22 August 2005

*Memorandum of Understanding on Air Services between the Government of the Republic of India and the Government of the Republic of Singapore*

Signature: 24 August 2005

Entry into force: 24 August 2005

*Memorandum of Understanding and Cooperation between National Academy of Public Administration, Ministry of Home Affairs, Vietnam and Civil Service College, Singapore*

Signature: 26 August 2005

Entry into force: 26 August 2005

*Memorandum of Understanding between the Ministry of Development of Brunei Darussalam and the Ministry of the Environment and Water Resources of the Republic of Singapore on Bilateral Partnership in Environmental Affairs*

Signature: 27 August 2005

Entry into force: 26 September 2005

*Third Protocol to the Agreement between the Government of the Republic of Singapore and the Government of New Zealand for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income*  
Signature: 5 September 2005

*Second Memorandum of Understanding between the Government of the State of Kuwait and the Government of the Republic of Singapore on Cooperation in E-Government*

Signature: 13 September 2005

Entry into force: 13 September 2005

*Memorandum of Understanding between Civil Service College, Singapore and College of Management in Agriculture and Rural Development, Vietnam*

Signature: 15 September 2005

Entry into force: 15 September 2005

*Memorandum of Understanding on Cooperation in the Application Of Sanitary and Phytosanitary Measures between the Ministry of National Development of the Republic of Singapore and the General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China*

Signature: 20 September 2005

Entry into force: 20 September 2005

*Memorandum of Understanding between the Government of the Republic of Singapore and the Government of the People's Republic of China on the Singapore-China Human Resource Partnership for the 21st Century under the Joint Council for Bilateral Cooperation*

Signature: 20 September 2005

Entry into force: 20 September 2005

*Framework Agreement between the Ministry of Foreign Affairs of the Republic of Singapore and the Ministry of Foreign Affairs of the People's Republic of China on the Exchange Programme with Middle to Senior Level Chinese Officials (2006–2010)*

Signature: 20 September 2005

Entry into force: 1 January 2006

*Protocol Additional to the Agreement Between the Republic of Singapore and the International Atomic Energy Agency on the Application of Safeguards*

Signature: 22 September 2005

*Memorandum of Understanding between the Brazilian Trade Promotion Agency and International Enterprise Singapore*

Signature: 23 September 2005

Entry into force: 23 September 2005

*Memorandum of Understanding concerning Small and Medium Enterprises Promotion Partnership between International Enterprise Singapore and the Institute of Foreign Trade Development of the State of Jalisco, of the United Mexican States*

Signature: 26 September 2005

Entry into force: 26 September 2005

*Agreement on The Recognition of Certificates between the Maritime and Port Authority of Singapore and the Norwegian Maritime Directorate*

Signature: 27 September 2005

Entry into force: 27 September 2005

*Undertaking between the Maritime and Port Authority of Singapore and the Maritime Authority of Jamaica for Mutual Recognition of Certificates under Regulation 1/10 of the International Convention on Standards of Training Certification and Watchkeeping for Seafarers*

Signature: 6 October 2005

Entry into force: 6 October 2005

*Memorandum Of Understanding in Area of Health Between Singapore and Macao Special Administrative Region of the People's Republic of China*

Signature: 18 October 2005

Entry into force: 18 October 2005

*Air Services Agreement between the Republic of Singapore and the Islamic Republic of Pakistan — Third Supplemental Memorandum of Understanding*

Signature: 9 November 2005

Entry into force: 9 November 2005

*Convention concerning Minimum Age for Admission to Employment*

Ratification: 7 November 2005

*ASEAN Framework Agreement on Multimodal Transport*

Signature: 17 November 2005

*Agreement Establishing the Regional Emerging Diseases Intervention Centre between the United States of America and Singapore*

Signature: 22 November 2005

*Memorandum of Understanding between Singapore and Thailand on the 1987 Agreement Among the Governments of Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore and Thailand for the Promotion and Protection of Investments*

Signature: 23 November 2005

*Memorandum of Understanding on Tourism Cooperation Framework between Singapore Tourism Board and Suzhou Municipal Government of the People's Republic of China*

Signature: 28 November 2005

Entry into force: 28 November 2005

*Memorandum of Understanding between the Aeronautical Authorities of the United Kingdom of Great Britain and Northern Ireland and the Republic of Singapore*

Signature: 29 November 2005

Entry into force: 29 November 2005

*Agreement to Establish and Implement the ASEAN Single Window*

Signature: 9 December 2005

*Agreement on the ASEAN Harmonized Electrical and Electronic Equipment Regulatory Regime*

Signature: 9 December 2005

*ASEAN Mutual Recognition Arrangement on Engineering Services*

Signature: 9 December 2005

*Agreement between the Governments of the Member Countries of the Association of Southeast Asian Nations and the Government of the Russian Federation on Economic and Development Cooperation*

Signature: 10 December 2005

*Declaration of Asia-Europe Meeting Prosecutors-General Conference*

Signature: 12 December 2005

*Framework Agreement on Comprehensive Economic Cooperation Among the Governments of the Member Countries of the Association of Southeast Asian Nations and the Republic of Korea*

Signature: 13 December 2005

*Agreement on Dispute Settlement Mechanism Under the Framework Agreement on Comprehensive Economic Cooperation Among the Governments of the Member Countries of the Association of Southeast Asian Nations and the Republic of Korea*

Signature: 13 December 2005

*Agreement on Trade in Goods Under the Framework Agreement on Comprehensive Economic Cooperation Among the Governments of the Member Countries of the Association of Southeast Asian Nations and the Republic of Korea*

Signature: 13 December 2005

*Agreement between the Government of the Republic of Singapore and the Government of the Republic of the Fiji Islands for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income*

Signature: 20 December 2005

*Memorandum of Understanding on Tourism Cooperation Framework between Singapore Tourism Board and Jilin Provincial Government of the People's Republic of China*

Signature: 7 February 2006

Entry into force: 7 February 2006

*Agreement between the Government of the Republic of Singapore and the Government of Malaysia for the Avoidance of Double Taxation and Prevention of Fiscal Evasion with respect to Taxes on Income*

Entry into force: 13 February 2006

*Memorandum of Understanding on Education Cooperation between Brunei Darussalam and Singapore*

Signature: 14 February 2006

*Memorandum of Understanding on Tourism Cooperation Framework between Singapore Tourism Board and Wuxi Municipal Government of the People's Republic of China*

Signature: 22 February 2006

Entry into force: 22 February 2006

*Free Trade Agreement between the Republic of Singapore and the Republic of Panama*

Signature: 1 March 2006

*Agreement between the Government of the Republic of Singapore and the Government of Malta for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income*

Signature: 21 March 2006

