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July 09, 2014

**MFA Press Release: Transcript of Senior Minister of State for Foreign Affairs Masagos Zulkifli's reply to Parliamentary Questions, 9 July 2014**

QUESTIONS:

Mr Ang Wei Neng: To ask the Minister for Foreign Affairs whether Singapore has engaged Malaysia on the conduct of an Environmental Impact Assessment in respect of Johor's intention to build a massive man-made island near to the Tuas Second Link.

Dr Lim Wee Kiak: To ask the Minister for Foreign Affairs with regard to Malaysia's Forest City project in the Johor Straits (a) what is Malaysia's latest response to Singapore; (b) how will this massive reclamation project impact on the trans-boundary environment; (c) what are the protocols under international law on the carrying out of such reclamation projects; (d) whether this protocol was observed before the project was announced in the media by the developers; and (e) whether Singapore will be carrying out any impact studies to ascertain how this project will impact on our environment.

REPLY:

Mdm Speaker,

May I seek your permission to take Questions 2 and 3 together.

2 Mdm Speaker, Singapore is very concerned about the potential transboundary impact on Singapore from reclamation projects in Malaysia that are in close proximity to Singapore. Countries are obliged under the UN Convention on the Law of the Sea (UNCLOS), and general international law, not to cause harm or permit activities within their jurisdiction to cause transboundary harm to their neighbours.

3 In the present case, this would include Malaysia not permitting reclamation activities of this scale and nature to take place so close to the international boundary with Singapore without first conducting an Environmental Impact Assessment. Where such assessments indicate that any damage may be of a transboundary nature affecting Singapore, Malaysia has a duty to consult Singapore. If damage to our environment has been caused or is imminent, Malaysia has a duty to *immediately* notify Singapore. Countries are also obligated to work closely on such matters and to share any relevant information with each other. Apart from the UNCLOS and general international law, under the 2005 *Reclamation Case Settlement Agreement* between Singapore and Malaysia, both Singapore and Malaysia are obliged to monitor our respective environments in the Straits of Johor, share information and address any adverse impacts, if necessary.

4 There are two reclamation projects in question. The first is by Country Garden Holdings Company Limited and Kumpulan Prasarana Rakyat Johor in the western Straits of Johor, also known as Forest City; and the second is by Guangzhou R&F Properties Company Limited in the vicinity of Johor's old Customs, Immigration and Quarantine Complex by the Causeway, also known as R&F Princess Cove. Singapore was not given prior information on these reclamation projects.

5 In this regard, we have, on a number of occasions, registered our concerns with Malaysia regarding these projects. We have requested for all relevant information on all their reclamation and construction works, including the EIA reports and projected timelines for their completion, for our further study and consideration. These were conveyed through letters from the National Environment Agency or NEA to its Malaysian counterpart, and through third party notes, which are formal diplomatic correspondence between governments. Prime Minister Lee Hsien Loong spoke and wrote to Prime Minister Najib Razak on this matter. Minister for National Development Khaw Boon Wan also wrote to his co-chair of the Malaysia-Singapore Joint Ministerial Committee for Iskandar Malaysia, Minister in the Malaysian Prime Minister's Office Dato' Seri Abdul Wahid Omar, to express Singapore's concerns. Our concerns have also been expressed to other Malaysian ministerial colleagues. This issue was also discussed at the Malaysia-Singapore Joint Committee on the Environment Working Group meeting in Malaysia in May 2014.

6 In our communications with Malaysia, we have conveyed our concerns that the reclamation projects could lead to an increase in the current velocity in the Straits of Johor. In turn, this could affect safety of navigation in the Straits, as well as increased erosion to the seabed and foreshore defences that support the infrastructure of the Second Link and Singapore's shoreline. The reclamation projects could also result in changes in the morphology and water quality in the Straits of Johor which directly affect Singapore's coastal and marine environment, as well as fish farms and other facilities in the East and West Johor Straits.

7 Because of these potential transboundary impacts on Singapore, we have requested Malaysia to suspend reclamation works until Singapore had received and studied all the relevant information.

8 On 30 June 2014, Malaysia responded with some preliminary general information on the proposed reclamation projects for Forest City and R&F Princess Cove. Malaysia promised to share all other information, including the EIAs, once their relevant internal processes are completed. Malaysia has stated that no reclamation works are currently being undertaken on these projects, and that it remains committed to fulfilling its obligations under international law and will take all necessary measures to avoid any adverse transboundary impact. We welcome Malaysia's cooperation on this matter and look forward to receiving the rest of the information we requested as soon as possible. We are also seeking

further clarifications on some of the information that Malaysia provided. In the meantime, we will study the information provided and conduct the necessary studies to ascertain how this project will impact Singapore.

9 Mdm Speaker, in the spirit of bilateral cooperation between our two countries, we remain committed to working together with Malaysia to address our concerns over the possible transboundary impacts of Malaysia's reclamation projects. In this regard, we have proposed to hold consultations with Malaysia so that both sides can further discuss and exchange information on these projects.

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#### **TRANSCRIPT OF SENIOR MINISTER OF STATE FOR FOREIGN AFFAIRS MASAGOS ZULKIFLI'S REPLY TO SUPPLEMENTARY QUESTIONS, 9 JULY 2014**

Speaker: Dr Lim Wee Kiak

Dr Lim Wee Kiak (Nee Soon): Mdm Speaker, I would like to thank the SMS for the reply. I would like to ask the SMS two supplementary questions. The first is what is Singapore's course of action in the event that there is a disagreement after reviewing the environmental impact studies and they decide to go ahead. Do we go to the International Court of Justice? Do we go to anybody for arbitration? Number two is that is there any change in terms of the boundary lines after they have done their reclamation? And the part that they are reclaiming now, what would the boundary line be like and how far would we be from the boundary line from this particular development.

SMS Masagos: Thank you to the Member for the supplementary question. I think it is too premature to talk about any development at this stage and not to be hypothetical about it. We must let consultations and information exchange go forward and to study them first before we hypothesise what we will do or what they will do or what can happen in the future. On the second question, the boundary lines between any countries have already been fixed, unless there are disputes that have to be settled. Between Singapore and Malaysia, it is very much settled. Whatever reclamation each country does does not change the boundary lines between the two countries.

Speaker: Mr Ang Wei Neng

Mr Ang Wei Neng (Jurong): Thank you Mdm and thank you SMS for the reply as well. I have the following supplementary questions. I understand that the length of the Second Link bridge over the water is about 1,920 metres. And presuming about half the length is under Singapore's jurisdiction, and with the massive land reclamation in Johor, what would be the nearest point of the reclaimed land to Singapore and will it pose any border security issues? The second question is that does Singapore have any more plans to further reclaim land in the Straits of Johor? The third one is how could we use the lessons learnt from the previous land reclamation dispute between Singapore and Malaysia in 2003 to resolve the current issues of the reclamation land near the Second Link. Thank you.

SMS Masagos: Like I have mentioned to Mr Lim Wee Kiak, the boundaries between our two countries do not change whatever the reclamation work that is done by one country or the other. So while I am not sure how much is that number or the distance from the post-reclaimed land to Singapore, we must wait for the information to be more apparent to us when it is given to us. On the second part on whether there is any more land reclamation planned by ourselves, I am not aware of this and I think the right authorities should be given the PQ to answer this. And thirdly, whether the agreement from the 2003 dispute is used. Indeed, it sets a precedent for both countries to work together and to consult each other on any reclamation work that each other does in the Straits of Johor, whether in the East or the West of the Straits.

Speaker: Ms Faizah Jamal

Ms Faizah Jamal (Nominated Member): Thank you Mdm Speaker. I would like to seek clarification as to whether there is a frequency and the timeline for consultations to take place. Thank you.

SMS Masagos: The consultation generally takes place yearly but it does not prevent us from asking for clarification and to have meetings if it is urgently needed.

Speaker: Er Lee Bee Wah

Er Lee Bee Wah (Nee Soon): Thank you Mdm Speaker. Many of my residents are very disappointed with this Malaysian reclamation in the Johor Straits and I would like to ask Minister is it possible to urge Singaporeans not to buy any projects at this Forest City project. Thank you.

SMS Masagos: I think you have to separate the issues around legalities between what we have to settle and the commercial exposure that residents have to make on their own, bearing in mind what will they bear in the future or not. I think that is not the government's mandate to tell them. People must be open-minded, people must know what they are getting into and understand the situation as it develops.

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