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Railway

S'PORE WANTS TO ARBITRATE RAILWAY LAND DISPUTE

SINGAPORE, Oct 17 (Bernama) -- Singapore wants to settle its long-standing dispute with Malaysia over railway land by referring it to an international third party, the Straits Times reported.

According to the newspaper, the republic had taken the first step by proposing this in a diplomatic letter, or Third Party Note, to Kuala Lumpur on Sept 26.

"We are awaiting Malaysia's reply," Foreign Affairs Minister S. Jayakumar told Parliament yesterday.

Singapore said it would like the matter to be settled before either the International Court of Justice (ICJ) or by international arbitration at the Permanent Court of Arbitration.

The dispute over railway land is over a pact called the Points of Agreement (POA), which the two countries signed on Nov 27 1990. Then Prime Minister Lee Kuan Yew and then Malaysian Finance Minister Tun Daim Zainuddin signed the document.

According to the Straits Times, the pact sets out, among other things, the terms of development and status of the railway land here. Under it, the Malayan Railway station in Tanjong Pagar will be moved either first to Bukit Timah, or straight to Woodlands.

In exchange, three parcels of railway land -- at Tanjong Pagar, Kranji and Woodlands -- would be developed jointly, it said.

"All other railway lands south of Woodlands other than the Tanjong Pagar, Woodlands and Kranji sites would revert to Singapore," said Jayakumar.

Singapore argued that Malaysia had not implemented the relocation of the Tanjong Pagar railway station and that the latter also wanted to vary the POA by asking for extra parcels of land not covered by the pact.

Singapore's view is that the pact came into effect the day it was signed, while Malaysia's stand is that it will become operative only when it decides to relocate the Tanjong Pagar railway station, said the Straits Times.

Quoting a 1997 letter from then Foreign Minister Datuk Seri Abdullah Ahmad Badawi, Malaysia, it said, stated that the POA would "only come into effect if and when KTM should decide to vacate Tanjong Pagar station."

According to the newspaper, a chance to overcome the impasse came in 1998, when both sides agreed to resolve the railway land matter as a package, with other outstanding bilateral issues, such as water supply and use of Malaysia's air space.

However, Malaysia wanted to give top priority to resolve the water dispute separately, and discontinued with the package approach, it said.

"Now that Malaysia had discontinued the package approach, the basis to consider Malaysia's request for variations of the terms of the POA no longer exists," he said.

On the water issue, he agreed with Prime Minister Datuk Seri Dr Mahathir Mohamad who had said in his Budget speech on Sept 12 that if disputes could not be settled through negotiations, "then there is a need for a third party to arbitrate."

"We share this view, that where negotiations fail to resolve an outstanding issue, we should refer it to third party adjudication or arbitration especially where it turns on a legal issue," said Jayakumar.

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