

The Scenic Bridge: Peek behind the scenes

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<mailto:news@nst.com.my> So much has been said since the Government announced that it was scrapping the plan to build a bridge to replace the Causeway. A clutch of critics, including former Prime Minister Tun Dr Mahathir Mohamad, has argued that Malaysia should have gone ahead and built a half-bridge. They say the law was on Malaysia's side to proceed unilaterally. Yesterday, Tan Sri Ahmad Fuzi Abdul Razak, ambassador-at-large at the Ministry of Foreign Affairs, offered a peek into what went on behind the scenes.

5 July 1996: Dr Mahathir announces plan to build a bridge while launching the JB Waterfront City.

17 December 1998: Dr Mahathir and the then Singapore Prime Minister Goh Chok Tong agree to treat the proposed bridge outside the package of unresolved issues, including water and airspace. Events make it difficult for the bridge to be discussed separately from other issues.

March 1999 to Sept 2002: Despite negotiations and an exchange of letters between Dr Mahathir and Senior Minister Lee Kuan Yew and among officials, both sides fail to reach agreement on technical aspects of the bridge, as well as other issues.

4 March 2002: Dr Mahathir writes to Lee on the package of issues covering water, the bridge, CPF, airspace, etc. The Government's proposal on the road bridge, railway bridge and water pipelines are as follows:

"A new bridge will be built to replace the Causeway. Malaysia will build the bridge on the Malaysian side at its own cost, while Singapore will build the bridge on the Singapore side at its own cost. The bridge will connect at the common boundary in the Strait of Johor. Once the bridge is completed, the Causeway will be demolished.

"Should Singapore decide not to build the bridge on its side, Malaysia intends to build the bridge on the Singapore side at its own cost. The new bridge will join the remaining Causeway on Singapore's side. Once the bridge is completed, the Causeway on the Malaysian side will be demolished.

"Malaysia will build a new railway bridge across the Johor Strait. This railway bridge will include a railway swing bridge on the part of the strait that will be deepened for navigational purposes.

"Should Singapore decide not to build the bridge to replace the Causeway on its side, Malaysia will build a railway on its side in the Johor Strait.

This railway bridge will include a railway swing bridge on the part of the Johor Strait that will be deepened for navigational purposes. The new railway bridge will join the existing railway track on the remaining Causeway on Singapore's side.

"New water pipelines on the Malaysian side will be installed by Malaysia and will reconnect with the Singapore water pipelines under the new bridge.

“Should Singapore decide not to build the bridge to replace the Causeway on its side, the new water pipelines on the part of the Johor Strait that will be deepened for navigational purposes will be buried under the seabed and will reconnect with the Singapore water pipelines.”

11 April 2002: PM Goh gives Singapore’s response to Dr Mahathir in a letter. On the bridge, Singapore’s position is:

“Between a new bridge to replace the entire Causeway, and one to replace just the Malaysian side of the Causeway, I like the former. Once the new bridge is completed, the Causeway can be knocked down, which I prefer to be done after 2007. But if you wish to proceed immediately to replace just your side of the Causeway with a bridge, I shall accept it, though I think this is not ideal.”

July and Sept 2002: Two ministerial meetings held to discuss package of issues, with little success.

7 Oct 2002: Dr Mahathir writes to Goh:

“As you are aware, since our above decision, several meetings both at ministerial and officials level, have been held on the package of issues. Regrettably, three rounds of talks at the senior officials level in 1999 and two ministerial-level meetings in 2002 did not meet with any success.

“In addition, Senior Minister Mr Lee Kuan Yew also had several sessions with me discussing the same package but no agreement could be reached.

“I think we have now come to a point where it would be important for us to prioritise our discussions. The approach that both sides have adopted so far in dealing with the outstanding issues in a package has not yielded any meaningful results.

“In view of this, Malaysia has now decided to discontinue the package approach and to give the highest priority to first resolving the long-delayed water issue, particularly the price of raw water.

“Once this issue is satisfactorily and amicably resolved, I am confident that Malaysia and Singapore would be able to move forward much faster in finding solutions to the other outstanding issues that stand in the way of our bilateral relations.”

14 October 2002: Goh writes to Dr Mahathir, saying he has decided to withdraw the concession he had said Singapore was prepared to make as part of trade-offs involving the bridge and related issues.

In a diplomatic note, Singapore explains that the agreement given by Goh was “made in the context of the then ongoing negotiations between the two Governments as an overall package of bilateral issues. With the termination of the package negotiations, the underlying basis for the statements in the letter of 11 April 2002 no longer exists.”

25 Oct 2003: After Malaysia decides to proceed with building the CIQ complex in Bukit Chagar and awards contracts to build a half-bridge, Singapore issues a diplomatic note. The republic refers to an order by the international tribunal on the Law of the Sea in 2003 concerning land reclamation by Singapore in and around the Johor Strait.

It contends that Malaysia made a unilateral decision in announcing the plan to build a half-bridge, and maintains that international facilities such as the Causeway cannot be demolished without its approval and agreement. Singapore's position on the CIQ complex, half-bridge and railway projects is reflected in its decision to relocate the Public Utilities Board water pipelines.

It invokes PUB's ownership of the pipelines under the 1961 and 1962 water agreements, subsequently guaranteed under the 1965 Separation Agreement.

The Attorney-General's Chambers in a legal opinion says "Malaysia is required to obtain prior approval of PUB in relation to the alteration of the water pipelines necessitated by the construction of a bridge, whether it is a full straight bridge or a scenic bridge (half bridge)".

4 and 5 Oct 2004: Prime Minister Lee Hsien Loong visits Malaysia and agrees to revisit idea of straight bridge.

13 December 2004: Senior Minister Goh visits Malaysia. Malaysia officially presents designs of the straight bridge for Singapore's consideration. Singapore maintains the bridge would bring no benefit but it would have to fork out S725 million for its part of the project. Goh says it would be easier for Singapore to consider the project if Malaysia lifts the ban on export of sand and reinstates all rights to use Malaysian airspace.

This is the first time sand is linked to bridge project.

Sept 2005 and 11 March 2006: Five meetings held by senior officials from both sides. Focus is on the straight bridge. Malaysia's position is to discuss the full straight bridge proposal as a stand-alone issue. Malaysia also offers the possibility of bearing entire cost of project in return for Singapore's agreement.

Singapore more interested in negotiating on basis of mutual benefit involving sand and airspace. Also wants to build on basis of cost-sharing if agreement reached between both sides. Dawns on Malaysian delegation that, short of calling off the meetings, progress can only be achieved on basis of balance of mutual benefits.

Armed with expert advice and the Cabinet mandate, Malaysian delegation crafts a "Broad Political Understanding", meant to provide the basis for detailed technical and legal negotiations.

In including sand as an element, consideration is given to Malaysia's precedents in exporting sand to Singapore, the quantity, royalty, etc.

With regard to airspace, Singapore wants all privileges reinstated, but with the Defence Ministry's approval only two privileges, namely search-and-rescue and northern corridor transit, are considered.

Government decides to give itself some time before deciding on the BPU, considering the socio-political dynamics prevailing in the country.

28 March 2005: Foreign Minister briefs Barisan Nasional MPs. At the back of the Government's mind is the need to make a decision that would reflect consensus among Malaysians. This is consistent with the approach of the current leadership.

29 Nov 2004: Singapore made clear of the distinction between the relocation of PUB pipelines on mainland Johor and relocation of pipelines along the Malaysian part of the Causeway.

'Government's political decision to go for Option 4'

AMBASSADOR-at-large Tan Sri Ahmad Fuzi Abdul Razak explains the four options on the table.

OPTION 1: Approve the BPU and proceed with detailed negotiations to conclude a final agreement.

With such a strong mandate, the Government could have gone ahead with the project and persuaded Malaysians later.

But the problem is the lingering concern that too much is being given away for the sake of the bridge.

OPTION 2: Proceed with the half-bridge to join the Singapore part of the Johor Causeway.

Biggest problem with this option is that expert advice shows the need to consult and obtain approval of Singapore for the relocation of PUB water pipelines in the context of water and separation agreements.

Attorney-General also points out that if the Malaysian part of the Causeway is demolished unilaterally, Singapore could even halt KTMB's use of the remaining Singapore part of the Causeway on account of structural integrity.

This will directly affect the running of railway services to Singapore. Should this continue for six months, KTMB land in Singapore will revert to the republic.

OPTION 3: Unilaterally build a half-bridge that can eventually be linked to become a full bridge.

No guarantee that Singapore would agree to build its side of the bridge without a balance of interests. This element of uncertainty would mean that Malaysia would be waiting for the bridge to be linked at Singapore's pleasure.

Such a hanging bridge would become a subject of ridicule and would affect Malaysia's image.

OPTION 4: Not to proceed with any bridge.

This was the option chosen by the Government, taking into account public sentiment on exporting sand and opening up airspace to the republic.

The Government's decision to scrap the bridge project would prevent both sides from being embroiled in endless political bickering and legal disputes. The decision is not necessarily a win-lose situation.

Malaysia did not lose even if it did not get the bridge. Singapore too did not get what it wanted — sand and airspace.

CONCLUSION:

The Government's decision was a political decision; a collective decision of the Cabinet. Making a decision on the basis of a referendum has never been the practice of the Government, nor a tradition in Malaysia.

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