**CALL FOR SUBMISSIONS – “TOWARDS TORTURE-FREE TRADE: EXAMINING THE FEASIBILITY, SCOPE AND PARAMETERS FOR POSSIBLE COMMON INTERNATIONAL STANDARDS”**

1 Singapore would like to reiterate our concern with UN General Assembly resolution 73/304, which we had voted against. The resolution is fundamentally flawed as it asks the General Assembly to legislate and regulate matters of international trade. The General Assembly is neither the appropriate body to regulate and decide matters pertaining to international trade, nor to validate any measures under the World Trade Organisation (WTO) laws.[[1]](#footnote-1) The interpretation of the WTO laws must be left solely to the WTO. We also note that resolution 73/304 noted “growing support across all regions for concluding an international instrument” but there has been no evidence to back this claim.

2 Singapore notes that the Group of Governmental Experts (GGE) is expected to examine the “feasibility, scope of goods to be included and draft parameters for a range of options to establish common international standards” on the subject matter. As a small and open country that is deeply committed to the rules-based multilateral trading system and whose life blood is international trade, Singapore remains deeply concerned with any restrictions that would undermine a predictable, open and rules-based multilateral trading system. Our view is that any proposed “common standards” to be established on this front could potentially serve as a shelter for protectionism, or be used as precedent for protectionist measures in the future, which could impede international trade. This is especially since such “common standards” or new conditionalities on this issue differ from standards in other domains such as environment and health, which are guided by internationally accepted objective evidence (e.g. scientific assessment/evidence). Singapore had previously raised similar concerns during the negotiations of the resolution 73/304 in 2019, but the sponsors did not address these concerns seriously and substantively.

3 In addition, Singapore notes that resolution 73/304 conflates capital punishment with torture. Singapore condemns torture in all its forms. We are committed to preventing it, and have made known our position at the Third Committee of the General Assembly. We have also supported past General Assembly resolutions on “Torture and other Cruel, Inhuman or Degrading Treatment or Punishment” in the Third Committee. The use of capital or corporal punishment does not violate international law. Neither is there international consensus that capital or corporal punishment amounts to torture, cruel, inhuman, or degrading treatment when applied in accordance with due process of law and judicial safeguards. The GGE should not conflate capital and corporal punishment with torture and cruel, inhuman, or degrading treatment in its work as this linkage is not supported by international law.

4 For the reasons laid out above, Singapore will not be able to accept any binding outcomes for a “common international standard” on the subject matter.

5 As a member of the GGE, Singapore will continue to do our best to ensure that all views are taken into consideration, and that recommendations made by the GGE do not establish a precedent for others to seek to legislate and regulate trade issues based on controversial criteria or requirements.

1. The definition of “public morals”, “public order” and “human life or health” have yet to be defined in WTO case law, and the General Assembly should not seek to interpret whether such measures at hand can be justified under the WTO laws. [↑](#footnote-ref-1)