



**PERMANENT MISSION OF SINGAPORE
TO THE UNITED NATIONS**

231 EAST 51ST STREET, NEW YORK, NY 10022
TEL: (212) 826 0840 FAX: (212) 826 2964

**STATEMENT BY MRS RENA LEE,
DELEGATE TO THE 68th**

**COMMISSION ON THE WORK OF ITS SIXTY-THIRD AND SIXTY-FIFTH
SESSIONS,
SIXTH COMMITTEE,
30 OCTOBER 2013**

3. The Singapore delegation wishes to make two comments on the Guide to Practice on Reservations to Treaties.

Guideline 4.5.3 on the Status of the Author of an Invalid Reservation

4. First, the Singapore delegation emphasises the importance of the intention of the reserving State in cases of invalid reservations. The key to the problem is simply the will of the author of the reservation: does the author intend to be bound by the treaty even if its reservation is invalid without benefit of the reservation or is its reservation a *sine qua non* for its commitment to be bound by the treaty?

5. We note that the positive presumption in the guideline is not intended to undermine the principle of State consent under treaty law. Rather, the positive presumption can be rebutted when the intention of the author is examined.

6. Second, the Singapore delegation notes that Guidelines 3.2.1 3.2.4 on