



Mr Sivakant Tiwari
20 Dec 1945 – 26 Jul 2010

1. Mr Sivakant Tiwari joined the Singapore Legal Service in April 1971, and first served at the Ministry of Defence in its Legal Department. He became the Head of the Department in 1974 and was re-posted to the Attorney-General's Chambers in 1978 as a Deputy Senior State Counsel.

2. He was appointed Senior State Counsel in 1984, and helmed the Civil Division from October 1987. When a specialist unit dealing with International Law matters was formed in 1995, he was re-posted to head the International Affairs Division. He held the post until his formal retirement in December 2007 after more than 36 years of service. He was re-employed to serve as Special Consultant until December 2008. After leaving the Legal Service, Mr Tiwari was a Visiting Senior Research Fellow at the Institute of Southeast Asian Studies.

Career Highlights

3. At the Ministry of Defence, Mr Tiwari played a significant role in setting in place the legislation and regulations necessary for the Singapore Armed Forces. He also handled a variety of issues connected with the newly-formed defence set-up.

4. In the Civil Division of the Attorney-General's Chambers, Mr Tiwari was the lead counsel and presented evidence in several landmark public inquiries, including (a) the Spyros Inquiry (1978), (b) the Cable Car Inquiry (1984), and (c) the Hotel New World Inquiry (1988). He also served as lead counsel in significant cases in the High Court of Singapore.

5. In the International Affairs Division, Mr Tiwari was instrumental in many international negotiations and disputes. He was the legal advisor to the Singapore team to the Uruguay Round of Multilateral Trade Negotiations. In addition, he was Singapore's lead negotiator for intellectual property issues during the Uruguay

Round and was actively involved in regional intellectual property work, serving as chairman of the ASEAN Working Group on Intellectual Property for six years and as chairman of the APEC Intellectual Property Expert's Group for two years.

6. Mr Tiwari also led the legal team for the US-Singapore Free Trade Agreement negotiations and was the lead negotiator for the Intellectual Property and Dispute Settlement Chapters of the US-Singapore FTA. He also led many negotiations in relation to many investment agreements, including with Saudi Arabia, Oman, Iran and Russia.

7. Mr Tiwari was also very active in his work in ASEAN. He has assisted in drafting numerous ASEAN legal instruments which include the Framework Agreement on Enhancing ASEAN Economic Cooperation, the Agreement on the Common Effective Preferential Tariff Scheme for the ASEAN Free Trade Area, the ASEAN Protocol on Enhanced Dispute Settlement Mechanism and the ASEAN Framework Agreement for the Integration of the Priority Sectors.

8. Together with Senior Minister and Co-ordinating Minister for National Security Prof S Jayakumar, Amb Tommy Koh and Judge of Appeal Mr Chao Hick Tin, Mr Tiwari was a member of the Singapore team to the United Nations Conference on the Law of the Sea where he helped shaped key provisions in the United Nations Convention on the Law of the Sea (UNCLOS). He also led negotiations for Singapore's sea borders with its neighbours.

9. Mr Tiwari was also part of the legal team in the Land Reclamation Case, when Malaysia sought to stop works being carried out by Singapore in its territorial waters. These resulted in proceedings at the International Tribunal for the Law of the Sea in Hamburg, in 2003.

10. One of Mr Tiwari's most important contributions was the Pedra Branca case. Mr Tiwari was involved in the outset – from 1979 until November 2007. He took charge of bilateral consultations with Malaysia in an attempt to resolve the dispute over sovereignty to Pedra Branca, Middle Rocks and South Ledge. When no agreement was possible, he then negotiated the Special Agreement to submit the dispute to the International Court of Justice pursuant to the in-principle agreement reached between Prime Ministers Goh Chok Tong and Dr Mahathir Mohamad in 1994 to submit the case for a binding decision at the International Court of Justice.

11. Mr Tiwari led the Singapore team in its tireless search for historical evidence and archival material, and in selecting, and working with local and foreign legal counsel to organise and prepare for Singapore's legal arguments under the overall leadership of the then Attorney-General, the Honourable Mr Chan Sek Keong.

Awards and Commendations

12. Mr Tiwari was awarded the Meritorious Service Medal in recognition of his significant contribution towards the successful outcome of the Pedra Branca issue in 2008. In his long and distinguished career, he was also awarded the Public Administration Medal (Gold) in 1984, the Long Service Medal in 1996, the Public Administration Medal (Gold) (Bar) in 2000 and the Meritorious Service Medal in 2008.

Other Work

13. Mr Tiwari was also heavily involved in the work of the Hindi Society (Singapore). In June 2010, Mr Tiwari edited a book, "ASEAN: Life After the Charter" published by the Institute of Southeast Asian Studies.