小国外交：东盟与战略平衡：实际影响

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对新加坡境内的机构

对银行、资产管理公司和信托公司而言，新加坡的外交政策既带来机遇，也带来义务。贸易协定和税收协定网络使这座城市成为开展区域投资、管理遍布亚洲的资产的理想基地。其召集能力和一贯性的声誉，有助于吸引来自彼此可能关系紧张的国家的客户。这些优势中的每一项，都取决于机构自身的行为。一家未能执行新加坡制裁措施、或成为丑闻渠道的机构，会损害整个金融中心赖以生存的声誉，第E部分第VI章所述的案例已说明了这一点。

因此，金融机构必须将地缘政治动态既视为业务问题，也视为合规问题。新加坡措施的变化、美国出口管制的变化或欧盟制裁的变化，都可能在一夜之间改变业务的许可范围。2022年对俄罗斯的制裁，要求银行在数日之内查明对四家指名机构的风险敞口，并冻结已持有多年的资产。

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对客户及其顾问

对客户而言，实际影响在于需要了解新加坡的外交立场对其资产意味着什么。新加坡依据本国法律保护财产，不会在缺乏法律依据的情况下出于政治原因冻结资产。它会执行联合国制裁和本国的自主措施。在业务需要时，其金融机构也会遵守外国的制裁制度。来自受制裁国家或可能受制裁国家的客户，必须事先评估这一风险。

客户也应善用贸易网络和税收协定网络所提供的机遇。新加坡的控股公司或基金在区域内投资时，可以享受协定保护。自由贸易协定可以保护在伙伴国家的投资。选择新加坡作为仲裁地或订立调解条款，则可以借助这座城市在争议解决方面的中立声誉。

以下清单概括了金融机构和客户应当考虑的要点：

- 识别结构或交易所涉及的各司法管辖区，并逐一核查新加坡与其关系，包括任何制裁或出口管制措施。
- 核实交易或客户是否受联合国制裁、新加坡2022年自主措施，或因货币、员工或集团结构而适用于该机构的外国制度的约束。
- 核查与投资所在国之间是否适用避免双重征税协定，以及是否满足其关于居民身份和经济实质的条件。
- 审查是否有自由贸易协定或投资协定保护该项投资，以及其规定了何种争议解决机制。
- 考虑美中关系恶化对该结构、其银行关系及其美元清算渠道的影响。
- 将地缘政治评估记录在客户档案中，并至少每年一次或在任何重大国际事件发生后予以更新。
- 在交易对手来自不同政治阵营时，选择借助新加坡中立机构的争议解决条款。

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