

ReSolution: In Brief

Kingdom of Tonga accedes to New York Convention

On 12 June 2020, Tonga became the 164th country to accede to the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958 (the **New York Convention**). Tonga's accession to the New York Convention is subject to only one (common) reservation, namely that it will apply the Convention only to differences arising out of legal relationships, whether contractual or not, which are considered commercial under the laws of the Kingdom of Tonga. The New York Convention will enter into force for Tonga on 10 September 2020.

Palau accedes to New York Convention

On 31 March 2020, the Republic of Palau ("Palau") became the newest signatory to the United Nations Convention on Recognition and Enforcement of Foreign Arbitral Awards (the Convention).

Palau's accession follows Fiji, the Cook Islands, the Marshall Islands, Papua New Guinea. On 12 June 2020, Tonga became the latest Pacific region to have acceded to the Convention.

The Convention is a widely recognised as one of the key instruments in international arbitration, which requires signatories to give effect to agreements to arbitrate and to enforce arbitral awards made in other signatory states.

Following its accession, Palau which currently does not have arbitration law in place, will need to establish an effective supervisory statutory regime which regulates international arbitration and provides for arbitration agreements and arbitral awards in accordance with the terms of the Convention.

More information can be found on the member states on the UNCITRAL website [here](#).



Singapore Mediation Convention

The United Nations Convention on International Settlement Agreements Resulting from Mediation (New York, 2018), known as the Singapore Convention on Mediation, applies to international settlement agreements resulting from mediation. It establishes a harmonized legal framework for the right to invoke settlement agreements as well as for their enforcement and has been designed for the facilitation of international trade and the promotion of mediation as an alternative and effective method of resolving trade disputes.

The Convention has now been ratified by four States, being Singapore and Fiji (both on 25 February 2020), Qatar (12 March 2020), and Saudi Arabia (5 May 2020), however New Zealand is not yet a signatory.

Under article 14(1), the Convention enters into force six months after the deposit of the third ratification. With the ratification by Qatar, the Convention will enter into force on 12 September 2020.

An extensive analysis and insightful consideration of whether the Convention would benefit the Trans-Pacific region, was written by arbitrator Catherine Green, which can be accessed [here](#).



Roebuck Lecture 2020: Cherie Blair CBE, QC

The annual Roebuck lecture was delivered this year on June 11 by Cherie Blair. The lecture, named after Professor Derek Roebuck in honour of his contribution to the Chartered Institute of Arbitrators (UK), is a highlight of the CI Arb's calendar. Due to the pandemic, live viewing of this year's lecture was extended online and free of charge to the ADR community worldwide.

Mrs Blair is the founder of law firm Omnia Strategy, which specialises in dispute resolution around the world, including investor-state and commercial arbitration as well as international legal conflicts, including negotiations, and business and human rights. She is also well known as the wife of former British Prime Minister Tony Blair.

The lecture was titled 'Getting ahead of the curve: how arbitration can better meet the needs of parties, people and planet'.

Among a number of topics, Mrs Blair talked about the changes and innovations that were brought into practice as result of Covid-19. She noted that "one of the great advantages of arbitration is the ability to respond to the needs of the parties". Mrs Blair also talked about human rights, including human rights in the commercial arbitration context, as well as sustainability and Investor-State Dispute Settlement.

A text of the lecture can be downloaded from the CI Arb website [here](#)