

The Singapore Convention
– HOD Luncheon and Roundtable:
Building Trust, Enabling International Trade –
Statement of Mr. Radomir Ilić, State Secretary

Respected colleagues,

Today we are signing the Singapore Convention – a significant milestone in the development of international commercial mediation. As representatives of the Republic of Serbia, we would like to commend UNCITRAL and all states, organizations and professionals involved in the diligent, multi-year work on this important but delicate issue and the sound and flexible international legal instrument which their collaboration and cooperation has shaped. The number and territorial and economic diversity of the first signatories speaks for itself on the extent of consensus within the international community on the quality and utility of the act.

Ineffective enforcement mechanisms have long been identified as a major obstacle for the development of cross-border commercial mediation. The Convention contributes to the enhancement of predictability and certainty of the outcome of international disputes and therefore gives parties greater control over their dispute resolution. We strongly believe that by providing an effective form of cross-border enforcement, the Convention will encourage parties from different jurisdictions to use mediation more often and to work out creative, win-win solutions to their disputes, therefore making a positive impact on international trade and commerce.

In terms of public policy, using appropriate dispute resolution procedures such as mediation enables not only a shorter duration of court proceedings through backlog reduction and decrease of incoming cases. However, more importantly, it facilitates better access to justice through timelier and more affordable dispute resolution and contributes to economic development; for example, by reducing the instances where a dispute leads to the termination of a commercial relationship. These are some of the reasons why the Republic of Serbia is making efforts to raise awareness on the effectiveness and benefits of mediation. The Convention further contributes to strengthening access to justice and the rule of law by ensuring that a settlement reached by parties becomes binding and enforceable in accordance with simplified and streamlined procedures.

Trust is the common denominator both for the development of international trade and for successfully conducting mediation proceedings. By supporting the Convention today, we are building and strengthening trust in order to sustain and promote growth.

We are therefore excited that the Republic of Serbia is among the first signatories of the Singapore Convention, positioning itself as one of the pioneers in the international community seeking to achieve greater stability and predictability of international commercial transactions. We firmly believe that signing the Convention will contribute to the signatories' attractiveness as places for doing business and, in, the long term, to their economies.

We may already conclude that the Convention will not only be ratified by a satisfactory number of states and regional economic integration organizations, but also that it will quickly become a widely accepted international source of law, with hopes of surpassing the success achieved by the New York Convention, which itself served as a catalyst for greater use of both commercial and investment arbitration.

We are confident that the enforcement mechanism established by the Singapore Convention will increase confidence in mediation among international parties and promote it as an effective dispute resolution tool – both as an alternative and a complementary one.

Lastly, I will quote Abraham Harold Maslow who said: “When the only tool you have is a hammer, you tend to treat everything like a nail.” Allow me to once again extend our compliments to all involved in drafting of the Convention and our belief that the wide acceptance of the Convention will expand the dispute resolution toolbox of lawyers and businesses, to enable innovative dispute resolution, conducive for global trade.