

SHOULD COUNTRIES SIGN THE SINGAPORE CONVENTION ON MEDIATION? THE VIETNAMESE PERSPECTIVE

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ABSTRACT

The United Nations Convention on International Settlement Agreements Resulting from Mediation (hereinafter “Singapore Convention”) was adopted by the General Assembly in 2018. This Convention is considered an effective method of settling international trade disputes, creating favorable conditions for the harmonious development of international trade, thereby contributing to the implementation of the Sustainable Development Goals. Although there is a growing interest in exploring the implications of the Singapore Convention, less ink has been spilled on its potential to help developing countries facilitate efficient dispute resolution processes. Some major emerging economies in Asia, notably Vietnam, have not yet signed the Convention.

Using Vietnam as an example, this paper seeks to enrich the existing literature by arguing that the Singapore Convention, emerged at the right historical juncture and presents an effective tool to assist developing countries to reconfigure their regimes towards an expedited and cost-beneficial method of dispute resolution. The paper begins by examining Vietnamese legislative and practices on commercial mediation. It then critically assesses the impacts of the Singapore Convention if Vietnam becomes a signatory to this Convention. Finally, this paper offers

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recommendations to improve the domestic legal system to effectively implement the Convention after signing.

KEYWORDS: *Singapore Convention, commercial mediation, Vietnam, signatory*