

**STATEMENT BY HON. FAAOLESA KATOPAU AINU’U  
MINISTER OF JUSTICE AND COURTS ADMINISTRATION  
at the  
Ministerial Roundtable on “Building Trust, Enabling International Trade”.  
7<sup>th</sup> August 2019, Singapore**

[Thank you Chair]

Honourable Ministers  
Excellencies  
Distinguished delegates

I would like to first of all congratulate the Government of Singapore for the successful hosting of the High Level Conference on the Singapore Convention on Mediation and we are pleased to be among the group of countries that signed the Convention this morning. We also thank the Government and people of Singapore for being generous hosts.

Samoa is a small country that is exposed and vulnerable to the actions of others, whether to global forces affecting world finances and economy or affecting the oceans and global climate systems or affecting international order, peace and security. Samoa has no military and does not belong to a military grouping. Inherently, it needs to place faith in the rule of law and the vital protection that the law offers to all States, especially to the weak and small. From this perspective, Samoa considers the Singapore Convention on Mediation one of the most important developments in the affairs of the international community as a an Alternative Dispute Resolution.

Samoa recognizes the importance of respect for the international rule of law through implementing its commitments in International Conventions and Treaties it has become a party to.

As a small island that is remotely situated from the main stream of world trade and subject to economic volatility and the negative impacts of climate change, it is important for Samoa to engage in an open, rules-based international trade regime. This is vital for its economic development, the wellbeing of its population, as well as for its resilience to environmental shocks.

Over the last two decades, the economic strategies adopted by the Government have all emphasized the importance of trade for development and poverty reduction. Trade features prominently in Samoa's National Development Strategy (SDS) and the modernization of the trade regime is a central focus of policy reforms aimed at removing constraints to entrepreneurship, productivity and growth. This recognition and belief in mediation as a form of alternative dispute resolution is important to our decision to join the Singapore convention.

Mediation is not a new concept to our Samoan culture. In fact, mediation or *soalaupule* (Samoan for Mediation), has always been encouraged in order to settle our disputes. For us, *soalaupule* has always been the traditional way to settle disputes, before the Western style court system, as we know it today, was introduced. Thus, as a small island state with aspects of mediation in our culture, we believe its positive impact in settling disputes, building trust and preserving important relationships.

Samoa believes that the Singapore Convention on Mediation will be integral part of our legal framework for a fair and efficient settlement of international investment disputes. We also see the Convention as an extension of our commitment to the legal underpinnings of international trade. It is widely understood that in order for States

to strengthen legal underpinnings of any area whether it be international trade, or enforcement of cybersecurity mechanisms, commitment to international law at a national level is key.

Excellencies, Ladies and Gentlemen,

Samoa is convinced that the Singapore Convention will contribute to the multilateral rules-based order, by establishing a multilateral rules-based framework for settlement of agreements that are a result of mediation. It will be critical to the enforcement of alternative dispute resolution mechanisms. The commitment of member States demonstrated in part around this room will only strengthen the manifestation of the multilateral rules based order.

For a Small Island Developing States like Samoa we again stress the importance of respect for international rule of law. Otherwise, if I may coin the sentiments offered by Hon. Vivian Balakrishnan (Minister of Foreign Affairs of Singapore) made to the 73<sup>rd</sup> General Assembly of the United Nations “*Without the rule of international law, 'the strong do what they will, and the weak suffer what they must'*”

Thank you,  
Soifua