
Gary Born Leads Cross-Border Dispute Resolution Workshop in Tonga

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[Gary Born](#), Chair of the [International Arbitration Practice Group](#), recently played a leading role in a one-day workshop in Tonga on cross-border dispute resolution in the Pacific Islands.

The workshop addressed whether, how and why Pacific Island countries should ratify the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (1958) ('New York Convention') and whether to adapt their laws to the UNCITRAL Model Law on International Commercial Arbitration.

The workshop was facilitated by 'Alisi Taumopeau, a former Tongan Minister of Justice and Attorney General. Participants included delegates from Tonga, Vanuatu, Solomon Islands, Papua New Guinea, Samoa and the Pacific Islands Law Officers' Network.

Mr. Born said one of the objectives of the workshop was to raise awareness among Pacific Island countries on the different forms of disputes and to explore particular international arbitration means, especially the New York Convention.

"The benefit for Tongan citizens, businesses and government is that when engaging in world trade with foreign parties whether from Asia, Europe, New Zealand and so forth it's very important the terms of trade be conducted in a neutral playing field and disputes are resolved efficiently and expertly," he said.

Dr. Petra Butler, Scholar-in-Residence in the International Arbitration Practice Group and Co-Director of the Centre for Small States at Queen Mary University in London, said the workshop brought together delegates to discuss the advantages for the Pacific Island States, Tonga and others to accede to ratify the New York Convention.

Dr. Butler said the idea was to have an in-depth discussion and to allow delegates to ask questions specifically related to their jurisdictions. No Pacific Island country had ratified the New York Convention yet, she said. 'Alisi Taumopeau said the workshop discussed the idea because this has not yet been included on Tonga's agenda. "It is clear that international conventions are for government but to discuss the idea it's all for the people of the country," she said.

Lord Justice Tupou, President of the Court of Appeal and former Tongan Attorney General, Minister of Justice and Deputy Prime Minister, opened the workshop.

The event was sponsored by NZAid and the Centre for Small States, Queen Mary, London, and supported by the Tongan Women In Law Association (WILA) and Victoria University of Wellington, New Zealand.