

President's Letter

At long last the Supplement to our Profiles of Members is out.

Many of us benefit from the idea that Swiss arbitrators are neutral by definition. Obviously a misconception if neutrality is understood in a political sense. A misconception also if one believes that neutrality means absence of contacts. A bit of common sense would help (as it recently did in England).

One should not proceed by exclusion only, looking for an arbitrator without contacts who has only partners who have no contacts, neither here nor anywhere, with people, here or anywhere, who have some, even remote, connection with a party. True, justice must be seen to be done, but if party advisors or arbitral institutions are led by fear, the fear that someone, somewhere, might have far-fetched misgivings, they will exclude many suitable arbitrators such as partners in law firms, much to the detriment of the arbitral process.

On the contrary, one should look for a positively neutral arbitrator, open and sympathetic to other people and cultures, and ready to learn about new fields of human knowledge. An arbitrator should fit the profile drawn by the parties. Our association is glad to help with this.

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