

President's Message

I followed with great interest the intense e-mail traffic on the issue of e-discovery in the run-up to the 2008 IBA Buenos Aires Conference. What I found particularly intriguing is that a number of comments, beyond arguing the pros and cons of permitting e-discovery in arbitration, expanded the debate to the fundamental issue of what the purpose of dispute resolution by arbitration really is. Is dispute resolution about finding the truth or do other objectives prevail?

Now, it so happens that this is exactly the question that we chose some time ago as the topic for ASA's next annual conference. As announced at ASA's general meeting in September, ASA's members are invited to Zurich on 6 February 2009 to discuss the topic: "The Search for "Truth" in Arbitration – is Finding the Truth what Dispute Resolution is about?" The purpose of this upcoming conference is to explore the role and the relevance of "Truth" in dispute resolution and specifically in commercial arbitration; the different notions of "Truth" in different legal cultures; the users' views in that respect; and the consequences of these different perspectives and approaches for the practice of international arbitration.

I look forward to seeing you in Zurich next February.

Zurich, November 2008

Dr. Markus Wirth
ASA President