

# President's Message

## A word about ASA

Thirty-seven years ago, in 1974, a small group of Swiss arbitration specialists, grouped around Pierre-Jean Pointet (Secretary of what then was the Vorort), Supreme Court Judge André Panchaud and Professors Pierre Lalive and Claude Reymond, formed the Swiss Arbitration Association. The impetus for this step probably came from the Comité Suisse de l'arbitrage which, through its leadership on the drafting of the Concordat, successfully had modernised Swiss arbitration law and set a standard internationally. When the first issue of this Bulletin was published in 1983, the Association had grown to some 200 members. The Congress which ICCA held at the invitation of ASA in that year in Lausanne to discuss the work on the UNCITRAL Model Law recognised the contributions which Switzerland, and in particular of Lausanne, had made to arbitration domestically and on the international level. This Congress contributed to the further development of the Association.

Since then, under the leadership of its Board and subsequent chairpersons, Marc Blessing, Pierre Karrer, Gabrielle Kaufmann-Kohler and Markus Wirth, the Association has grown to some 1200 members and has developed a wide range of activities: its conferences on innovative subjects attract large numbers of participants, so do the events of ASA below 40 and the Arbitration Practice Seminar; local groups have developed a dynamic activity in Basel, Bern, Geneva, Lausanne, Lugano and Zurich; and the Marketing Committee spreads the word about Swiss arbitration to distant places. ASA is also present on the international scene through its participation in the work of UNCITRAL and other international bodies; it acts as appointing authority, intervenes in court proceedings as *amicus curiae* and makes its voice heard on other occasions.

Last but not least, the ASA Bulletin has for many years now become what its founder, Pierre Lalive, had envisaged in his first Message of the President (then presented in the three national languages): a true arbitration review, a testimony to the vitality of arbitration in Switzerland and of its arbitration practitioners. The ASA Special Series bring to the members, and now in a new format to a wider public, the presentations and materials of the ASA conferences; and other publications, such as the Glossary and the Do's and Don'ts, successively updated, remain useful reference materials, as are the ASA Profiles, presenting the qualifications of ASA members in an easily accessible manner.

More recently, new projects have been developed or are in the making: the Website is being redesigned, to improve some of the existing functions, in particular to enhance the search functions on the members database (ASA Profiles) and add new functions. The Swiss hearing centre will soon be launched, offering anywhere in Switzerland the full range of supporting services that may be required for an arbitration in this country; the ASA Advocacy Prize, first awarded in 2010, has taken a new shape and will be awarded again in January 2012. The scrutiny of arbitral institutions, in the context of the recent ASA conference in Zurich, and the Swiss Initiative on Transparency of Arbitration Costs also testify of the leading role of ASA on the international arbitration scene.

This overview of the diversity and wealth of ASA's activities demonstrates that ASA has reached a turning point at which the organisation of our association has to be reconsidered. The "militia system" which often is one of the bases for Swiss success in many fields also has its limits. In ASA it must now be complemented by a more permanent structure.

The ASA Board, following a proposal of the ASA Marketing Committee, therefore has decided to engage a full time Director of ASA, to coordinate the activities of the Association, develop its presence in Switzerland and abroad and promote in a more systematic manner the interests of the Association and its members. The news has been announced at the last General Meeting of the Association in Zurich<sup>1</sup> and the search for the person to occupy this position has commenced. When you receive this issue of the Bulletin, the new ASA Director might have been found already. It is hoped that the ASA Board can introduce her or him at the next ASA conference in Lausanne on 27 January 2012.

One of the functions of the new Director will be to consider how the Association can serve more effectively the needs of its members and respond to their expectations; and how the Association can mobilise more effectively the great potential of its members in the interest of Swiss arbitration – in Switzerland and abroad.

Geneva, October 2011

MICHAEL E. SCHNEIDER  
ASA PRESIDENT

---

<sup>1</sup> The Minutes of this General Meeting are reproduced in this Bulletin, p. 946.