



Association Suisse de l'Arbitrage
Schweiz. Vereinigung für Schiedsgerichtsbarkeit
Associazione Svizzera per l'Arbitrato
Swiss Arbitration Association

**The ASA PRIZE
for Advocacy in
International Commercial Arbitration**

EXPLANATORY NOTE

With the objective of promoting the effective resolution of international commercial disputes through arbitration, the Swiss Arbitration Association (ASA) offers a prize at regular intervals for Counsel who, through their exceptional talents in advocacy, contribute most effectively to this objective. As an organization with wide-ranging international membership, including arbitrators, counsel and users with extensive international arbitration practice, ASA sees itself as ideally placed to contribute to this objective by identifying and publicizing good examples of advocacy in international arbitration. It plans to announce the first Laureate at ASA's annual conference on 29 January 2010 in Geneva.

ASA has set out in the "ASA CHARTER of Advocacy in International Commercial Arbitration" the principles of advocacy which it seeks to promote, thereby identifying the criteria for the choice of the laureate. The Charter is not cast in stone and will be developed with the experience gained in the administration of the Prize.

Any member of the international arbitration community may propose candidates for the prize. However, a member of a law firm or other organization may not propose another member of the same organization. The proposal must identify the candidate and provide basic personal information including a succinct statement (no longer than one page) setting out the reasons why the candidate is considered suitable for the prize. Concrete examples illustrating the candidate's advocacy are desirable and may be attached to the proposal in a form guaranteeing confidentiality. Personal references are also welcome.

The prize is not restricted to ASA members, nor are there any other restrictions on eligibility, except that ASA Executive Board members are not eligible. The laureate may be an established or an up and coming practitioner. In all cases, the candidate's performance in the spirit of the ASA CHARTER will be the decisive factor in selecting the laureate.

Proposals should be submitted to the ASA Executive Board. The author of the proposal must disclose his or her identity when submitting the proposal but the ASA Executive Board shall treat the proposal confidentially and the name of the proposing person shall not be made public.

ASA Secretariat, Dr. Rainer Füeg
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The ASA Executive Board will set up a Selection Committee of three members, elected for a renewable term of 3 years. The election of new members or the re-election of sitting members will take into account the need for renewal, whilst at the same time guaranteeing an appropriate degree of continuity. Also, the ASA Executive Board will ensure that the composition of the Selection Committee will draw from a variety of legal, cultural and professional backgrounds and can extend the membership to persons invited in their individual capacity or nominated by an organization such as ACCE.

The Selection Committee will scrutinize the proposals with the objective of selecting five candidates for the prize (the Shortlist). It may add further candidates to the selection process and may conduct its own enquiries. For this purpose, the Selection Committee members may contact the references indicated in the proposal or any other person who may provide information about the advocacy skills of the candidate. The Selection Committee shall ensure that the enquiry process and any information obtained shall remain confidential.

For each of the five candidates the Selection Committee will prepare a file containing the reasoned proposal and other information on the candidate, including reports on recent actual performance. The file will contain an explanation by the Selection Committee as to why it considers the candidate to be suitable for the prize.

The ASA Executive Board will consider the files of the candidates on the Shortlist prepared by the Selection Committee. After deliberation the ASA Executive Board will decide on the laureate by secret ballot.

The laureate will be invited to the Annual ASA Conference and presented to the participants. The *laudatio* will be held by a member of the ASA Executive Board determined by that board. The laureate will receive recognition as "ASA Laureate in International Arbitration Advocacy" and her or his name will be so identified on the ASA Website, together with the *laudatio*.

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Attachment: The ASA Charter of Advocacy in International Commercial Arbitration
Form for the Proposal of a Candidate

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