

President's Message Of Lighthouses and Rocks

Stumbling into the footsteps of predecessors like Elliott GEISINGER and Michael SCHNEIDER is a humbling experience. When I was elected last fall I warned the assembled members that my President's Messages will be less entertaining and the English less polished. Nobody jumped up to request a new vote, so I guess I am safe for the moment.

At the General Assembly a new Board was also elected. It is even younger, more diverse, and also more international than the previous Board. As new members, we are proud to welcome Diana AKIKOL (Geneva), Cesare JERMINI (Lugano), James MENZ (Berlin), Jean-Pierre MORAND (Lausanne), Noradèle RADJAI (Geneva), Dorothee SCHRAMM (Geneva), Thomas SCHULTZ (London/Geneva), Melanie VAN LEEUWEN (Paris), and Urs WEBER-STECHER (Zürich). The 25-member Board now is 44% female. More than a third of the members had their main legal training abroad, often in common law, covering jurisdictions from the U.S. in the west to Japan in the east. The broad range of background and experience of the Board is an essential source of insights.

The first 100 days of the new Board and the new presidency only just started when I wrote this. It is too early to lay out the strategy for the next few years, but let me shed some light on where we are after a first Board meeting. And, keeping the metaphors aligned, let me start with a lighthouse.

Imagine ASA as a lighthouse; an ivory tower with a light on top. Contributing to enlighten the world of arbitration, helping to avoid shallows and shoals; guiding practitioners to new territories and ideas to be discovered and embraced. This was ASA's focus from the very beginning decades ago (as of 1974 to be exact), and will remain ASA's focus: very practical but also academic, a leading arbitration think tank.

Imagine a lighthouse without a rock. No, no need to try: without a rock to stand on there is no lighthouse. The rock ASA is standing on is the Swiss arbitration market. A strong Swiss arbitration market is the guarantor of a strong and stable ASA. ASA needs to draw strength locally to shine globally.

What – or better, who – is the Swiss arbitration market? On the one hand it is the Swiss arbitration practitioners, without whom there would not be any Swiss arbitration to speak of. On the other hand, it is the foreign members of ASA and friends of Swiss arbitration without whom Swiss arbitration would be a rather bucolic (if not parochial) affair.

Somebody more sober than I might forego the metaphors and simply quote Article 2 of ASA's Articles of Association: "*The purpose of the Association is to promote the development of arbitration, in Switzerland and abroad.*" In other words, the purpose is to be strong locally and to be influential abroad.

In an increasingly global – but at the same time also increasingly diversified and fractured – world, a strong local base is more important than ever. We will therefore put a second focus on strengthening that base. We will start by collecting the proverbial "low-hanging fruit". There are many arbitration-related activities in Switzerland that are often initiated, led, or supported by members of ASA or even members of the ASA Board. Better communication, cooperation and coordination between the various stakeholders will bring quick and easy benefits for commercial and investment arbitration in particular. The diversity within Switzerland has served Switzerland well for a long time. In today's international arbitration world, unity within such a small jurisdiction is a must. Higher-hanging fruit will require more attention and, maybe, patience.

At its first meeting on 6 February 2020, the new Board has enthusiastically decided to move forward with several workstreams to strengthen the rock but also to polish the lights. Many exciting ideas have already been mooted. ASA's Board members have their work cut out for them over the next months. Stay tuned.

FELIX DASSER

SAVE THE DATE

ASA General Meeting & Conference 2020, Bern

17 September 2020 – 18 September 2020

For more information see www.arbitration-ch.org