

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 organisation 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.

ASA has set out in the ASA Charter of Advocacy in International Commercial Arbitration (the “Charter”) 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 organisation may not propose another member of the same organisation. The procedures for submissions of candidacies are described in the form titled “Propose a Candidate”. The author of the proposal must disclose his or her identity when submitting the proposal, but the ASA Board shall treat the proposal confidentially and the name of the proposing person shall not be made public.

The prize is not restricted to ASA members, nor are there any other restrictions on eligibility, except that ASA Board members are not eligible. The laureate may be an established advocate or promising younger practitioner. In all cases, the candidate’s performance in the spirit of the Charter will be the decisive factor in selecting the laureate.

The ASA Executive Committee will set up a Selection Committee of three to six members, elected for a twice renewable term of two 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. Members of the Selection Committee do not need to be ASA members. The ASA Executive Committee will ensure that the composition of the Selection Committee will draw from a variety of legal, cultural and professional backgrounds.

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The Selection Committee will scrutinise the proposals with the objective of selecting a 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, the ASA Board 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 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 Committee will consider the files of the candidates on the shortlist prepared by the Selection Committee. It may consult the ASA Board at any stage of the process. After deliberation, the ASA Executive Committee will decide on the laureate.

The laureate will be invited to the ASA Annual Conference and presented to the participants. The *laudatio* will be given by a member of the ASA Executive Committee or by any other appropriate speaker determined by the ASA Executive Committee. The laureate will receive recognition as “ASA Laureate in International Arbitration Advocacy” and the laureate’s name will be so identified on the Swiss Arbitration website, together with the *laudatio*.

September 2023