INTRODUCTION

The 21st century is the century of Asia. The enormous growth, economic development and increasing wealth of China and India are well known. But other countries on the continent are also emerging as global economic heavy-weights, including Korea, Indonesia, Malaysia and Thailand.

In the centre of South-East Asia sits the tiny city state of Singapore. It has developed as an important regional centre for commerce and, increasingly, as an important financial centre. Many foreign companies have regional headquarters in Singapore and there has been a rush of foreign banks, public and private, to establish branches or subsidiaries in the city state.

One of the areas of commercial activity which has flourished in Singapore is that of international arbitration. Of course international arbitrations are held in other parts of Asia as well. There are many in China. However China is something of a closed market where foreign arbitral institutions are not admitted. Moreover the conduct of international arbitrations in China is not always up to international practice. There are also arbitration centres in Japan, Korea, Vietnam, Malaysia and Hong Kong. Where Singapore stands out, is the number of fully administered arbitrations which are held in that country. These far exceed those of its nearest rival, Hong Kong. Moreover the interesting feature of arbitrations in Singapore is that so many of them do not involve Singapore entities. In this regard Singapore is considered a neutral venue for the resolution of international commercial disputes.

REASONS FOR THE POPULARITY OF SINGAPORE AS AN ARBITRAL VENUE

There are many reasons why Singapore has emerged as one of the world's leading centres for international commercial arbitration. In the first place it is blessed with an excellent geographical location. Situated in the heart of South-East Asia
it is surrounded by the countries of the region, including Indonesia, Malaysia and Thailand. Further afield there are the giant countries of China to the east and India to the west.

The geographical advantage of Singapore has been enhanced by other factors. Singapore is a modern, clean and extremely efficient country with an excellent infrastructure and world class communications. Added to this, it’s government and courts have a reputation for integrity and competence which are second to none. Singapore offers the efficiency, integrity and skills of Switzerland and London in the heart of Asia. The courts have proven to be very knowledgeable on international arbitration and are extremely supportive of it. There are many recent decisions of the Supreme Court of Singapore striving to uphold arbitration agreements, enforcing foreign awards and expressing a public policy that the decision of contracting parties to arbitrate their disputes should be upheld and given effect except in the most extreme situations. In their many decisions examining the scope of the public policy doctrine, the obligation to enforce arbitration agreements and foreign awards, the Singapore courts have demonstrated a clarity of analysis and a knowledge and understanding of international commercial arbitration which is the equal of the courts in London, Paris and Switzerland.

In short, Singapore is seen as a neutral venue for the holding of international commercial arbitration which is in a geographically convenient location and is supported by a physical, legal and political infrastructure that is sophisticated, skilled and of high integrity. There are few, if any, other venues in Asia which can claim all of these attributes.

SINGAPORE INTERNATIONAL ARBITRATION CENTRE (“SIAC”)

SIAC was established 20 years ago as a non-profit organisation to administer arbitrations under its own rules. SIAC is headed by a board of directors which comprises leading arbitration experts from the United States, United Kingdom, Switzerland, India, Korea and Singapore.

SIAC has a secretariat comprising over 20 full-time employees who administer the cases handled by SIAC and who attend the business of the organisation. SIAC has made a point of recruiting staff from the region and beyond. Currently, SIAC staff come from Singapore, the United Kingdom, Canada, India, Malaysia and Belgium.

SIAC is housed at Maxwell Chambers in Singapore. Maxwell Chambers is a state of the art arbitration facility which comprises 14 custom-designed and fully-equipped hearing rooms and 12 preparation rooms. In addition there is a lounge for arbitrators and other support facilities such as a concierge service. A number of organisations, apart from SIAC, have offices in Maxwell Chambers including the International Chamber of Commerce, WIPO, ICDR (part of the American Arbitration Association) and leading sets of chambers from London.