

News

At the BICC launch, Singapore Chief Justice Sundaresh Menon stated that commercial parties are prepared to travel for impartial justice.



With the establishment of the Bahrain International Commercial Court (BICC) on Wednesday, the country became a new center for the settlement of international disputes.

Chief Justice of Singapore Sundaresh Menon stated at the opening of the Bahrain International Commercial Court (BICC) on Wednesday that there is a great demand for impartial dispute resolution procedures due to the growth of international trade.

Global business actors are now "increasingly willing to travel in search of neutral and trusted dispute resolution mechanisms that can deliver fair processes and sensible outcomes," according to Justice Menon.

He emphasized that because they provide stability and assurance, contemporary parties frequently select governing rules that have no territorial link to them.

According to him, "these trends demonstrate that commercial parties are increasingly demanding neutral justice that fairly serves their needs."

Bahrain was positioned as a new center for resolving cross-border disputes with the establishment of the BICC on Wednesday. Salman bin Hamad Al Khalifa, the prime minister and crown prince of Bahrain, officially opened the event.

According to Justice Menon, neutral justice is based on three pillars:

(1) Institutional neutrality: disengagement from strictly domestic legal systems; (2) Geographic neutrality: openness to parties regardless of residency; and (3) Procedural neutrality: readiness to accept international best practices even if they deviate from conventional forms.

He claimed that because they may provide a forum "in which no party enjoys a home-court advantage" while utilizing flexible procedures and foreign judicial experience, international commercial courts like the BICC exemplify these qualities.

Justice Menon emphasized that the BICC is being built in collaboration with the Singapore International Commercial Court (SICC) and that some appeals from the BICC will be heard by a new international committee of the SICC.

He called the group, which is made up of ad hoc BICC judges and SICC judges, a "groundbreaking development" that could improve international business law.

International commercial courts are permanent establishments with the ability "to strengthen the system of transnational commercial justice by working together," in contrast to arbitral tribunals, which are transient.

According to him, such a network ought to be backed by:

A legal framework that facilitates international dispute settlement

An autonomous judiciary

Commercially competent attorneys

A dedication to thought leadership

He went on to say that the BICC meets these requirements, citing a global bench headed by President Jan Paulson and Deputy President Sir Christopher Greenwood KC. Additionally, he emphasized the Center's openness to English-language proceedings, international law, and foreign counsel.

The BICC, according to Justice Menon, builds on Bahrain's past as "***the pearl of the Gulf***," pointing out that the nation's strategic location and recent actions, such as joining the Singapore Convention on Mediation and entering into a deal with the Permanent Court of Arbitration, show its dedication to creating an international justice infrastructure.

Salman bin Hamad Al Khalifa, the prime minister and crown prince of Bahrain, stated in his speech that the BICC is based on the idea that prosperity and justice are mutually reinforcing.

Economic growth is not impeded by the rule of law. "***It's its engine***," he remarked.

Although some believe that law and business are at odds, he pointed out that experience demonstrates that "***trade does not flow where contracts are uncertain***." Where the law is unpredictable, investments fail.

Prince Salman emphasized that gaining business trust requires robust, independent institutions:

"This Court will function as a separate entity... Here, justice will be perceived as impartial, fair, and grounded in principle.

According to the Crown Prince, courts must change to keep up with the rapid, digital, and linked nature of the world economy. According to him, the BICC was created to serve regional and global businesses "with efficiency and transparency," delivering justice at the

speed of contemporary business.

He continued by saying that the establishment of BICC is a logical continuation of Bahrain's long history as a commercial hub.

"The medium of exchange was trust. He noted that this court is an extension of that narrative."

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