

THE VOICE OF SWISS BUSINESS IN THE WORLD BUSINESS ORGANISATION

100 YEARS OF ICC SWITZERLAND

ICC – MERCHANTS OF PEACE

The International Chamber of Commerce (ICC) was founded in the aftermath of the First World War, when no global system of rules governed trade, investment, finance or commercial relations.

Without waiting for governments to fill the gap, ICC's founders acted on their conviction that the private sector is best qualified to set global standards for business. They called themselves "merchants of peace".

After the First World War ended, a group of European and American businessmen convened in Atlantic City, New Jersey, and decided to "continue in peace" the cooperation that the war had brought about between the Allies.

Etienne Clémentel, French Minister of Commerce since 1915, led the European delegation, which was composed of French, British, Belgian and Italian representatives. His initiative, along with the determination of the business leaders who were gathered in Atlantic City on 20–24 October 1919, led to the creation of the International Chamber of Commerce.

Since then, ICC has become the institutional representative of over 45 million companies worldwide promoting trade, responsible business conduct and a global approach to regulation, in addition to providing market-leading dispute resolution services.

SWISS LEADERSHIP AND ENGAGEMENT AT ICC

1997–1998



Helmut Maucher
Nestlé
ICC Chairman

1996–2005



Maria Livanos Cattai
ICC Secretary General

SWISS CHAIRS IN ICC BODIES

1996–2000



Arthur Dunkel
Chair, ICC Global
Trade and
Investment
Commission

2000–2006



Peter Baumgartner
Chair, ICC Global
Taxation
Commission

1980–1994



Michael Kohn
Chair, ICC Global
Environment
and Energy
Commission

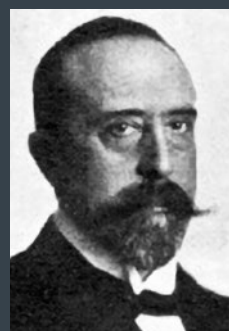
1919

First ICC Conference in Atlantic City, new Jersey (USA), marks the founding of ICC



1922

ICC Switzerland is founded under the leadership of the first President, John Syz (Vorort)



ICC – THE RECOGNISED VOICE OF GLOBAL BUSINESS

ICC first demonstrated its value to the world back in 1923, in response to one of the biggest problems faced by the international economy at the time: the issue of reparations. Its Rome Congress in the same year gave rise to the Dawes Commission, of which three ICC leaders were members: Etienne Clémentel of France, Alberto Pirelli of Italy, and Owen D. Young of the United States. In 1924, the Dawes Plan resulted in the London Treaty, which successfully resolved the issue of reparations in the years that followed.

This cooperation between ICC and intergovernmental organisations has continued ever since. ICC's ongoing efforts against protectionism, along with its consultative status towards international organisations, makes us a constant interlocutor of governments.

Through this active consultation and representation, ICC ensures that businesses large and small are taken into account in economic decisions and how they are implemented.

While political authority must be maintained, it is the business community that most closely reflects and feels the reality of economic activity.

ICC – PRACTICAL SERVICES

It was immediately obvious that the key focus should be on international trade disputes and the ability to resolve them. The traditional legal framework of the states was ill-suited to this mission, which was international in nature. This is why ICC created its International Court of Arbitration in 1922. But it wasn't until the 1950s that ICC really began to expand its range of practical services.

Making use of chambers of commerce throughout the world, ICC created the International Bureau of Chambers of Commerce (now known as the ICC World Chambers Federation) in 1951, with the aim of providing key services to facilitate the export activities of companies, including ATA Carnets.

From the beginning, ICC's work has been shaped by business practitioners. This direct link to real-world practice became an important lever for business leaders, who quickly realised the benefits of developing harmonised instruments of international trade among themselves.

Work in this direction was only interrupted by the Second World War. In 1924, the Hague Rules harmonised the rules for bills of lading in international shipping. The first standardised rules for documentary credits were then published in 1933. And in 1936, the Incoterms® Rules provided the first international definition of nine contractual clauses for international trade.

Within ICC, business people also worked together to establish the conditions for carrying out their activities. These took the form of codes and guides, such as the first international code of advertising in 1936 and the first international code of investment in 1949.

Over time, the regulatory frameworks and standards established by ICC from the beginning have been considerably enriched, extended to other fields, and adapted in line with the evolution of the global economy.

Nevertheless, disputes remain inevitable. ICC has always sought to avoid disputes from happening in the first place. Where this has not been possible, it has provided the necessary means to resolve them. The ICC International Court of Arbitration has since become the world's preferred arbitral institution having handled over 27,000 cases since it was established in 1923.

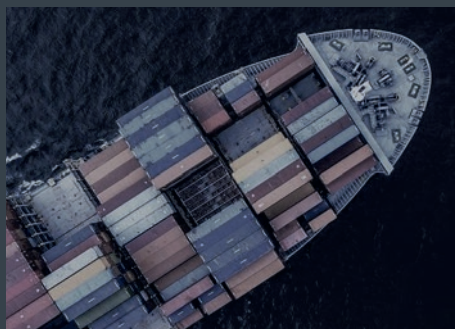
1923

ICC International Court of Arbitration is founded under the leadership of the first ICC President, Etienne Clémentel



1936

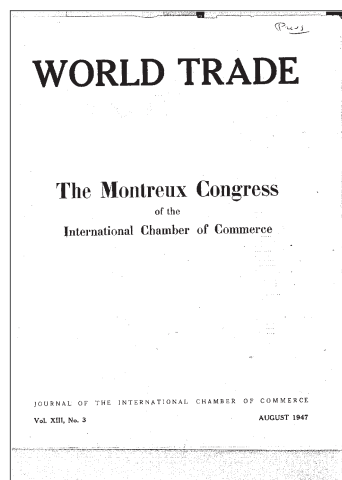
First Incoterms® rules published



1945

ICC participates in meetings that result in the creation of the UN Charter





Discours de Per Jacobson au Congrès de Montreux.

14
WORLD TRADE
August 1947

MONDAY AFTERNOON, JUNE 2 — OPENING SESSION

Freedom and Economic Progress

Chairman : Mr. Hans SULZER

The opening session of the Eleventh Congress of the International Chamber of Commerce took place in the presence of Mr. Philippe ETTER, Federal Councillor, President of the Swiss Confederation, of Representatives of the Authorities and of Members of the Diplomatic Corps.

Mr. Hans Sulzer's Address

Mr. Hans SULZER, President of the Swiss National Committee of the International Chamber of Commerce, and Chairman of the Congress, welcomed the delegates and declared the Congress open in the following words :

"It is both a great honour and a great pleasure to me to welcome you in the name of the Swiss National Committee to the Eleventh Congress of the International Chamber of Commerce : the first Congress after the end of the catastrophic second World War, the greatest of all wars the world has yet experienced. Eight years have gone by since we were gathered together the last time in Copenhagen, the beautiful capital of Denmark.

"If you look back to the splendour of the pre-war congresses you will understand the various hesitations which our National Committee felt when our honoured colleagues in other lands expressed the wish to us that we should undertake the organization of the first post-war Congress. It is not that we undervalued the great trust and the great honour which they showed us in the expression of this desire. We pride ourselves on being a country of hospitality, and the thought of having this gathering of the economic leaders from every country in the world with us has for a long time been very dear to many of us. But, when we later came to be occupied with its practical development, it was immediately clear to us that the execution of our task would not be so simple, if we wished to pass the test case laid, not to say some one else's, and to put our Congress to some extent on the same standing as previous ones. In addition to this the choice of time and place presented no small difficulties because of the numerous international conferences which are taking place in our country this year. I would remind you only of the Preparatory Committee of the U.N. Conference on Trade and Employment which is at present in session at Geneva ; of the International Railway Congress of Lucerne, of the Summer 1947 Meeting of the London Iron and Steel Institute in Zurich, of the International Congress for Military Medical Supply and Pharmacy at Basle, and last but not least, of the necessity of making arrangements for the stream of holidaymakers from all parts of the world which we have been told to expect this year. But where there is a will there is a way. The honour which our members do us by this desire and the sincere joy which we feel in being afforded this opportunity to welcome them to our land have given us fresh courage to take up our task in spite of all its inherent risks with a certain lightness of heart. We should not be worthy of the name of men of enterprise, of standard-bearers of that economic system whose maintenance, encouragement and development are one of the primary

goals of the International Chamber of Commerce, if we were not ready to take risks. At last then, the day of realization has come, and it only remains to us to crave your indulgence for the imperfections which you will certainly meet in our organization during the course of this week.

"One thing was clear to us from the beginning. The scope of our Congress had to a certain extent to be restricted, especially with regard to its social aspects, because of a certain shortage of funds and because of difficulties with present accommodation facilities. It is to be a Congress of work, an 'austere' Congress (and we thank our members from other lands that they have understood this point). The desperate political and economic position in which the greater part of the world and in particular Europe finds itself after the earthquake of the second World War is scarcely suited to a re-creation at the present day of the atmosphere of the 'dancing' Congress of Vienna. And we therefore felt ourselves compelled to confine the number of participants to about 500 and to demand of the fair sex the sacrifice of some of the social occasions which they would otherwise have graced with their presence. We hope however to do justice to Schiller's beautiful words :

"Honour to women for interesting
Heavenly roses in earthly living".

by inviting the ladies to take part in the various entertainments which are contemplated in connection with the meetings and thereby to give back to their husbands and friends their pleasure in the leisure of life after their hard day's work.

"It is a great honour to me to welcome among our guests today the first citizens of our country, the President of the Swiss Confederation, Dr. Philippe ETTER. His presence at the opening day of our Congress gives it a special distinction and is a living witness to the deep interest which our Federal Government takes in our proceedings and in the high goal to which they are dedicated. It is with a sincere feeling of gratitude that I thank him that in spite of the overwhelming burdens which weigh down upon our Federal Council in these difficult days he has found time to honour us with his presence. And I may here once again express special thanks to the Federal Council for its understanding and its readiness for fruitful collaboration with the representatives of our private enterprise, and for the wise guidance of our Swiss economic policy, which has so successfully led our storm-tossed ship through the years of war, and which has also not deserted us in the troubled seas of this present post-war period. I may with particular pride point to this unity between Government and private enterprise as one of the finest traits of our century-old democracy. It has magnificently proved its value in all phases of our country's history.

August 1947
WORLD TRADE
15

"I further extend a hearty welcome to General GIBSON, to Mr. Edmond JAGOT, Vice-President of the Vaud State Council, to the representatives of the Swiss federal, cantonal and district authorities, to the members of the diplomatic corps and to all those who honour us today with their presence. It is with great regret that I have just learned that the Secretary General of the United Nations, Mr. Trygve LIE, has unfortunately been prevented at the last moment from coming to Montreux. We shall nevertheless have the pleasure of hearing his voice, since he was kind enough to make a recording which you will presently hear.

Copenhagen Congress Recalled

"Eight years have gone by since the last Congress. What a difference between then and now ; between Copenhagen and Montreux ! Then, twenty years after the first World War, the wounds which had afflicted so many peoples were, if they were not quite forgotten, at least healing slowly. Millions of the suffering were filled with the fervent hope that a long period of peace would enable this healing process to go on.

"It is not without deep feeling that we read today the General Resolution that was taken by that Congress of Copenhagen, and which I cannot help recalling to your minds :

"The International Chamber of Commerce seeks to contribute to world peace through world trade. Recognizing that the world can produce enough raw materials and manufactured goods to supply all the people of all countries with the necessities and comforts of life, the Chamber's objective is stability and fairness in international economic relations which would ensure for all peoples a fair distribution of raw materials, food and other products. The Chamber believes that lasting political stability and the attainment of satisfying economic issues are necessarily interdependent.

The disastrous consequences of war have been proved. No enduring peace has been accomplished. With the development of modern instruments of destruction, the possibilities of future wars are appalling. In addition to the destruction of life and property, war means economic and social chaos, and a land of indolence which the present and future generations cannot bear.

The Chamber advocates procedures and policies which will render unnecessary the movements of armies across frontiers and which will substitute therefore the increasing movement of goods, services and capital. Believing that the door to peace is still open, its objective is to help people everywhere to convert their longings for peace, security and prosperity into a practical program of economic adjustment and human understanding.

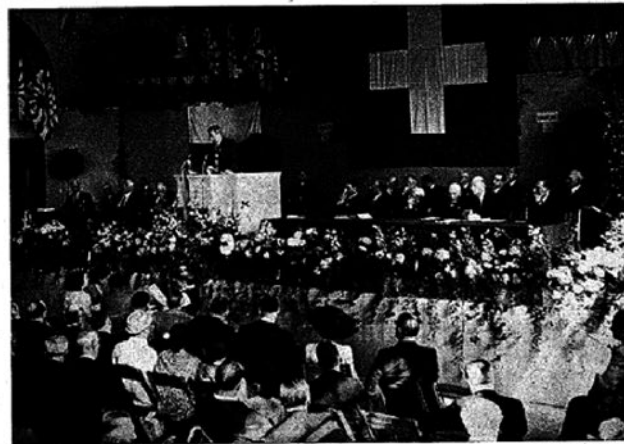
Thus declares its aims, the International Chamber of Commerce reaffirms :

that the Governments of France, Germany, Italy, Japan, the United Kingdom and the United States of America each collaborate, in so far as this is not the case already, with their own leading business men in a thorough study of the economic and financial conditions of their individual countries with respect to their national needs and their possible contribution to the world's economic development ;

that when these countries shall have completed their surveys, their economic experts meet for the purpose of formulating a plan of adjustment which will give all countries of the world a fair opportunity to share in the resources of the world.

For the accomplishment of this purpose the facilities of the International Chamber of Commerce are available if desired."

"Alas, it found no response ; it came too late. In the midst of the pretence- and power-greedy dictators the second World War had long been a foregone conclusion. Two months later the storm broke out anew and the moral and material ruins which it has left in its wake, are far, far worse than those of the first World War. And reconstruction is accordingly far more difficult. The war with weapons is, indeed, with the exception of

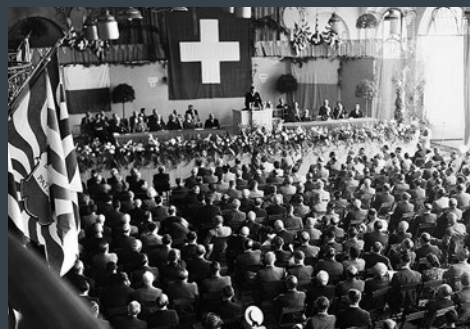


The President of the I.C.C., Winston W. ALDRICH, addressing the opening session.

Photo: Detlev L. LARSEN

1947
ICC World Congress in Montreux with Federal Councillor Philippe Etter, President of the Swiss Confederation

1997
Robert Briner, President of the ICC Court (until 2006)



EMERGENCE OF ICC ARBITRATION

In the aftermath of the First World War, a powerful pacifist movement drove the emergence of institutions aimed at securing peace. One of these institutions was the International Chamber of Commerce (ICC). According to its original statutes, its main purpose was to contribute towards increasing and maintaining peace by ensuring cordial relations between nations and citizens of different states. ICC can be seen as the economic counterpart of the League of Nations.

In this context, ICC soon became interested in creating a mechanism for resolving business disputes through international arbitration. ICC's objective was to encourage economic exchange by providing a tool adapted to the needs of the international community. To this end, ICC set up the Commission on Commercial Arbitration in 1920, headed by Owen Young, chairman of General Electric. From 1921 onwards, it set itself several missions, the main ones being to promote the validity of arbitration clauses, to standardise the arbitration process and to ensure the enforceability of arbitration decisions. This threefold mission shaped the work of ICC during its first few decades.

Thus, it can be seen that ICC made efforts to standardise arbitration very early on. Resolution XV, which was adopted at its London Congress in 1921, concerned the drafting of arbitration rules. The first Rules of Arbitration were created in 1922 with the impetus of a study committee headed by Charles Lyon-Caen, former Dean of the Faculty of Law at the University of Paris. The ICC Rules of Arbitration were accompanied by the creation of the ICC International Court of Arbitration, which was inaugurated in the courtroom of the Tribunal de Commerce de la Seine on 19 January 1923. During this grand ceremony, Etienne Clémentel, the first President of ICC and the ICC International Court of Arbitration, gave a speech outlining the institutional features of a process based on the ICC Court, the National Committees and the ICC General Secretariat. ICC Arbitration therefore seemed to have a great future. Nevertheless, the threefold mission set by ICC's founders was still very ambitious at the time. ICC Arbitration will also be affected by the economic and political crises that will continue until 1945.

After 1945, ICC began working to change the international legal framework for the enforcement of arbitral awards. This framework was then provided by the Geneva Convention of 1927, which nevertheless suffered from major defects.

The first defect related to its Article 1 (d), which required "that the award had to become final in the country in which it was rendered" in order to be recognised or enforced abroad. This article imposed a so called "double exequatur" procedure which led to complications and delays that compromised the speed and simplicity of international arbitration. The

second related to Article 1(c) which required that "the award has to be made by the arbitral tribunal constituted in accordance with the agreement of the parties and the rules of applicable law to the arbitration proceedings".

Critics of the Geneva Convention underlined the danger of this indirect reference to the law of the seat of arbitration for the autonomy of the arbitral proceedings. The autonomy of international arbitration required a modernization of the legal framework. To this end, ICC explored different various options before forwarding a draft of international convention to the UN what was to become the New York Convention.

In the period from 1945 to 1958, ICC continued to improve its arbitration system. In keeping with its tradition, it also worked towards establishing an international legal framework to improve the effectiveness of international commercial arbitration. While creating a universal international arbitration law had been advocated as a necessary step, ICC's immediate concerns after the war were to work on a comparative arbitration legislation, to reflect on current arbitration teaching and academic research, and to foster cooperation between arbitration centres.

ICC has continuously developed and amended its dispute resolution rules. Today, ICC offers a wide range of administered procedures as alternative to litigation for resolving national and international disputes. Moreover, ICC's globally accessible and completely neutral services are available to all: from individuals and private companies to States and State entities. In recent years, ICC Court of Arbitration has opened five case management offices: in Abu Dhabi, Hong Kong, New York, Sao Paulo and Singapore. Until 2022, ICC Court of Arbitration has administered over 27,000 cases involving 142 countries and territories.

SWISS PRESIDENTS IN THE ICC INTERNATIONAL COURT OF ARBITRATION

1997-2006



Robert Briner
President
ICC Court

2006-2008



Pierre Tercier
President
ICC Court

1998

First Geneva Business Dialogue with Swiss Federal Councillor Flavio Cotti and ICC Chairman Helmut Maucher (Nestlé)



1999

ICC is instrumental in the creation of UN Global Compact



ICC SWITZERLAND

Over the course of its history, Vorort (now known as economiesuisse) has been affiliated with several international organisations. In 1922, it formed and joined the Swiss National Committee of the International Chamber of Commerce together with the Swiss Bankers' Association and the Swiss Chamber of Commerce in France. The International Chamber of Commerce's role in economic life was to promote contact between the representative economic circles of the various countries and organise congresses. The Secretariat has always been assigned to Vorort.

At the meeting of the World Council of the International Chamber of Commerce on 26 May 1922, Switzerland was

admitted as a new National Committee. Vorort and the Swiss Bankers Association were admitted as active members – the Swiss Chamber of Commerce in France was already a member and was assigned to the Swiss National Committee, which was then be established.

A first meeting of the Swiss National Committee was scheduled for 7 July 1922 to make decisions that were necessary as a result of the admissions. Vorort was assigned four delegates, the Swiss Bankers Association three, and the Swiss Chamber of Commerce in France one representative in the six member bodies of the Swiss National Committee.

KEY SWISS PEOPLE (1922–2022)

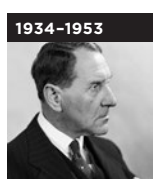
Presidents



John Syz
Vorort



Ernst Wetter
Vorort



Hans Sulzer
Sulzer



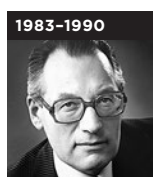
Guido Petitpierre
Suchard



Gérard Bauer
FH/Suchard



Alfred Hartmann
Hoffmann-La Roche/SGCI



Arthur Frauenfelder
Sulzer



Gaudenz I. Staehelin
UTC

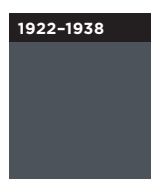


Andreas Schmid
Barry Callebaut

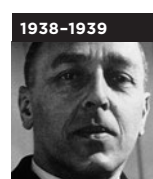


Thomas Wellauer
SwissRe/SIX

Incumbents



Otto Hultegger
Vorort



Heinrich Homberger
Vorort

Secretaries General



Jean-Pierre Pointet
Vorort



Paul Veyrassat
Vorort



Michel Dérobert
Vorort



Gregor Kündig
Vorort



Florent Roduit
Vorort/
economiesuisse



Thomas Pletscher
economiesuisse

2006

Pierre Tercier, President of the ICC Court (until 2008)



2008

Launch of the ICC Research Foundation in Geneva with Michelin Calmy Rey and Pascal Lamy to mark ICC's 90th anniversary year



ICC IN 2022

WE MAKE BUSINESS WORK FOR EVERYONE, EVERY DAY, EVERYWHERE

On the occasion of its 100th anniversary ICC committed to the shaping of the next century of global business focusing on five themes aimed at growing the economy, reviving global trade and advancing sustainability:

1. Make trade work for people and our planet
2. Make action on climate everyone's business
3. Stop the rise in global inequality
4. Make technology work for all
5. Lead for the long term

Mirroring the declaration issued 100 years ago by ICC's "Merchant of Peace" founders, the declaration – issued on behalf of 45 million companies worldwide – sets out guiding principles for ICC as a purpose driven, international organisation, working with renewed purpose to make business work for everyone, every day, everywhere.

Issued upon the conclusion of the ICC Centenary Summit held in Paris, the declaration endorses Intergovernmental Panel on Climate Change findings on the urgent need to keep the global temperature increase below 1.5 degrees Celsius, and underscores the urgent need for policy frameworks that support alignment of business operations with this target.

Embracing ICC's renewed purpose to enable business worldwide to secure peace, prosperity and opportunity for all, the declaration commits to forging solutions for the future in the face of other global challenges including digital disruptions and rising inequality.

"In the years ahead, these disruptions will become increasingly pronounced in the absence of concerted action by global leaders to mitigate negative outcomes and drive collective solutions," the declaration states.

ICC will use the full extent of its resources and global network to tackle 21st century challenges by:

- Working to preserve and modernise the global trading system.
- Continuing to provide effective alternative dispute resolution methods to support global commerce.
- Mobilising business behind the 1.5°C target and working to achieve net-zero emissions in many countries by 2050.
- Bolstering trust in digital technologies and collaborate with governments to design new global governance models conducive to a thriving and unified digital ecosystem and promote a human-centric evolution of emerging technologies, such as artificial intelligence.
- Supporting private sector leaders to meet the calls of shareholders, governments and the public for a more inclusive and responsible capitalist model.

2017

ICC granted observer status at UN General Assembly



2019

ICC International Centenary



The International Chamber of Commerce (ICC) is the voice of the private sector within the UN, WTO, OECD, G20 and other international organisations. Its mission is to make business work for everyone, every day, everywhere.

Founded in 1919, ICC is the world business organisation. Its members are organised into national committees.

In 2017, ICC was granted formal observer status in the UN General Assembly. It is the only business organisation with this status.

ICC supports the international trading system and facilitates the activities of companies. It does so with independent institutions such as the International Court of Arbitration and the Commercial Crime Service, as well as with guidelines that promote self-regulation (e.g. Incoterms) and a vast number of publications on setting rules and standards in international trade.

Services

- Developing views on key issues in global business policy that affect the ability of companies to track and invest across borders
- Hosting events with recognised experts relating to practical issues in international trade
- Services of specialized institutions such as combating commercial crime or global dispute resolution services
- Arbitration case management offices in Abu Dhabi, Hong Kong, New York, Paris, Sao Paulo and Singapore
- Publication of reference books
- Running the World Chambers Federation as a global network of chambers of commerce, including the rules for ATA Carnets and Certificates of Origin
- Professional development and capacity building programmes provided by the ICC Academy, ICC Centres of Entrepreneurship and ICC Institute of World Business Law
- Digital tools and services to support smaller businesses including Tradecomm and SME360X

ICC Switzerland is the Swiss National Committee of the International Chamber of Commerce, as part of which it represents the voice of Swiss companies and organisations. Its office is at economiesuisse, the Swiss Business Federation. Members include international trading companies, international or specialised law firms, chambers of commerce and major economic associations.

ICC Switzerland was founded in 1922 by economiesuisse (formerly Vorort), the Swiss Bankers Association and the Swiss Chamber of Commerce in France as one of the first chapters in ICC's history.

ICC Switzerland gives Swiss Companies access to the activities of the world business organisation, with the main objective of representing the interests of its members in the various bodies of the organisation towards international organisations and the Federal Administration in Switzerland.

Services

- ICC Switzerland, in coordination with economiesuisse, represents the views of Swiss business in global discussions
- ICC Switzerland exclusively appoints Swiss delegates to ICC commissions and coordinates their work
- ICC Switzerland hosts events on topics relating to the global activities of ICC
- ICC Switzerland is the official distributor of ICC publications in Switzerland, such as the widely known Incoterms
- ICC Switzerland runs the Secretariat of the Swiss Commission on Arbitration and ADR, which appoints Swiss arbitrators in ICC procedures at the International Court of Arbitration
- ICC Switzerland hosts the UN Global Compact Network Switzerland and Liechtenstein

ICC MEMBERSHIP

Members of ICC benefit from:

- Early and specific information about international economic developments and networking opportunities
- Opportunities to share real-world experiences with international trade experts
- Discounts on conferences and seminars hosted by ICC and on ICC publications

Companies that contribute expertise by participating in working groups and commissions enjoy further benefits:

- Direct influence on relevant international developments
- Easy access to exclusive information through direct contact with international experts
- Access to an international network of qualified specialists

Gold and Platinum Membership

Gold or platinum members are prioritised when filling vacancies in ICC commissions, and they get the opportunity for tailor-made cooperation within the framework of ICC activities (e.g. organisation of special events). Moreover, platinum membership allows the direct shaping of areas of activity of ICC Switzerland.

Contact

ICC Switzerland

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