A SICC, a mediação e a Convenção de Singapura: resumo

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A Singapore International Commercial Court (SICC), inaugurada em janeiro de 2015 como divisão da High Court, reúne juízes singapurenses e 26 International Judges de jurisdições de common law e de civil law e permite que advogados estrangeiros registrados atuem em casos offshore e em questões de direito estrangeiro. Em sua primeira década, passou de dois para 28 casos por ano e desenvolveu três linhas de atuação: o julgamento de controvérsias transfronteiriças complexas, o controle judicial das arbitragens com sede em Singapura e as reestruturações transfronteiriças. O Singapore International Mediation Centre, fundado em novembro de 2014, liga a mediação à arbitragem e ao contencioso perante a SICC por meio dos protocolos Arb-Med-Arb e Lit-Med-Lit, de modo que os acordos possam ser registrados como consent awards ou ordens judiciais. A Convenção de Singapura sobre Mediação, adotada em 2018 e em vigor desde setembro de 2020, torna os acordos internacionais resultantes de mediação diretamente executáveis em suas 25 partes, embora as maiores economias comerciais ainda não a tenham ratificado. As sentenças da SICC circulam por meio da Convenção da Haia sobre Acordos de Eleição de Foro, do Reciprocal Enforcement of

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Foreign Judgments Act e de uma rede crescente de memorandos de orientação com tribunais de Dubai a Seul, que juntos dão a Singapura um alcance que Genebra só agora começa a construir para seus próprios tribunais.

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