新加坡为何成为资产追回中心

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代币被盗或遭欺诈的受害人，起初很少知道是谁拿走了资产，也不知道资产在哪里。他掌握的只是一个交易哈希、一个目标地址，以及经过数小时区块链分析后，线索终止处的交易所充值地址。能够把这些信息在数日内转化为交易所层面的冻结、强制交易所披露账户持有人身份、并在审判前保全资产的法律体系，就是追回将会发生的地方。自2022年以来，出于多方面原因，新加坡与英格兰和香港一起，成为两三个这样的体系之一。新加坡法院已认定加密资产属于财产，已针对身份不明人士批出所有权禁令和全球冻结禁令，已对在外国注册但在新加坡经营的交易所发出披露令，并已准许通过电子邮件、社交媒体和钱包消息进行送达。[1]许多关键交易所持有新加坡牌照或设有新加坡办事处，因此高等法院普通庭的命令会得到遵守，无需经历外国执行的延误。

与瑞士的对比构成了本章的框架。瑞士没有所有权禁令，没有全球冻结令，在未决诉讼之外也没有针对第三方的披露令。根据《瑞士债务执行与破产法》第271条以下进行的民事扣押（Arrest），要求资产位于瑞士且请求有初步证据，而代币是否"位于"某地的问题仍悬而未决（参见第H部分第V章）。因此，线索终点为新加坡交易所的瑞士请求人，往往会先在新加坡提起诉讼。

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注释

1. CLM v CLN and others [2022] SGHC 46（Lee Seiu Kin J，2022年3月4日）；Janesh s/o Rajkumar v Unknown Person（“CHEFPIERRE”）[2022] SGHC 264（Lee Seiu Kin J，2022年10月21日）；ByBit Fintech Ltd v Ho Kai Xin and others [2023] SGHC 199（Philip Jeyaretnam J，2023年7月25日）。 ↩

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