

Arbitration in Geneva: a history

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Geneva's tradition of arbitration goes back, beyond the *Alabama*, to the merchant justice of the medieval fairs, described in Part A, and to the arbitrations to which the dispersed Huguenot merchants resorted in order to avoid national courts, discussed in Part C. Modern arbitration developed in Geneva in the twentieth century, with the League of Nations and the International Chamber of Commerce, founded in Paris in 1919, whose International Court of Arbitration made Switzerland one of its preferred seats.¹

From the early twentieth century the Geneva Chamber of Commerce adopted arbitration rules and administered proceedings, before joining forces with the other Swiss chambers to create the Swiss Rules of International Arbitration in 2004, then the Swiss Chambers' Arbitration Institution in 2012, replaced by the Swiss Arbitration Centre in 2021.² The rules were designed to offer Swiss and foreign companies an efficient procedure, inspired by the rules of the United Nations Commission on International Trade Law.³

The adoption in 1987 of the Federal Act on Private International Law, whose Chapter 12 entered into force in 1989, gave Switzerland one of the most liberal arbitration laws in the world and consolidated the position of Geneva and Zurich as seats of arbitration.⁴ The 2021 revision modernised this chapter, notably by admitting submissions in English before the Federal Supreme Court in annulment proceedings.⁵

This history shows that Geneva's position in international arbitration is the result of deliberate legislative and institutional choices, supported by a tradition. It also serves as a reminder that this position faces competition from Paris, London, Singapore, Hong Kong, Stockholm and other centres, which invest in their institutions and in their law. Maintaining Geneva's position requires constant attention to the quality of the law, the institutions and the practitioners.

1 Notes

1. Wikipedia (en), art. “International Chamber of Commerce”: organisation created in 1919 (Atlantic City congress), secretariat established in Paris, first president Étienne Clémentel; International Court of Arbitration created in 1923; national committees in more than 90 countries and members in more than 170 countries. ↩
2. Kluwer Arbitration Blog, “A Swiss ‘(R)Evolution’: SCAI Becomes the Swiss Arbitration Centre and Enacts New Arbitration Rules” (2021): Swiss Rules adopted in 2004 by the Swiss chambers of commerce; 2012 revision introducing the emergency arbitrator, with the Swiss Chambers’ Arbitration Institution (SCAI) becoming the administering institution; transformation of SCAI into the Swiss Arbitration Centre in 2021 and entry into force of the Swiss Rules 2021 on 1 June 2021 (electronic filings, remote hearings, expedited procedure threshold maintained at CHF 1 million). The founding of the Swiss Arbitration Centre in 2021 is also confirmed by the Berne Chamber of Commerce. ↩
3. Chambre de commerce, d’industrie et des services de Genève, Genève, un centre mondial réputé pour l’arbitrage international, brochure (accessed September 2026). ↩
4. Federal Act of 18 December 1987 on Private International Law (PILA; SR 291; droit-bilingue.ch), Chapter 12 (Art. 176 et seq.) on international arbitration. ↩
5. Federal Act of 19 June 2020 amending Chapter 12 of the PILA, in force since 1 January 2021 (AS 2020 4179; BBl 2018 7153; note to Art. 176 PILA, droit-bilingue.ch). ↩

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