

Litigation and arbitration in French

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The language of the proceedings determines access to justice and the quality of the debate. The Geneva courts sit in French, the language in which civil, criminal and administrative proceedings are conducted. For French-speaking parties, this situation offers an advantage: they plead in their own language, understand the decisions and can follow the hearings. For non-French-speaking parties, it imposes translations and interpreters.

International arbitration, described in Part F, leaves the parties free to choose the language of the proceedings. Geneva hosts arbitrations in French, in English and occasionally in other languages. Arbitrations involving French-speaking parties — French, Belgian or African companies, national companies of French-speaking countries — are often conducted in French. To conduct them in that language to the standards of international arbitration, Geneva has a pool of arbitrators and counsel at its disposal. This capacity is an argument for French-speaking parties to choose Geneva as the seat, as against London or Singapore, where English dominates.

The revision of the Code of Civil Procedure that entered into force in 2025, which allows the cantons to admit English in proceedings before international commercial courts, shows that the Swiss financial centre is seeking to open itself to the language of global business without abandoning its official languages.¹ For Geneva, the challenge is to combine the advantage of French, for French-speaking clients, with access to English, for international clients, as Chapter III will develop.

Field	Contribution of French
Legal tradition	shared concepts with the French-speaking civil law systems, including OHADA
Drafting	precision, nuance, no translation needed for French-speaking clients

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Field	Contribution of French
Advice	understanding of the client, relationship of trust, cultural codes
Litigation	Geneva courts sitting in French, arbitrations in French
Commodity trading	negotiation in French with partners in Africa and the Maghreb

1 Notes

1. Federal Council, press release of 6 September 2023: entry into force of the amendment to the Code of Civil Procedure set for 1 January 2025; MLL Legal, “Révision du code de procédure civile suisse au 1er janvier 2025” (mll-news.com): the revision “creates the basis allowing the cantons to declare the commercial court competent for certain categories of international commercial disputes”, the cantons being able to provide for proceedings “also in English” in such cases. ↩

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