

One language, one legal tradition

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Swiss law belongs to the family of civil law systems, founded on codes, of which the Civil Code of 1907 and the Code of Obligations of 1911, both revised since, form the pillars.¹ These codes exist in the three official languages, their French, German and Italian versions being equally authentic. Swiss legal French shares with the legal French of France, Belgium and French-speaking Africa a vocabulary, a set of categories and methods of interpretation, while displaying particular features linked to federalism, direct democracy and the influence of German-language scholarship.

This shared tradition has considerable practical significance. A Geneva lawyer advising a French, Belgian, Moroccan, Senegalese or Ivorian client reasons in categories that the client and his local advisers know. The notions of the reserved portion of an estate, the matrimonial property regime, the company limited by shares, the pledge or the mandate correspond to one another, with differences that the practitioner knows how to identify. Part E showed the importance of international estate planning for Geneva's clientele. Such planning is made easier when the legal systems involved speak the same language.

The Organisation pour l'harmonisation en Afrique du droit des affaires (Organisation for the Harmonisation of Business Law in Africa), which brings together seventeen states of West and Central Africa, most of them French-speaking, has adopted uniform acts on company law, security interests, insolvency proceedings, arbitration and commercial law, drafted in French and inspired by French law.² For Geneva traders, banks and lawyers dealing with these countries, this harmonisation in French is a direct advantage: contracts, guarantees and proceedings are governed by accessible rules, drafted in their language and close to their own points of reference.

Key point. For the Geneva financial centre, French is a language of civil law, shared with France, Belgium, Luxembourg, Quebec, the Maghreb and French-speaking Africa, whose harmonised business law is expressed in French. This shared language and tradition facilitates advice, drafting and litigation with French-speaking clients.

1 Notes

1. Swiss Civil Code of 10 December 1907, in force since 1 January 1912 (SR 210); Code of Obligations of 30 March 1911 (SR 220); “Code civil suisse”, fr.wikipedia.org (accessed September 2026). ↩
2. Traité relatif à l’harmonisation en Afrique du droit des affaires, signed at Port Louis on 17 October 1993, revised at Quebec City on 17 October 2008; seventeen member states; ten uniform acts; Cour commune de justice et d’arbitrage (Common Court of Justice and Arbitration) in Abidjan; UNIDA, “Présentation de l’OHADA”, ohada.com (accessed September 2026). ↩

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