

Swiss international arbitration law

*Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland), Solicitor (Hong Kong),
Solicitor (England & Wales)*

International commercial arbitration is one of the fields in which Switzerland, and Geneva in particular, holds a leading position. That position rests first of all on the law. Chapter 12 of the Federal Act on Private International Law, which entered into force in 1989 and was revised in 2021, governs international arbitration seated in Switzerland.¹ It enshrines broad party autonomy, limits the intervention of the state courts and provides a single avenue of recourse against awards.

A brochure published by the *Chambre de commerce, d'industrie et des services de Genève* (Geneva Chamber of Commerce, Industry and Services) emphasises that Swiss arbitration law is modern and effective, that it allows an award to be challenged only in very limited circumstances, principally the violation of fundamental procedural rights, and that Switzerland offers a single, direct action for annulment before the country's highest judicial authority, the Federal Supreme Court, which rules within a matter of months.² This concentration of the review of awards in a single, experienced and expeditious court is one of Switzerland's main attractions as a seat of arbitration.

Switzerland is a party to the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, which secures the enforcement of awards rendered in Switzerland in more than one hundred and sixty states.³⁴ Awards rendered in Geneva thus enjoy an international circulation that few other legal instruments attain.

Swiss law also offers a neutrality valued by foreign parties. A Chinese company and a Brazilian company, an oil company and a producing state, a trader and its supplier may choose Geneva as the seat precisely because neither party is at home there. Switzerland's tradition of neutrality, the stability of its institutions and the experience of its courts in reviewing awards reinforce this confidence.

1 Notes

1. Art. 176 para. 1 of the Private International Law Act (PILA; SR 291) (droit-bilingue.ch): “The provisions of this chapter apply to any arbitration if the seat of the arbitral tribunal is in Switzerland and if, at the time of the conclusion of the arbitration agreement, at least one of the parties thereto had neither its domicile, nor its habitual residence, nor its seat in Switzerland”; para. 2: the parties may exclude the application of the chapter and agree on the application of Part 3 of the Civil Procedure Code; provision as worded in the Federal Act of 19 June 2020, in force since 1 January 2021 (AS 2020 4179; BBl 2018 7153). ↩
2. Chambre de commerce, d’industrie et des services de Genève, Genève, un centre mondial réputé pour l’arbitrage international (Geneva, a world-renowned centre for international arbitration), brochure, ccig.ch (accessed September 2026). ↩
3. CCIG, brochure cited above, which refers to the 1958 New York Convention. ↩
4. UNCITRAL, status of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958) (uncitral.un.org): 172 states parties; Switzerland signed the Convention on 29 December 1958 and ratified it on 1 June 1965, with entry into force for Switzerland on 30 August 1965. ↩

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