

The courts and international litigation in Geneva

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The Geneva courts handle a substantial volume of international commercial and financial litigation, concerning banking relationships, trading contracts, companies, international successions and the enforcement of foreign decisions. The Federal Supreme Court in Lausanne delivers, as the court of last instance, judgments that are authoritative in these fields.

The revision of the Civil Procedure Code that entered into force in 2025 allows the cantons to create international commercial courts and to admit English in the proceedings held before them, in order to strengthen Switzerland's attractiveness for the resolution of international commercial disputes.¹ Geneva, which had no commercial court, has examined the creation of such a court.² Such a court would complete the financial centre's offering for disputes that do not fall within the scope of arbitration.

International mutual legal assistance, in civil and criminal matters, is another dimension of international litigation in Geneva. The Geneva courts and the Geneva Public Prosecutor's Office handle many foreign requests, in particular in cases of money laundering, corruption and fraud, which Part H will examine. This activity, often linked to the financial centre and to commodity trading, makes Geneva a centre of judicial cooperation, with the tensions this implies between professional secrecy, data protection and international obligations.

Avenue of resolution	Main field in Geneva
Negotiation and diplomacy	disputes between states, in particular trade disputes, at the WTO
Commercial arbitration	commodity trading, international contracts, disputes between companies
Investment arbitration	protection of investments in high-risk countries

Avenue of resolution	Main field in Geneva
Mediation	disputes between financial service providers and private clients
State courts	banking litigation, companies, successions, enforcement of decisions
Mutual legal assistance	international criminal cases linked to finance and commodity trading

Caution. The choice of a dispute resolution clause — arbitration, mediation, courts, and the choice of seat, language and applicable law — determines the outcome of a future dispute. It must be settled at the conclusion of the contract, according to the nature of the transaction, the parties and the places of performance.

1 Notes

1. Federal Council, press release of 6 September 2023 (admin.ch): entry into force of the revised Civil Procedure Code set for 1 January 2025; Federal Office of Justice (bj.admin.ch): revision adopted by Parliament on 17 March 2023; the cantons may assign international commercial disputes to the commercial court and admit English as the language of the proceedings, with submissions in English then being admitted before the Federal Supreme Court. Conditions of Art. 6 para. 4 let. c of the Civil Procedure Code (Baker McKenzie, 26 August 2025): commercial activity of at least one party, amount in dispute of at least CHF 100,000, express agreement of the parties, domicile or seat of at least one party abroad at the time of the agreement; Art. 129 para. 2 of the Civil Procedure Code: English at the request of the parties if the canton so provides; Zurich published a draft for an international commercial chamber (ZICC) in July 2025, Berne initiated its implementing legislation and Geneva announced its intention. ↩

2. Genève attractive, “À Genève, l’idée d’un tribunal de commerce gagne du terrain” (In Geneva, the idea of a commercial court is gaining ground) (6 March 2026): bill being drafted in consultation with institutional and economic partners, with tabling envisaged for spring 2026; support from the Geneva International Legal Association and the Bar (Sandrine Giroud); comparison with Zurich, Aargau, Berne and St. Gallen, which have specialised commercial courts. Baker McKenzie (26 August 2025): Geneva has announced its intention to create such a court. ↩

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