

Lessons from other commercial courts

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The discussion about English-language proceedings in Swiss cantons draws on experiences abroad. Singapore established its International Commercial Court in 2015 as a division of its High Court, with international judges and the possibility of representation by foreign lawyers in certain cases.¹ The courts of the Dubai International Financial Centre and of Abu Dhabi Global Market operate in English under common law. Several European states have created English-language commercial courts or chambers in recent years, among them the Netherlands, France and Germany, which introduced commercial courts with English-language proceedings in 2025.² The results have been mixed. The Singapore court has built a reputation but hears a limited number of cases. The European courts are young and their caseloads are small. International commercial parties continue to prefer arbitration for many disputes, since it offers confidentiality, party-appointed arbitrators and easier enforcement abroad under the New York Convention. For Swiss cantons, the lesson is that English-language proceedings are a useful addition to the legal infrastructure. They are unlikely to transform litigation, however. Their value lies more in the signal they send to international companies than in the number of cases they attract.

1 Notes

1. Judiciary of Singapore, "Singapore International Commercial Court", judiciary.gov.sg; established in 2015; a division of the General Division of the High Court and part of the Supreme Court of Singapore; panel of international and local judges; registered foreign lawyers may represent parties in certain circumstances. The exact date of 5 January 2015 is not stated on this page. ↩

2. Rechtspraak, "Netherlands Commercial Court", rechtspraak.nl: created on 1 January 2019, proceedings and judgments in English. Cour d'appel de Paris, "The International Commercial Chamber of the Paris Court of Appeal – ICCP-CA", cours-appel.justice.fr: chamber set up after a mission initiated by the Ministry of Justice in 2017, free use of English at hearings and for exhibits, English translation of the decision on request, parallel international chamber at the Paris Commercial Court; August Debouzy, "The International Chamber of the Paris Court of Appeal will become operational on March 1st, 2018", august-debouzy.com (title seen in search results only). SZA Schilling, Zutt & Anschütz, client briefing of 2 April 2025, sza.de: Act to Strengthen Germany as a Forum by Introducing Commercial Courts and English as the Language of the Courts in Civil Jurisdiction in force on 1 April 2025; Commercial Courts at the higher regional courts; proceedings in English if the parties agree. ↩

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