

Arbitration - Switzerland

No Appeal Against Court

August 27 1999

If the place of arbitration is in Switzerland and the parties have not settled a procedure for the challenge of arbitrators, the court at the place of arbitration has jurisdiction to decide on the challenge. No appeal is provided for against the decision, not even a 'public law appeal' to the Swiss Supreme Court.

This case does not settle the issue of whether, if the Swiss court dismisses the challenge, the final award may be challenged on the ground that an arbitrator that should have been dismissed participated in the arbitration. Such a challenge of the award is possible when the challenge against the arbitrator was dismissed by an arbitration institution.

T. v G. et Tribunal cantonal des Grisons, ATF 122 I 370, résumé in SJ 1997, 162 (1996).

For further information on this topic please contact Pierre-Yves Tschanz at Tavernier Tschanz by telephone (+ 41 22 704 37 00) or by fax (+41 22 704 3777) or by e-mail (tschanz@ttv.ch).

The materials contained on this web site are for general information purposes only and are subject to the [disclaimer](#).

The materials contained on this website are for general information purposes only and are subject to the [disclaimer](#).

ILO is a premium online legal update service for major companies and law firms worldwide. In-house corporate counsel and other users of legal services, as well as law firm partners, qualify for a free subscription. Register at www.iloinfo.com.

Author

Pierre-Yves
Tschanz

