

## Arbitration - Switzerland

### The Supreme Court has Exclusive Jurisdiction to Entertain Applications to Revise International Arbitral Awards, whether Interim or Final

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The principle that the Supreme court has jurisdiction over applications to revise international arbitral awards (an exceptional remedy created by case law for awards obtained by fraud or in ignorance of crucial facts) is a general principle applicable to all awards, including interim or preliminary decisions. This principle applies, however, only to awards binding on the arbitral tribunal: it does not apply to procedural orders, which the arbitrators may vary during the proceeding. (The Supreme Court leaves open the question of whether this holding also applies where the parties have elected to substitute the Supreme Court with the Court of Appeal of the place of arbitration, pursuant to PIL Act Article 191(2)).

*Société P. v A.*, ATF 122 III 492, SJ 1997, 93-96 (1996).

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