Geneva, Hong Kong and Dubai compared

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Geneva: a civil law centre adding English

Geneva offers Swiss law, a codified civil law, in a city whose courts sit in French. The Geneva volume describes how the revision of the Swiss Code of Civil Procedure in force since 1 January 2025 allows cantons to provide for proceedings in English in international commercial disputes. Bern planned to open an international commercial court in May 2026 and Zurich prepared one for 2027, while a draft law was being prepared in Geneva.[1] Swiss law and Swiss arbitration therefore remain strongest where the parties come from civil law traditions or where neutrality outweighs familiarity. Singapore, by contrast, offers a common law administered in English throughout its courts, which places it closer to the documentary standards of international finance.

The two centres do not compete for the same contracts in most cases. A Swiss lawyer drafting a share purchase agreement for a family business in Lombardy has little reason to propose Singapore law. A Singapore lawyer advising an Indian investor in Vietnam has little reason to propose Swiss law. Competition arises in commodity trading, where Geneva and Singapore host the same trading houses, and

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in private wealth, where trust deeds and foundation charters must be governed by a law that recognises the structure. In those fields, Part G and Chapter IV of Part E show how each centre adapts its law to the needs of the same clients.

Hong Kong: the common law under the Basic Law

Hong Kong is Singapore's nearest rival as a common law centre in Asia. Article 8 of the Basic Law preserves the laws previously in force in Hong Kong, including the common law and the rules of equity, unless they contravene the Basic Law. Article 84 allows Hong Kong courts to refer to precedents of other common law jurisdictions. Under article 92, judges may be recruited from other common law jurisdictions.[2]

Hong Kong thus shares with Singapore the English inheritance, an English-speaking profession and a strong arbitration institution. Its distinctive asset is its position as the legal gateway to mainland China, reinforced by arrangements for the mutual enforcement of judgments and awards with the mainland. Its distinctive risk lies in the constitutional framework of "one country, two systems" and the increasing integration of Hong Kong into the national legal order in recent years, which Chapter V of Part K discusses. For parties concerned about that risk, Singapore offers a common law jurisdiction outside the Chinese state, a consideration that has supported Singapore's growth as a seat and as a governing law in contracts with Chinese parties.

Dubai and Abu Dhabi: imported common law enclaves

The Gulf has taken a different route. Dubai established the courts of the Dubai International Financial Centre by a law of 2004. They began operating in 2006 as an English-language common law judiciary within a civil law state. Since an amendment of October 2011, parties may opt into the jurisdiction of these courts by contract even without a connection to the financial centre.[3] Abu Dhabi went further with the Abu Dhabi Global Market, established in 2013 and operational since October 2015, which applies English common law directly, including English precedent.[4]

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The Gulf model shows how much demand exists for common law in finance. It also shows what Singapore possesses that a financial free zone cannot easily build. Singapore's common law is the law of the whole state, applied by its ordinary courts, taught in its universities and practised by a profession of several thousand lawyers. The Dubai and Abu Dhabi enclaves borrow judges and law from abroad, while Singapore has grown its own over two centuries. That depth gives Singapore law the authority that a governing law needs: a body of decided cases, a profession that understands it and a state whose whole legal order supports it.

In figures

Second Charter of Justice: 27 November 1826. Civil Law Ordinance: 1878. Repeal of section 5 of the Civil Law Act by the Application of English Law Act: 12 November 1993. End of Privy Council appeals: 8 April 1994. Practice Statement of the Court of Appeal: 11 July 1994. SICC established: 5 January 2015. SIAC established: 1 July 1991. SIAC new cases: 663 in 2023 and 886 in 2025. Share of Singapore law in SIAC cases: 64.6 % in 2023 and 52.1 % in 2025, with English law at 20.7 % and 28.4 %. Practising lawyers: about 4,000 in 2002 and 6,512 in 2023. Foreign lawyers: 576 in 2000 and 840 in July 2009. First QFLP licences: six firms, announced 5 December 2008. QFLP firms in 2025: nine, with more than S$2 billion of offshore revenue in 2021–2024 and over 550 lawyers in Singapore. Legal services value-added: S$2.98 billion in 2023, exports S$1.40 billion. New York Convention: in force for Singapore since 19 November 1986 and for Switzerland since 30 August 1965. Hague Choice of Court Convention: in force for Singapore since 1 October 2016 and for Switzerland since 1 January 2025.

Notes

1. Art. 129 para. 2 lit. b and art. 6 para. 4 lit. c of the Swiss Code of Civil Procedure in the version in force since 1 January 2025; Pestalozzi, "Proceedings in English before Swiss State Courts Soon a Reality in Bern and Zurich", pestalozzilaw.com, as cited in Ressos, *Genève, place financière internationale*, partie J, chapitre I, section « L'anglais devant les juges suisses »,

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and partie F, chapitre III (Genève attractive, 6 March 2026, on the Geneva draft law). ↩

2. Basic Law of the Hong Kong Special Administrative Region, art. 8: "The laws previously in force in Hong Kong, that is, the common law, rules of equity …" are maintained, except for any that contravene the Basic Law; arts. 84 and 92, basiclaw.gov.hk (accessed November 2026): courts may refer to precedents of other common law jurisdictions; judges and other members of the judiciary may be recruited from other common law jurisdictions. ↩
3. Wikipedia, "DIFC Courts" (accessed November 2026): established in 2004 (Dubai Law No. 12 of 2004), began operations in 2006; "an independent English language common law judiciary"; judges from Australia, England and Wales, Scotland, Malaysia and the UAE; Dubai Law No. 16 of 2011, signed on 31 October 2011, allowed the Courts to hear cases where a contract names DIFC jurisdiction or both parties agree after a dispute arises, "commonly referred to as 'opt-in' jurisdiction". ↩
4. Wikipedia, "Abu Dhabi Global Market" (accessed November 2026): established in 2013 and operational from October 2015; described as "the only jurisdiction in the region to apply English common law directly"; its courts have exclusive jurisdiction over civil and commercial matters in ADGM. ↩

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