

The languages of the federal authorities and the courts

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The relations of Geneva institutions with the federal authorities follow precise linguistic rules. Before the federal administration, persons subject to it may address the authorities in the official language of their choice, and the authorities in principle reply in that language.¹ Before the Federal Supreme Court, proceedings are conducted in one of the official languages, as a rule the language of the contested decision. An appeal against a Geneva decision is therefore handled in French.² Before the Federal Administrative Court, which has jurisdiction in particular over appeals against FINMA decisions, the language of the proceedings is that of the contested decision, often German for decisions of the supervisory authority, which obliges Geneva institutions either to plead in German or to obtain the conduct of the proceedings in French.³

These rules have practical consequences for the organisation of legal departments. A Geneva institution that is the subject of FINMA enforcement proceedings must produce its documents, often drafted in French or English, and follow a procedure whose principal acts may be in German. The large Geneva law firms maintain German-speaking teams for this reason, or join forces with colleagues in Zurich or Bern. The cost of this organisation is real, and it weighs more heavily on medium-sized institutions, which cannot keep lawyers in all three languages.

The Office of the Attorney General of Switzerland, which has jurisdiction over cases of transnational corruption and money laundering falling under federal jurisdiction, conducts its proceedings in the language of the authority or of the place where the facts occurred. The cases involving Geneva traders, traced in Part H, were investigated partly in French, with acts in German and exhibits in English, Portuguese or Spanish. The ability to work in several languages is, for the prosecuting authorities as for the defence, a condition of effectiveness.

1 Notes

1. Art. 6 para. 1 of the Federal Act of 5 October 2007 on the National Languages and Understanding between the Linguistic Communities (Languages Act, LangA; SR 441.1): “Anyone addressing the federal authorities may do so in the official language of their choice”; text on lexfind.ch (accessed September 2026). ↩
2. Art. 54 para. 1 of the Federal Supreme Court Act (FSCA; SR 173.110): “Proceedings are conducted in one of the official languages (German, French, Italian, Rumantsch Grischun), as a rule in the language of the contested decision”; text on lexfind.ch (accessed September 2026). ↩
3. Art. 33a para. 1 of the Administrative Procedure Act (APA; SR 172.021): proceedings are conducted in one of the four official languages, as a rule in the language in which the parties have submitted or would submit their pleadings; Art. 37 of the Federal Administrative Court Act (FACA), which refers to the APA for proceedings before the Federal Administrative Court; texts on wipo.int (WIPO Lex) and fedlex.admin.ch (accessed September 2026). ↩

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