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Media relations  
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## **Press Release**

**regarding judgment A-1404/2019 of 22 February 2022**

### **Judgment on a reserved zone for future SBB maintenance facility**

**The Federal Office of Transport has designated a reserved zone in Arbedo-Castione for the construction of the future SBB maintenance facility. The Federal Administrative Court finds, that the appellants lack the right of appeal and declares their appeals inadmissible.**

In February 2019, the Federal Office of Transport (FOT) approved the application of Swiss Federal Railways SBB AG Real Estate (hereafter: SBB) for the designation of a reserved zone of approximately 150'000 m<sup>2</sup> in Arbedo-Castione with a view to securing the necessary land for the construction of a new SBB maintenance facility. In March 2019, several appellants challenged this decision before the Federal Administrative Court (FAC). In their argumentation, the appellants notably objected to the reserved zone of Arbedo-Castione because of the huge crop rotation acreage, approximately 80'000 m<sup>2</sup>, to be sacrificed as a result. The appellants submitted, that there was a suitable alternative location for a reserved zone at Bodio/Giornico (formerly Monteforno), which the SBB had not duly considered or investigated in their opinion. Several municipalities that had hoped to accommodate the new maintenance facility on their territory were among the appellants; while such a hope is understandable, it cannot be relied upon to establish a right of appeal.

In its judgment, the FAC declared the appeals inadmissible because the appellants lacked the right of appeal. The Court essentially ruled, that none of the appellants could show, that they satisfied the statutory requirements.

This judgment may be appealed to the Federal Supreme Court.

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**About the Federal Administrative Court**

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 353 employees (297.3 FTE) and its 73 judges (65.15 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal administrative authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 7,200 judgments every year.