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Media relations  
P.O. Box, 9023 St. Gallen

St. Gallen, 29 April 2022

## **Press Release**

**regarding judgments A-4619/2021, A-4705/2021, A-4723/2021 and A-5017/2021 of 26 April 2022**

### **Dismissal confirmed for members of the Special Forces**

**The Federal Administrative Court (FAC) confirms the dismissal of four members of the Special Forces Command who refused vaccination against Covid-19.**

In autumn 2021, the Joint Operations Command discharged four career servicemen from the Special Military Police Detachment and Army Reconnaissance Detachment 10 for refusing the Covid-19 vaccine.

Special forces carry out missions, in Switzerland and abroad, in situations of extreme danger and great difficulty. They must be able to gather information affecting national security and to repatriate Swiss nationals and diplomatic personnel from war zone or areas of armed conflict. The employment contracts of the servicemen concerned specify that they must be always ready for deployment in such operations.

To ensure their immediate availability, members of the special forces are required by law to comply with the medical directives of the Surgeon General of the Swiss Armed Forces. In this context, the vaccination plan is designed to prevent the spread of infectious diseases within the army and between military personnel and the civilian population. Any undesirable side effects are outweighed by the public interest of ensuring that the special forces can be deployed at short notice to safeguard national security and protect Swiss nationals. As a result, the Court deems that the fundamental rights invoked by the appellants were not infringed upon.

By refusing to be vaccinated for no valid medical reason, the four servicemen deliberately put themselves in a position where they could no longer perform their professional duties. The FAC therefore confirms their dismissal and rejects their appeals.

These judgments 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 365 employees (305.6 FTE) and its 72 judges (64.5 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 6,500 judgments every year.