

GIR KNOW HOW EXTRADITION

Switzerland

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JUNE 2024

1. Are extradition proceedings regulated by domestic legislation, treaties or both?

Extradition proceedings are regulated by multilateral and bilateral treaties, as well as by domestic law whether no treaty applies or to complement them.

Switzerland is a contracting party of the European Convention on Extradition (CEEextr; CETS 024 – European Convention on Extradition (coe.int)), and its four additional protocols, as well as of several sectoral conventions aim at the repression of certain crimes, in particular international terrorism and its financing.

Switzerland is also bound by several bilateral treaties, among which the Extradition Treaty between the United States and Switzerland (US Extradition Treaty).

Where there are no international treaties, or if the latter do not provide for certain aspects of extradition, extradition requests to Switzerland are governed by the Federal Act on International Mutual Assistance in Criminal Matters (IMAC; SR 351.1 - Federal Act of 20 March 1981 on Inter... | Fedlex (admin.ch)). IMAC defines the modalities and the limits of the inter-state cooperation, as well as the cooperation with "international courts or other inter- or supranational bodies with criminal justice functions" (article 1). Word - 97-910 - Switzerland - Extradition Treaty.docx (state.gov)).

2. Is there a central register of extradition treaties that your state has entered into?

All international treaties binding Switzerland are accessible on the official website of the Swiss federal administration, in the official languages of Switzerland, German, French and Italian (Entraide judiciaire. Extradition | Fedlex (admin.ch)).

3. Do special extradition arrangements apply to certain foreign states, for example, states that are geographically proximate, or politically, legally or economically closely linked?

Besides international treaties, there are no ad hoc arrangements with specific countries. One should note, however, that Switzerland has ratified bilateral treaties with three bordering countries (Austria, Germany and Italy), aiming at complementing the CEEextr.

4. Is extradition possible to states that have no bilateral or multilateral extradition treaty with your state if they are party to an international convention?

If there is no bilateral or multilateral treaty with Switzerland, IMAC applies. Article 8 IMAC provides that a request shall be granted only if the requesting state guarantees reciprocity. The Federal Office of Justice (FOJ) shall obtain a guarantee of reciprocity if this is considered necessary.

In particular, reciprocity is not required for the service of documents or if the execution of a request:

- seems advisable due to the type of offence or to the necessity of combating certain offences;
- is likely to improve the situation of the defendant or the prospects of his or her social rehabilitation; or
- serves to clarify an offence against a Swiss national.

The Federal Council, or the Swiss government may, within the scope of IMAC, provide other states with a guarantee of reciprocity.

5. Is extradition possible to states that are not extradition treaty partners as an ad hoc arrangement?

Extradition towards countries that do not have specific agreements with Switzerland shall be based on IMAC, and in principle, reciprocity is required (see above, question 4).

6. For which offences is extradition from your state allowed?

According to article 1 IMAC, unless other federal acts or international agreements provide otherwise, IMAC shall govern all procedures of international cooperation in criminal matters. Therefore, it is primarily to that set of rules that one shall determine if a given behaviour might give rise to an extradition.

First, only criminal qualifiable behaviours might give rise to extradition proceedings; secondly, only criminal offences of a certain importance qualify in this sense. Articles 4, 35 and 36 IMAC provide that only offences that are punishable with deprivation of liberty of at least one year under both Swiss the requesting state's law and are not subject to Swiss jurisdiction can give rise to extradition. An offence qualifying for extradition attracts all the offences that are not.

Exceptionally, Switzerland may grant extradition for an offence that, in principle, could not give rise to extradition if chances of rehabilitation are higher in the requesting country (article 36.2 IMAC).

7. Is there a requirement for double (dual) criminality? How is this assessed?

Article 35.1(a) IMAC provides for the double criminality requirement for an offence to allow extradition of a person from Switzerland. According to case law of the Federal Court, the highest Swiss court, this article is interpreted in the sense that the Swiss authority to which an extradition request based on a treaty is addressed, carries out a prima facie examination of the punishability, under Swiss law, of the offences being prosecuted, by transposing the facts presented in the request, as if they had occurred in Switzerland.

Dual criminality does not suppose the identity of the criminal standards (ATF 147 II 432, c. 2.2.), hence the offence does not have to be described in the same way and the Swiss authority, based on the principle of "mutual trust" in criminal matters, does not have to research into the foreign criminal system.

8. How would your state deal with a request that includes an offence for which extraterritorial jurisdiction is claimed?

In extradition matters for which the requesting state is party to the CEEextr., article 7.2 of the Convention applies. When the offence for which extradition is requested has been committed outside the territory of the requesting party, Switzerland may only refuse extradition if Swiss law does not allow prosecution for the same category of offences when committed outside of its territory or it does not allow extradition for the offence concerned.

If the requesting party has signed extradition agreements with Switzerland, the provisions included in that agreement apply. For example, the US Extradition Treaty, Switzerland must extradite if the offence justifying the request is punishable under its own law, or the person sought or the victim are US nationals.

In all other cases, if no exception applies, extradition is permitted if, according to the documents supporting the request, the offence is not subject to Swiss jurisdiction (article 35(1)(let.b) IMAC).

9. What must be included as part of a valid extradition request made by the foreign state?

Pursuant to article 28 IMAC, all requests for mutual assistance in criminal matters shall be made in writing and the following information must be provided:

- the office issuing the request and, if applicable, the authority having criminal jurisdiction;
- the subject matter of and the reason for the request;
- the legal term for the offence; and
- details that are as exact and complete as possible on the person who is the subject of the criminal proceedings.

To enable the legal assessment of the offence, the following shall be added:

- a summary of the relevant allegations, except in the case of requests for service; and
- the wording of the regulations applicable at the place where the offence was committed.

Foreign official records need not be legalised. Foreign requests and their enclosures shall be submitted in German, French or Italian or be accompanied by a translation into one of these languages. Translations must be officially certified.

If a request does not meet the formal requirements, its correction or completion may be demanded; the ordering of provisional measures is not affected thereby.

With respect to requests for extradition in particular, article 41 IMAC specifies that the request shall also enclose the original or an officially authenticated copy of an enforceable judgment, of an arrest warrant or of any other document issued in accordance with the regulations of the requesting state and having the same effect.

Pursuant to article 42 IMAC, requests for tracing and arrest with a view to extradition shall contain, in addition to the items of information specified in article 28 IMAC, references to the existence of a valid arrest warrant, its date of issue and the name of the issuing authority, and to the intention of the competent authority to make a request for extradition.

The requirements may vary where international treaties apply.

10. What are the stages of the extradition process?

Once the FOJ decides to consider the extradition request, the requested person is summoned to first hearings, usually delegated to the cantonal public prosecutors.

The defendant has the right to be heard. In this respect, article 52 IMAC provides that the request and its supporting documents shall be submitted to the defendant and to his or her legal counsel. When formally presenting the defendant with the arrest warrant with a view to extradition, the cantonal authority shall ascertain if the defendant is identical to the person mentioned in the request. It shall explain to him or her the conditions of extradition and of simplified extradition and advise him or her on the right to appeal, to appoint a legal counsel or to have a court-appointed legal counsel.

The defendant shall be questioned briefly about his personal circumstances, and especially his or her nationality and relationship with the requesting state and asked if and for what reasons he or she raises objections to the arrest warrant or his or her extradition. His or her legal counsel may assist in this hearing. If the extradited person is to be prosecuted for other offences or re-extradited to a third state, the FOJ shall arrange for him or her to be questioned on the record by a judicial authority of the requesting state.

The defendant may give his or her consent to extradition – and may waive application of the principle of speciality – in which case the extradition is executed in simplified proceedings. If the defendant waives his or her rights under the ordinary proceedings on extradition, the FOJ shall order his or her surrender unless there are special considerations prohibiting it. This waiver may be revoked provided the FOJ has not ordered the surrender. In practice, however, the execution of simplified extradition is conducted very fast, in particular with bordering countries so defendants have few occasions to revoke their consent. Simplified extradition shall have the effect of extradition and is subject to the same conditions. The requesting state shall be given notice.

If the defendant does not consent to extradition, after setting the defendant and the third party objecting to the handing over of objects an appropriate deadline for stating their position, the FOJ shall rule on the extradition of the defendant and the handing over of objects and assets seized. If the defendant claims that he or she is being charged with a political offence or if the investigation reveals serious grounds to believe that the offence is of a political nature, the Appeals Chamber of the Federal Criminal Court shall decide the case. The FOJ shall send the file to this Court, together with its proposal. The defendant shall be given the opportunity to state his or her position.

In any other case, the defendant has the right to appeal before the Appeals Chamber of the Federal Criminal Court. However, such appeals are difficult as challenging extradition matters requires to show that the case is particularly important, namely that there exist reasons to suppose that the procedure abroad violates fundamental principles or contains other serious defects.

If extradition is refused, the FOJ shall release the person concerned from detention with a view to extradition. Otherwise, it shall notify the requesting state of the decision as well as of the date and place of extradition.

Extradition may be postponed if the required person is being prosecuted in Switzerland for other offences or if he or she has to serve a sentence involving deprivation of liberty. However, provisional surrender of the defendant may be granted if this will not be prejudicial to the Swiss criminal proceedings, and the requesting state has guaranteed to keep the defendant in custody during his stay in that state and will return him regardless of his nationality. Objects and assets shall also be handed over, which can serve as evidence or derive from the offence.

If the requesting state does not take the necessary steps to take over the person to be extradited within 10 days of notification of the execution order, he or she shall be released. This time limit may be extended up to 30 days in response to a justified request from the requesting state.

The process may vary where international treaties apply.

11. If an initial political decision is required, what factors can be considered?

No initial political decision is required.

12. Is provisional arrest, before the extradition request is received, possible?

Article 44 IMAC provides that foreign nationals may be arrested with a view to extradition on the basis of a request by an Interpol National Central Bureau or the Ministry of Justice of another state or on the basis of an international alert in a police search system (eg, via the Schengen Information System SIS).

Pursuant to article 47, the Federal Office of Justice shall issue an arrest warrant with a view to extradition. It may decline to do so, if it appears that the defendant will not elude extradition neither endanger the criminal investigations or if he or she can prove without delay that he or she has an alibi. If the defendant is unfit to remain in detention or if there are other valid reasons, the FOJ may order measures other than detention to ensure his or her presence. In practice, however, it is very difficult for a defendant to challenge a request for provisional detention in view of extradition.

13. Must a domestic arrest warrant be issued or can an Interpol red notice be used to carry out a provisional arrest?

An extradition case usually begins with a search request, in the form of an alert entered in the Schengen Information System (SIS), from an Interpol National Central Bureau (NCB) or directly from a foreign ministry of justice.

The Federal Office of Police (Fedpol), in Bern, acts as Interpol's NCB for Switzerland, linking the cantonal and federal services as well as other national police services. Notwithstanding this, an Interpol Red Notice, likewise any other foreign arrest warrant, can only be used by Swiss authorities to justify the provisional arrest of a person. One should also note that Switzerland is not a party to the EU Council Framework Decision of 13 June 2002 on the European arrest warrant and the surrender procedures between member states. The issuing of a domestic arrest warrant is always necessary to keep the person in detention, pending the decision on extradition.

The Extradition Unit of the FOJ has the authority to review the extradition request and establish the prima facie validity of it. If the whereabouts of the wanted person in Switzerland are known, the FOJ will order the competent police unit to arrest the person directly; if this is not the case, the FOJ may register the person in the RIPOL automatic search system with a view to arrest him or her. It is only when the person sought is arrested, that the FOJ issues a domestic arrest warrant, at the latest, three days after the apprehension (article 46(2) IMAC).

14. What is required to apply for a domestic extradition arrest warrant?

An extradition case, in Switzerland, starts with a foreign or international search request that, in turn, Swiss authorities will use to justify the provisional arrest of the person sought. Only at that point, the FOJ issues a domestic arrest warrant (article 46(2) IMAC).

15. What rights does the requested person have while under arrest?

IMAC provides a number of rights that shall be granted to any person, on its territory, for which extradition is requested:

- The right to be assisted by a lawyer, either of choice or appointed by the court (article 21 IMAC). The same right is also granted to other persons who could be affected by the mutual assistance measures.
- The right to have the extradition request notified to the interested person and her legal counsel (article 52(1) IMAC).
- The right to access the extradition files and make copies and submit written observations to the extradition procedure (article 55(1) IMAC) and, exceptionally, the right to be heard in person.
- The right to challenge the detention during the whole extradition procedure and the right to file appeals against any decision taken during this time, with the exception of the registration or cancellation from the

RIPOL and the decision of the OFJ to enter the extradition process (article 21(4) IMAC).

16. Is bail available in extradition proceedings?

The FOJ may waive the request for the arrest if it appears that, alternatively:

- the person sought will not evade extradition and will not obstruct the investigation;
- he or she can promptly provide an alibi;
- he or she cannot be imprisoned; or
- if there are other reasons for doing so.

In all these cases, article 47(2) IMAC allows the FOJ to order different measures than the arrest, including bail. The sum to grant that the person will not flee can be given by the requested person or a third person; it could take the form of a cash deposit or a guarantee given by a bank or a Swiss insurance.

IMAC also allows the FOJ to take any other measure – such as house arrest and/or the surrender of the IDs, electronic monitoring, etc – which is deemed adequate to prevent fleeing, in that particular case.

17. If so, what are the factors that a court will take into account in deciding whether to grant bail?

The FOJ may waive the request for the arrest if it appears that, alternatively:

- the person sought will not evade extradition and will not obstruct the investigation;
- she can promptly provide an alibi;
- she cannot be imprisoned, for example, because of health issues; and
- if there are other reasons for doing so

18. Can the court impose conditions when granting bail? What conditions can be, and usually are, imposed?

If bail is imposed, then the general rules of criminal procedure apply, in particular article 238 and following of the Swiss Code of Criminal Procedure (SCCP). The amount of the bail payment is assessed on the basis of the sought person's personal circumstances and all the circumstances of the specific case. The payment shall grant that the person will not flee during the extradition procedure and, at the same time, must not be disproportionate. A pledge on a property or the surrender of company shares is not allowed.

19. What bars can be raised to resist extradition?

Articles 2, 3, 5, 35 and 37 IMAC provide for several grounds for challenging an extradition request.

Pursuant to article 2 IMAC, a request for cooperation in criminal matters shall not be granted if there are reasons to believe that the foreign proceedings:

- do not meet the procedural requirements of the European Convention for the Protection of Human Rights and Fundamental Freedoms, or the International Covenant on Civil and Political Rights (see question 21);
- are being conducted so as to prosecute or punish a person on account of his political opinions, her belonging to a certain social group, his or her race, religion or nationality;
- could result in aggravating the situation of the defendant for any of the reasons mentioned under letter b; or
- have other serious defects.

Pursuant to article 3 IMAC, a request shall not be granted if the subject of the proceedings is an act that, in the Swiss view, is of a predominantly political nature, constitutes a violation of the obligation to perform military or similar service, or appears to be directed against the national security or military defence of the requesting state. The political nature of the offence cannot be invoked:

- in cases of genocide;
- in cases of crimes against humanity;
- in cases of war crimes; or
- if the act appears particularly reprehensible because the offender, for the purpose of extortion or duress, has endangered or threatened to endanger the life or limb of persons, especially by hijacking aircraft, using means of mass extermination, causing a catastrophe or taking hostages.

A request shall not be granted if the subject of the proceedings is an offence that appears to be aimed at reducing fiscal duties or taxes or that violates regulations on currency, trade or economic measures. Extradition for tax fraud or laundering of money deriving from a tax offence is debated.

Pursuant to article 5 IMAC, a request shall not be granted if:

- in Switzerland or in the state where the offence was committed, the court has acquitted the defendant or abandoned the proceedings for material reasons, or has permanently or provisionally dispensed with imposing a sentence (*ne bis in idem*);
- the sentence was executed or cannot be executed under the laws of the state where sentence was passed (*ne bis in idem*); and
- its execution requires compulsory measures and the prosecution or execution of the sentence was absolutely time barred under Swiss law.

The defendant may also invoke that the requirements of double criminality are not met (article 35 IMAC, see question 7), as well as article 37(3) IMAC, which provides that extradition shall also be denied if the requesting state fails to guarantee that the defendant will not be sentenced to death, that an already pronounced death penalty will not be carried out, or that he or she will not be subjected to treatment that will impair his or her physical integrity.

In particular, where the USA are the requesting state, article 6 of the US Extradition Treaty provides that if the offence for which extradition is requested is punishable by death, Switzerland may refuse extradition unless Switzerland deems appropriate the USA assurances that death penalty will not be carried out.

20. Does your state extradite its own nationals and residents?

Article 7 IMAC provides that no Swiss national may, without his written consent, be extradited or surrendered to a foreign state for prosecution or for the execution of a sentence. Consent may be withdrawn up to the time when the surrender is ordered. The protection of Swiss nationals does not apply to transit or return of a Swiss national who is temporarily surrendered by a third state to the Swiss authorities.

The US Extradition Treaty provides for an exception to this principle. Pursuant to its article 8, Switzerland shall not decline to extradite because the person sought is a Swiss national unless it has jurisdiction to prosecute that person for the acts for which extradition is sought. If extradition is not granted, Switzerland shall, at the request of the US, submit the case to its competent authorities for the purpose of prosecution. The same rule applies where Switzerland is the requesting state.

21. Are potential breaches of human rights after extradition considered in the extradition process?

According to IMAC, Switzerland shall refuse any request for extradition if there are reasons to believe that the foreign proceedings do not meet the procedural requirements of the European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950 or the International Covenant on Civil and Political Rights of 16 December 1966 and, in general, if there is the suspicion that the extradition is requested for political or discriminatory reasons. In extradition matters for which the requesting state is party to the European Convention on Extradition the latter applies.

In a recent case where the requesting country was Armenia, the Swiss Federal Court upheld the decision of the OFJ to make a thorough assessment of the appellant's state of health and the practical possibilities for his treatment in Armenia. According to the high court, in fact, the precarious conditions of the Armenian prison system cast doubts on the medical treatment of the sought person, who suffered from multi-morbidity.

In its reasoning, the Court found that if extradition ought not to be refused outright, on the basis of the Armenian reservation to the CEEextr and hence the principle of reciprocity, it had to be carefully evaluated if adequate medical care, in prison, could have been provided to the requested person upon the surrendering (see Maria Ludwiczak Glassey/Francesca Bonzanigo, *Extradition à l'Arménie : situation des droits de l'homme et formulation précise des garanties*, here of 19 May 2022).

22. Can a person consent to extradition, and what is the procedure? Is consent irrevocable?

As mentioned in question 10, the defendant may give his or her consent to extradition – and may waive application of the principle of speciality – in which case, the extradition is executed in simplified proceedings. If the defendant waives his or her rights under the ordinary proceedings on extradition, the FOJ shall order his or her surrender unless there are special considerations prohibiting it. This waiver may be revoked provided the FOJ has not ordered the surrender. In practice, however, the execution of simplified extradition is conducted very fast, in particular with bordering countries so defendants have few occasions to revoke their consent. Simplified extradition shall have the effect of extradition and is subject to the same conditions. The requesting state shall be given notice.

23. Is there a speciality protection? How is it provided? Does it apply if a person consents to extradition?

The speciality protection is given under article 38 IMAC, which provides that the defendant may be extradited only on condition that the requesting state:

- neither prosecutes nor sentences nor re-extradites him or her to a third state for any offence committed prior to his or her extradition and for which extradition was not granted; or
- does not deprive him or her of his or her liberty on any other ground that existed before his or her extradition.

The speciality protection no longer applies if the defendant or extradited expressly waives them; or if the person extradited:

- in spite of being advised of the consequences has not left the territory of the requesting state within 45 days of his or her conditional or final release despite having the opportunity to do so, or if, after leaving that territory, he or she has returned; or

- has been returned by a third state.

The speciality protection is given to the defendant who consents to extradition. The defendant can, however, waive his or her right to protection.

24. If there is a political decision at the end of the extradition process, what factors can be considered?

There is no political decision required at the end of the extradition process.

25. What ability is there to appeal against or judicially challenge decisions made during the extradition process? What are the requirements for any appeal or challenge?

The defendant may appeal before the Federal Criminal Court and then before the Federal Court (which is the Supreme Court of Switzerland). The FOJ also also standing to appeal.

The appeal may be filed to challenge a violation of federal law, including excessive use or abuse of discretion (article 80i(1) IMAC). An appeal may also be filed against the inadmissible or obviously improper application of foreign law (articles 55(3) and 25(4) IMAC).

Admissibility of an appeal before the Federal Court is subject to the requirement of a "particularly important case", which is difficult to meet in practice.

26. What are the time limits for the extradition process? How long does each phase of the extradition process take in practice?

The FOJ shall order the release of the person concerned from detention 18 days after arrest if the request for extradition and the documents supporting it have not been received. This period may be extended for a special cause by up to 40 days.

As mentioned in question 10, the defendant has the right to be heard before the FOJ or the cantonal public prosecutors, which include the right to file submissions before the authorities (with an "appropriate deadline", article 55 IMAC, which may vary between 10 and 14 days and may be extended), and to appeal before the Federal Criminal Court (with a deadline of 30 days, and a duty to inform the FOJ of the intent to file an appeal within five days of service of the decision) and before the Federal Court (with a deadline of 10 days). These proceedings are conducted promptly. In practice, the proceedings of appeal at the second level last between one and three months, and proceedings of appeal at the last level are often declared inadmissible within 10–14 days.

From the moment the defendant is put on notice of the extradition request, extradition proceedings last between six and 18 months.

Finally, as mentioned in question 10, if the requesting state does not take the necessary steps to take over the person to be extradited within 10 days of notification of the execution order, he shall be released. This time limit may be extended up to 30 days in response to a justified request from the requesting state.

27. In what circumstances may parallel proceedings delay extradition?

Parallel criminal proceedings may delay the surrender of the defendant to the requesting state, but provisional surrender of the defendant may be granted if this will not be prejudicial to the Swiss criminal proceedings, and the requesting state has guaranteed to keep the defendant in custody during his or her stay in that state and will return him or her regardless of his nationality.

If the defendant has applied for asylum in Switzerland, the FOJ and the appellate authority shall consult the files from the asylum proceedings when deciding on extradition. Extradition will be granted only if the request for asylum is dismissed.

28. What provision is made for legal representation of the requesting state or the requested person?

The requested person has the right to be assisted by a legal counsel of his or her choice or legally appointed. The requesting state has no standing in the extradition proceedings and so has no right to be represented. However, the FOJ will usually serve the interests of the requesting state in the proceedings and collaborate with them during all the process of extradition.



Antonia Mottironi
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Antonia Mottironi has been a legal adviser since 2009. She is the founding partner of the Geneva-based law firm Ardentere Law, which was launched in October 2021. She was admitted to the Geneva and Swiss Bars in 2013 and worked several years in international tax law matters before joining a leading law firm in international asset recovery and white-collar crime.

She advises on the implementation of global strategies aiming at the efficient resolution of complex disputes, in particular in the fields of fraud, cross-border insolvency and anti-corruption.

She represents creditors, foreign insolvency office holders and persons affected by economic crime before Swiss courts and authorities. She focuses on civil and criminal litigation, especially in the area of business crime, international judicial assistance and enforcement of foreign arbitral awards and judgments.

Over the past years, she has handled a great number of international asset recovery cases that included the laying of civil and criminal attachments and the enforcement of foreign judgments. She also assisted clients in preparing and coordinating multi-jurisdictional disputes, in particular with common law jurisdictions. She has developed a strong experience in cross-border insolvency cases involving foreign bankrupt banks and fraud schemes. Antonia Mottironi works in French, English and Italian; she is also graduated from the Faculty of Business and Economics of HEC Lausanne, Bsc. In Management 2005.



Silvia Palomba
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Silvia Palomba specialises in national and international criminal litigation.

Her areas of practice range from business criminal law to environmental criminal law, passing through fundamental rights. With many years of experience gained both in the courts and in the field, she intervenes in high-impact international cases before national and international courts. She works alongside anyone requiring defence or representation before these bodies and is driven exclusively by the conviction that the right to defence is one of the pillars of the rule of law.

Silvia Palomba also works on projects with a high social impact and advises companies on ESG (Environment, Social and Governance) issues helping them with the development of strategies that anticipate changes in legal obligations and case law rather than reacting to them.

Before joining Ardentere Law, Silvia Palomba practised for several years in Switzerland and Italy, and worked for several non-profit and international organisations specifically dealing with civil and political rights, arbitrary detention, fair trial and UN human rights protection mechanisms.

Silvia Palomba speaks and works in English, French and Italian; she is a 2010 LLM Columbia Law Alumni and President of the Columbia Alumni of Switzerland, Geneva branch; she is the co-founder of non-profit Destination Justice.

Ardenter Law

Ardentër Law advises on the implementation of global strategies aimed at the efficient resolution of complex disputes, in particular in the field of asset tracing and recovery and international crime.

Ardentër bases its activity on close collaboration with its clients, as well as on an in-depth understanding of the legal, commercial and reputational needs and issues specific to each dispute.

Our asset recovery activity stands on the three pillars of economic and financial crime, cross-border insolvency and enforcement of foreign judgments and arbitral awards.

Its expertise on ESG norms and standards also makes it an active stakeholder in the fight against the most heinous international crimes.

With an international network of lawyers and experts, as well as a deep understanding of international organisations and NGOs, we implement, coordinate and monitor the legal teams involved in your proceedings.

As a law firm based in Geneva, we represent your interests before Swiss courts and authorities.

We assist creditors, foreign insolvency office holders and persons affected by economic and international crimes.

Ardentër was founded in October 2021 by Antonia Mottironi, a Swiss-qualified lawyer. Silvia Palomba, Swiss and Italian qualified lawyer, joined the firm in June 2023 as partner.

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