

“Stalking” will be expressly punishable under the Swiss Criminal Code as of 1 January 2026

On 19 November 2025, the Swiss Federal Council decided that a new criminal law provision on stalking will enter into force on 1 January 2026.

Cases of “stalking” are increasingly common nowadays, particularly through social media.

Currently, “stalking” is not addressed by a specific provision of the Swiss Criminal Code. To prosecute such behaviours, authorities must rely on scattered provisions of the Swiss Criminal Code (for example, coercion or the misuse of telecommunications), none of which expressly target “stalking”. As a result, the criminal remedies available to victims of “stalking” are limited.

Given the inadequacy of this situation, the Swiss Parliament voted to introduce a new provision into the Swiss Criminal Code expressly criminalizing “stalking”. The Swiss Federal Council decided that it would enter into force on 1 January 2026.

This new provision provides that perpetrators of “stalking” may be punished with a custodial sentence of up to three years or a monetary penalty.

This represents an important and necessary legislative step forward, strengthening the protection of “stalking” victims. However, victims will still be required to file a criminal complaint in order to initiate criminal proceedings.

Should you require any further information on this subject, please do not hesitate to contact the author or your usual contact person at Borel & Barbey. Our specialists will be pleased to assist you.



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