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Swiss Criminal Procedure Code

(Criminal Procedure Code, CrimPC)

of 5 October 2007 (Status as of 1 March 2019)

The Federal Assembly of the Swiss Confederation,
on the basis of Article 123 paragraph 1 of the Federal Constitution¹,
and having considered the Federal Council Dispatch dated 21 December 2005²,
decrees:

Title 1 Scope of Application and Principles

Chapter 1

Scope of Application and the Administration of Criminal Justice

Art. 1 Scope of application

¹ This Code regulates the prosecution and adjudication by the federal and cantonal criminal justice authorities of offences under federal law.

² The procedural regulations contained in other federal acts are reserved.

Art. 2 Administration of criminal justice

¹ The administration of criminal justice is the responsibility solely of the authorities specified by law.

² Criminal proceedings may be conducted and concluded only in the forms provided for by law.

Chapter 2 Principles of Criminal Procedure Law

Art. 3 Respect for human dignity and requirement of fairness

¹ The criminal justice authorities shall respect the dignity of the persons affected by the proceedings at all stages of the proceedings.

² They shall in particular comply with:

AS **2010** 1881

¹ SR **101**

² BBl **2006** 1085

Title 9 Appellate Remedies**Chapter 1 General Provisions****Art. 379 Applicable regulations**

Appellate proceedings are governed *mutatis mutandis* by the general provisions of this Code, unless this Title provides otherwise.

Art. 380 Final or non-contestable decisions

Where this Code provides that a decision is final or non-contestable, there is no appellate remedy in respect of that decision under this Code.

Art. 381 Rights of the public prosecutor

¹ The public prosecutor may seek an appellate remedy for the benefit or to the detriment of an accused or a person convicted.

² If the Confederation or cantons provide for a chief prosecutor or an attorney general, they shall specify which public prosecutor is entitled to seek an appellate remedy.

³ They shall specify which authorities may seek an appellate remedy in contravention proceedings.

⁴ The Office of the Attorney General of Switzerland may seek an appellate remedy in respect of cantonal decisions if:

- a. federal law provides that it or another federal authority must be notified of the decision;
- b. it has referred the criminal case to the cantonal authorities for investigation and adjudication.

Art. 382 Rights of other parties

¹ Any party with a legitimate interest in the quashing or amendment of a decision may seek an appellate remedy.

² A private claimant may not contest a decision on a sanction that has been imposed.

³ In the event of the death of the accused, the person convicted or a private claimant the next-of-kin in terms of Article 110 paragraph 1 SCC¹⁵⁸ and in accordance with their ranking under the law of succession may seek an appellate remedy or continue the appellate proceedings provided their legitimate interests are affected.