

# Annual Report 2024

Report of the Office of the Attorney  
General of Switzerland on its  
activities in 2024 for the attention  
of the supervisory authority





# Editorial



## Dear Readers

For the Office of the Attorney General of Switzerland, 2024 was an exceptional year: the federal prosecution authority was successful in securing landmark judgments right across its broad spectrum of activities – from terrorism offences, via international criminal law, cyber-crime and national security, through to white-collar crime.

I regard the conviction in the court of first instance of the former Gambian interior minister, Ousman Sonko, as an exceptional achievement. This is a further milestone for the Swiss justice system in relation to international criminal law. However, the judgment is not yet legally binding.

Another exceptional achievement is the trial that began at the end of 2024 involving the commodity trading company Trafigura and three individuals, because it is the first time that the Federal Criminal Court has ever dealt with the issue of the criminal liability of a company for the bribery of foreign public officials. The court of first instance has now convicted on all the charges brought in the indictment. However, once again the judgment is not yet legally binding. The summary penalty orders against the commodity trading companies Gunvor and Glencore

are also milestones. These decisions have also garnered attention outside Switzerland. The renowned corporate crime platform, the 'Global Investigations Review', has awarded us the title of 'Prosecutor of the Year'. That must also be regarded as an exceptional achievement. In keeping with this, the OAG was able to further expand its excellent cooperation with various partner authorities.

In Switzerland, numerous strict conditions must be met before a company can be convicted. If it could, the OAG would offer companies the chance to shorten this obstacle course by reaching a settlement. Unfortunately, the law does not provide any instruments for doing this; Switzerland has nothing similar to the Deferred Prosecution Agreement (DPA) that is available in the USA or the *Convention judiciaire d'intérêt public* (CJIP) in France. A court-approved instrument would offer numerous advantages: the company would have to provide reparation for the damage caused and undertake to do business 'cleanly' in future; the company would then be supported and monitored by the courts, while benefiting from not being convicted.

Of course, not everything exceptional is something to celebrate. Take the record number of criminal proceedings, 120, that the OAG is conducting in relation to terrorism offences. This shows how real this threat remains.

And it was with great concern that I observed last year – in various areas – that not all investigations could be carried out as quickly as they should have been, because the Federal Criminal Police simply do not have sufficient personnel.

It goes without saying that all these results could not have been achieved without the OAG's dedicated and highly qualified staff; I would like to thank them all most sincerely. I would also like to thank the government and parliament for the vital support that the Office of the Attorney General of Switzerland enjoys. And I must also thank all our partner authorities and the OAG's Supervisory Authority for their cooperation and their always constructive criticism.

## Dr Stefan Blättler

Attorney General of Switzerland  
Bern, April 2025



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# **Review and Outlook of the Office of the Attorney General of Switzerland**

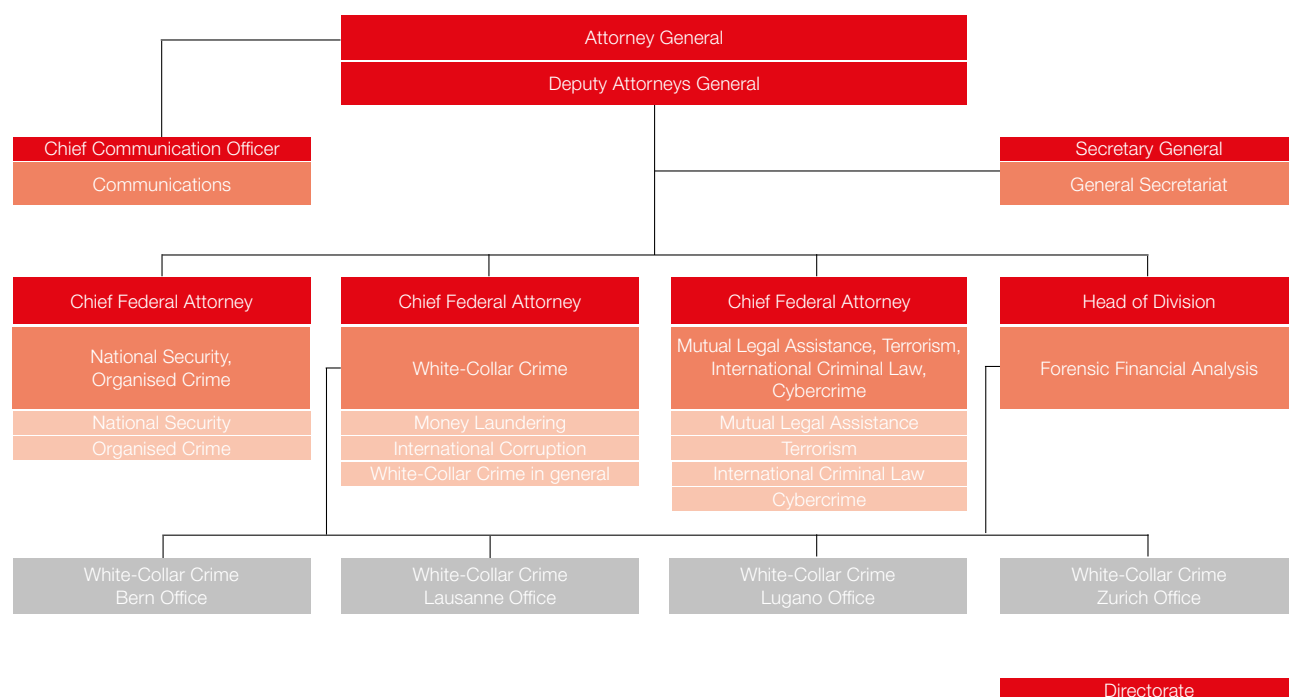
## 1 The OAG's organisational status

In accordance with Article 7 of the Criminal Justice Authorities Act (CJAA, SR 173.71), the Office of the Attorney General of Switzerland (OAG) is the federal prosecution service. It is headed by the Attorney General of Switzerland, who is appointed by the Federal Assembly and who has comprehensive powers to organise and manage the OAG. The Attorney General has two deputies, who are also appointed by the Federal Assembly and who may exercise all of the Attorney General's power when acting on his behalf. The appointment of the federal prosecutors and the recruitment of other staff is the Attorney General's responsibility. He is an independent employer under federal personnel law. The OAG is subject to the comprehensive oversight of a supervisory authority whose members are also appointed by the Federal Assembly (SA-OAG; Art. 23 ff. CJAA).

## 2 Statutory operational mandate

As the federal prosecution service, the OAG is responsible for investigating and prosecuting the offences that fall under federal jurisdiction, which are specified in Articles 23 and 24 of the Criminal Procedure Code (CrimPC, SR 312.0) and in other specific federal legislation. These firstly include classic crimes against the state, i. e. offences that are primarily directed against the Swiss Confederation or have significant consequences for its interests. Secondly, they include more complex intercantonal or international cases of organised crime (including terrorism and its funding), money laundering, international corruption and cybercrime. The OAG may also assume jurisdiction in cases of white-collar crime that have a national or international dimension. Lastly, the OAG's tasks include the execution of requests for mutual legal assistance from foreign law enforcement agencies.

**Organigramme Office of the Attorney General of Switzerland\***



\* Situation as of 31.12.2024





Attorney General Stefan Blättler (centre) with the two Deputy Attorneys General Ruedi Montanari (right) and Jacques Rayroud.

### 3 Directorate and management bodies

At the end of the report year, the OAG's Directorate comprised the Attorney General and his deputies, the senior prosecutors of the three divisions Economic Crime (WiKri), Mutual Legal Assistance, Terrorism, International Criminal Law and Cybercrime (RTVC) and National Security and Organised Crime (SK), the Head of Forensic Financial Analysis (FFA), the Chief Communication Officer and the Secretary General. The regular meetings of the Directorate ensure that a mutual exchange of information takes place and a *unité de doctrine* is maintained. Twice a year, the Attorney General invites the federal prosecutors responsible for the various fields of crime to an expanded meeting of the Directorate, at which cross-cutting issues are discussed.

#### **Attorney General's Operational Committee (OAB<sup>1</sup>)**

The OAB examines specific new cases that form part of the OAG's main business, primarily with regard to the issue of federal jurisdiction. In consultation with the specialist divisions, the Committee also decides on what further action to take (opening a criminal investigation, which is assigned to the relevant portfolio, referring the case to the competent cantonal authority, issuing a no-proceedings order, carrying out additional investigations, etc.).

#### **Resources Steering Committee (SAR<sup>2</sup>)**

A joint committee of the OAG and the Federal Criminal Police (FCP), the SAR, established in 2008, has the task of solving specific case-related problems, settling issues of operational cooperation and controlling the use of FCP resources. It is also the OAG and the FCP's joint platform for dealing with issues relating to the application of criminal law and the law on criminal procedure and their structural implementation according to general case law.

1 Abbreviation of the German term  
'Operativer Ausschuss des Bundesanwalts'

2 Abbreviation of the German term  
'Steuerungsausschuss Ressourcen'



In the report year, the SAR met 16 times, chaired by a Deputy Attorney General. The following matters were on the agenda:

- Composition of the SAR and participation of the heads of division and the Deputy Secretary General;
- Overview of the cooperation between the OAG and the FCP in relation to each OAG division;
- Analysis of each recommendation made in the report on cooperation between the FCP and the OAG, which was drawn up in 2014 under the auspices of the former Attorney General of the Canton of Neuchâtel, Pierre Cornu. The SAR noted that most of the recommendations have been implemented, that some recommendations are no longer relevant due to the change in practice for issuing assignments to the FCP and the modalities introduced for discussing resources, and that some recommendations need to be discussed with a view to implementation in the longer term (Strategy of OAG and FCP over four years); an update was not considered necessary;
- Definition of the prioritisation criteria applied by the OAG and the FCP across all sectors. For example, the highest priority is given to cases that pose a risk to public security or where people are detained;
- Discussion of the high-quality basic documents provided by the FCP for the on-call service and the preparation of reports, depending on the area of activity;
- Development of a basis for discussion on the allocation of FCP resources and definition of the role of the SAR if no agreement can be reached;
- Discussion of the resource shortages at the FCP;
- Observation that the FCP are sometimes unable to carry out police investigations, particularly in the area of organised crime, and to submit reports on time due to staff shortages;
- Considerations for improving processes;
- The OAG's needs in relation to cybercrime and the establishment of a Cyber Investigations Unit at the FCP from January 2025;
- Status of proceedings in connection with terrorism and organised crime.

## 4 The OAG's crime policy priorities and goals

The OAG has a range of duties that are laid down by the law and must prosecute all the offences that fall under its jurisdiction *ex officio*. In order to fulfil its mandate, the OAG focuses on fields of crime that allow specialisation in specific subjects, on forming task forces that ensure the cross-departmental sharing of information and knowledge, and on exchanges with partner organisations.

To remain effective and to be able to react to changes in the crime situation, the OAG set the following law enforcement priorities in 2024: organised crime, general economic offences, including international corruption and money laundering, terrorism, international criminal law and cybercrime.

Every year, the OAG reviews its goals and adapts them to the latest developments. In the report year, the following goals were set for 2025:

### Further optimisation of case management

The OAG aims to further optimise the management of cases and thus the fulfilment of its core task by increasing permeability between the sections and divisions in the allocation and management of cases and by promoting cross-departmental knowledge management. Continued consistent operational controlling, the expedited conclusion of old criminal proceedings and the separation of the central, operational support services from the General Secretariat within the framework of a newly created independent section should also contribute to the fulfilment of this goal.

### Strengthening cooperation

In 2025, the focus will be on working with partner authorities at cantonal and federal level. In particular, cooperation with the cantonal prosecution authorities and with the FCP and fedpol will be further intensified. In the case of the FCO and fedpol, this includes organising regular operational briefings and the joint definition of priorities for preliminary investigations in all areas of crime.

### **Promoting professional and leadership skills and cooperation**

Through internal and external programmes, the OAG aims to continuously develop professional and management skills and sharpen the relevant roles.

### **Forging ahead with digitalisation and technological change**

The technological changes already begun in previous years to relieve the burden on the core operating business and optimise internal processes and services will be systematically developed and supplemented where necessary.

## **5 Supervisory authorities**

The OAG is subject to the systemic oversight of a supervisory authority that is also appointed by the Federal Assembly (Supervisory Authority for the Office of the Attorney General of Switzerland, SA-OAG; Art. 23 ff. CJAA). As an independent supervisory authority, the SA-OAG is responsible for defining within the framework of the law which activities of the OAG are to be categorised as systemic. The authority is made up of one judge from the Federal Supreme Court and one judge from the Federal Criminal Court as well as two lawyers licensed to practise at cantonal level and three further specialists. All members perform their duties in the SA-OAG on a part-time basis. In 2024, regular supervisory meetings and inspections again took place.

The OAG also reported to the finance committees and control committees (sub-committees for the courts and the OAG) of the Federal Assembly.

## **6 Contacts in Switzerland and abroad**

In the report year, in addition to contacts through mutual legal assistance proceedings and other work-related matters related to specific cases, numerous personal meetings were held with representatives of the cantons, federal authorities, authorities in other countries and international organisations. These personal exchanges involving the Attorney General, his deputies and other participants make a significant contribution to a better mutual understanding and help to ensure good national and international cooperation.

### **National contacts**

#### Federal Office of Police (fedpol)

Cooperation with fedpol and associated organisational units, primarily the Federal Criminal Police (FCP), the Federal Security Service (FSS), the Directorate for International Police Cooperation (IPC) and the Money Laundering Reporting Office Switzerland (MROS) was also constructive and productive in the report year. Regular contacts and discussions took place not only in relation to operational proceedings, but also at management level. Topics discussed regularly included the shortage of resources available for investigations. Due to a lack of resources at the FCP, the OAG sometimes had to refrain from opening proceedings and was only able to proceed with certain cases thanks to the valuable support of the cantonal police forces. Delayed reports from the FCP also meant that preliminary police investigations into criminal organisations, for example, could not be carried out satisfactorily.

#### Federal Intelligence Service (FIS)

General discussions with the FIS on current events were again held in the report year at various meetings. In addition to these meetings, direct exchanges relating to specific cases took place when required. The FIS is an important partner for the OAG, in particular in relation to terrorism, where it provides its assessment of the threat situation. Its cooperation with the OAG in this field is founded in particular on the TETRA (TErrorist TRacking) concept. This cooperation is efficient, and guarantees a regular and rapid exchange of information. Security-relevant information assists in the early recognition and prevention of threats to internal and external security and must reach the OAG in good time and in the appropriate form in order to have the maximum effect. The interfaces between the FIS's preventive duties and those of prosecutors are recognised; they are each reviewed and discussed in partnership. The official reports issued by the FIS form a crucial basis for opening criminal proceedings.

#### Federal Office of Justice (FOJ)

As the central and supervisory authority in connection with international mutual legal assistance, the FOJ supervises requests received for mutual legal assistance, advises the OAG on its requests for mutual legal assistance and monitors the OAG's compliance with the applicable legislation. The FOJ is also responsible for the procedure for distributing forfeited assets ('sharing').

The staff at the OAG and FOJ are in regular contact, whether on administrative matters or when dealing with basic issues in connection with the conduct of proceedings. Any differences of opinion are settled pragmatically and at the appropriate level. Each authority understands and respects the responsibilities and prerogatives of the other.

#### Federal Department of Foreign Affairs (FDFA)

In cases involving non-European legal systems, the OAG regularly calls on the services of Swiss ambassadors or diplomatic representations to facilitate contact with foreign prosecution authorities. At the same time, the FDFA, in cooperation with the OAG, ensures that official Swiss representations abroad are informed about the OAG's criminal proceedings relating to their host countries to the extent permitted by official and investigative secrecy.

Under Article 3 of the Mutual Assistance Ordinance, the FDFA also plays an important role in cases of political significance. In such cases, the Federal Office of Justice (FOJ) obtains the opinion of the FDFA after receiving a request for mutual legal assistance in criminal matters from another country. Finally, the FDFA also decides on the waiver of the immunity of representatives of foreign states in Switzerland. In the report year, the OAG approached the FDFA with one request of this kind (see p. 18). Another important partner for the OAG within the FDFA is the Directorate of International Law (DIL).

#### Swiss Financial Market Supervisory Authority (FINMA)

Representatives of the OAG and FINMA meet at least once a year to discuss current issues. In order to organise the exchange as efficiently as possible, both authorities have defined *Single Point of Contact* (SPOC) for their cooperation.

In the course of 2024, the OAG received five reports from FINMA, three of which related to the suspected exploitation of insider information (Art. 154 para. 1 Financial Market Infrastructure Act [FinMIA], SR 958.1), one to suspected price manipulation (Art. 155 FinMIA) and one to suspected threatening behaviour (Art. 180 Swiss Criminal Code [SCC]), coercion (Art. 181 SCC) and violence and threats against public authorities and public officials (Art. 285 SCC).

#### Federal Tax Administration (FTA)

The FTA and the OAG continued their close cooperation in 2024. They again made the optimum use of the synergies that result from their respective spheres of activity. For example, as in previous years, the OAG was able to identify potential tax offences. It is the OAG's practice to report such cases systematically to the tax authorities responsible in accordance with the applicable statutory provisions. Conversely, ongoing tax proceedings can uncover practices that are relevant to the duties that the OAG carries out. In order to optimise the reciprocal identification of relevant matters and the related cooperation, the two authorities liaise through their respective SPOC.

#### Swiss Conference of Public Ministries (CPM)

Close cooperation with the CPM and its members is a top priority for the OAG. A highly constructive relationship contributes to ensuring a mutual exchange of information on best practices, the coordination and assertion of common interests and the resolution of unclear legal issues. The fact that the Attorney General has a seat on the board of this organisation is also proof of the importance of this body to the OAG. The CPM encourages uniform practices, which bring legal certainty in criminal law and the law of criminal procedure. It comments on federal legislative projects, issues recommendations, and influences opinion on issues concerning criminal law, the law of criminal procedure and related fields.

#### Conférence latine des procureurs (CLP)

The CLP addresses the French, Italian and Romansh-speaking attorneys general and public prosecutors working for the prosecution authorities in the relevant linguistic regions of Switzerland and for the Confederation, and has the aim of fostering cooperation. Various committees within the CLP deal with current issues in connection with law enforcement. The OAG regards the work of these committees, in which it is actively represented, as highly important. The OAG is also represented, in that one of the deputy Attorneys General is a member of the CLP office.

#### Non-governmental organisations (NGOs)

As part of the governance of the OAG, two meetings were held in the reporting year between the Attorney General of Switzerland and other OAG representatives and representatives of NGOs that are active in the areas of international criminal law and international white-collar crime. The focus of these meetings was in particular on mutual awareness of the respective roles. Naturally, the OAG's ongoing proceedings were not the subject of these meetings.

### **International contacts**

#### International Association of Prosecutors (IAP)

The IAP is an international association of public prosecutors from over 177 countries which has the aim of supporting the setting and improvement of global standards of professional conduct and professional ethics for public prosecutors, promoting the rule of law, fairness, impartiality and respect for human rights, and improving international cooperation in combating serious crime. Stefan Blättler has been a member of the *Executive Committee* of the IAP since September 2023. The OAG is convinced that Swiss law enforcement can benefit from its membership of the committee thanks to the additional international networking.

#### Organisation for Economic Co-operation and Development (OECD)

In June 2024, the plenary meeting of the OECD *Working Group on Bribery* (WGB) took place, at which the OAG was represented. Another plenary session was held in December, at which the Swiss delegation had to report on the progress made in implementing the tougher criminal sanctions against companies and the legislation to protect whistleblowers that the OECD has been calling for for years. The OAG has also repeatedly pointed out that adjustments to the legal situation in this regard are urgently needed.

#### Financial Action Task Force (FATF)

The OAG participates in the work of the FATF in its role as an expert member of the Swiss working group led by the State Secretariat for International Finance (SIF). The OAG submits opinions and drafts proposals based on its expertise as the body responsible for prosecuting the offences of money laundering and terrorism financing. The OAG also coordinates the recording of statistics for the FATF, which are kept both by the OAG itself and by the cantonal prosecution services. In addition, the OAG takes part in the work of the interdepartmental coordination group on combating money laundering and the financing of terrorism (CGMF) and its working groups, which identify and assess risks related to money laundering and terrorism financing at national level on behalf of the Federal Council and under the leadership of the SIF. In this way, the Federal Council is implementing the related FATF recommendation for the national assessment of such risks.

#### NADAL Network

In May 2024, the 15th Conference of the Network of Public Prosecutors or equivalent institutions at the Supreme Judicial Courts of the Member States of the European Union (NADAL Network) was held in Luxembourg. The participants had the opportunity to discuss the current case law on the retention of communications data and its impact on national legislation and criminal proceedings. Also discussed were new European initiatives in the field of law enforcement, the role of Eurojust in the fight against international crime, the challenges facing the European Public Prosecutor's Office in the fight against fraud affecting the financial interests of the European Union and cooperation with the Member States and third countries in this regard. In a presentation, Attorney General Stefan Blättler spoke about how Switzerland, as an EU third country, is tackling the challenges of cooperating with the European Public Prosecutor's Office.

#### Consultative Council of European Prosecutors (CCPE)

In October 2024, the OAG took part in the 19th plenary session of the CCPE in Strasbourg. The CCPE is an advisory body to the Council of Europe's Committee of Ministers and is made up of high-ranking public prosecutors from all member states. It prepares opinions for the Committee of Ministers on issues of relevance to the European public prosecutor's offices, promotes the implementation of recommendations and collects information on the practices of the public prosecutor's offices.

In the reporting year, the CCPE adopted a statement on the management of public prosecutors' offices to ensure their independence and impartiality.

#### Genocide Network

The OAG took part in the 35th and 36th meetings of the Genocide Network (European Network for investigation and prosecution of genocide, crimes against humanity and war crimes) in the report year. This network is a sub-organisation of Eurojust, made up of practitioners in the field of international criminal law from public prosecutors' offices and judicial and police authorities. It offers participants from EU countries and observer states such as Canada, the USA, Norway, Bosnia-Herzegovina, the United Kingdom and Switzerland the opportunity to undergo further specialised training and to exchange experiences and information. The topics of the meetings in the report year included attacks on civilians and civilian properties that are unlawful under international humanitarian law, particularly in Syria, the report of the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory and Israel on its latest findings on attacks on medical facilities and personnel in Gaza, the experiences of the Prosecutor General's Office in Ukraine with investigation and prosecution strategies for unlawful attacks in Ukraine and ensuring access to UNITAD's (*United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL*) evidence to support the prosecution of IS crimes.

## 7 Legal questions and general information for Parliament

### Consultation on the total revision of the Federal Act on Administrative Criminal Law (ACLA)

For several years, the OAG has been calling for an end to its party status in administrative criminal law cases (Art. 24 and 74 para. 1 ACLA, SR 313.0). This change is now going to be made as part of the total revision of administrative criminal law. In the report year, the OAG commented on the relevant consultation draft and welcomed the end to its party status.

However, the OAG rejects the proposal to introduce exclusive federal jurisdiction and power to prosecute under the Embargo Act (EmbA, SR 946.231). Under the existing law, the State Secretariat for Economic Affairs (SECO) is responsible for prosecutions; it can request the OAG to initiate criminal proceedings if the particular seriousness of the offence justifies this (Art. 14 EmbA). The OAG believes that this should continue, especially as the existing provisions are balanced and have proven their value. Prosecution by SECO takes account of the basic maxim of administrative criminal law, according to which the prosecution and adjudication of the offences in question should be the responsibility of the authority specialising in the administrative matter in question. In addition, a new, exclusive power of prosecution in relation to the Embargo Act would lead to a considerable increase in the resources required in the relevant division of the OAG. The OAG reached its conclusion based on the experience gained in the two cases that it took over at SECO's request under the (current) Article 14 paragraph 2 EmbA and which are related to the sanctions against Russia. This experience shows the importance of the investigations carried out by SECO as a specialised administrative prosecution authority that has an overall view of the situation. This makes it possible to assess whether the matter involves a case or offence of particular seriousness that justifies the opening of criminal proceedings by the OAG.

The OAG also takes a critical view of the possibility proposed in the consultation draft for the competent administrative authority to make use of FCP resources for its own administrative criminal proceedings. The OAG has repeatedly pointed out that the FCP already no longer has sufficient resources to deal with the OAG's criminal proceedings or to support the OAG with investigators (see the 2024 Annual Report, p. 9 and p. 10, and the OAG's 2023 Annual Report, p. 9 and 19). It is essential to avoid exacerbating this situation.

The OAG is in principle open to the creation of a 'federal compulsory measures court' as suggested by the cantonal public prosecutors' offices and for making a thorough examination of the advantages and disadvantages of this. The choice of location for such a court is likely to be a major challenge, as the importance of being close to the accused persons concerned, who sometimes have to be transferred from a detention centre or prison, cannot be denied. From the OAG's point of view, another option worth considering would be for the federal government to contribute to funding the appointment of additional staff (over and above the reimbursement of procedural costs) for the cantonal compulsory measures courts who would perform tasks in federal criminal proceedings.

### Consultation on the amendment of the Aviation Act (AviA)

The implementation of several parliamentary initiatives has led to a need for amendments to the Aviation Act (AviA). The related consultation was carried out in the second half of the report year. Of particular importance to the OAG is Motion 18.3700<sup>3</sup> from National Councillor Martin Candinas, which calls for more far-reaching federal criminal jurisdiction. Article 98 AviA is to be amended so that in future all criminal offences committed on board an aircraft and all other criminal offences in connection with aviation that compromise the safety of air traffic or endanger people and property on the ground will be prosecuted and adjudicated by the OAG. As before, this does not apply to minor offences, whose prosecution and adjudication remain the responsibility of the Federal Office of Civil Aviation (FOCA) in accordance with Article 98 paragraph 2 AviA. The OAG welcomes this amendment to the AviA. It allows the expertise required for such cases to be pooled in one place and procedures to be conducted more efficiently, and ensures uniformity in the case law (see OAG 2018 Annual Report, p. 9).

3 Motion 18.3700 'Transferring criminal jurisdiction for aviation accidents and serious incidents to the federal government', submitted on 15 June 2018

### **Appeal to the Federal Supreme Court regarding a decision by the Higher Appeals Chamber of the Federal Criminal Court on special OAG public prosecutors**

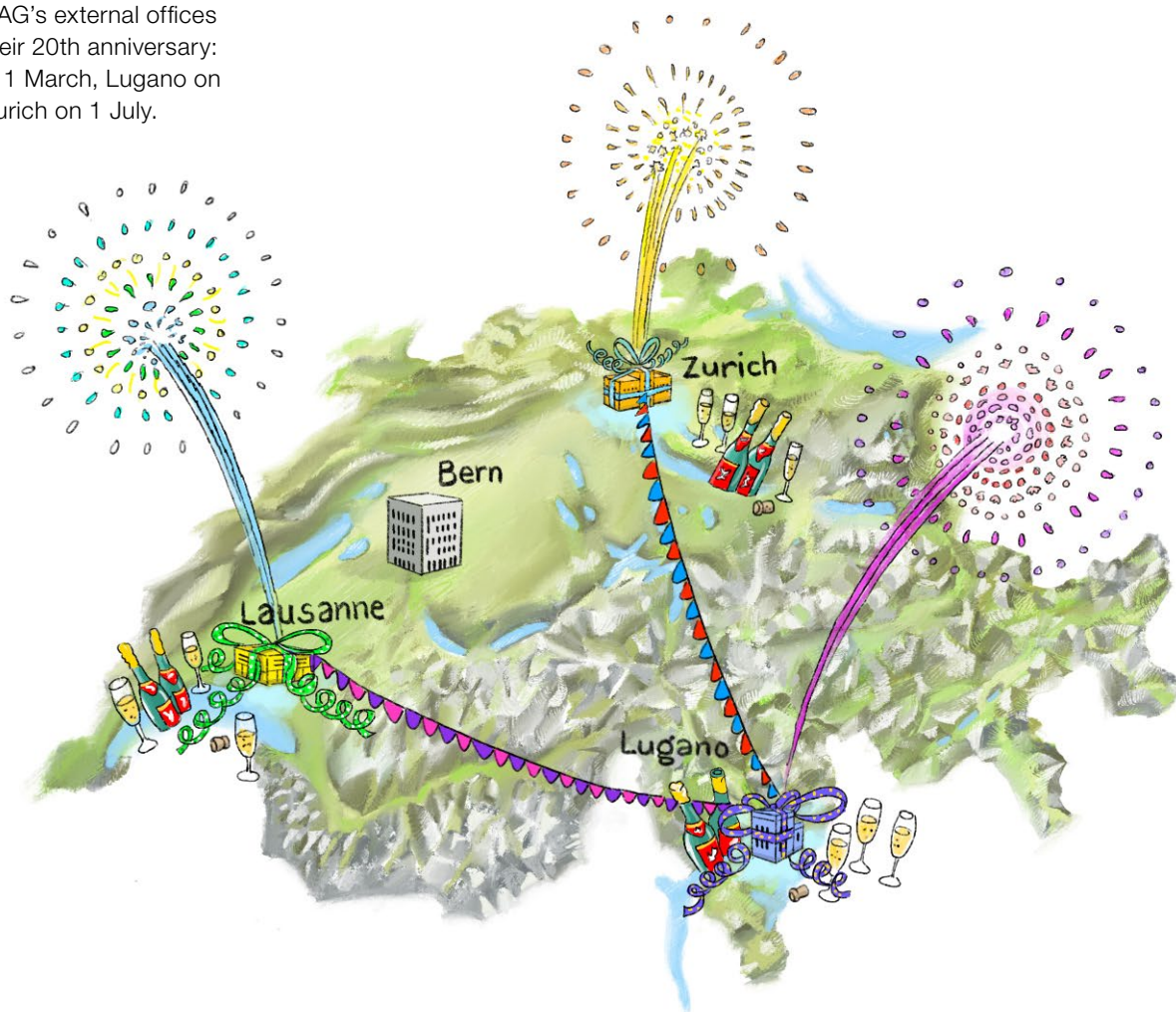
In its decision CA.2021.18 of 15 February 2024, the Higher Appeals Chamber of the Federal Criminal Court found that the OAG had no formal legal basis for appointing special public prosecutors. The OAG was therefore instructed to appoint a new, ordinary federal prosecutor for the case in question. Despite ruling against his appointment by the OAG, the court did not find that the procedural acts carried out by the OAG's special public prosecutor were null and void.

The Higher Appeals Chamber's decision is particularly surprising because in the past ten years, none of the three chambers of the Federal Criminal Court or indeed the Federal Supreme Court have ques-

tioned the special prosecutors appointed by the OAG in its proceedings. When appointing special prosecutors to conduct OAG proceedings, the OAG relies in particular on Articles 9 and 16 of the Criminal Justice Authorities Act (CJAA). Parliament deliberately chose not to create different categories of public prosecutors in the CJAA. Rather, it gave the Attorney General a high degree of organisational discretion and left him free to create different categories of public prosecutors in order to be able to react flexibly and quickly to the requirements of law enforcement (dispatch on the CJAA, BBI 2008 8125, p. 8152). The OAG needs a final decision in order to have clarity for the future. It has therefore filed an appeal with the Federal Supreme Court against the decision in question by the Higher Appeals Chamber. At the time of publication of this Report, the Federal Supreme Court has not yet handed down its judgment.

### **Twentieth anniversary**

The OAG is present in all parts of the country. During the year under review, the OAG's external offices celebrated their 20th anniversary: Lausanne on 1 March, Lugano on 1 April and Zurich on 1 July.





# **Work of the individual divisions in the various fields of crime**

# 1 National Security and Organised Crime Division (SK<sup>4</sup>)

Once again in the report year, the National Security and Organised Crime Division has been dealing with a consistently high number of cases in a wide variety of legal fields. Its responsibilities range from the entire catalogue of 'classic crimes against the state' in accordance with Article 23 paragraph 1 CrimPC, through offences related to aviation (Art. 90 AviA) and other specific fields of legislation, such as that on dual-use goods, war materiel, sanctions and nuclear energy legislation, to offences related to organised crime under Article 260<sup>ter</sup> SCC. In addition, the SK Division deals with mutual legal assistance proceedings where these are related to criminal proceedings that it is conducting or where they involve covert investigations.

The SK Division provides an on-call service all year round for the entire OAG. As a result of the experience that it has gained in on-call cases, various (assistant) federal prosecutors are involved in the OAG's terrorism task force (EOT<sup>5</sup>).

In the SK Division, the key factors for efficient and credible prosecution include well-coordinated processes, case- and subject-specific resource allocation and good cooperation with federal and cantonal partner authorities that allows it to carry out its duties and ensure constant operational readiness.

## 1.1 Field of crime National Security (ST<sup>6</sup>)

Under the heading of national security, the OAG deals with all cases that directly affect the national interest. This encompasses a broad range of criminal activity. Employees working in this field of crime have again in the report year been conducting proceedings, filing indictments and securing decisive court judgments in cases ranging from political or industrial espionage, prohibited acts by a foreign state, official secrecy offences and counterfeiting money, to aircraft accidents, misconduct in public office and even offences related to protection from radiation.

The caseload in this field of crime remained high, with more than 1000 cases received. The same applies to the completion rate – in 2024, for example, 307 summary penalty orders were issued and 647 of the 753 new bulk business cases (counterfeit money, offences against public officials, explosives, etc.) have already been processed.

### **Explosives attack in Basel (Bruderholz District): appeal hearing in March 2024 before the Federal Criminal Court**

In this case, the OAG is accusing two Swiss citizens of carrying out a bomb attack on a residential property in Basel and of subsequently travelling to Stuttgart in order to purchase explosives there for further bomb attacks in the Basel area. According to the indictment, the motive for both offences was that the accused planned to extort money from potential victims. In its judgment of 27 November 2023 (SK.2023.33), the Criminal Chamber of the Federal Criminal Court largely upheld the terms of the OAG's indictment and sentenced the two accused to 60- and 74-months' imprisonment respectively.

The appeal hearing before the Higher Appeals Chamber was held in March 2024. In its judgment of 4 April 2024 (CA.2023.32, as reported in the press release made by the Federal Criminal Court on 8.4.2024), the court upheld the guilty verdicts handed down by the court of first instance and the acquittal on one count. It also convicted one of the two defendants of unlawful possession of weapons, increased the length of the prison sentences from 60 to 64 months and from 74 to 84 months respectively and also imposed a monetary penalty. At the time of publication of this Report, the judgment of the Appeals Chamber was final with regard to one of the two accused and pending before the Federal Supreme Court with regard to the other accused.

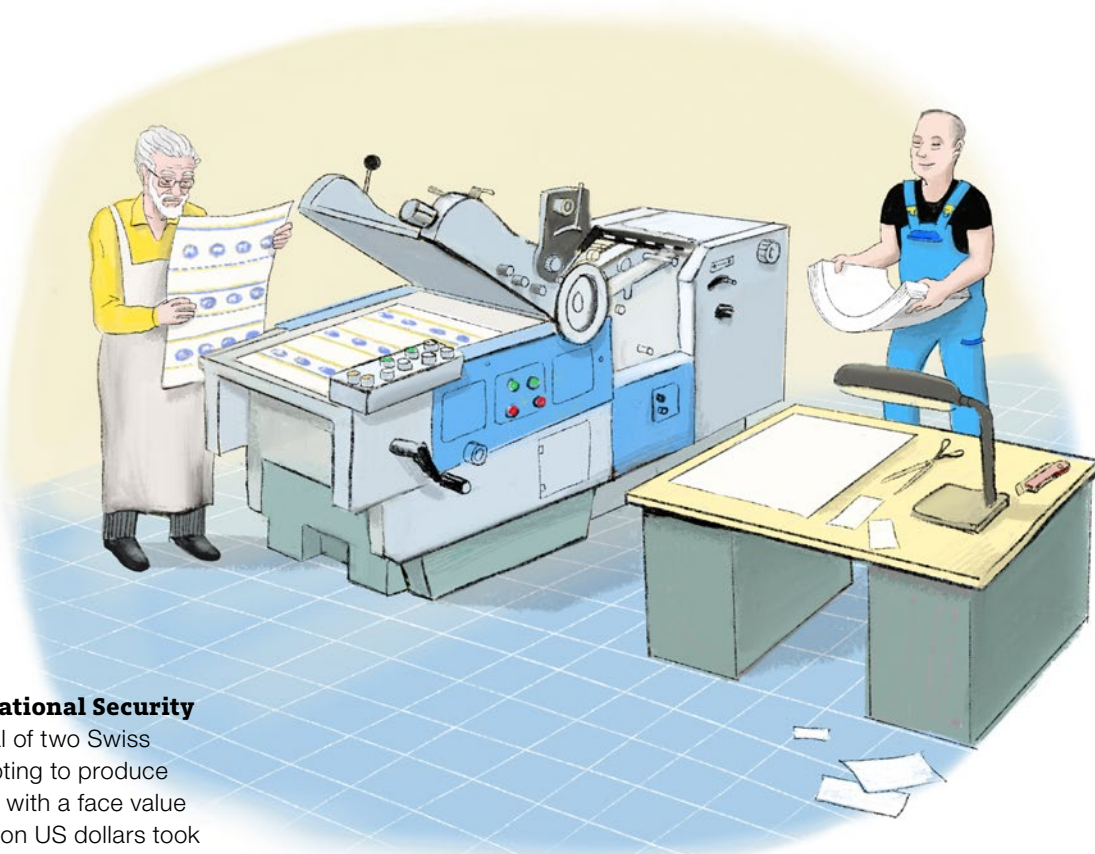
### **Attacks on ATMs**

As of the end of 2024, the OAG was conducting criminal proceedings relating to around 100 cases of attacks using explosives on ATMs in Switzerland: the number of cases has been increasing for several years. Investigations in these cases are time-consuming and resource-intensive. This is primarily because the perpetrators usually operate across borders and therefore many investigations can only be carried out with the aid of international mutual legal assistance. In recent years, however, the OAG has already shown that it is capable of success-

4 Abbreviation of the German term 'Staatsschutz und Kriminelle Organisationen'

5 Abbreviation of the German term 'Einsatzorganisation Terror'

6 Abbreviation of the German term 'Staatsschutz'



### Field of crime National Security

In July 2024, a trial of two Swiss citizens for attempting to produce counterfeit money with a face value of at least five million US dollars took place (see p. 18).

fully combating this cross-border phenomenon by conducting various successful investigations and securing convictions in the courts. This is achieved in particular through close and intensified cooperation with its national and international partner authorities.

Investing in this cooperation is one of the key factors for success in these criminal proceedings. This was exemplified by an international operation in September 2024, in which the OAG and fedpol made a significant contribution to the successful outcome. In this operation, several suspected members of an internationally active criminal group were arrested in France. According to current findings in the investigation, the group could be linked to around ten ATM attacks in Switzerland.

In the case of an ATM attack in Sevelen in 2019, which the OAG brought to court in 2021, the OAG filed an appeal with the Federal Supreme Court. In the court of first instance, the accused, a Romanian citizen, was found guilty (Judgment SK.2021.45), but on appeal, he was acquitted *in dubio pro reo* (Judgment CA.2022.2). While the appeal proceedings before the Federal Supreme Court were still pending, the co-accused made new statements in his separate court proceedings that incriminated the accused. On the basis of these new statements, the OAG applied to the Federal Supreme

Court to suspend the pending appeal and at the same time submitted a request for a review to the Higher Appeals Chamber of the Federal Criminal Court. The Federal Supreme Court granted the OAG's request and suspended the appeal proceedings pending the outcome of the review proceedings. The Higher Appeals Chamber of the Federal Criminal Court (as the reviewing authority, with different judges) upheld the OAG's request for a review on points of law, quashed its earlier judgment and referred the case back for further consideration and assessment. Accordingly, the appeal proceedings before the Federal Supreme Court were abandoned as they no longer served any purpose. In October 2024, a new appeal hearing was held in the resumed appeal proceedings and, among other procedures, the co-accused was examined as a witness. In its judgment of 31 October 2024, the Appeals Chamber upheld the request of the OAG and found the accused guilty of blowing up an ATM in Sevelen, sentencing him to 66 months' imprisonment (CA.2024.19).

In the course of criminal proceedings in relation to ATM attacks in recent years, it has also become apparent that there are links between various cases and suspects. An important aim of the related investigations carried out by the OAG and fedpol is therefore to identify the networks of perpetrators in order to be able to take the most effective action possible against this entire phenomenon. Against this background, the OAG opened its first criminal proceedings based on Article 260<sup>ter</sup> SCC (criminal and terrorist organisations) in relation to ATM attacks in 2024.

### **Professional counterfeiting workshop in the canton of Zurich: Proceedings before the Federal Criminal Court**

In March 2024, the OAG filed an indictment in the Federal Criminal Court against two Swiss men, one aged 72, the other 49. The OAG accuses them of having jointly set up and operated a highly professional workshop for counterfeiting banknotes in the canton of Zurich. The aim was to produce counterfeit 50-dollar notes with a total face value of at least USD 5 million, and then to put them into circulation. The 49-year-old defendant is also accused of unlawfully producing narcotics and of being in possession of various types of prohibited cannabis products (drug hemp) weighing almost 300 kilograms.

The main hearing before the Federal Criminal Court took place in July 2024. In its judgment of 2 July 2024 (SK.2024.21), the Criminal Chamber found the two accused guilty and sentenced them to prison terms of 48 and 52 months respectively, which was almost entirely in line with the OAG's requests. The judgment was not yet legally binding at the time of publication of this Report.

### **Several cases and requests for mutual legal assistance based on Art. 27 CrimPC**

The National Security Unit is also responsible for criminal proceedings based on Article 27 paragraph 2 of the Criminal Procedure Code (CrimPC). Under this article of the law, where offences have been committed in whole or in part in several cantons or abroad and where it has not yet been determined whether the case falls under federal or cantonal jurisdiction, the initial investigations may be carried out by the federal criminal authorities. This provision enables the OAG to quickly instigate criminal proceedings and initial enquiries if there are clear indications of a criminal offence – in particular involving drugs trafficking – on Swiss territory. The OAG opens and conducts several such cases each year, including in this report year. In 2024, for example, the OAG successfully conducted proceedings of this kind with fedpol and the French authorities for the first time in connection with a Chechen trafficking gang. Other examples in the report year relate to criminal and mutual legal assistance proceedings conducted by the National Security Unit as part of an internationally coordinated operation by Germany, Italy and Switzerland against an international trafficking network.

### **Several cases involving allegations of electoral fraud**

In the report year, the OAG announced that it was conducting several cases involving suspicions of electoral fraud (Art. 282 SCC). Under the law, the OAG has jurisdiction over electoral fraud cases in connection with initiatives and/or referendums at federal level (Art. 23 para. 1 let. h CrimPC), while the cantons are responsible for cantonal votes, referendums or initiatives. The OAG generally works closely with the cantons.

At the time of publication of this report, the relevant proceedings were still ongoing against various natural persons and against persons yet to be identified. In addition, the OAG and fedpol carried out various compulsory measures in the report year, including house searches and interviews with suspects and witnesses. The cases concerned focus on the question of whether systematic electoral fraud has been carried out by certain individuals and/or companies.

### **Cases involving political espionage and other political offences**

While there is a great deal of public interest in cases in this area for understandable reasons, the investigations themselves regularly require greater discretion or secrecy than in certain other matters that fall under the OAG's jurisdiction. The cases in question can have an impact on the political scene of potentially nationwide dimensions. Accordingly, the prosecution of political offences requires authorisation from the Federal Department of Justice and Police (FDJP). The question of which offences should be defined as political is not conclusively regulated, but these offences are not limited to those under Title 13 of the SCC (e.g. Art. 272 SCC, political espionage). Other crimes may also be regarded as political offences if they violate or threaten Switzerland's fundamental interests or if their prosecution affects Switzerland's political interests. The question of whether a political offence has been committed must be examined in the light of the circumstances of the case in question.

It is important for the OAG to communicate as transparently as possible in this area of its responsibility as well, while always safeguarding its position in the case concerned, which is also in the public interest. This was the case, for example, in the report year in proceedings that it had initially opened against two individuals – one on suspicion of violating the War Materiel Act and the Embargo Act and the other on suspicion of violating the Goods Control Act and the Embargo Act. In the case of a third person, the OAG had also requested a decision from the Federal Department of Foreign Affairs (FDFA) concerning the waiver of his immunity. The FDFA informed

the OAG that this person's diplomatic immunity in relation to the offences in question had lapsed as he had left Switzerland for good. The OAG therefore extended the relevant criminal proceedings against the two original suspects to include this third person on suspicion of violating the War Materiel Act, the Goods Control Act and the Embargo Act. It also issued a national alert for the arrest of the third suspect. The case in question was still ongoing at the time of publication of this report.

### **Criminal proceedings in connection with the war of aggression in Ukraine**

The task force set up by the Attorney General in March 2022 in connection with the war of aggression in Ukraine continued its work. In the field of crime Nationale Security, several proceedings are being conducted in this context, often in close cooperation with other OAG divisions. These include, for example, proceedings that the OAG had taken over from SECO in connection with suspected sanctions violations by a Swiss company via subsidiaries abroad.

In a further case that the OAG also took over from SECO, the OAG and fedpol, working with the relevant cantonal police forces, carried out eight house searches in the cantons of Lucerne, Zug and Nidwalden in the report year. These proceedings include an investigation into potential violations of Article 15 of the Ordinance on Measures in Connection with the Situation in Ukraine (SR 946.231.176.72) in conjunction with the Embargo Act. Article 15 regulates the freezing of funds and economic resources within the framework of the said ordinance. Further detailed investigations carried out by the OAG and fedpol as part of these criminal proceedings enabled SECO to order the super-provisional freezing of assets totalling over CHF 1.3 billion, a matter which remained within its jurisdiction. Both cases were still ongoing at the time that this report was published.

### **Assassination of an Egyptian diplomat in Geneva in 1995: proceedings before the Federal Criminal Court**

In November 1995, the then deputy head of the trade office of the Egyptian mission to Geneva was shot dead in a car park. The OAG opened criminal proceedings, which had to be suspended in 2009 because the perpetrators could not be identified. Based on new evidence, the OAG reopened the case in 2018 and in August 2024 filed charges in the Federal Criminal Court against a 54-year-old man, a dual citizen of the Ivory Coast and Italy, and a 49-year-old Swiss-Italian woman. The main hearing before the Federal Criminal Court took place in December 2024 and January 2025.

### **Close and continual exchange with numerous cantonal and national agencies**

The broad spectrum of matters dealt with in the field of national security necessitates a close and continuous exchange with an equally large number of cantonal and national authorities, bodies and agencies. For example, agents in the National Security Unit have again been working closely this year with the Forensic Institute Zurich (FOR), which is one of their most important partner authorities, particularly in relation to explosives offences. The increasing number of attacks on ATMs have also led to intensified cooperation with the cantonal police forces and prosecution services. The OAG regards this cooperation as highly constructive and it should be expanded and strengthened in the future.

In relation to aircraft accidents, the OAG is set to receive far-reaching powers as a result of Motion 18.3700<sup>7</sup> from National Council member Martin Candinas (see p. 13). As a consequence, the report year saw a particularly high number of discussions take place with the cantonal authorities as well as with the Swiss Transportation Safety Investigation Board (STSB) and the Federal Office of Civil Aviation (FOCA). The OAG will continue to focus closely on these exchanges in the coming year.

Otherwise, in 2024 the staff in this field of crime once again also worked closely with other authorities, such as SECO, fedpol and the FIS.

<sup>7</sup> Motion 18.3700 'Transferring criminal jurisdiction for aviation accidents and serious incidents to the federal government', submitted on 15 June 2018

<b>Requests for authorisation filed by the OAG in 2024</b>	Number	Authorisation granted	Authorisation refused	Application no longer relevant	Declaratory ruling	Decision pending
Requests for authorisation to prosecute						
To the GS-FDJP pursuant to Art. 15 GLA	1	1 + 2*	0	0	0	0
To the GS-FDJP pursuant to Art. 66 para. 1 CJAA (incl. Art. 302 SCC)	15	4 + 1*	0	0	8	3
To parliamentary committees pursuant to Art. 17/17a ParlA	1	0	0	0	0	1
To the Office of the Armed Forces Attorney General pursuant to Art. 219 para. 2 MCC and Art. 101a para. 1 MCJO	0	0	0	0	0	0
<b>Total</b>	<b>17</b>	<b>5 + 3*</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>4</b>

\* In the report year, three decisions were taken relating to several pending applications from 2023.

## Offences prosecuted on official authorisation

### Prosecution of federal employees/members of the Federal Assembly

The prosecution of federal employees for offences related to their official activities or position (but not including road traffic offences) requires authorisation from the FDJP pursuant to Article 15 of the Government Liability Act (GLA, SR 170.32).

In principle, preliminary proceedings are only instigated if authorisation is given, although precautionary measures that cannot be delayed may be taken beforehand (Art. 303 CrimPC). According to the case law of the Federal Supreme Court, authorisation can however be obtained at any time before the start of the appeal proceedings, provided the appeal authority has full legal and factual rights of review (Judgment 6B\_142/2012 E. 2.5. of 28.2.2013).

In the case of members of public authorities and senior federal officials appointed by the Federal Assembly, the competent committees of both Councils, i. e. the Immunity Committee of the National Council and the Legal Affairs Committee of the Council of States, decide whether to grant authorisation (see Art. 14 ff. GLA). Likewise, the prosecution of members of the Federal Assembly for criminal offences that are directly connected with their official position or activity requires the authorisation of the competent committees of both Councils (Art. 17 para. 1 Parliament Act, ParlA, SR 171.10).

### Prosecution of political offences

Under Article 66 paragraph 1 CJAA, the prosecution of political offences requires authorisation from the Federal Council. There are cases in which political interests – in particular foreign policy interests – outweigh the interest in prosecution, with the result that the national government is permitted to intervene by way of exception. The Federal Council has delegated the power of authorisation to the FDJP (Art. 3 let. a FDJP Organisation Ordinance, SR 172.213.1). In cases that involve foreign relations, the FDJP decides after consulting the FDFA; it can refer cases of particular importance to the Federal Council. When authorisation under Article 66 CJAA has been granted, authorisation from the FDJP under the GLA is also deemed to be issued (Art. 7 of the Ordinance to the GLA, SR 170.321) (see table above).



## 1.2 Field of crime

### Organised Crime (KO<sup>8</sup>)

In the report year, the OAG continued its efforts to combat organised crime, working closely with partners at national and international levels. The introduction of comprehensive and effective regulations under Swiss criminal law on accused persons who turn state's evidence ('Crown witnesses') remains a topical issue.

A favourable geographical location, a stable economy and an attractive financial centre: Switzerland is also an interesting region for criminal organisations looking to pursue their legal and illegal interests. The fight against these organisations is one of the OAG's strategic priorities: a commitment that requires a high degree of coordination with partners at national and international level. In relation to combating organised crime, the OAG's proactive role in encouraging dialogue with partner authorities in Switzerland and abroad continued in 2024.

#### Dialogue at national and international levels

At a national level, work continued to strengthen cooperation with the cantons, which are indispensable partners in the fight against organised crime. The dialogue and exchange of information enables efficient coordination between law enforcement agencies and other authorities that are in a position to see signs of the presence of organised crime. This goal is being pursued at national

level by special working groups that have been set up under the auspices of the Swiss Conference of Public Ministries (CPM) and the *Conférence latine des procureurs* (CLP). In 2023, the OAG proactively supported the reactivation of the working group within the CPM. In May 2024, a working day dedicated to exchanging information and best practices between the partners present was held at the OAG's headquarters in Bern.

In November 2024, Federal Councillor Beat Jans instructed fedpol to draw up a national strategy to combat organised crime in Switzerland. This strategy will outline the fields of action and objectives and define the framework for existing and future measures. The OAG welcomes this initiative and will participate in the development of the new strategy with fedpol and the other authorities involved.

Dialogue and cooperation with the cantonal authorities, who often have to deal with organised crime directly on the ground, are of crucial importance. In September 2024, the OAG carried out nine house searches in close cooperation with fedpol and the cantonal police forces in Lucerne and Basel. Six people were arrested. The operation took place as part of criminal proceedings initiated by the OAG against several natural persons suspected of participating in or supporting a criminal organisation (Art. 260<sup>ter</sup> SCC), aggravated money laundering (Art. 305<sup>bis</sup> para. 2 SCC) and aggravated offences under the Narcotics Act (Art. 19 para. 2 NarCA).

8 Abbreviation of the German term 'Kriminelle Organisationen'



#### Field of crime Organised Crime

As part of criminal proceedings initiated by the OAG against several natural persons suspected of participating in or supporting a criminal organisation, aggravated money laundering and aggravated offences under the Narcotics Act, the OAG carried out, in September 2024, nine house searches in close cooperation with fedpol and the cantonal police forces in Lucerne and Basel.

The criminal proceedings have not yet been concluded and the accused must therefore benefit from the presumption of innocence.

The OAG is conducting various proceedings against criminal gangs associated with the various Mafia organisations, most of which are of Italian origin. The dynamism and international reach of these organisations mean that a continuous exchange with partner authorities abroad is needed. In this context, the National Directorate for Anti-Mafia and Counter-Terrorism (*Direzione Nazionale Antimafia e Antiterrorismo, DNAA*) is an indispensable partner to the OAG, alongside the various Italian anti-Mafia district directorates, with which valuable and strategically important collaboration has been established over the years, both for exchanging information and for facilitating and coordinating the related investigations. The dialogue with the DNAA continued in 2024, with an official meeting taking place in Rome in June.

Ongoing contact is also important at an operational level, particularly in connection with the investigative activities carried out by the joint investigation teams (JIT). For example, fedpol carried out six house searches on 21 June 2024 on behalf of the OAG and with the support of the cantonal police forces in Zurich, Thurgau and Bern in response to a request for mutual legal assistance from the public prosecutor's office in Catanzaro in Italy. In this context, parallel criminal proceedings conducted by the OAG in connection with suspicions of supporting or participating in a criminal organisation (Art. 260<sup>ter</sup> SCC) are still ongoing.

### **Rules are necessary on Crown witnesses**

The lack of comprehensive and effective legislation for the protection of criminals who turn state's evidence ('Crown witnesses') in Swiss criminal law is an issue that Attorney General Stefan Blättler has repeatedly raised. The parliamentary debate will continue, in particular with the postulates 23.4008 (adopted by the National Council) and 23.4317 (adopted by the Council of States). At the same time, the OAG is conducting its own analysis and comparing the experiences of various countries, including Italy, France and Germany. These have shown how the testimony of Crown witnesses can play a key role in the fight against the Mafia. In particular, introducing the concept of the Crown witness into the Swiss legal system would help to break criminal organisations apart from within. The ability to see the organisation 'from the inside' would certainly ensure improved assistance with investigations and a guarantee of success in court proceedings. The evidence given by a Crown witness must always be assessed by the court with regard to its authenticity, reliability, novelty and completeness.

The importance of the contribution Crown witnesses can make was demonstrated several years ago by the OAG in proceedings against several accused for supporting or participating in a criminal organisation (Art. 260<sup>ter</sup> SCC). In this case, statements from Italian Crown witnesses were withheld during the investigation phase and in compliance with the right to be heard. The statements were then included in the indictment that the OAG filed in the Criminal Chamber of the Federal Criminal Court. During the hearing, the court conducted a hearing in which the Crown witnesses were questioned by video conference call as persons providing information in the presence of the parties.

### **International cooperation: a great success**

Since 2016, the OAG has been conducting a case relating to allegations of supporting or participating in a criminal organisation (Art. 260<sup>ter</sup> SCC). In the course of the investigation, the criminal proceedings were extended to include a final total of six suspects. In 2023, the OAG issued an order separating the case against three of the six individuals originally charged from the original proceedings. Prosecution was then delegated to the Italian authorities as part of an investigation known as 'Operation Imponimento'. On 19 June 2024, the court in Lamezia Terme handed down the first-instance judgment and sentenced one of the three people originally charged in the OAG proceedings to 17 years' imprisonment. This first-instance conviction was the result of close cooperation between the OAG and the public prosecutor's office of the Court of Catanzaro and was based in particular on the evidence obtained during the criminal proceedings conducted by the OAG. The judgment underlines the cross-border and international dimension of Mafia cases and the importance of cooperation between law enforcement authorities in the fight against organised crime, as well as the important role of the OAG in this strategically relevant area.

## 2 White-Collar Crime Division (WiKri<sup>9</sup>)

Enormous volumes of data, the international dimension of the cases, highly complex crimes and the large number of people involved, not to mention a keen media interest: they all shape the character of the largest division within the OAG and the challenges it faces.

The Wikri Division is responsible for all serious forms of international and intercantonal economic crime. These include cases of international corruption and money laundering and other economic offences of national or international significance that fall within federal jurisdiction. In addition, the Division also conducts criminal proceedings related to stock market offences (insider dealing, market manipulation). The Division has staff at all the OAG's office locations (Bern, Lausanne, Lugano, and Zurich).

Just one search of a house or business can leave the OAG with the task of dealing with an enormous volume of data that must be assessed in complex analyses. Regularly, cases also involve the sealing of data. In order to speed up the unsealing procedures in the compulsory measures court, which previously could take up to several years, the grounds for sealing were restricted and the time limits shortened with the introduction of the revised Criminal Procedure Code on 1 January 2024. The OAG has already seen the benefit of the new provisions in certain cases. However, it is still too early to assess the impact of all the changes introduced in the revised Criminal Procedure Code.

### International nature of proceedings and multiplicity of persons implicated

The white-collar crime cases that the OAG handles are characterised by their international dimension, which makes the investigations extremely complex and time-consuming. In almost every case, the OAG has to request international mutual legal assistance. Consideration must be given to the fact that other countries have different legal systems: for example, in some countries a specific factual circumstance might not be assessed in the same way as it would in Switzerland. Added to this, certain countries, for various reasons, may have little or no interest in granting mutual legal assistance.

In white-collar crime cases there are often many parties implicated in the proceedings, and there are often several suspects under investigation. Furthermore, in some cases there are a large number of victims both in Switzerland and abroad, sometimes well over a thousand, who may wish to become private claimants, depending on the case. Investigating the circumstances requires numerous interviews with suspects and witnesses, and rights of participation must be respected, which can also lead to logistical challenges.

In order to meet all these challenges, which contribute to ensuring that criminal proceedings related to white-collar offences often last a long time, the Division relies on synergies: cooperation with partners within and outside the OAG, at national and international level, is indispensable, as is flexibility in the use of resources. The need to develop new instruments that facilitate the investigation and prosecution of international corruption and money laundering in cross-border case complexes is imperative.

### 2.1 Field of crime General white-collar crime (AW<sup>10</sup>)

The field of general white-collar crime encompasses proceedings involving financial market offences (market abuse), which fall within the exclusive jurisdiction of the Confederation. It also covers international or intercantonal offences against property and of forgery of documents.

In relation to cases of market abuse, federal jurisdiction makes it possible to specialise in cases with high technical complexity and use analysts with specific expertise in financial markets. When dealing with these cases, cooperation with FINMA is especially close in order to exploit the available synergies and optimise the way in which the proceedings are conducted on both sides.

At an international level, cooperation among prosecution authorities is made easier in cases of market abuse by the fact that jurisdiction is often mutually exclusive. In its prosecutions, the OAG focuses on the prosecution of insider offences, both by individual offenders and by 'insider rings'.

In relation to offences against property, the OAG deals with cases that have a predominantly international or intercantonal dimension. These are proceedings where federal jurisdiction is optional or, where there is downstream money laundering, mandatory. Where jurisdiction is optional, the OAG follows the principle of the primacy of cantonal jurisdiction. The cases that the OAG takes over relate primarily to economic offences committed as part of a series which pose special challenges,

<sup>9</sup> Abbreviation of the German term 'Wirtschaftskriminalität'

<sup>10</sup> Abbreviation of the German term 'Allgemeine Wirtschaftskriminalität'

particularly in view of the number of victims. The OAG has developed strategies and instruments to cope with these challenges. In addition, the OAG has implemented measures to deal with the constant advance of digitalisation.

### **Former asset manager of a Geneva private bank and his wife indicted in the Federal Criminal Court**

In the report year, the OAG filed an indictment in the Federal Criminal Court charging a former asset manager and former board member of a Geneva private bank with property and document offences in a complex case with international dimensions. The accused is alleged, between 2009 and 2015, to have misappropriated assets amounting to CHF 14 million entrusted to him by a client. He is said to have used the assets in particular to finance his family's lifestyle, to make various investments, including in the Dominican Republic, and to take out loans. In order to conceal the unauthorised withdrawals, the accused allegedly presented his customer with falsified bank account statements. In addition, according to the indictment, he allegedly identified himself as the beneficial owner of the assets, contrary to reality. Finally, the accused is alleged to have repatriated assets that he was holding unlawfully from the Dominican Republic to three bank accounts in Switzerland.

For all these reasons, the OAG filed charges of repeated aggravated misappropriation (Art. 138 para. 1 and para. 2 SCC), repeated serious criminal mismanagement (Art. 158 para. 1 para. 3 SCC), forgery of documents (Art. 251 para. 1 SCC) and repeated money laundering (Art. 305<sup>bis</sup> SCC). As the wife of the accused made cash withdrawals when she was already aware of the proceedings and the allegations against her husband, she has also been charged with repeated money laundering. The accused must be presumed innocent until a final judgment is pronounced.

### **FinMIA revision: improved prevention, detection and prosecution of share price manipulation and insider offences**

The consultations on the amendment to the Financial Market Infrastructure Act (FinMIA) took place in the report year. The revision of the law is intended to take account of technological progress and the developments that have taken place in international standards and foreign legal systems. In addition, various regulations are to be simplified and existing legal uncertainties clarified.

The OAG generally welcomes the changes that directly affect its procedures, in particular authorisation for the use of 'GovWare' and covert investigations. 'GovWare' should help in creating more effective flows of information. Covert investigations would facilitate the identification of the possible insider source by making it easier to establish the suspect's social contacts. Both aspects would simplify investigations into insider offences and share price manipulation.

In its contribution to the consultations, the OAG also considers it positive that the categories of offenders in insider offences are to be simplified by doing away with 'tertiary insiders'. This will allow approximation to EU law, increase legal certainty and put an end to the excessively low penalties for tertiary insiders.

The OAG also welcomes the proposed extension of the aggravated market abuse offences. Whereas an aggravated offence currently requires a financial advantage of more than CHF 1 million to be obtained, this is to be set at CHF 500,000 in the future; offences committed on a commercial basis or as part of a group will also be regarded as aggravated.

However, the OAG has called for the aggravated insider offence to cover all types of insiders and not just the 'primary insider', as is currently the case. As the potential for secondary and tertiary insiders to cause damage to the market is just as high (particularly in the case of 'insider rings'), the aggravated insider offence should also be extended to these categories or, under the new law, to secondary insiders.

Another OAG requirement concerns the amendment or cancellation of an order on the basis of insider information. The draft bill provides for amending or cancelling an order to be an administrative law insider offence in future. The OAG is calling for the amendment or cancellation of an order based on insider information to be expressly covered by criminal law in future. This is the only way to bring certainty to the legal position and avoid circumvention of the insider trading ban.

## 2.2 Field of crime

### Money laundering (GW<sup>11</sup>)

At the OAG, money laundering is a field of crime that primarily covers all significant money laundering cases with cross-border character in which the predicate offence to the money laundering is normally corruption and or in certain cases fraud, the offence was committed abroad and the laundering of the proceeds from the offence is mainly carried out abroad. This last-mentioned criterion provides the grounds for federal jurisdiction (Art. 24 para. 1 let. a CrimPC).

The cases that the OAG handles normally originate from reports filed by the Money Laundering Reporting Office Switzerland (MROS), to which financial intermediaries submit reports of suspicious transactions. Most cases follow a pattern that has been observed for years, in which assets of criminal origin that have been brought into Switzerland have already been laundered or 'pre-laundered' in numerous transactions that often fall under the jurisdiction of many different foreign authorities.

These two components – a predicate offence abroad and 'pre-laundering' abroad – pose a considerable challenge when it comes to the duration of the investigations and the outcome of the case, both of which are heavily dependent on the mutual legal assistance granted by the countries involved.

In particular the difficulty of obtaining proof of the predicate offence abroad can become an insurmountable obstacle, especially if the country concerned fails to provide the OAG with the mutual legal assistance requested, only does so in part, or fails to do so within a reasonable time. The situation is also difficult if no investigations are being carried out in the country concerned. However, it should be pointed out that the prosecution or conviction of the perpetrators in the country in which the predicate offence was committed is not a mandatory requirement.

These special features and the ever more complex methods that money launderers use also require considerable resources when it comes to financial analysis. This is especially the case if it is not only the money laundering that is subject to criminal proceedings, but assets of criminal origin are also to be forfeited in order to abide by the principle that crime should not pay.

### 1MDB case: Criminal court convicts two managing directors of Petrosaudi

On 28 August 2024, the Criminal Chamber of the Federal Criminal Court issued its judgment in case SK.2023.24 and sentenced two managing directors of Petrosaudi respectively to six and seven years in prison for misappropriating more than USD 1.8 billion from the Malaysian sovereign wealth fund 1Malaysia Development Berhad (1MDB). They were found guilty of fraud, complicity in criminal mismanagement and aggravated money laundering.

The court found that the two accused, together with representatives of 1MDB, orchestrated a fraud that enabled them to embezzle USD 1 billion from 1MDB based on a bogus joint venture partnership between Petrosaudi and 1MDB. The accused subsequently assisted in acts of criminal mismanagement that involved the diversion of two further tranches of USD 500 million and USD 330 million by falsely legitimising the transfers as purported investment opportunities in order to launder all of the misappropriated funds. In this connection, the court found that the first accused committed 370 offences of money laundering involving 12 bank accounts and amounts of around USD 7 billion, CHF 175 million, GBP 80 million and EUR 12 million, while the second accused committed 220 offences of money laundering involving 11 bank accounts and sums of around USD 5 billion, GBP 19.5 million and CHF 5 million.

The OAG has stressed the importance of this judgment in the context of complex criminal proceedings with international dimensions. This was an extensive investigation which, in addition to numerous interviews with suspects and witnesses in Switzerland and abroad, also required the examination of hundreds of thousands of documents, including those obtained through international mutual legal assistance, as well as the comprehensive forensic analysis of the financial transactions. The accused must be presumed innocent until their conviction has been confirmed by a final judgment.

11 Abbreviation of the German term 'Geldwäscherei'





### **Field of crime Money laundering**

Two managing directors of Petrosaudi were found guilty of misappropriating, together with representatives of the Malaysian sovereign wealth fund 1Malaysia Development Berhad (1MDB), more than USD 1.8 billion from the fund (see p. 25).

### **Bank Lombard Odier and a former employee indicted in the Federal Criminal Court**

After concluding its criminal investigation, the OAG filed an indictment in the Federal Criminal Court on 26 November 2024 against a former asset manager and the bank Lombard Odier & Cie SA (Lombard Odier), both being accused of serious money laundering. The indictment is related to the circumstances that led the OAG to indict Gulnara Karimova, the daughter of the former President of the Republic of Uzbekistan, and a second defendant in the Federal Criminal Court on 28 September 2023. They are accused of being involved in a criminal organisation known as 'The Office' that operated in various countries. Between 2005 and 2012, they are

alleged to have laundered assets in Switzerland that originated from crimes committed by this criminal organisation, whose overall head, according to the indictment filed by the Office of the Attorney General of Switzerland, was Gulnara Karimova (see press release dated 28.9.2023).

According to the indictment, the investigations in these criminal proceedings substantiated the suspicion that some of the money laundered in Switzerland was transferred via bank accounts at Lombard Odier in Geneva. The bank and one of its former employees are alleged to have played a key role in concealing the proceeds of the criminal activities of 'The Office'.



According to the OAG's indictment, the accused, a former asset manager who worked in the private client department of Lombard Odier between 2008 and 2012, is alleged to have committed acts that were likely to obstruct the identification of the origin, the discovery and the forfeiture of assets that he knew to be the proceeds of crime. The alleged offences would constitute a serious case of money laundering as defined in Article 305<sup>bis</sup> numbers 1 and 2 SCC.

In the same connection, Lombard Odier is accused of failing to take all the reasonable organisational measures required to prevent acts of serious money laundering from being committed within the bank. It is therefore charged with serious money laundering as defined in Article 305<sup>bis</sup> numbers 1 and 2 SCC based on the provisions on corporate criminal liability in Article 102 paragraph 2 SCC. The presumption of innocence applies until a legally binding judgment has been issued.

#### **Petrobras affair: PKB Private Bank SA found criminally liable as a company in connection with offences of serious money laundering**

In a summary penalty order dated 28 March 2024, the OAG ordered PKB Private Bank SA (PKB) to pay a monetary penalty of CHF 750,000. The criminal investigation conducted by the OAG revealed that between 2011 and 2014, the bank did not take all the reasonable organisational precautions required in the conduct of its business activities to prevent two of its employees – a client advisor responsible for developing South American client relationships and his direct line manager – from committing the offence of serious money laundering.

The conviction of PKB is part of a larger context of proceedings being conducted by the OAG in connection with the Lava-Jato series of cases.

#### **Transfer of criminal liability of a company following a merger**

In its judgment SK.2020.62 of 27 June 2022, the Criminal Chamber of the Federal Criminal Court found four accused guilty of serious money laundering, two of them also guilty of participating in a criminal organisation and a third also guilty of supporting a criminal organisation. In the same case, Credit Suisse AG was found guilty under Article 102 SCC (Corporate liability under the criminal law) in connection with the offence of serious money laundering (for further details, see the OAG 2022 Annual Report on page 24). The accused, including Credit Suisse AG, appealed against the judgment of the court of first instance.

The bank, which was questioned before the Appeals Chamber following the OAG's intervention, primarily requested that the criminal proceedings be discontinued on the grounds that criminal liability under Article 102 SCC could only apply to one legal entity, namely the legal entity 'Credit Suisse AG'. Since Credit Suisse's legal personality had ceased to exist with the dissolution of the bank and its deletion from the commercial register, the situation was the same as in the case of the death of a natural person and consequently the prosecution must also cease.

In its decision CN.2024.18 of 19 August 2024, the Higher Appeals Chamber of the Federal Criminal Court dismissed the request to discontinue the proceedings. Essentially, the court took the view that merger by absorption does not necessarily prevent a company from continuing its economic and functional activity. Although the takeover of a company leads to its dissolution (without liquidation), all of its assets and liabilities are transferred to the acquiring company by way of universal succession. Consequently, the accused company did not cease to exist on the day that Credit Suisse AG was dissolved, despite the change of its company name. Rather, the economic activity of Credit Suisse was absorbed into the economic activity of UBS AG, which pursues the same corporate objects, and will continue in this new form. At the time of writing, the bank has appealed to the Federal Supreme Court against Decision CN.2024.18 of the Higher Appeals Chamber, and the Federal Supreme Court has not yet ruled on the matter (Case 7B\_946/2024).

Despite there being an appeal pending before the Federal Supreme Court, which did not grant the suspensive effect requested by the bank, the Higher Appeals Chamber held that the criminal proceedings CA.2023.20 against UBS AG must be continued. The hearing before the Higher Appeals Chamber took place from 1 to 7 October 2024. One of the persons convicted withdrew their appeal against conviction as a member of and participant in the criminal organisation. The judgment against this particular person at first instance has become final. On 26 November 2024, the Higher Appeals Chamber rendered its verdict. UBS AG was acquitted of the charge of violating Art. 102 StGB in connection with the offence of aggravated money laundering.

The court stated that, in view of the death of the employee accused of committing the underlying offence of money laundering, it was not possible to investigate the bank's alleged violation of Article 102 paragraph 2 SCC without violating the presumption of innocence of the deceased employee. The Higher Appeals Chamber also partially upheld the conviction of a former manager of another Swiss bank for supporting a criminal organisation and the conviction of a Bulgarian national for participating in the same organisation and for aggravated money laundering. The judgment is not final.

### **2.3 Field of crime** **International corruption (IK<sup>12</sup>)**

As a significant international financial centre and the home to a range of large companies operating in important economic sectors (e.g. commodities trading, pharmaceuticals and microtechnologies), Switzerland is regularly the focus of international attention.

The International Corruption Offences Unit deals with cases of bribery of foreign public officials (a criminal offence under Art. 322<sup>septies</sup> SCC since 1.7.2006) and related offences. Cases in this field are commonly opened in response to information obtained from foreign requests for mutual legal assistance, reports submitted by MROS to the OAG, or criminal complaints.

In cases of international corruption, coordinated cooperation between the prosecution authorities in the countries concerned is crucial. If there is a lack of will to prosecute in the foreign state whose citizen is the bribed public official, this makes it considerably more difficult or indeed impossible for the OAG to investigate the bribery allegation and to secure a conviction or to return any bribes seized in Switzerland. The investigations conducted in this field of crime often have a close connection with those in the field of money laundering.

In view of the international dimension of these cases and the increasing importance of global resolutions, i.e. the conclusion of proceedings coordinated between various states, cooperation and the development of joint investigation strategies with foreign prosecution authorities are of key importance. The OAG also attaches considerable weight to dialogue with the companies that are under scrutiny, the possibility of filing voluntary reports and a company's cooperation in an ongoing criminal investigation.

Lastly, the OAG pursues a pro-active strategy in relation to international corruption investigations, in that, if possible and appropriate, it notifies foreign prosecution authorities of available evidence and the possibility of filing a request for mutual legal assistance by means of spontaneous transmissions of information.

### **Summary penalty orders against international companies under the rules on corporate criminal liability**

In the reporting year, the OAG issued two summary penalty orders against international companies based in Switzerland in connection with bribery of foreign public officials. At the beginning of March 2024, it ordered Gunvor SA to pay a fine of CHF 4.3 million and compensation of CHF 82.3 million. The OAG's investigation revealed that the Geneva-based commodities trading company, in the period from at least February 2013 to February 2017, had not taken all the reasonable organisational precautions required to prevent foreign public officials from being bribed in its name (Art. 322<sup>septies</sup> para. 1 SCC in conjunction with Art. 102 para. 2 SCC) in connection with its business activities in the Ecuadorian oil industry. The conviction was secured in the context of a procedure coordinated with the US authorities.

At the beginning of August 2024, the OAG issued a summary penalty order against Glencore International AG (Glencore) on the grounds of corporate liability and ordered the Zug-based commodities company to pay a fine of CHF 2 million and compensation of USD 150 million. Glencore had failed to take all the reasonable organisational precautions required in relation to the bribery of foreign public officials by a business partner in connection with its acquisition of minority shareholdings in two mining companies in the Democratic Republic of Congo (DRC) in 2011. At the same time, the OAG discontinued proceedings relating to other subsidiary matters being investigated by the OAG concerning Glencore's business activities in the DRC between 2007 and 2017.

<sup>12</sup> Abbreviation of the German term 'Internationale Korruption'



### Field of crime International corruption

The OAG issued a penalty order against Glencore International AG on the grounds of corporate liability.

Failings in the organisation of the Zug-based commodities company allowed a business partner to bribe foreign public officials in connection with the acquisition of minority shareholdings in two mining companies in the Democratic Republic of Congo (see p. 28).

### Increase in maximum fines, legislation needed for whistleblowers and Swiss deferred prosecution agreement (DPA)

Even though Parliament and the Federal Council have repeatedly taken an opposing view, the OAG is sticking to its guns: in order to combat international corruption more effectively and sustainably, new and tougher instruments are needed, particularly in corporate criminal law. The OAG has on multiple occasions made the point that the maximum penalty under the law in Switzerland of CHF 5 million for companies that are held liable for committing criminal offences is too low in relation to the economic size of the companies. The OAG also considers the introduction of legislation to protect whistleblowers to be desirable.

Lastly, the OAG continues to consider it essential to introduce the option of reaching a settlement with companies that themselves report potential cases in which they may be criminally liable (Art. 102 SCC) or that co-operate fully with the prosecution authorities in a criminal investigation to reach a settlement that spares the companies from conviction. The OAG is proposing that companies be required to pay an amount equivalent to the fine and to repay the unlawfully achieved profits as part of the settlement. In addition, they should provide restitution for the damage caused by their activities and reform the structure of their business so as to make a repetition of the offence impossible. The settlement negotiated between the public prosecutor and the company should be approved by a court. A change in the law is required for the implementation.

### 3 International Mutual Legal Assistance, Terrorism, International Criminal Law and Cyber-crime Division (RTVC<sup>13</sup>)

The Division combines the four fields of international mutual legal assistance, terrorism, international criminal law and cybercrime. The criminal and mutual legal assistance proceedings conducted in this competence centre are generally characterised by their high degree of complexity. In the area of international criminal law and terrorism, there is still too little case law from the Federal Supreme Court, which is an additional challenge.

Of particular note in the reporting year is the conviction in the first instance of former Gambian interior minister Ousman Sonko on multiple counts of crimes against humanity. This judgment, even if not yet final, is a milestone in the administration of justice at national and international levels and shows once again that Switzerland and the OAG are capable of prosecuting the most serious violations of international criminal law in a highly competent manner, bringing the perpetrators to trial and convincing the court of their guilt. Until a legally binding judgement is handed down, the accused is presumed innocent.

The number of cases in relation to jihadist terrorism reached a new high in the report year, which is why the specialists in terrorism offences faced challenges and required support from all the other divisions. By joining

13 Abbreviation of the German term 'Rechtshilfe, Terrorismus, Völkerstrafrecht und Cyberkriminalität'

#### Field of crime

##### Mutual legal assistance

In view of current crime phenomena, the OAG's mastery of international mutual legal assistance procedures is a crucial skill applicable in a variety of fields (see p. 31).



forces, it was possible to conclude numerous cases with summary penalty orders or to bring charges in the Federal Criminal Court.

Finally, the specialists in the field of cybercrime, who face ever greater challenges due to rapid technological advances and the resulting new opportunities for international criminal gangs, most of whom operate in a highly professional manner, also had an exceptionally demanding year. Nevertheless, the OAG was able to bring charges in the Federal Criminal Court against a French-Israeli dual citizen, in connection with a series of cyberattacks against Swiss companies.

### 3.1 Field of crime Mutual legal assistance (RH<sup>14</sup>)

As a result of the organisational structure of the OAG, requests for mutual legal assistance are handled by specialists in the Mutual Legal Assistance Division. If the request for mutual legal assistance has a direct connection with proceedings conducted in another division or involving another category of offences, it is usually transferred to the federal prosecutor in charge of the case. This ensures coordination of cases and means that the individual steps can be carried out more efficiently. In certain more complex cases, where the administrative burden associated with providing mutual legal assistance could interfere with the criminal proceedings, a task force is deployed.

In view of current crime phenomena, the OAG's mastery of international mutual legal assistance procedures is a crucial skill applicable in a variety of fields. The OAG's specialists in mutual legal assistance contribute their expertise by providing advice, knowledge of case law developments and professional training, and by supporting various services. They also stand ready to assist the entire OAG (especially on the Attorney General's Operational Committee). Conversely, in cases where the execution of foreign requests for mutual legal assistance requires special expertise, specialists from the other divisions are consulted.

### Federal Supreme Court and Federal Criminal Court support mutual legal assistance in connection with 'Suisse Secrets'

In February 2022, the Chief Public Prosecutor's Office in Munich approached the OAG with a request for mutual legal assistance in connection with the handover of bank documents relating to several accounts at a Swiss bank held by a former Siemens manager. The suspect allegedly held more than CHF 54 million in these accounts, which, according to the German prosecution authorities, could not have come from a legal source. The manager had already been convicted in Germany a few years previously for bribing foreign public officials in international business transactions. The German prosecution authorities assume that he had benefited personally in financial terms in connection with these bribes.

A few days after the request for mutual legal assistance was received, the *Süddeutsche Zeitung* published the results of the analyses of data from over 30,000 clients of the Swiss bank concerned, which had been leaked to it by an anonymous source the previous year, under the headline 'Suisse Secrets'. The results showed that the former manager in question had assets of around CHF 54 million in his Swiss bank account, which could not be accounted for by his salary.

Requests for mutual legal assistance in connection with foreign criminal proceedings that are based on stolen data do not comply with the concept of good faith and must be rejected as a matter of principle. However, if the request for mutual legal assistance is not based exclusively on stolen data, but also on other unrelated evidence, the OAG has ruled that the situation is different. The OAG based its decision on the legal precedent of the Panama Papers case, where the requesting authority had relied on data that had been published on the internet. In addition, in the case in question, the account documents in question had already been obtained by the OAG in criminal proceedings in 2005 and by means of mutual legal assistance in 2006 and were therefore already available to the OAG. The OAG therefore authorised the release of the requested bank documents in its final ruling of December 2022, in response to which the former Siemens manager concerned filed an appeal with the Federal Criminal Court. He argued that the request for legal assistance was based on stolen data and was therefore in breach of good faith. The Federal Criminal Court dismissed the appeal in March 2024 and declared the granting of mutual legal assistance to be lawful (RR.2023.8). The defendant then filed an appeal with the Federal Supreme Court, which, however, chose not to consider it as it did not regard the underlying case as 'particularly significant', one of the requirements for an appeal to the Federal Supreme Court (1C\_184/2024).

14 Abbreviation of the German term 'Rechtshilfe'



### 3.2 Field of crime Terrorism (TE)

The number of cases involving terrorism offences also increased in the reporting year. The proceedings relate mainly to jihadist-motivated terrorism. The OAG was also able to secure significant judgments in several court cases in the report year. Other key topics for this sector were how to deal with defendants under the age of 18 and the related discussions with the juvenile prosecution services responsible for prosecuting them, as well as the work on the Federal Act on the Proscription of Hamas and Associated Organisations.

The rising number of cases over the years indicates that the threat of jihadist-motivated terrorism is still very present in Switzerland. Terrorism offences remain a strategic priority for the OAG.

The proceedings under this heading cover a broad spectrum of factual situations. Their subject matter includes recruitment for banned terrorist organisations, funding such organisations, propaganda, and jihadist-motivated travellers and returnees. Some cases involve the planning of potential terrorist attacks.

Close and continuous cooperation with national and international partner authorities is essential when conducting proceedings. In 2024, the staff in this sector therefore continued to invest heavily in the required exchanges.

#### Several cases before the Federal Criminal Court

In the report year, the OAG secured several convictions in relation to terrorism offences. These include an appeal judgment (Judgment CA.2023.15) that was decisive on several points in relation to a Turkish citizen resident in the canton of Schaffhausen. The OAG indicted him in December 2022 (OAG press release dated 20.12.2022). The charges against him included producing and distributing large quantities of propaganda material for the banned groups al-Qaeda and Islamic State (IS) or associated organisations. After the Criminal Chamber had already found the accused guilty in its judgment of 30 May 2023 (Judgment SK.2022.55), the OAG's appeal was successful on three points: the custodial sentence imposed was increased from 28 to 36 months. With regard to the charge relating to representations of violence, the Higher Appeals Chamber held that it was not necessary to describe each file individually. With regard

to the question of whether an offence under Article 2 of the Federal Act on the Proscription of Al-Qaeda and Islamic State and Associated Organisations (AQ/IS Act) constitutes an offence listed under Article 66a SCC (mandatory judicial expulsion from Switzerland), the Chamber clarified the law: Article 2 of the AQ/IS Act, although not expressly cited in the list in Article 66a SCC, is in principle recognised as an offence that falls under this provision (a case of an appeal court remedying a gap in the law). The judgment of the Higher Appeals Chamber has become final.

Another judgment involved two sisters from the canton of Vaud. In line with the charges filed in the OAG's indictment, the Criminal Chamber found them guilty of supporting the banned terrorist organisation IS (Judgment SK.2023.26 of 23.5.2024 and press release from the Federal Criminal Court of the same date), as they had joined IS in the Syrian conflict zone. The Criminal Chamber sentenced the first defendant to 18 months in prison and the second to 14 months. The Chamber's decision is now final.

In August 2024, the first part of the main hearing also took place regarding a case in which the OAG had indicted two persons in January 2024 (OAG press release dated 25.1.2024). The OAG charged the two accused in these proceedings with having financially supported the banned terrorist organisation IS. They did this by sending a total of over CHF 50,000 to their son and other IS members in Syria, where they were fighting for IS. As only one of the two accused could be questioned at the main hearing in August, the hearing was adjourned. The hearing began again in January 2025.

In its judgment of 13 November 2024, the Criminal Chamber of the Federal Criminal Court sentenced an Algerian national to 36 months' imprisonment for supporting IS. The OAG indicted him in July 2024 (OAG press release dated 18.7.2024). The court followed the indictment and found it proven that the accused had attempted to travel from Algeria via Turkey to Syria to join IS as a fighter. When he was unable to achieve this aim, he returned from Turkey to Europe and ultimately Switzerland in order to network with other IS members and supporters. He posted numerous items of propaganda on Facebook. He was also found in possession of banned images of violence. At present, however, the judgment is not yet final.



In November 2024, the OAG also indicted two Swiss nationals before the Federal Criminal Court (press release dated 19.12.2024). The two defendants, both of whom have relevant criminal records and are resident in the canton of Zurich, are accused of having firstly supported the banned terrorist group IS and then participated in it as members. They are accused of travelling to Syria with the aim of joining IS there. Furthermore, they are alleged to have carried out extensive propaganda activities on behalf of IS and to have supported it financially by accepting and forwarding donations for IS. Both accused are also alleged to have been in possession of illegal images of violence. Until a legally binding judgement is handed down, the presumption of innocence applies.

### **Meetings with the *Single Points of Contact* in relation to counterterrorism**

In 2024, the OAG continued its meetings with the *Single Points of Contact* for combating terrorism (SPOC T). The cantonal prosecution services have each designated a SPOC T for the OAG, who acts as the OAG's first contact partner in the canton when cases involving suspected terrorist offences arise. At regular meetings, the OAG discusses experiences, outstanding issues and mutual needs with the SPOC Ts. The OAG takes the view that cooperation with the cantons is very close and constructive, and it plans to work even more closely with the SPOC Ts in the future.

### **Dealing with juvenile suspects in terrorism cases**

The OAG is only responsible for the prosecution of adult accused; accused who are minors are the responsibility of the cantonal juvenile prosecution services. In 2024, the juvenile prosecution authorities were increasingly confronted with cases of terrorism suspects under the age of 18. At the OAG's annual media conference, the Attorney General highlighted a challenge inherent in the system, in that the OAG and the cantonal juvenile prosecution services both deal with cases of jihadist-motivated terrorism under the competences as they are currently legally defined. In view of this situation, the Attorney General suggested that it would make sense to centralise all expertise in this sensitive area to a greater extent.

The OAG has been in close dialogue with the juvenile prosecution services concerned for several years. The OAG supports the juvenile prosecution services in an advisory capacity, provides national and international contacts and, if necessary, coordinates investigations into adults who are connected with accused juveniles. The OAG and the juvenile prosecution services have already taken up various ideas and suggestions on how the exchange in this regard could be optimised in

order to achieve a better overall picture of the situation in Switzerland. For example, the juvenile prosecution services could be required to report to the federal authorities so that there would be a systematic overview in one place of which terrorism proceedings are being conducted in which cantons. The OAG will continue the related dialogue with the juvenile prosecution services in 2025.

### **Federal Act on the Proscription of Hamas and Associated Organisations: consultation procedure**

In the report year, the OAG was involved in the consultation process relating to the Hamas Act. The OAG is responsible for prosecuting persons who have committed the new offence introduced by the Act. It will analyse precisely what impact the new offence will have on the OAG's practices and how the new offence will prove itself in practice.

### **3.3 Field of crime International criminal law (VO<sup>15</sup>)**

Although crimes under international law have so far always been offences committed outside Switzerland's borders, Switzerland, as the depositary state for the Geneva Conventions, has sent a clear signal of its support for the prosecution of such crimes by signing the Rome Statute, thereby accepting that Switzerland should not serve as a refuge for persons who have allegedly committed genocide, crimes against humanity or war crimes.

Since the Criminal Procedure Code, which applies nationwide, and the amendment to the Swiss Criminal Code came into force on 1 January 2011, in peacetime the federal authorities are exclusively responsible for the prosecution of genocide, crimes against humanity and war crimes. However, this applies only if the offender is on Swiss territory and is not extradited to another state or to an international criminal court whose jurisdiction is recognised by Switzerland (Art. 264m SCC).

15 Abbreviation of German term 'Völkerstrafrecht'

The criminal acts that form the basis for proceedings under international criminal law typically occur abroad and in some cases date back many years. These circumstances often make criminal investigations difficult, time consuming and costly. One of the recurring challenges is how to collect evidence, which often consists solely of statements made by victims and witnesses. Investigations are further complicated by the fact that some states in which crimes have allegedly been committed are unwilling to support investigations through mutual legal assistance, or by the fact that those mutual legal assistance procedures can be protracted; the scope and complexity of these criminal investigations is also an issue.

The preliminary inquiries phase in cases under international criminal law can be challenging. It includes the question of whether the contextual elements of genocide, crimes against humanity and war crimes are established (assuming that the preconditions for jurisdiction are met).

### **Federal Criminal Court convicts former Gambian interior minister of crimes against humanity**

On 15 May 2024, the Criminal Chamber of the Federal Criminal Court issued its judgment in case SK.2023.23. The former interior minister of the Gambia, Ousman Sonko, was found guilty of crimes against humanity. The court imposed a custodial sentence of 20 years and ordered the accused to be expelled from Swiss territory for 12 years. In addition, the Federal Criminal Court ordered Ousman Sonko to pay compensation to the plaintiffs for the non-material damage suffered.

In the indictment filed in April 2023, the OAG accused Sonko, in his capacity and function as a member of the government, of having supported, participated in or failed to make any effort to prevent systematic and widespread attacks in the context of reprisals by the Gambian security forces against all opponents of President Yahya Jammeh's regime. The allegations covered a period from 2000 to 2016.

After a trial lasting almost four weeks between January and March 2024, the Federal Criminal Court found Ousman Sonko guilty of repeated acts of intentional homicide, torture and deprivation of liberty, prosecuted as crimes against humanity. Certain charges alleging rape committed as a crime against humanity were abandoned. The Federal Criminal Court took the view that there was insufficient proof that the acts of sexual violence were causally linked to the attack on the civilian population concerned. Consequently, these alleged offences are extraterritorial acts over which Switzerland has no jurisdiction.

### **Field of crime**

#### **International criminal law**

In May 2024, the Federal Criminal Court sentenced the former interior minister of the Gambia, Ousman Sonko, to 20 years' imprisonment for crimes against humanity and expelled him from Switzerland for a period of 12 years.



The judgment represents a further important step in the administration of justice at national and international levels. The court allowed the retroactive application of the provisions of international criminal law to offences committed before 2011, referring in particular to the Swiss case law in CA.2022.8 (Alieu Kosiah).

According to the OAG, this is a further milestone for the Swiss justice system in relation to international criminal law. This is also an important decision for the victims in the Gambia, who went to great lengths to take part in the proceedings and give evidence. The judgment shows that crimes of this kind can be systematically prosecuted and punished and underlines the strong commitment of Switzerland and the OAG in this area. However, the judgment is not yet final. The defendant continues to enjoy the presumption of innocence.

### **Rifaat Al Assad indicted by the Federal Criminal Court**

Following a complaint by the non-governmental organisation TRIAL International, in December 2013 the OAG opened criminal proceedings for war crimes against Rifaat Al Assad, former commander of the Defence Brigades (in Arabic: 'Saraya al Difaa') and Vice President of the Syrian Arab Republic from 1984 to 1998, on suspicion of war crimes allegedly committed in his capacity as commander of operations in the city of Hama in February 1982. The criminal proceedings were initiated on the basis of the principle of universality and the non-application of any statute of limitations to war crimes. A police check carried out in connection with the case revealed that the accused was on Swiss territory at the time the investigation was opened. Several victims appear as complainants in the OAG's criminal proceedings.

On 11 March 2024, the OAG indicted Rifaat Al Assad in the Federal Criminal Court. He is accused, as commander of the Defence Brigades and commander of operations in the city of Hama in Syria, of ordering killings, torture, cruel treatment and unlawful detention in connection with the armed conflict and the widespread attack on the population of Hama in February 1982. Several thousand civilians are said to have been victims of various abuses, ranging from summary execution to imprisonment and torture in specially established centres, as evidenced by several witness statements. The accused is presumed innocent until the judgment becomes final.

### **Web portal for witness statements relating to offences under international criminal law**

One of the recurring challenges in the field of international criminal law is gathering evidence. The statements of victims of and witnesses to war crimes and other violations of international criminal law are often the only evidence available to the prosecution authorities. Since 1 October 2024, the process of collecting information and witness statements has been optimised and modernised thanks to a joint project between fedpol, the State Secretariat for Migration (SEM) and the OAG. Evidence is initially gathered via a portal on the fedpol website, which serves as the first point of contact between the victims and the law enforcement authorities. Access to this portal and the transmission of information are guaranteed by a pocket card containing a short explanatory text and a QR code that leads to the home page of the fedpol web portal. This is a new solution that provides victims of or witnesses to war crimes with an easy way to file their statements and possible evidence about the events they experienced.

With this initiative, SEM, fedpol and the OAG want to be more proactive in the prosecution of war crimes or other offences under international criminal law. The overall aim of this process is to collect and secure any statements and evidence in order to be able to respond quickly and specifically to any criminal proceedings or subsequent requests for mutual legal assistance, in particular from the International Criminal Court or requesting states.

## **3.4 Field of crime Cybercrime (CY)**

In an increasingly digitalised society in which new technologies play a key role, cyberattacks are on the rise. The international dimension of the investigations and their technological complexity mean that highly specialised resources are needed.

In a global society that is increasingly networked and digitalised, cybercrime is constantly on the rise. Data recently collected by the Federal Statistical Office (FSO) confirm this trend.<sup>16</sup> Although technological advances bring the public undeniably positive and ever-expanding opportunities, they also provide new tools for cybercriminals, who are increasingly able to develop complex solutions at the expense of the victims of attacks. This

<sup>16</sup> <https://www.bfs.admin.ch/bfs/en/home/statistics/crime-criminal-justice/police/digital-crime.html>

trend is likely to continue in the coming years and be reinforced by the increasing use of new platforms and innovative tools, including artificial intelligence in particular.

The biggest challenges facing the OAG in the fight against cybercrime are identifying the perpetrators of cyberattacks, securing evidence, the international ramifications of cybercrime and the slow pace of mutual legal assistance proceedings. Against this background, in 2024 the OAG continued the investigations in the proceedings conducted in relation to ransomware in particular and opened new proceedings, relying in particular on Article 24 of the Criminal Procedure Code and the criteria for the application of these provisions laid down in the case law of the Federal Criminal Court. Ransomware currently poses a major cyberthreat not only to businesses, but also to critical infrastructures. Groups specialising in ransomware have become more professional, both in terms of their infrastructure and the development and operation of malware. They are also supported by the increasing spread and use of artificial intelligence, a tool that enables the development of new, sophisticated ransomware codes.

### **An interdisciplinary approach is essential**

Ransomware attacks are usually the work of professionally organised groups. The authorities therefore face numerous challenges in this area. This is a situation in which law enforcement must increasingly adapt and become more interdisciplinary. Cooperation with partners at national and international levels and the dialogue between the various players and sectors involved in the fight against cybercrime are the key to success. In this context, the OAG has given consideration internally to the possibility of applying Article 260<sup>ter</sup> of the Swiss Criminal Code (Criminal and Terrorist Organisations) to groups perpetrating ransomware offences. However, the very restrictive criteria established by the legislation and the case law of the Federal Supreme Court require a thorough analysis in each individual case, in particular to determine the structure and organisation of the ransomware group under investigation, the hierarchical relationships between its members, the specific roles of the members, and the secrecy in relation to the structure and among its members.



### **Field of crime Cybercrime**

The OAG accuses the defendant of contacting numerous companies in Switzerland by telephone, pretending to be an employee of the bank used by the company concerned. Under a pretext, he and his accomplices obtained access to the e-banking system of the company and thus enabled his partners to transfer large sums of money from the company's accounts to accounts under their control (see p. 37).

### **Complexity of investigations and specialised resources: a difficult balance**

The prosecution of cases that fall under federal jurisdiction, especially ransomware cases, requires very complex investigations with international ramifications. The contribution of highly specialised investigators with extensive technical knowledge is therefore a key factor. In the report year, the Cybercrime Division was confronted for the first time with the fact that the specialised investigators at the Federal Criminal Police (FCP) did not have sufficient resources available, particularly in relation to one case that had been taken over by a canton. Nevertheless, cooperation with the FCP at an operational level remains good. An important result was achieved with the establishment of a new, specialised cyber commissioner's office, which comes into operation on 1 January 2025. Although the establishment of this new commissioner's office has not led to an increase in available resources, it has nevertheless sent a signal with regard to the greater degree of specialisation required in an increasingly complex and strategic area.

### **Real-time phishing at the international level: important success**

In 2022, the OAG opened criminal proceedings into a series of large-scale phishing cases (unlawful acquisition of personal data, in particular login data) carried out with the help of fake e-banking login websites. As a result, numerous Swiss bank customers suffered financial losses totalling around CHF 2.4 million. Thanks to international cooperation between the OAG, fedpol, Europol and Eurojust, the identity of the developer and seller of the phishing software used was established. The suspect, a British national, is facing criminal proceedings in the UK for similar offences. Thanks to the results of the British and Swiss investigations, he was arrested in the UK, where he will have to answer to the court. The British authorities have agreed to take over the Swiss prosecution, and the proceedings of the OAG could be abandoned. This result shows how important and effective international cooperation is in the fight against cybercrime.

### **Indictment for numerous cases of social engineering**

At the end of proceedings comprising numerous cantonal cases taken over by the OAG, the OAG filed an indictment against a French-Israeli national in the Federal Criminal Court on 4 April 2024 in connection with a series of cybercrime attacks on Swiss companies. The defendant is accused, in his role as a member of a social engineering group, of contacting numerous companies in Switzerland by telephone between December 2016 and August 2018, pretending to be an employee of the bank used by the company concerned. Under the pretext of a change to the e-banking system (migration), he allegedly induced the employee responsible for payments to unwittingly grant him access to his computer by entering a shortened URL address that caused remote control software to be installed. In this way, he allegedly enabled the other members in the group – who could not be identified despite the investigations and requests for mutual legal assistance – to open one or more e-banking sessions on the accounts of the companies concerned in order to transfer large sums of money from the company's accounts to accounts under the group's control in Switzerland and abroad. By doing this, the defendant is alleged to have made an active and indispensable contribution to the misappropriation committed by the other perpetrators involving more than CHF 5 million taken from seven companies based in Switzerland, as well as to numerous other misappropriation attempts.

The accused was made the subject of an international arrest warrant, and was arrested and extradited to Switzerland, where he was detained for several months in 2022. He is accused of the offences of data theft (Art. 143 SCC), unauthorised access to a data processing system (Art. 143<sup>bis</sup> para. 1 and 2 SCC) and computer fraud (Art. 147 para. 1 and 2 SCC). The presumption of innocence applies until a legally binding judgment has been issued.

## **4 Forensic Financial Analysis Division (FFA)**

'Follow the money': the first task in criminal proceedings for the FFA-analysts. However, their area of responsibility covers much more. Their analyses are indispensable for the successful conduct of proceedings, particularly in cases of white-collar crime. However, the FFA's expertise is also increasingly being used in relation to organised crime, violations of sanctions and embargoes, terrorist financing, international criminal law and national security offences. In 2024, the employees of the FFA were involved in 136 criminal and mutual legal assistance proceedings.

In a large majority of cases, the FFA acts as a service provider for the divisions conducting proceedings, but it also uses its competences to support the Directorate and the General Secretariat. Irrespective of the offence being investigated the FFA analysts are frequently consulted to support the federal prosecutors in charge of the criminal proceeding with their expertise. They conduct analyses, which, presented in the form of reports or as graphics, serve as a basis for the investigative work and eventually become part of the case files. The FFA staff are consulted when planning and carrying out measures to secure evidence, such as seizing documents and conducting house searches, and also in filing requests for mutual legal assistance. They also provide support on economic and financial matters when suspects and witnesses are interviewed. In addition, they make an important contribution, particularly in complex criminal proceedings, to the process of drawing up indictments and summary penalty orders, preparing for court hearings and the Enforcement of Judgements Unit. Following the money and obtaining proof of the criminal origin of assets are essential in order to be able to establish that offences have been committed.



In 2024, the FFA contributed its expertise in 136 criminal and mutual legal assistance proceedings. For years, the number of requests for assistance from the FFA has been rising in almost all fields of crime. At the same time, the criminal proceedings in which the specialists are involved are becoming increasingly complex and protracted. This was also the case in the reporting year, which represented an enormous challenge for the Division and demanded the very efficient use of resources, which have not increased in more than ten years. In order to avoid any further allocation of FFA resources in the criminal proceedings, which is always problematic, the OAG management considers it essential to increase the number of staff in the Division from 2025.

### Key contribution in several criminal cases

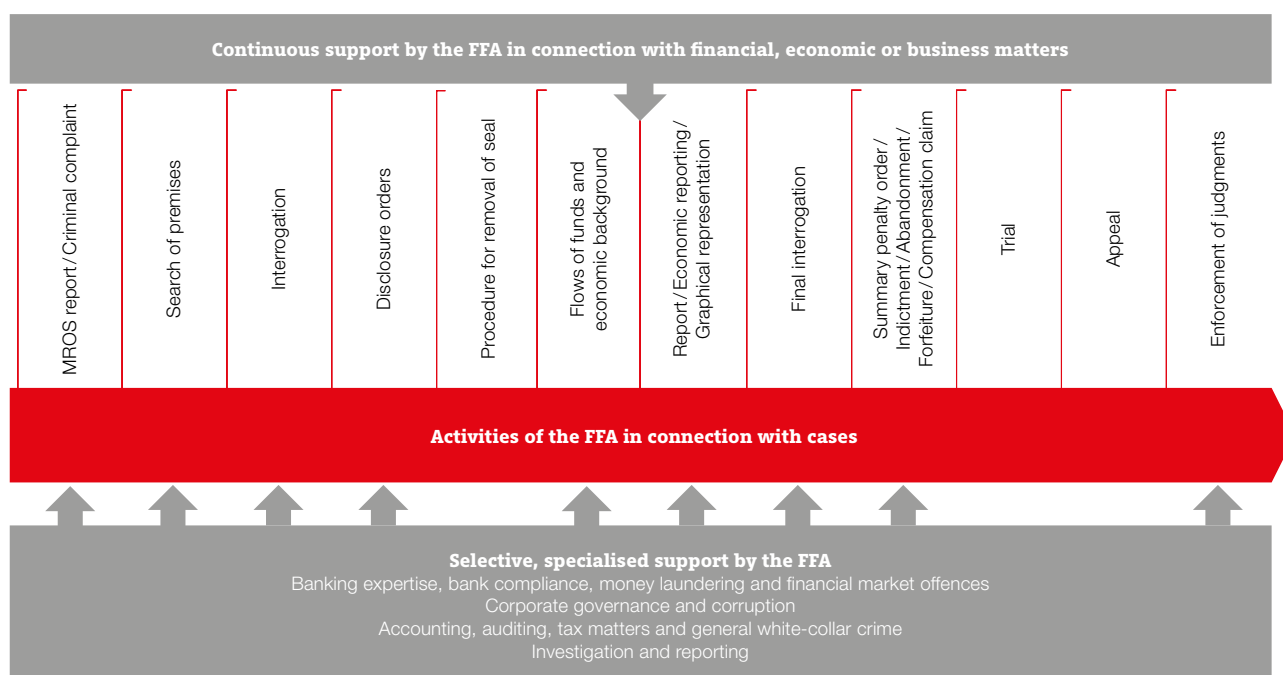
About a third of the FFA's resources were used in the reporting year for extraordinarily complex criminal proceedings in connection with corporate Criminal Liability. For example, the FFA made a key contribution to the criminal proceedings related to the Malaysian sovereign wealth fund 1MDB (see p. 25) by providing several reports and supporting the lead prosecutors during the trial. In connection with the summary penalty orders against Glen-

core International AG (see p. 28) and Gunvor SA (see p. 28), the analysts made a significant contribution to finding these companies liable for failing to take measures to prevent corruption offences (Art. 102 SCC). The FFA also played a major role in developing the complex methodology for calculating and justifying compensation payments and fines.

In various other cases, the Division provided substantial contributions in drawing up indictments and supported the lead prosecutors in numerous interviews with suspects and witnesses.

Set up in 2020 and now fully established, the FFA's specialist organisation with its 13 specialist fields ensures that the FFA analysts are in a position to meet the needs of the OAG's lawyers. It also ensures that general and specialist knowledge in the FFA's area of responsibility remains up to date and available to the organisation. In the reporting year, the OAG benefited in particular from the work of the specialists in one specialist field: the specialists for 'investigation tools and new technologies' made a key contribution to the JF08 project: Futuro (see p. 39) and supported the embedding of the Dinero project, which will enable the interactive visualisation and analysis of banking transactions and thus simplify the processing of large volumes of transactions.

### Procedural steps



## 5 General Secretariat (GS)

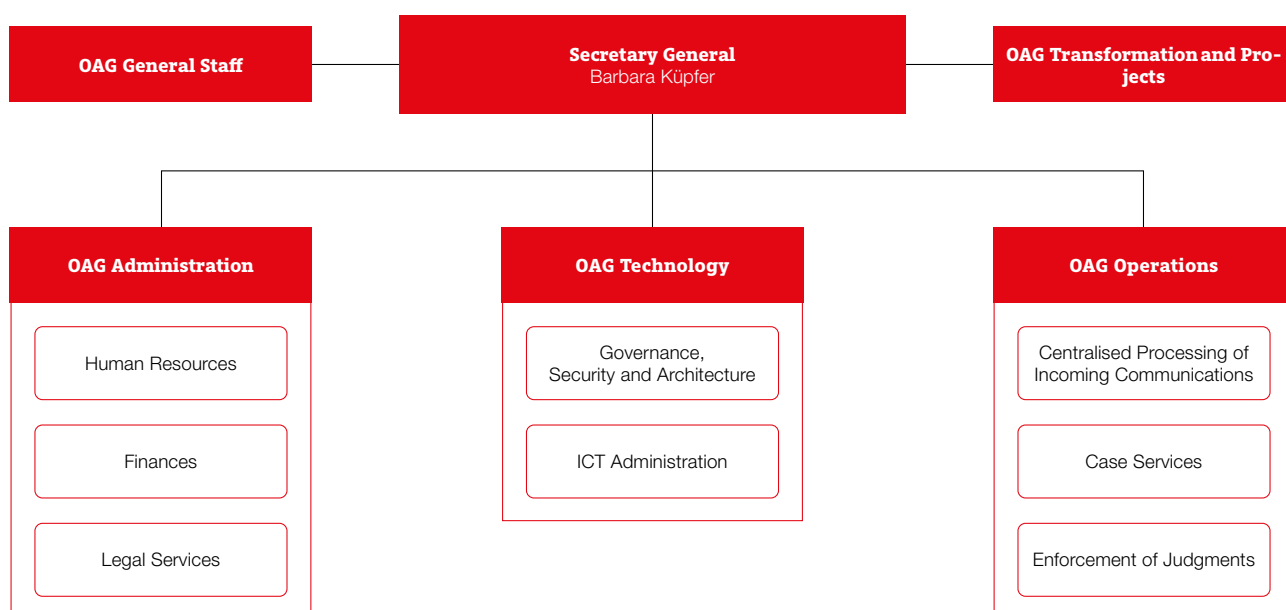
The various sections of the General Secretariat support the divisions conducting proceedings in two ways: around half of the employees of the General Secretariat directly provide operational services in connection with proceedings, while the other half ensure that the OAG can operate as a self-managed independent authority. They do this in part by developing modern working instruments that help bring increased efficiency and effectiveness in fulfilling the OAG's core task.

### 5.1 OAG Transformation and Projects

In mid-April, the OAG took a further step in the digitalisation of its business processes with the successful introduction of 'Voscriba'. Voscriba is a software that automatically converts speech into text. The application is designed to enable the automatic transcription and post-processing of audiovisual legal hearings. Practical experience to date has shown that Voscriba makes an important contribution to the more efficient processing of audiovisual interviews with suspects and witnesses. Voscriba is being continuously improved through close cooperation between the users and the manufacturer.

The JF08 project: Futuro is another building block in the digitalisation of business processes. The project was launched in May 2024 and is currently in the concept phase. The aim of the project is to introduce a 'legal tech platform' (LTP), primarily to provide support in the analysis of large volumes of data. It is planned to use the LTP as a complement to Core.Link (see next section). While the LTP will analyse the proceedings, Core.Link will be used for file and business management.

The report year also saw intensive work on the further development of Core.Link, the OAG's digital file management and planned business management system, which went live for file management in December 2022. Its functionalities are constantly being expanded: the number of transactions managed on Core.Link at the end of 2024 was 305, in which 10 674 finalised files were stored. A total of 3505 physical originals are now stored in the service document warehouse. Core.Link dossiers were submitted to the Federal Criminal Court on several occasions during the report year. While the Higher Appeals Chamber of the Federal Criminal Court accepted dossiers in electronic form, the Criminal Chamber of the court rejected almost all Core.Link dossiers submitted to it, citing Article 100 of the Criminal Procedure Code in justification. The Criminal Chamber takes the view that the OAG has no legal basis for submitting case files from the Core.Link electronic file management system. The OAG, on the other hand, is of the opinion







that Article 100 paragraphs 1 and 2 of the Criminal Procedure Code does not stipulate any particular form, paper or electronic, for submitting files. In order to obtain a court decision in this regard, the OAG has called on the Criminal Chamber of the Federal Criminal Court to issue an appealable ruling if a Core.Link dossier should be rejected again.

Progress was also made in the report year with the introduction of the qualified electronic signature (QES). All employees designated for this purpose have now been certified for the QES. The QES is already used in certain time-critical situations in dealings with compulsory measures courts. Initial procedures have been clarified, while the basic procedure for using the QES in the numerous cases where the OAG requires it is being finalised.

In the CoLab project, which aims to digitalise support processes, the OAG Transformation and Projects

#### **OAG Transformation and Projects**

Core.Link enables the OAG to maintain digital files and manage its business.

The documents received are sorted, scanned and recorded in Core.Link.

The physical originals are stored in the document warehouse.

Section implemented two processes in the report year. Thanks to the digitalisation of the processes for applying for basic and continuous professional training courses and data management scanning, it has been possible to optimise other existing work processes, some of which were carried out manually and were tedious.

## 5.2 OAG Administration

The OAG Administration Division is the centre where all the self-management tasks are carried out that allow the OAG to be independent in technical, organisational and financial terms. It encompasses HR, finances and legal services.

### Legal Services

The Legal Services Unit is responsible for the centralised performance of the OAG's statutory tasks that do not involve the conduct of criminal proceedings, the enforcement of judgments or the execution of mutual legal assistance proceedings. These include, for example, ensuring that persons and authorities can exercise their rights to obtain information and inspect data under the Data Protection Act, the Freedom of Information Act and the Archiving Act.

In addition, the Legal Services Unit drafts the OAG's submissions in connection with legislative processes and coordinates responses to parliamentary motions. It prepares legal opinions on behalf of the Directorate on specific legal issues or on issues of fundamental importance to the OAG, and provides legal advice to all of the OAG's organisational units. The Legal Services Unit also handles the release of summary penalty orders, case dismissals and no-proceedings orders that have taken full effect to third parties who have requested them (according to the principle of freedom of information in the justice system).

The legal assessment of requests and the anonymisation of decisions before they are released involve considerable effort. The Legal Services Unit provides legal and procedural support in employment law cases and is also regularly consulted on legal issues relating to public procurement and contractual matters.

### Human Resources

The HR development objectives introduced in the report year show that the OAG's various continuing professional development measures have become well established, highlighting their focal points and target groups. The objectives apply at three levels: the OAG as a whole, the divisions and teams, and the individual employees. At OAG level, the focus in 2024 was on the topics of expertise and leadership. Interdepartmental internships are intended to optimise the in-house transfer of knowledge, while internships at partner authorities promote the external exchange of knowledge. A management conference was also held for the first time, providing an opportunity to discuss a common understanding of the changing role of management in modern working environments and how the quality and culture of management

can be developed. At divisional and team level, the focus is on the values and principles involved in cooperation, and at the level of individual employees, the focus is on targeted training and development.

Succession planning for key positions was one of the OAG's strategic goals for 2024. This objective includes devising and establishing a structured succession planning process for the long term, supplemented by targeted support measures for key positions. Strategic succession planning was introduced in the OAG in 2024.

In the report year, the results of the personnel survey conducted the previous year were also analysed, areas across the OAG where action is needed were identified, and the measures that should be taken were devised.

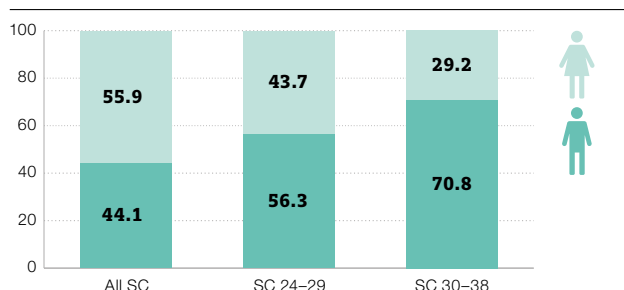
### Workforce numbers

As of the end of 2024, the OAG employed 268 members of staff (previous year: 282) constituting 243,6 full-time positions (previous year: 257). A total of 35 members of staff (previous year: 30) are employed on limited-term contracts. The workforce is distributed across the OAG's local offices as follows:

	31.12.2023	31.12.2024
Bern	222	209
Lausanne Office	32	30
Lugano Office	15	15
Zurich Office	13	14

### Deployment of staff

The positions filled at the OAG cover the following roles: Attorney General (1), Deputy Attorneys General (2), Secretary General (1), lead federal prosecutors / heads of division (4), Chief Information Officer (1), federal prosecutors (57), assistant federal prosecutors (49), legal assistants (16), assistant case officers and office staff (44), operational staff (24) in the General Secretariat (excluding lawyers) and administrative staff (41), and experts and analysts in the FFA, WiKri and RTVC divisions (34). As of 31 December 2024, the OAG also offers 9 legal interns practical legal training and the opportunity to gain practical professional experience. The average OAG employee is contracted to work 91 FTE working hours and is 40 years old. The breakdown of staff by first official Swiss language is as follows: German 158, French 86 and Italian 24. The OAG employs 150 women and 118 men. The gender ratio broken down by salary class (SC) is as follows:

**Gender (%)**

The net fluctuation in the report year was 8.6%.

**Disciplinary proceedings**

Employees at the OAG are subject to the law applicable to federal employees, under which the Attorney General is responsible for taking decisions as their employer (Art. 22 para. 2 CJAA and Art. 3 para. 1 let. f Federal Personnel Act, SR 172.220.1). In the event of a breach of employment law obligations, the Attorney General decides whether to conduct a disciplinary investigation and on any disciplinary measures (Art. 1 para. 1 let. c and Art. 98 ff. Federal Personnel Ordinance, FPersO, SR 172.220.111.3). In the report year, no disciplinary proceedings under Article 98 ff. FPersO were taken against a federal prosecutor at the OAG.

**Finances**

Under Article 16 of the Criminal Justice Authorities Act (CJAA), the OAG is a self-governing authority that is independent of the Federal Council and the Federal Administration. The Attorney General is responsible for ensuring that it is appropriately organised and makes efficient use of its financial and material resources (Art. 9 para. 2 lets b and c CJAA). The OAG maintains its own accounts and has a global budget. Every year the Attorney General submits a draft budget and accounts to the Supervisory Authority for the Office of the Attorney General of Switzerland; these are then submitted to the Federal Assembly for approval (Art. 17 para. 1 and Art. 31 para. 4 CJAA). As a self-governing authority, the OAG is basically free to procure the goods and services it needs to satisfy its logistical requirements (Art. 18 para. 2 CJAA).

The OAG's global budget for 2024 (expenditure and investment costs) amounted to CHF 84.4 million. At CHF 47.9 million (57%), the largest item of expenditure in the budget is staff costs. In addition, CHF 31.0 million was allocated to material operating costs. The remaining CHF 5.5 million covers depreciation and investment costs.

The budgeted operating income of CHF 1.0 million is made up primarily of official procedural fees collected in federal criminal proceedings, income derived from charging for the costs of inspecting files, and income from procedural fees in connection with summary penalty orders and the abandonment of proceedings. The State Financial Statements for 2024 will be published in due course on the relevant page of the Federal Finance Administration website.

**5.3 OAG Staff**

The OAG Staff Division performs various support tasks for the Attorney General, the OAG management, the Secretary General and the OAG Directorate and acts as a hub between the employees of the OAG or the divisions and the OAG management or the Secretary General. The head of the OAG Staff is the SPOC for the SA-OAG and manages contacts with the partner authorities and the parliamentary committees.

**Procurement**

Under Article 27 of the Public Procurement Ordinance (PPO; SR 172.056.11), authorities awarding contracts must provide information at least once a year in electronic form on public contracts that they have awarded with a value of over CHF 50,000 and which are subject to the Federal Public Procurement Act (PPA; SR 172.056.1). The OAG will publish the relevant details in the course of 2025 on its website. As an independent authority, the OAG is responsible for managing itself and can cover and thus also procure the goods and services that it requires independently in accordance with the Criminal Justice Authorities Act. In order to be able to deploy the largest possible portion of its resources on prosecution, certain services that are temporarily required are put out to tender in accordance with the corresponding budget regulations. In the report year, the OAG was permitted to invite bids for important services related to its human resources (contract staff, assessments, coaching and HR consulting). The decision on which supplier will ultimately be given the opportunity to provide which services in accordance with the framework agreements will be taken as part of the specific planning for each project and will be subject to compliance with federal budgetary requirements. There is no obligation to award a contract to any of the service providers who are invited to bid.

### Data protection officer

Since 1 February 2024, the newly created position of Data Protection Officer (DPO) at the OAG has been filled and the new DPO has been familiarising herself with the required duties. To ensure the necessary independence, the DPO is affiliated to the OAG General Staff. She ensures compliance with the requirements of data protection law, where necessary working closely with other employees in the General Secretariat. Her tasks include advising and training OAG employees on data protection issues, checking the processing of personal data and, if necessary, recommending corrective measures, and dealing with any incidents related to data protection. She is the point of contact for the persons affected by the data processing and for the authorities responsible for data protection, in particular the Federal Data Protection and Information Commissioner (FDPIC). No data protection incidents were recorded in the OAG's area of responsibility in the report year.

### 5.4 OAG Technology

The OAG Technology Division supports the ICT Administration by ensuring information security for the entire OAG. It contributes to projects that involve electronic data processing and the hardware and software infrastructure used for that purpose, conducts checks on these and guarantees that they can be used in operations in a coordinated manner.

### ICT Administration

The ICT Administration devises new servicing options, checks their performance and integrates these into the existing operations. In order to increase the efficiency and quality of the processes, a start has been made on establishing an IT service management system. In 2024, the specialist applications proved very stable in operation; there were only a small number of unplanned system outages. In addition to these tasks, the unit also provides support for the technical infrastructure. On request, it also checks the emails of all OAG employees for authenticity and for malware.

The introduction of Microsoft M365 in November 2024 kept the ICT Administration very busy in the report year. The new applications had to be seamlessly integrated into the OAG's existing ICT landscape and assistance given with the change in culture.

### Governance, Security and Architecture

In the report year, numerous information security documents were revised or newly created. The OAG has thus responded to the SFAO's recommendations and significantly improved the quality of information security once again.

By implementing the COBIT 2019 governance framework, the OAG aims to increase the maturity of IT governance and manage information and technologies effectively and efficiently. The implementation of the governance and management objectives and the new committees give the OAG the necessary impetus to achieve a transparent system in which information and technologies can be optimally managed in future.

The risk management system was also revised and brought into operation. Identified risks are thus systematically assessed and progress with the defined measures is reviewed.

### 5.5 OAG Operations

The OAG Operations Division includes the Enforcement of Judgments Unit, centralised processing of incoming communications and the Case Support Unit.

### Enforcement of Judgments (UV<sup>17</sup>)

Enforcement of Judgments is a unit independent of investigations and prosecutions that is responsible for enforcing decisions taken by the federal criminal justice authorities. It enforces decisions of the Federal Criminal Court and orders issued by the OAG (summary penalty orders, abandonment and forfeiture orders, etc.) that have become legally binding. These are decisions that are enforced in domestic and foreign proceedings by various means, such as with procedures under the Federal Act on Debt Enforcement and Bankruptcy (DEBA) or through active legal assistance. In addition, the UV is the SPOC with the Federal Office of Justice (FOJ) in cases in which the Federal Act on the Division of Forfeited Assets (DFAA) applies (known as 'sharing cases').

The UV also has important tasks in the area covered by Criminal Proceedings Central Support (*Zentraler Support Strafverfahren ZS-SV*) that have a direct influence on subsequent enforcement duties and which require close cooperation with the OAG's Financial Services Section and operational divisions. In relation to asset management, the UV is responsible for opening and managing accounts with Postfinance (CHF) and the Swiss National Bank (USD, EUR) as well as custody accounts with the Bern Cantonal Bank in the case of

17 Abbreviation of the German term 'Urteilstvollzug'

seized assets. An account is opened in cases where cash is seized during house searches, when a financial intermediary is liquidated or in the event of an asset being liquidated prematurely. The organisation of early asset liquidations and support for the operational divisions are also part of the ZS-SV's remit.

In addition, the UV maintains a 'detention list' of all the persons detained in connection with proceedings conducted by the OAG. The UV's work on the detention list also involves the triage of detention invoices (ordinary execution of sentences/anticipatory execution of sentences/execution of measures) and healthcare costs incurred by the enforcement cantons.

In the report year, the UV received 425 legally binding decisions for enforcement or that required other action. A total of 696 cases were completed by the UV in the report year.

In 2024, new claims for compensation amounting to CHF 210,515,702.60 were submitted in connection with criminal proceedings conducted by the OAG. During the same period, the OAG transferred assets from forfeitures and claims for compensation totalling CHF 242,259,172.18 to the FOJ, which is responsible for the sharing of confiscated assets. The total amount of claims for compensation or forfeitures from OAG proceedings that are still to be collected or have accrued as at 31 December 2024 is CHF 771,027,464.

#### Liquidation of a Geneva property company

In a judgment dated 1 October 2014, the bearer shares and current accounts of the shareholders and equivalent persons of a Geneva-based property company were forfeited in full (Art. 70 para. 1 SCC).

Before the company could be liquidated, the UV department of the OAG had to deal with numerous problems. In particular, two properties owned by the company in Geneva had to be sold. In the case of the first property, the UV faced the problem that the building was partially located on a neighbouring property, which forced the UV to negotiate with the co-owners of the neighbouring property and to reach several agreements with the buyers of the building in order to solve the problem. The building was sold for CHF 17.5 million.

In the case of the second building, a commercial property, an agreement on the resumption of work had to be signed by the buyer and the tenant before the purchase contract was signed, which led to negotiations between the UV as seller, the buyer and the tenant. After the purchase contract for this second building had been signed, a further question arose in connection with the state's right of pre-emption. This building was sold for CHF 23 million.

The actual liquidation process went smoothly, quickly and without any major complications.

#### **Centralised processing of incoming communications (ZEB<sup>18</sup>)**

The ZEB is the central gateway for all incoming communications relating to the OAG's core business that are not connected with ongoing proceedings. It triages communications according to their legal content as soon as they are received by following a predefined process. As part of an initial examination (federal jurisdiction, etc.), options for settlement are identified at an early stage and processed directly within the ZEB. If the facts do not constitute federal offences or if the procedural requirements are clearly not met, the ZEB immediately rejects the case (in 2024 there were 95 such cases). All other new incoming cases are either forwarded to the operational divisions responsible or subjected to a more in-depth review involving the OAB. The ZEB has control of procedures until a case is assigned to the competent division, or until the ZEB makes a final disposal of the case.

The rapid and efficient initial processing of incoming communications effectively reduces the workload of the case-handling divisions. In addition, the uniform processing of similar incoming communications is ensured.

In total, the ZEB processed 2092 communications in the report year. These included 109 reports from the Money Laundering Reporting Office Switzerland (MROS). A large proportion of these cases triggered new criminal or mutual legal assistance proceedings. These included 327 requests from the cantons to take over proceedings; the OAB decided that federal jurisdiction applied in 82.5 per cent of these cases. Of the new criminal or mutual legal assistance cases, 1534 were passed on to the divisions for further processing. Around 38 per cent of the cases concluded by the OAG in the report year (excluding bulk transactions) were handled within the ZEB.

In the report year, the ZEB also made 161 requests to the cantons to take over proceedings because offences had been reported that did not fall under the OAG's jurisdiction. In some cases, allegations were made against judges or public officials in the cantons or communes.

Contrary to popular belief, the OAG is not a supervisory authority exercising oversight over the courts and authorities of the cantons or local governments. The OAG has no legal powers to review or influence the activities of such authorities. Accordingly, complaints about these authorities or requests for them to be investigated should not be submitted to the OAG.

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18. Abbreviation of the German term 'Zentrale Eingangsbearbeitung'

Complaints of this type often relate to judgments or decisions made by federal courts and authorities that dismiss or reject appeals filed by the complainants or with which the complainants do not agree in some other way. In this regard, it should be noted that the OAG is neither a supervisory authority with oversight over the Federal Supreme Court nor an appellate authority that can review the Supreme Court's judgments. Making a criminal complaint is not a substitute for the legal remedies available in criminal, administrative or civil proceedings. It is not for the OAG to deal with complaints against decisions or judgements of other authorities or courts.

### Case Services

The Case Services Unit focuses on centralised services for criminal and mutual legal assistance proceedings. Its tasks include the digitalisation of bank transfers for financial analysts, the recording and secure archiving, for example, of forensic evidence gathered following attacks on ATMs, the preparation of case documentation, emails and documents, and organising translations into numerous languages.

The aim of all of these services is to relieve the burden on the operational divisions so that they can concentrate on their core tasks. For example, the Financial Intermediaries Disclosure Service (*Service Editionen Finanzintermediäre*, SEFI) processes requests for disclosure of bank records and makes them available in electronic form to the units conducting the proceedings. A total of 985 disclosures were processed in the report year. The tasks of the Data Management Unit include accepting orders for the preparation, pagination and scanning of documents for the operational divisions, and it also works closely with the SEFI and the Physical Evidence Service Unit. The DM Unit processed a total of 2768 orders in 2024.

The Physical Evidence Service Unit is responsible for the entire life cycle of seized physical evidence. This includes gathering and storing evidence appropriately, and implementing final decisions regarding such evidence. In 2024, 6123 items of evidence were placed in storage. These items ranged from clothing and jewellery to explosives and cars.

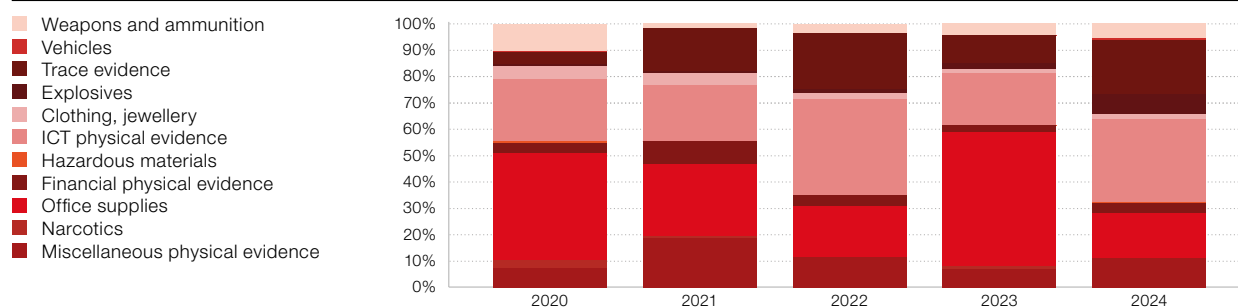
In addition to ICT evidence and narcotics, the quantity of explosives and evidentiary samples has also increased. This is due mainly to the proceedings that the OAG is conducting in connection with the series of explosives offences related to ATMs. All of the evidence is recorded and managed by means of a storage solution introduced in 2020. The Evidence Management System, the first joint system used by the OAG and fedpol, supports all phases, from the recording of items by investigators during searches of premises to the final decisions such as return/handover, destruction or forfeiture in the case of assets.

The Service *eDiscovery* enables the operational divisions to analyse large, unstructured amounts of data. Data relevant to a specific case (mostly emails and documents) are made ready for the investigations.

The Language Services Unit coordinates and manages the orders placed with external specialists at the request of the case-handling divisions for translations, transcriptions and interpreting, for example when suspects and witnesses are interviewed. This year, translations into and from 49 languages were arranged. In addition, this unit maintains a large network of 213 linguists.

The Forensic Preservation Service works with the FCP to check all the physical data carriers that arrive at the OAG, such as hard drives, CDs or USB sticks. In the report year, there were 785 such items.

### Breakdown of physical evidence into categories





### 5.6 General directives and regulations

In the report year, the Code of Conduct, the regulations on basic and continuing professional training, the operational controlling plan and the directive on on-call duty for case management were amended. A new directive on on-call duty in non-procedural areas and signature and authorisation regulations in relation to Human Resources were also issued. In addition, several new directives were issued and existing directives revised in relation to information security.

### 5.7 Code of Conduct

The Advisory Ethics Committee (the Committee) independently oversees the implementation and development of the Code of Conduct (CoC). The Committee comprises at least one member from each division, one member from Legal Services and one member from Human Resources. It must be composed in such a way that the various staff positions and language regions are adequately represented. The Committee's mandate consists of implementing the CoC and issuing opinions at the request of the federal prosecutors, employees or the Directorate.

In 2024, the Committee met seven times and dealt with a total of 13 different issues. Four decisions were made by circular letter. The Committee also revised the CoC and submitted his proposal to the Management for approval. Based on the issues that it had to deal with, the Committee decided to amend and clarify the chapter on secondary employment and that on gifts.

## 6 Communication

Around 1,000 media enquiries from all over the world were handled in the report year by the OAG's Communication Division, in close cooperation with the lawyers conducting proceedings. The Division also kept the public up to date, issuing 17 media releases about milestones in important criminal proceedings. As a service provider, it also advised the Directorate, division heads and numerous employees on internal communication projects and implemented various communication measures in the report year.

### 6.1 External communications

In the reporting year, the OAG received over 1,000 media enquiries from all over the world. The foreign media were mainly interested in criminal proceedings in the area of white-collar crime, including the 1MDB complex, the football proceedings and those in the area of corporate criminal liability. The trial and conviction in the first instance of the former Gambian interior minister, Ousman Sonko, in May 2024 also attracted worldwide media interest. Almost half of all enquiries concerned the area of national security and came mostly from Swiss media professionals. They were particularly interested in offences involving explosives, including the blowing up of ATMs and, from the last quarter of the year, the incidents involving explosives in Geneva in which several people were injured, as well as in suspected violations of the sanctions against Russia, espionage and political espionage, and proceedings for suspected breach of official secrecy and electoral fraud. Over 100 enquiries were also made regarding the filing of charges and verdicts in terrorism cases during the reporting year.

The communication staff also regularly exchanged information with communication specialists from other federal authorities, the cantonal public prosecutors' offices and the cantonal police forces – not only when responding to enquiries about the latest case developments, but also at the annual meetings of the media officers of the Swiss Police Corps (SKMP) and the Swiss Conference of Information Officers of the Public Prosecutors' Offices (SKIS).

### 6.2 Internal communications

The OAG's Communication Division also ensured the continuous internal exchange of information in the report year. Important tools here are the OAG's intranet, which has been updated and revised, and the internal newsletter, which is distributed regularly to inform employees about important developments.

The communications specialists monitor the media on a daily basis and inform their colleagues about the latest developments at home and abroad in connection with the OAG's activities. Throughout the year, they also supported the Directorate, heads of division, project managers and lawyers conducting proceedings by communicating a wide range of topics via the available channels, such as the intranet, newsletters and various events.

The weekly informative video meeting, which is chaired by the Attorney General or his deputies, remains a valued tool for communicating important information from the Directorate and the departments internally.

# Reporting

## Criminal investigations 2024

	ST*	KO	RH	TE	VO	CY	AW	GW	IK	ZEB	Total OAG
<b>Newly opened criminal investigations</b>	<b>248</b>	<b>6</b>	<b>0</b>	<b>34</b>	<b>3</b>	<b>10</b>	<b>13</b>	<b>15</b>	<b>3</b>	<b>0</b>	<b>332</b>
<b>Criminal investigations completed</b>											
No-proceedings decisions	109	2	2	4	5	3	2	7	1	95	230
Abandonments of proceedings	89	5	0	3	0	0	5	12	8	0	122
Transfers/delegations/forwardings/referrals back to canton	54	1	0	4	1	0	1	1	1	200	263
Summary penalty orders**	87	0	0	5	0	0	0	0	2	0	94
Investigations combined	3	0	0	1	0	32	24	1	0	1	62
Decisions that have become legally binding	11	0	0	4	0	0	0	1	0	0	16
<b>Total number of criminal investigations completed</b>	<b>353</b>	<b>8</b>	<b>2</b>	<b>21</b>	<b>6</b>	<b>35</b>	<b>32</b>	<b>22</b>	<b>12</b>	<b>296</b>	<b>787</b>
<b>Opened criminal investigations (as per 31.12.2024)</b>											
Duration of proceedings up to 1 year	153	5	0	34	3	6	13	16	3	0	233
Duration of proceedings 1 to 2 years	63	5	0	24	2	6	5	16	1	0	122
Duration of proceedings 2 to 3 years	34	5	0	8	2	3	9	7	1	0	69
Duration of proceedings 3 to 4 years	15	0	0	11	1	0	3	8	2	0	40
Duration of proceedings 4 to 5 years	11	0	0	3	1	0	4	12	5	0	36
Duration of proceedings 5 to 6 years	4	2	0	3	0	0	2	1	3	0	15
Duration of proceedings 6 to 7 years	4	0	0	2	1	0	1	2	1	0	11
Duration of proceedings 7 to 8 years	2	0	0	0	0	0	2	3	1	0	8
Duration of proceedings 8 to 9 years	0	2	0	1	0	0	1	2	0	0	6
Duration of proceedings 9 to 10 years	1	0	0	0	0	0	0	6	3	0	10
Duration of proceedings more than 10 years	1	1	0	0	1	0	1	2	1	0	7
<b>Total number of opened criminal investigations</b>	<b>288</b>	<b>20</b>	<b>0</b>	<b>86</b>	<b>11</b>	<b>15</b>	<b>41</b>	<b>75</b>	<b>21</b>	<b>0</b>	<b>557</b>
<b>Suspended criminal investigations (as per 31.12.2024)</b>	<b>409</b>	<b>5</b>	<b>2</b>	<b>35</b>	<b>0</b>	<b>5</b>	<b>6</b>	<b>17</b>	<b>11</b>	<b>0</b>	<b>490</b>
<b>Pending preliminary investigations (as per 31.12.2024)</b>	<b>136</b>	<b>3</b>	<b>18</b>	<b>23</b>	<b>8</b>	<b>3</b>	<b>7</b>	<b>15</b>	<b>4</b>	<b>78</b>	<b>295</b>
<b>Pending main proceedings (as per 31.12.2024)</b>	<b>30</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>4</b>	<b>1</b>	<b>8</b>	<b>16</b>	<b>5</b>	<b>0</b>	<b>71</b>
<b>Indictments filed</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>22</b>
<b>Indictments filed in accelerated proceedings</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>
<b>Referrals of summary penalty orders to court</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>29</b>

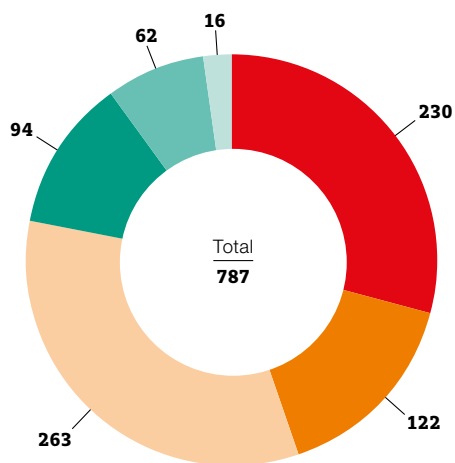
\* Without bulk business cases; for bulk business cases see p. 58 ff.

\*\* The figures refer to the number of proceedings.

**Completions**

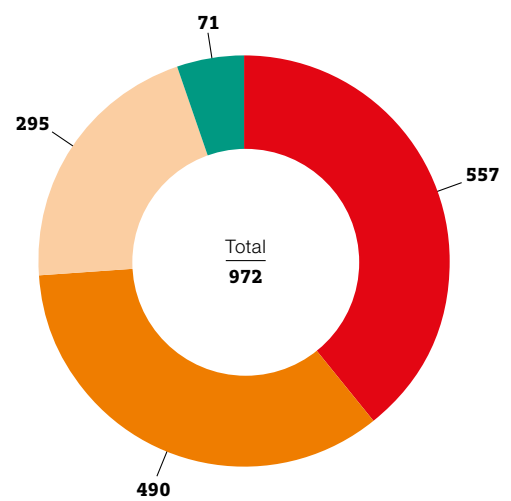
by type (total OAG)

- No-proceedings decisions
- Abandonments of proceedings
- Transfers/delegations/forwardings/referrals back to canton
- Summary penalty orders\*\*
- Investigations combined
- Decisions that have become legally binding

**Pending as per 31.12.2024**

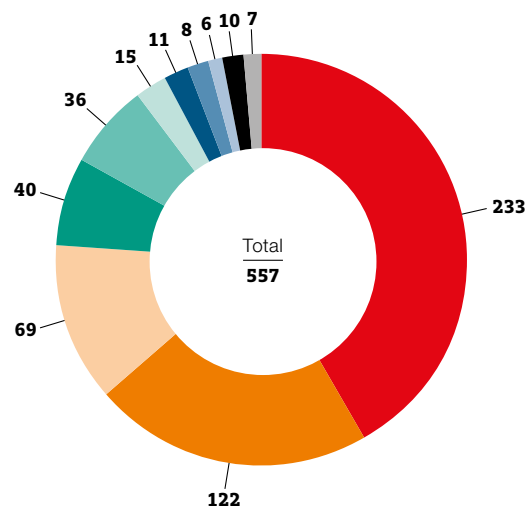
(total OAG)

- Opened investigations
- Suspended investigations
- Pending preliminary investigations
- Pending main proceedings

**Opened criminal investigations (as per 31.12.2024)**

by duration of proceedings (total OAG)

- up to 1 year
- 1 to 2 years
- 2 to 3 years
- 3 to 4 years
- 4 to 5 years
- 5 to 6 years
- 6 to 7 years
- 7 to 8 years
- 8 to 9 years
- 9 to 10 years
- more than 10 years



## Criminal investigations

### Development 2020–2024 (total OAG)

	2020	2021	2022	2023	2024
<b>Newly opened criminal investigations</b>	<b>255</b>	<b>292</b>	<b>256</b>	<b>318</b>	<b>332</b>

#### Criminal investigations completed

No-proceedings decisions	377	362	429	307	230
Abandonments of proceedings	114	141	179	100	122
Transfers/delegations/forwardings/referrals back to canton	171	240	275	292	263
Summary penalty orders	–	–	129	90	94
Investigations combined	–	–	121	49	62
Decisions that have become legally binding	–	–	13	11	16
<b>Total number of criminal investigations completed</b>	<b>–</b>	<b>–</b>	<b>1146</b>	<b>849</b>	<b>787</b>

#### Opened criminal investigations (as per 31.12.)

Duration of proceedings up to 1 year	–	–	168	221	233
Duration of proceedings 1 to 2 years	–	–	84	94	122
Duration of proceedings 2 to 3 years	–	–	54	57	69
Duration of proceedings 3 to 4 years	–	–	30	44	40
Duration of proceedings 4 to 5 years	–	–	24	24	36
Duration of proceedings 5 to 6 years	–	–	22	17	15
Duration of proceedings 6 to 7 years	–	–	5	13	11
Duration of proceedings 7 to 8 years	–	–	27	6	8
Duration of proceedings 8 to 9 years	–	–	3	14	6
Duration of proceedings 9 to 10 years	–	–	2	2	10
Duration of proceedings more than 10 years	–	–	10	8	7
<b>Total number of opened criminal investigations</b>	<b>428</b>	<b>423</b>	<b>429</b>	<b>500</b>	<b>557</b>

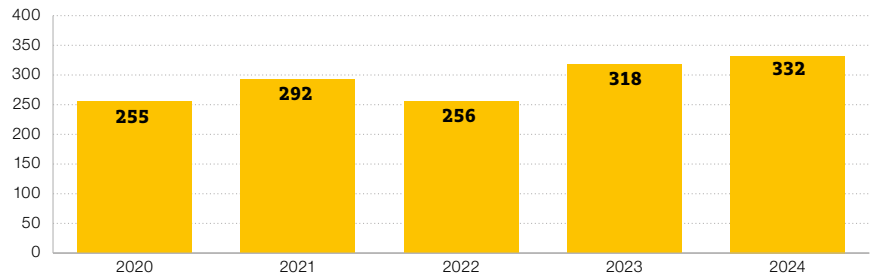
<b>Suspended criminal investigations (as per 31.12.)</b>	<b>345</b>	<b>392</b>	<b>389</b>	<b>451</b>	<b>490</b>
<b>Pending preliminary investigations (as per 31.12.)</b>	<b>481</b>	<b>598</b>	<b>305</b>	<b>308</b>	<b>295</b>
<b>Pending main proceedings (as per 31.12.)*</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>71</b>

<b>Indictments filed</b>	<b>29</b>	<b>14</b>	<b>21</b>	<b>16</b>	<b>22</b>
<b>Indictments filed in accelerated proceedings</b>	<b>4</b>	<b>6</b>	<b>4</b>	<b>3</b>	<b>2</b>
<b>Referrals of summary penalty orders to court</b>	<b>10</b>	<b>27</b>	<b>14</b>	<b>16</b>	<b>29</b>

As certain statistics have only been collected since 2022, some of the comparative figures are not available for the previous years.

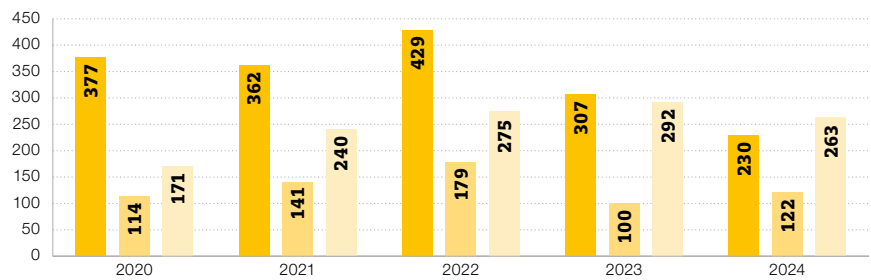
\* The main proceedings are only reported from 2024.

### Newly opened



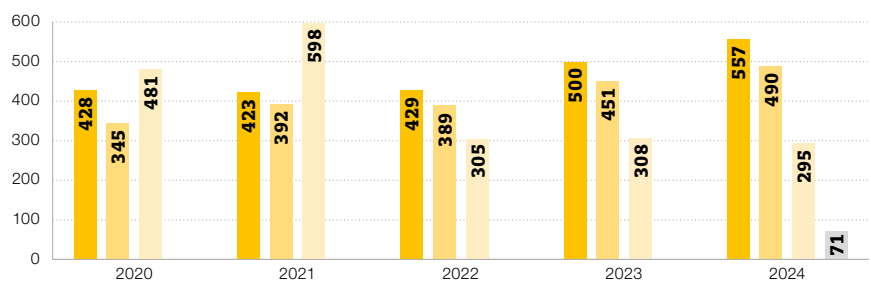
### Completions

- No-proceedings decisions
- Abandonments of proceedings
- Transfers/delegations/forwardings/referrals back to canton



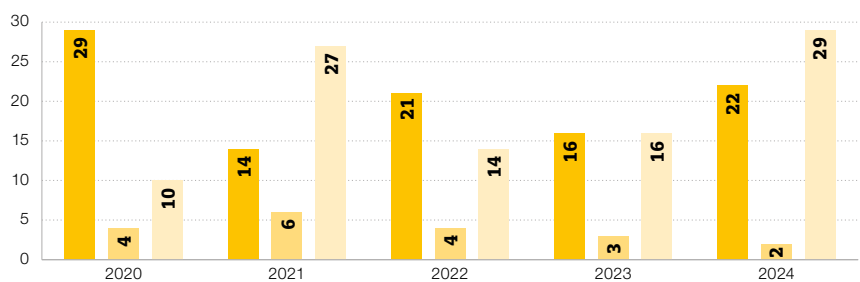
### Pending as per 31.12.

- Opened investigations
- Suspended investigations
- Pending preliminary investigations
- Pending main proceedings



### Indictments

- Indictments filed
- Indictments filed in accelerated proceedings
- Referrals of summary penalty orders to court





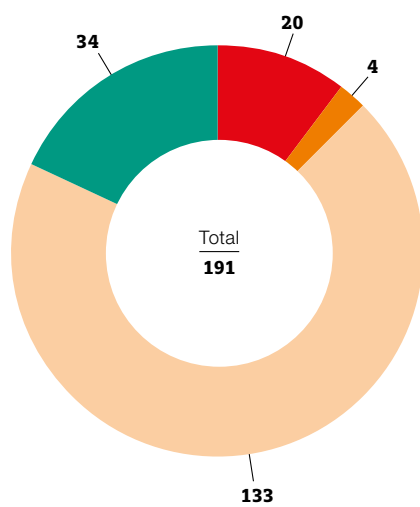
## Requests received for mutual legal assistance 2024

	ST	KO	RH	TE	VO	CY	AW	GW	IK	Total OAG
<b>Requests for mutual legal assistance accepted</b>	<b>7</b>	<b>5</b>	<b>111</b>	<b>2</b>	<b>4</b>	<b>12</b>	<b>9</b>	<b>15</b>	<b>8</b>	<b>173</b>
<b>Mutual legal assistance proceedings completed</b>										
Returned to FOJ for delegation to canton	1	0	19	0	0	0	0	0	0	20
Mutual legal assistance refused	1	0	2	1	0	0	0	0	0	4
Mutual legal assistance granted	4	4	87	3	2	8	7	12	6	133
Other completions (e.g. dismissal, withdrawal, etc.)	1	1	18	0	1	2	5	2	4	34
<b>Total of mutual legal assistance proceedings completed</b>	<b>7</b>	<b>5</b>	<b>126</b>	<b>4</b>	<b>3</b>	<b>10</b>	<b>12</b>	<b>14</b>	<b>10</b>	<b>191</b>
<b>Pending mutual legal assistance proceedings (as per 31.12.2024)</b>										
Requests received	0	1	4	0	0	4	0	0	2	11
Requests being examined	2	1	23	1	1	1	2	10	3	44
Mutual legal assistance procedures being executed	7	15	88	4	0	2	8	19	7	150
Objection proceedings	0	0	1	0	0	0	0	1	1	3
<b>Total of pending mutual legal assistance proceedings</b>	<b>9</b>	<b>17</b>	<b>116</b>	<b>5</b>	<b>1</b>	<b>7</b>	<b>10</b>	<b>30</b>	<b>13</b>	<b>208</b>
Duration of proceedings up to 1 year	3	5	63	1	1	7	3	9	7	99
Duration of proceedings 1 to 2 years	2	4	26	2	0	0	2	5	2	43
Duration of proceedings 2 to 3 years	0	3	8	2	0	0	2	5	1	21
Duration of proceedings 3 to 4 years	2	0	16	0	0	0	0	3	0	21
Duration of proceedings 4 to 5 years	1	0	3	0	0	0	0	1	3	8
Duration of proceedings more than 5 years	1	5	0	0	0	0	3	7	0	16

**Completions**

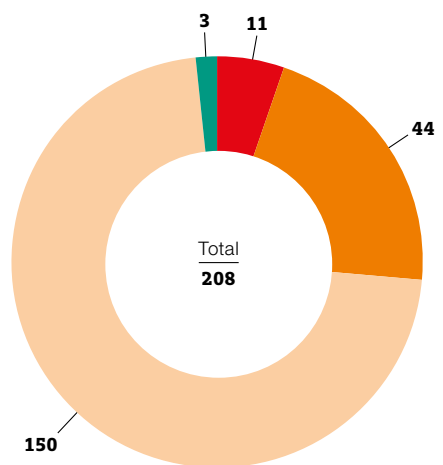
by type (total OAG)

- Returned to FOJ for delegation to canton
- Mutual legal assistance refused
- Mutual legal assistance granted
- Other completions (e. g. dismissal, withdrawal, etc.)

**Pending as per 31.12.2024**

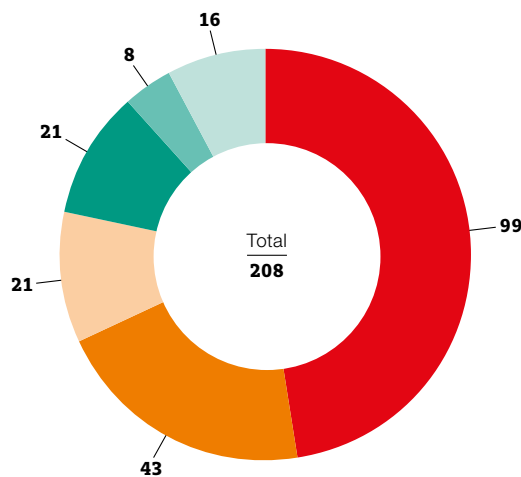
(total OAG)

- Requests received
- Requests being examined
- Mutual legal assistance procedures being executed
- Objection proceedings

**Pending mutual legal assistance proceedings (as per 31.12.2024)**

by duration of proceedings (total OAG)

- up to 1 year
- 1 to 2 years
- 2 to 3 years
- 3 to 4 years
- 4 to 5 years
- more than 5 years



## Requests received for mutual legal assistance Development 2020–2024 (total OAG)

	2020	2021	2022	2023	2024
<b>Requests for mutual legal assistance accepted</b>	<b>213</b>	<b>204</b>	<b>148</b>	<b>167</b>	<b>173</b>

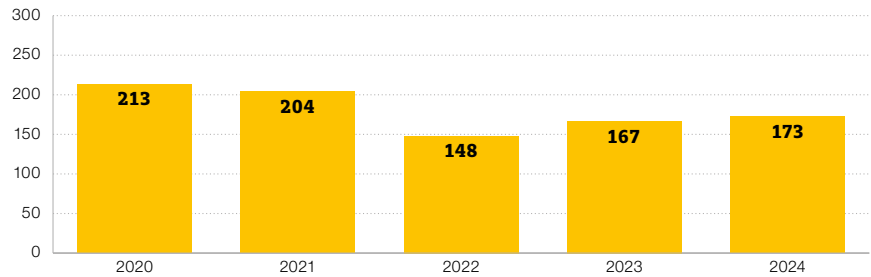
<b>Mutual legal assistance proceedings completed</b>					
Returned to FOJ for delegation to canton	20	27	25	17	20
Mutual legal assistance refused	6	6	1	1	4
Mutual legal assistance granted	209	169	115	83	133
Other completions (e. g. dismissal, withdrawal, etc.)	34	49	32	35	34
<b>Total of mutual legal assistance proceedings completed</b>	<b>269</b>	<b>251</b>	<b>173</b>	<b>136</b>	<b>191</b>

<b>Pending mutual legal assistance proceedings (as per 31.12.)</b>					
Requests received	10	5	9	5	11
Requests being examined	50	39	41	46	44
Mutual legal assistance procedures being executed	183	147	140	162	150
Objection proceedings	6	7	1	1	3
<b>Total of pending mutual legal assistance proceedings</b>	<b>249</b>	<b>198</b>	<b>191</b>	<b>214</b>	<b>208</b>

Duration of proceedings up to 1 year	–	–	94	115	99
Duration of proceedings 1 to 2 years	–	–	44	39	43
Duration of proceedings 2 to 3 years	–	–	18	27	21
Duration of proceedings 3 to 4 years	–	–	9	12	21
Duration of proceedings 4 to 5 years	–	–	14	6	8
Duration of proceedings more than 5 years	–	–	12	15	16

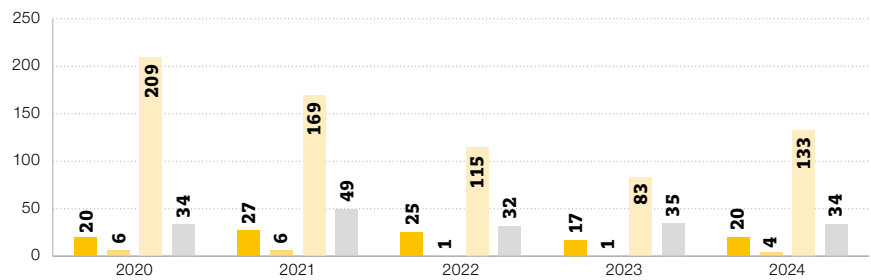
As certain statistics have only been collected since 2022, some of the comparative figures are not available for the previous years.

### Requests for mutual legal assistance accepted



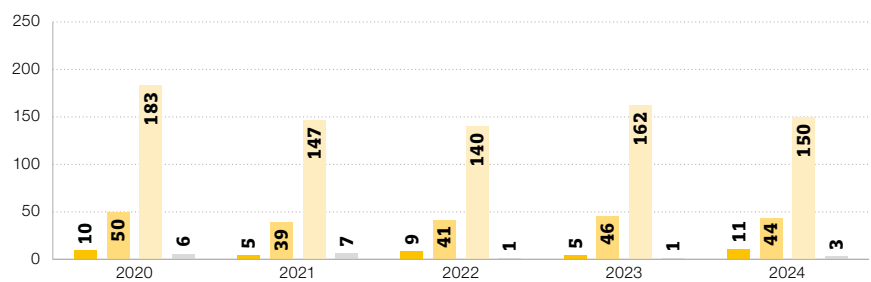
### Completions

- Returned to FOJ for delegation to canton
- Mutual legal assistance refused
- Mutual legal assistance granted
- Other completions (e.g. dismissal, withdrawal, etc.)



### Pending as per 31.12.

- Requests received
- Requests being examined
- Mutual legal assistance procedures being executed
- Objection proceedings



## Bulk business cases (only relates to ST offences) 2024

### New bulk business cases

Counterfeit money	161
Explosives	142
Offences against public officials	450
<b>Total of new bulk business cases</b>	<b>753</b>

### Bulk business cases completed

Counterfeit money	149
Explosives	145
Offences against public officials	353
<b>Total of bulk business cases completed</b>	<b>647</b>

### Pending bulk business cases (as per 31.12.2024)

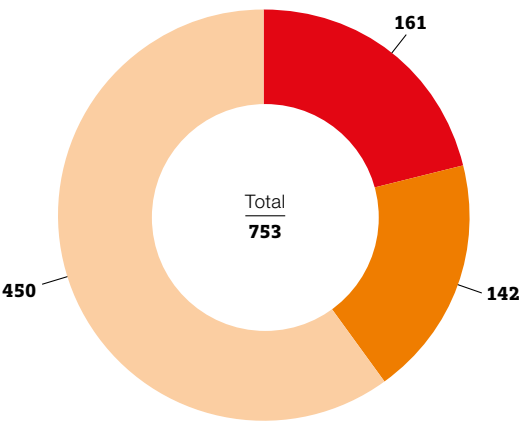
Counterfeit money	24
Explosives	4
Offences against public officials	103
<b>Total of pending bulk business cases</b>	<b>131</b>

Duration of proceedings up to 3 months	94
Duration of proceedings 3 to 6 months	30
Duration of proceedings 6 to 9 months	5
Duration of proceedings 9 to 12 months	2
Duration of proceedings more than 12 months	0

New entries

by category (total ST)

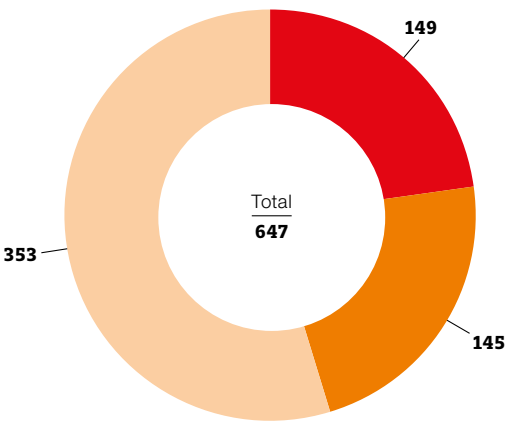
- Counterfeit money
- Explosives
- Offences against public officials



Completions

by category (total ST)

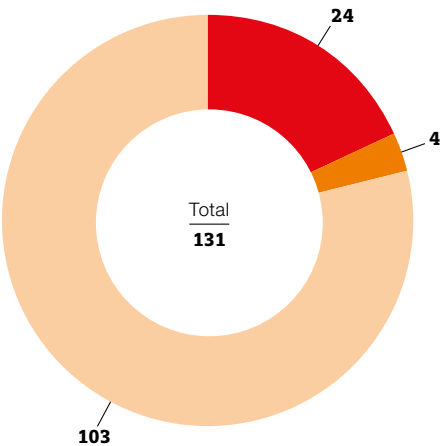
- Counterfeit money
- Explosives
- Offences against public officials



Pending as per 31.12.2024

by category (total ST)

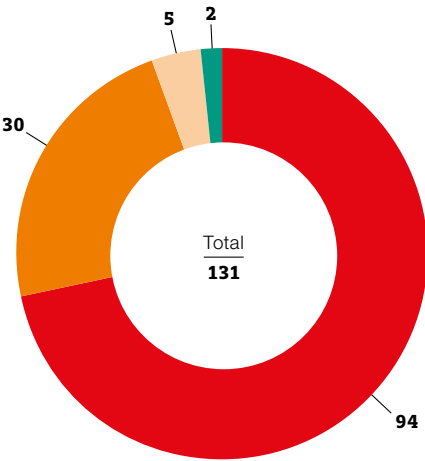
- Counterfeit money
- Explosives
- Offences against public officials



Pending as per 31.12.2024

by duration of proceedings (total ST)

- up to 3 months
- 3 to 6 months
- 6 to 9 months
- 9 to 12 months
- more than 12 months



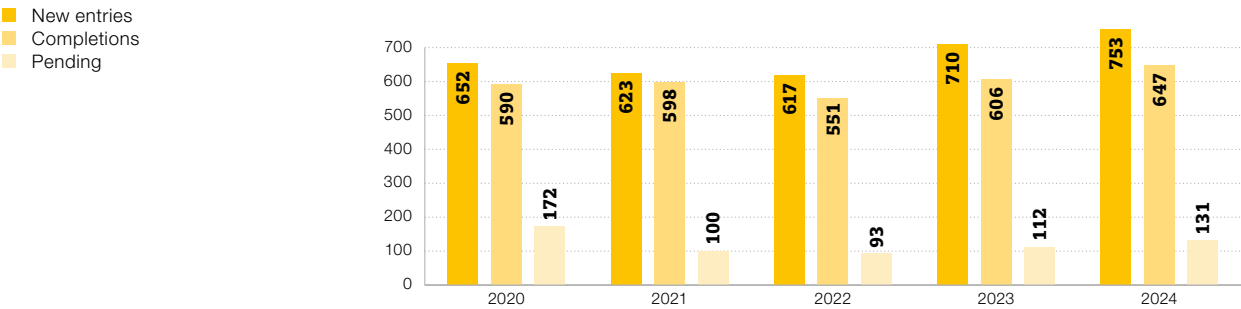


## Bulk business cases (only relates to ST offences) Development 2020–2024

	2020	2021	2022	2023	2024
<b>New bulk business cases</b>					
Counterfeit money	–	–	112	120	161
Explosives	–	–	126	160	142
Offences against public officials	–	–	379	430	450
<b>Total of new bulk business cases</b>	<b>652</b>	<b>623</b>	<b>617</b>	<b>710</b>	<b>753</b>
<b>Bulk business cases completed</b>					
Counterfeit money	181	136	98	115	149
Explosives	181	159	126	158	145
Offences against public officials	–	–	327	333	353
Miscellaneous (including offences against public officials)	228	303	–	–	–
<b>Total of bulk business cases completed</b>	<b>590</b>	<b>598</b>	<b>551</b>	<b>606</b>	<b>647</b>
<b>Pending bulk business cases (per 31.12.)</b>					
Counterfeit money	–	–	21	20	24
Explosives	–	–	5	8	4
Offences against public officials	–	–	67	84	103
<b>Total of pending bulk business cases</b>	<b>172</b>	<b>100</b>	<b>93</b>	<b>112</b>	<b>131</b>
Duration of proceedings up to 3 months	–	–	69	89	94
Duration of proceedings 3 to 6 months	–	–	9	17	30
Duration of proceedings 6 to 9 months	–	–	5	3	5
Duration of proceedings 9 to 12 months	–	–	3	0	2
Duration of proceedings more than 12 months	–	–	7	3	0

As certain statistics have only been collected since 2022, some of the comparative figures are not available for the previous years.

Bulk business cases (only relates to ST offences)



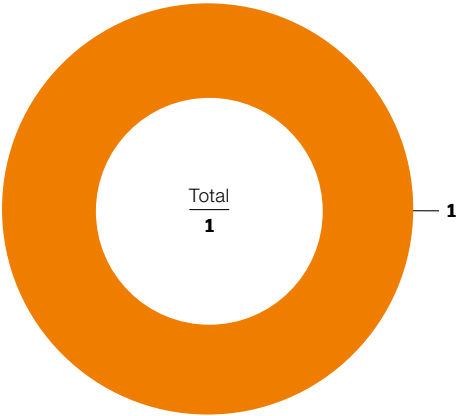
## Objections in the Federal Criminal Court 2024

	ST	KO	RH	TE	VO	CY	AW	GW	IK	ZEB	Total OAG
<b>Objections filed by the OAG in the Federal Criminal Court</b>											
Objections filed in the report year	1	0	0	0	0	0	0	1	0	0	2
Objections decided in the report year (some raised the previous year)	1	0	0	0	0	0	0	0	0	0	1
Granted or granted in part	0	0	0	0	0	0	0	0	0	0	0
Rejected or not considered	1	0	0	0	0	0	0	0	0	0	1
No longer relevant	0	0	0	0	0	0	0	0	0	0	0
<b>Objections filed against the OAG in the Federal Criminal Court</b>											
Objections filed in the report year	24	5	34	5	3	1	15	43	4	29	163
Objections decided in the report year (some raised the previous year)	26	5	39	7	2	1	5	40	6	29	160
Granted	0	0	1	0	0	0	0	2	0	0	3
Rejected, rejected in part or not considered	25	3	37	6	2	1	5	33	6	25	143
No longer relevant	1	2	1	1	0	0	0	5	0	4	14

Objections filed by the OAG in the Federal Criminal Court  
(total OAG)

Objections decided in the report year  
(some raised the previous year)

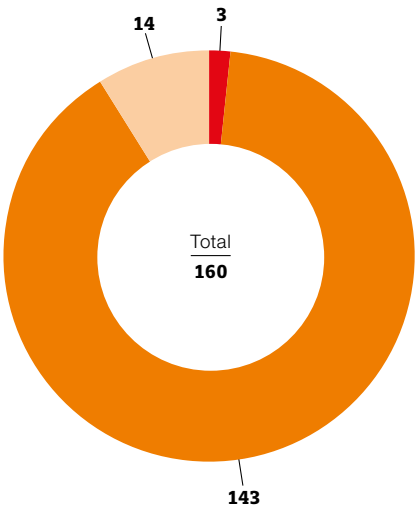
- Granted or granted in part
- Rejected or not considered
- No longer relevant



Objections filed against the OAG in the Federal Criminal Court  
(total OAG)

Objections decided in the report year  
(some raised the previous year)

- Granted
- Rejected, rejected in part or not considered
- No longer relevant



## Main proceedings and summary penalty orders 2024

	ST	KO	RH	TE	VO	CY	AW	GW	IK	Total OAG
<b>Indictments and transfers of summary penalty orders</b>										
Number of accused	13	0	0	4	2	0	0	2	0	21
Convicted	12	0	0	4	1	0	0	2	0	19*
Acquitted	1	0	0	0	0	0	0	0	0	1
Dismissed by the Federal Criminal Court	0	0	0	0	1	0	0	0	0	1**
<b>Accelerated proceedings</b>										
Number of accused	0	0	0	0	0	0	0	0	0	0
Convicted	0	0	0	0	0	0	0	0	0	0
Returned	0	0	0	0	0	0	0	0	0	0
<b>Summary penalty orders</b>										
Summary penalty orders*** per accused, in legal force, including bulk cases	307	1	0	5	0	0	0	0	3	316

\* Of the 19 convictions, 12 are not yet in legal force.

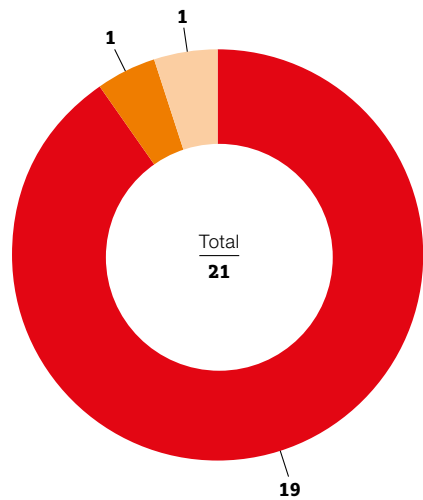
\*\* The abandonment order is not yet in legal force.

\*\*\* A summary penalty order can only be imposed on one person.  
It may therefore be possible that several penalty orders are issued  
in any single case.

Indictments and transfers of summary penalty orders  
(total OAG)

Number of accused

- Convicted
- Acquitted
- Dismissed by the Federal Criminal Court



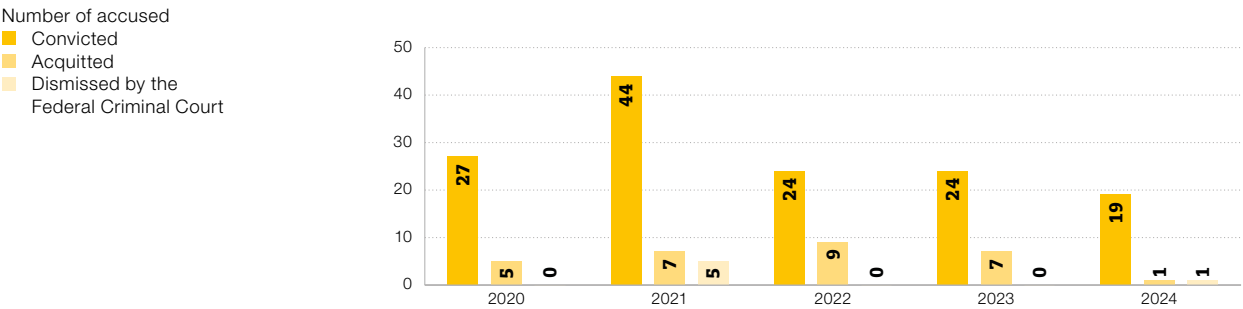


## Main proceedings and summary penalty orders

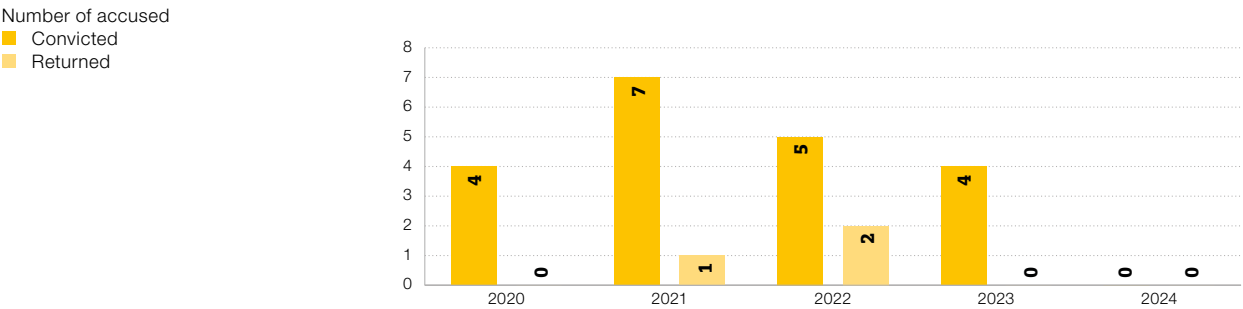
### Development 2020–2024 (total OAG)

	2020	2021	2022	2023	2024
<b>Indictments and transfers of summary penalty orders</b>					
Number of accused	32	56	33	31	21
Convicted	27	44	24	24	19
Acquitted	5	7	9	7	1
Dismissed by the Federal Criminal Court	0	5	0	0	1
<b>Accelerated proceedings</b>					
Number of accused	4	8	7	4	0
Convicted	4	7	5	4	0
Returned	0	1	2	0	0
<b>Summary penalty orders</b>					
Summary penalty orders per accused, in legal force, including bulk cases	203	294	341	284	316

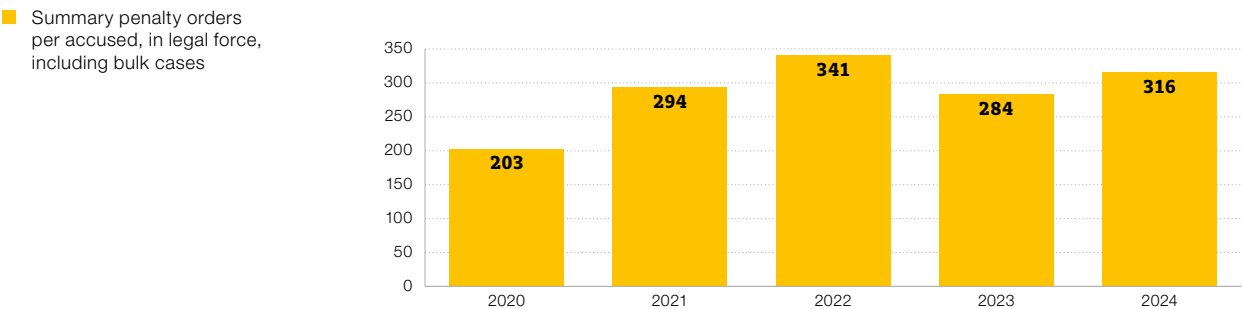
Indictments and transfers of summary penalty orders



Accelerated proceedings



Summary penalty orders

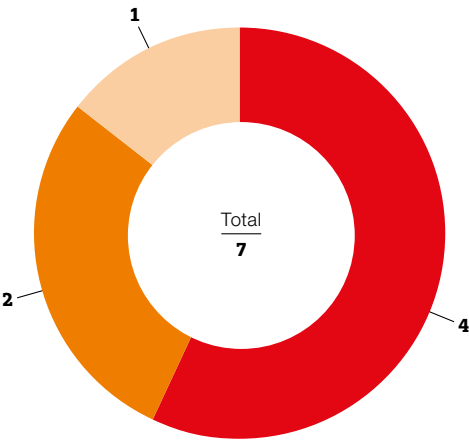




**Appeals filed by the OAG in the Higher Appeals Chamber of the Federal Criminal Court (total OAG)**

Appeals decided in the report year  
(some raised the previous year)

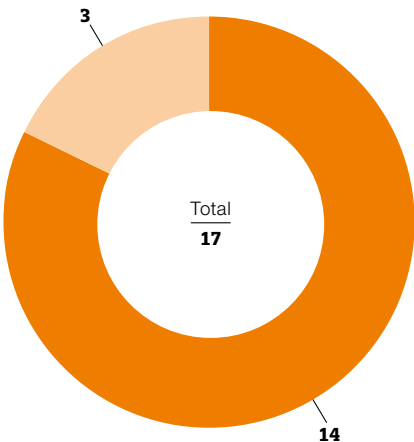
- Granted or granted in part
- Rejected or not considered
- No longer relevant



**Appeals filed against the OAG in the Higher Appeals Chamber of the Federal Criminal Court (total OAG)**

Appeals decided in the report year  
(some raised the previous year)

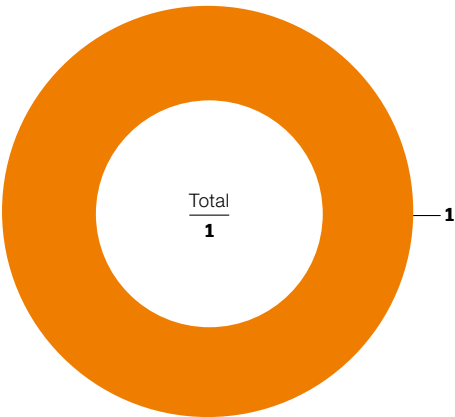
- Granted
- Rejected, rejected in part or not considered
- No longer relevant



**Cross-appeals filed by the OAG in the Higher Appeals Chamber of the Federal Criminal Court (total OAG)**

Cross-appeals decided in the report year  
(some raised the previous year)

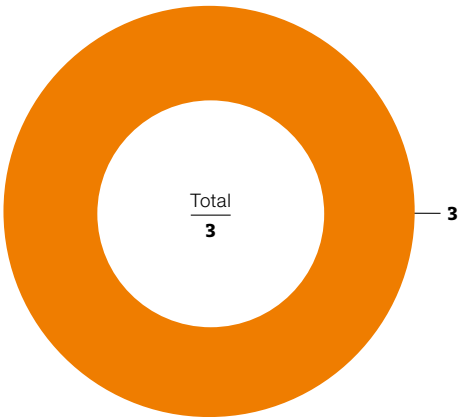
- Granted or granted in part
- Rejected or not considered
- No longer relevant



**Cross-appeals filed against the OAG in the Higher Appeals Chamber of the Federal Criminal Court (total OAG)**

Cross-appeals decided in the report year  
(some raised the previous year)

- Granted
- Rejected, rejected in part or not considered
- No longer relevant



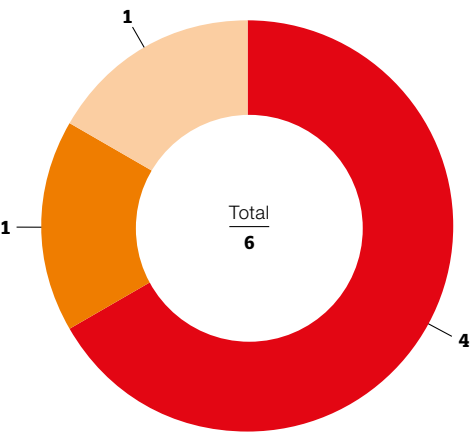
## Objections in the Federal Supreme Court 2024

	ST	KO	RH	TE	VO	CY	AW	GW	IK	ZEB	Total OAG
<b>Objections filed by the OAG in the Federal Supreme Court</b>											
Objections filed in the report year	1	0	0	2	1	0	3	2	1	0	10
Objections decided in the report year (some filed the previous year)	1	0	0	0	0	0	0	3	2	0	6
Granted or granted in part	0	0	0	0	0	0	0	2	2	0	4
Rejected or not considered	0	0	0	0	0	0	0	1	0	0	1
No longer relevant	1	0	0	0	0	0	0	0	0	0	1
<b>Objections filed against the OAG in the Federal Supreme Court</b>											
Objections filed in the report year	7	0	8	2	1	0	9	34	3	6	70
Objections decided in the report year (some filed the previous year)	8	0	10	3	1	0	8	42	4	6	82
Granted	2	0	1	0	0	0	0	5	2	0	10
Rejected, rejected in part or not considered	6	0	9	3	1	0	7	35	2	6	69
No longer relevant	0	0	0	0	0	0	1	2	0	0	3

Objections filed by the OAG in the Federal Supreme Court  
(total OAG)

Objections decided in the report year  
(some filed the previous year)

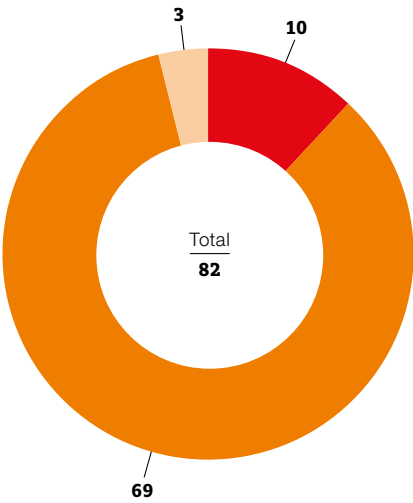
- Granted or granted in part
- Rejected or not considered
- No longer relevant



Objections filed against the OAG in the Federal Supreme Court  
(total OAG)

Objections decided in the report year  
(some filed the previous year)

- Granted
- Rejected, rejected in part or not considered
- No longer relevant





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**Further information**

[www.bundesanwaltschaft.ch](http://www.bundesanwaltschaft.ch)



