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Swiss Criminal Prosecutor's Office and private plaintiffs against Dieter Behring

The Swiss Federal Criminal Court ended the trial involving the Swiss Criminal Prosecutor's Office and private plaintiffs against Dieter Behring on September 30th 2016 with the public pronouncement of the conclusions and the summarized grounds of its judgment. In the main issue, the Court found Dieter Behring guilty of fraud for commercial gain, committed between October 1st 2001 and autumn 2004, and sentenced him to five and a half years of imprisonment. Furthermore, the Court ordered the forfeiture of the seized items and assets and awarded the State of Switzerland CHF 100 million as damages, to be paid by Dieter Behring. The decision on the civil claims submitted by the private plaintiffs will be issued subsequently in written form and, as planned, along with the written reasons of the judgment.

The judgment is neither final nor legally binding at the moment. The Court will issue the reasons adduced for its judgment in written form in the next few months. An appeal against the judgment may be lodged only after the notification of the reasons in written form, which may occur in the first quarter of 2017. Therefore, the Court stated against sending the conclusions of the judgment pronounced in public on September 30th 2016 to the absent private plaintiffs and third parties concerned. The judgment in full, which will include the reasons adduced for and specific information on appeal, will be notified to them in due course.

The decision on a pro rata allocation of forfeited items and assets to private plaintiffs awarded with damages can only be founded on a final, and legally binding judgment. The Court will serve the private plaintiffs with informations in the course of the further proceedings.

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