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Swissmedic criminal claim – «Executive Summary»

1 37 complainants and six private claimants directly harmed by mRNA «vaccinations» (all of whom are specified in the recitals) are filing the present criminal claim to protect their own health and out of legitimate concern for the health of their fellow human beings.

2 What we are dealing with here is the **greatest threat to human health caused by medicinal products and the greatest injury to human health that Switzerland has ever seen:** The authorization and administration of the largely ineffective mRNA «vaccines» represent a far greater danger than the SARS-CoV-2 pathogen against which these «vaccines» are supposed to provide protection.

3 Swissmedic is primarily responsible for this threat: By law, it has the central function of protecting the health of the Swiss population. To this end, it must ensure, on the one hand, that only high quality, safe, and effective therapeutic products are placed on the market. On the other hand, it must protect consumers of therapeutic products against fraud (Art. 1 TPA). The notifying parties acting on behalf of Swissmedic failed to comply with these guarantee obligations on several occasions and to a significant extent, which is why they have been under strong suspicion, since December 2020 and up to the present day,

- of having repeatedly violated the **due diligence obligations under therapeutic product law** (Art. 86(1a) TPA, in conjunction with. Art. 3 TPA [general due diligence] and Art. 7 TPA [due diligence requirement of the manufacturer]) in the course of marketing authorization and batch testing which, according to federal court rulings, is deemed to be manufacturing, in that
  - they granted «temporary» authorization for the mRNA «vaccines» within the meaning of Art. 9a TPA despite the lack of sufficient evidence of efficacy and safety and despite massive risk signals,
  - they massively undercut the already very low safety precautions that are decisive for the procedure according to Art. 9a TPA and have thus created risks for public health that had never been posed by a medicinal product before,
  - they not only permanently withheld elementary information on the minimal to complete lack of protective effect of the mRNA «vaccines» and the actual risk of side effects from the population and the medical community, but also systematically conveyed this information in a misleading manner,

- of not having fulfilled the duty of post-marketing surveillance (so-called «pharmacovigilance») in a risk-adequate manner, but rather having permanently violated the **obligation to notify under therapeutic product law** (Art. 87(1c) TPA) in a serious manner,
- of having seriously violated the **prohibition on the advertising of therapeutic products** (Art. 87(1b) TPA),
- of having satisfied the corresponding **elements of an offense under the Criminal Code** when a «success» (death, bodily injury) has occurred.

4 The breaches of due diligence obligations complained of here essentially consist in the fact that the notifying parties acting on behalf of Swissmedic (and, in principle, also the notified physicians) were already aware of countless risk factors from **December 2020** onwards, each of which, when assessed in isolation, would have prevented the granting of the «temporary» authorization (and the administration of the corresponding mRNA injections) until the corresponding risk factors had been clarified in detail and eliminated under normal circumstances. The following should be highlighted here (for detailed information on further risk factors, please consult criminal claim N 840):

- At the end of 2020, the mRNA technology – which thus far has been used (unsuccessfully!) as **gene therapy** in cancer patients only – was to be applied for the first time to **a healthy general population as** a precautionary measure (i.e. for prophylaxis). Compared to all other medicinal products approved ordinarily or «temporarily", the authorization of this mRNA technology for healthy people represents an absolute **abnormality.**
- **Animal studies** – a mandatory requirement for ordinary authorization and a key safety element – had not been performed at all or had not been performed adequately.
- The **human studies on which the «temporary» authorizations were based at the end of 2020 had** run for just **two months** (instead of the usual 12-24 months), thus lacking any long-term data on safety and efficacy.
- Shortly after the start of the study, the manufacturers Pfizer/BioNTech and Moderna **largely deprived these authorization studies of** their **informative value** by **disbanding** the **control groups.** Accordingly, there is no way that the manufacturers will ever – and certainly not by the end of 2022, which they are legally obliged to do – be able to provide **complete clinical documentation for** the purpose of converting the «temporary» authorization into ordinary authorization.
- It is already clear from the authorization documents that **toxic, potentially mutagenic and carcinogenic impurities** are present in the mRNA «vaccines» with nitrosamine, benzene (benzol), and bacterial DNA.
- The mRNA «vaccines» also contain new ingredients that have not yet been tested or approved for use in humans: **toxic lipid nanoparticles**. These are potentially **carcinogenic**, can potentially **impair fertility** and **harm the child in the womb.**

- A **possible risk in pregnancies** was known to Swissmedic, but was simply ignored.
- These clinical trials had already revealed clear risk signals such as **evidence of increased morbidity in the vaccine group.**
- By the end of 2020, there were already indications of possible **long-term consequences of the mRNA «vaccines", such as neurodegenerative diseases or autoimmune diseases.**

5 Despite these and numerous other risk-increasing circumstances, the initial authorization of the mRNA «vaccines» was «fast-tracked» by Swissmedic: In just 63 calendar days, the applications for authorization were «reviewed» (an ordinary procedure would take 330 days, a procedure for «temporary» authorization usually takes 140 days) and important – mandatory – milestones were simply omitted. As a result, this «temporary» authorization in the sense of Art. 9a TPA means nothing more than the fact that the entire Swiss population unknowingly **participated and continues to participate** in the **largest clinical experiment ever conducted in Switzerland** (and indeed the world).

6 Without adequately addressing this risk (created by the «temporary» authorization), Swissmedic unwaveringly proceeded to extend the authorizations to adolescents aged 12 years and older in **June 2021**. And this despite the fact that, in addition to all previous risk-increasing and therefore legally relevant facts, it was known by mid-June 2021, among other things (for detailed information on further risk factors, please consult criminal claim N 847),

- that there had been **insufficient evidence of efficacy of the mRNA «vaccines» for adolescents in the** authorization studies,
- that the dose approved for adolescents was **half** (Comirnaty) or **five times** (Spikevax) the **recommended dose**, thus posing a completely unnecessary risk to adolescents,
- that, by February 2021 - i.e. within just a few months – a total of **42,086 adverse events and 1,200 deaths** had been reported in connection with Comirnaty alone, which should have led to the **immediate termination of the study,**
- that, according to global adverse event reports, the **alarm value of 50 deaths** had been **exceeded more than 150-fold** by June 2021.

7 Even these alarm signals did not prompt Swissmedic to seriously question the path taken. Instead, at the end of 2021, Swissmedic took the step of extending the authorizations to a third dose ("booster") and to children from the age of five years, despite the fact that, by this time, it was also known, among other things (for detailed information on **many** other risk factors, please consult criminal claim N 852),

- that **data** had been **falsified in the Comirnaty authorization study,**

- that the **toxic spike protein** produced in the body of the vaccinated individual is present in the body for longer – than originally indicated by Swissmedic and manufacturers – and thus leads to a variety of severe adverse events (even death),
- that **Pfizer/BioNTech** had submitted an alarming interim report ("PSUR") at the end of August 2021, which indicated that **46 cases** had been **fatal in the clinical trials** and **5,115 cases (1.6%)** had been **fatal** in the so-called «**post-marketing phase",**
- that **71 deaths** were recorded in children in Switzerland, the EU, and the USA for Comirnaty and Spikevax alone, which means that the absolute **alarm value of 50 deaths – which would have to lead to an immediate stop of any authorization of medicinal products – was clearly exceeded in** this target group alone, which is in no way endangered by SARS-CoV-2,
- that **more than 2,000 premature and stillbirths** had already been reported after mRNA injections in the USA and EU alone,
- that teenagers are **six times more** likely to have **heart problems (myocarditis) caused by COVID «vaccines»** than they are to have severe COVID disease,
- that the mRNA «vaccines» (Comirnaty and Spikevax) had received **68 times the number of severe adverse event reports** and **20 times the number of death reports per million doses administered** as of the end of 2021, compared with influenza vaccines.

8 Instead of finally pausing and conducting an in-depth analysis of the decisions taken, Swissmedic maintained all «temporary» approved in 2022 too, despite the fact that, in addition to all previous risk and legally relevant facts, it was also known (for detailed information on further risk factors, please consult criminal claim N 854),

- that worldwide (Switzerland, EU, USA) almost four million adverse events had already been reported for all COVID «vaccines» by May 2021, with Comirnaty and Spikevax alone accounting for **over 1.7 million adverse events** – of which **473,128 were severe** adverse events and **20,381 were deaths, exceeding** the **alarm value of 50 deaths** worldwide **more than 400-fold** at that time,
- that, despite Swissmedic's pronouncements that the mRNA «vaccines» had no effect on pregnancy, by May 2022, **2,177 stillbirths** had already been reported **after Comirnaty injection** and **810 stillbirths after Spikevax** injection – not allowing for underreporting – in the EU and the USA alone, with the manufacturers still openly admitting in 2022 that **– due to a lack of appropriate studies – «the safety profile of the vaccine in pregnant or breastfeeding women** is **not known",**
- that, according to a study on male fertility published in June 2022, the **sperm concentration 150 days after the second «vaccination» was still 15.9% below the baseline value,** which means that not only female but also male fertility is potentially negatively affected by the «vaccination",

- that, in the course of several autopsies performed in 2022, important evidence of the **lethal mode of action of the spike protein** had been provided, according to which mRNA-induced spike protein production appears to be the causal cause of vascular lesions and (fatal) myocarditis suffered as a result,
- that, with **VAIDS,** a long-suspected adverse event that has been detected increasingly since 2022, has become apparent, which results in **damage to the immune system,** which can lead not only to the increased occurrence of autoimmune diseases and cancer, but above all to the increased occurrence of infectious diseases,
- that, by March 1**,** 2022, at least **128 «peer-reviewed» publications on cardiac problems, 223 «peer-reviewed» publications on life-threatening coagulation disorders (thrombosis, etc.), and 7 «peer-reviewed» publications on possible deaths resulting from COVID «vaccinations»** had been published.

9 With the «temporary» authorization of the mRNA «vaccines», Swissmedic therefore took an **unprecedented and steadily increasing risk,** which could at best only be justified by the fact that it could have averted an unprecedented threat (caused by SARS-CoV-2), which could outweigh the risk associated with the mRNA «vaccines». This is obviously not the case. «COVID-19» is not and never was considered a «life-threatening or disabling» disease – *the* main condition of the «temporary» authorization – which would have threatened the entire population:

- In Switzerland, there were no total mortality rates for either 2020 or 2021 that would have exceeded the maximum values of the previous ten years (taking demographics into account).
- At no time since the outbreak of the «coronavirus crisis» has there been a nationwide overloading of hospitals. Despite the politically driven reduction of beds during the ongoing «pandemic» (!), the **intensive care units** across the country were always **occupied to a maximum of 80%,** which actually indicates **normal operation.**
- Globally, the lethality of SARS-CoV-2 for 2020 was **0.15%-0.20% (IFR),** equivalent to that of moderate influenza.
- Adolescents and children with a mortality rate of **0.002% (IFR)** were never at significant risk from SARS-CoV-2 – to date, not a single case of child death in Switzerland has been officially proven to have been caused by COVID-19.
- At the time of the «booster» authorization at the end of 2021, it was also evident that the entire population was no longer at particular risk from SARS-CoV-2 due to the prevailing «**Delta variant»**: global lethality was still only **0.01-0.02% (IFR),** equivalent to that of **mild flu.**

- With the emergence of the «Omicron variant», global lethality was still only **0.001-0.002% (IFR). «Omicron»** is thus **at least 50 times less dangerous** for the overall population **than normal influenza.**

10 According to the information provided above, Swissmedic has approved a highly experimental and dangerous medicinal product against a disease that posed and poses no greater threat to the general population than influenza. As a last «lifeline», Swissmedic would have to prove that the somewhat higher-risk target population of elderly people and those with pre-existing illnesses would have been at least somewhat effectively protected against SARS-CoV-2. However, this is also absolutely not the case. The «vaccination» obviously fails to achieve the necessary «large-scale» efficacy:

- The «vaccines» would have to protect against serious (fatal or disabling) diseases. However, the primary focus of the authorization studies (which are still ongoing) was to determine whether the «vaccines» protect against headache, cough, fever, and other minor events in combination with a positive PCR test result.
- The reported efficacy figures of up to 100% refer only to such **minor events** and are based on calculations that do not reflect reality in any way: Rather, **efficacy in the low single-digit percentage range** is to be assumed – if at all.
- **Not a single study has even come close to proving protection against severe disease:** The few cases that have been studied full within the range of a statistical coincidence.
- "Vaccines» would have to «immunize» in the long term – something that has not been demonstrated in a single study concerning mRNA «vaccines».
- The mRNA «vaccines» quite clearly fail to exert the necessary long-lasting effect, otherwise no «boosters» would need to be propagated, which were planned from the beginning.
- In addition, since spring 2022, a worldwide trend has emerged, which suggests that vaccinated individuals become much more seriously ill than unvaccinated individuals: **Meanwhile, the worldwide figures for hospitalizations and deaths are led by those who have been vaccinated several times.** The «efficacy» is therefore presumably even negative.

11 Accordingly, Swissmedic has approved a medicinal product on the Swiss market whose **risk-benefit profile** is **devastatingly negative.** The plan to approve the mRNA «vaccines» for all adults in Switzerland from December 2020 must be qualified as a **project with maximum, unprecedented risk content.** At the same time, the **lack of efficacy** of mRNA «vaccines» was apparent from the outset – and has become increasingly evident as time has progressed. An unprecedented risk which, in the meantime, has already impressively

manifested itself in a multitude of severe adverse events, therefore was and continues to be offset by a barely measurable benefit. This consideration alone must lead to the compelling conclusion that the mRNA «vaccines» should never have been approved and that the authorizations that were nevertheless granted represent a **massive breach of the due diligence requirement on the part of Swissmedic.**

12 At the same time, Swissmedic also failed to take **sufficient risk-reducing measures** to minimize the risk to the general population posed by these mRNA «vaccines», which were approved in violation of the law and recognized rules of good manufacturing practice. **In particular, Swissmedic failed (1) to ensure rigorous product monitoring and (2) to provide transparent information to the public, and instead prominently disseminated misleading or outright false information:**

- In the context of market surveillance, Swissmedic made do with a purely passive reporting system, which is clearly inadequate and can in no way be regarded as risk-adequate for such a **novel medicinal product** that is **burdened with considerable risks** and is still at the stage of human trials (clinical phase III). **Rather, the mRNA «vaccines» should have been subjected to active monitoring (pharmacovigilance) – as under study conditions – from the outset.**
- However, Swissmedic does not enforce even the passive reporting system in any that can be deemed legally sufficient: In Switzerland, compared to other EU countries, **only about 10% of all adverse events are reported at all.** This **massive under-reporting** makes it impossible for Swissmedic and the public to recognize the full extent of the devastating consequences.
- On December 19, 2020, Swissmedic announced the following regarding the authorization of Comirnaty: «This represents the world's first authorization in the **ordinary** procedure». This statement is simply false and represents a **misleading lie,** which many people still mistakenly believe to be true to this day – after all, this announcement can still be viewed on the Swissmedic homepage.
- In the information for healthcare professionals for Comirnaty, Swissmedic published in December 2020 that «no vaccine-related effects on female fertility, pregnancy, embryo-fetal development, or the development of offspring have been observed». This is in stark **contrast to study results** and warnings from the manufacturer and expert committees, which were available to Swissmedic.
- At the end of 2020, Swissmedic had already posted on its own website an «**FAQ»** addressed to the public, which **contained countless misleading details** that Swissmedic could have recognized as clear misinformation based on the data already available internally at the end of 2020.

- Moreover, it was already clear to Swissmedic by the end of 2020 that the animal studies on toxicity and pharmacokinetics were completely inadequate or even absent, although they did contain initial risk signals (such as indications of accumulation of the toxic lipid nanoparticles [LNP]). Despite this, Swissmedic announced, **without any evidence, by concealing the risk signals and thus acting in a misleading manner, that there was «no reason to expect»** that components of the vaccine could be mutagenic and/or carcinogenic, or that there were «**no indications»** of an accumulation of LNP.
- On May 7, 2021, Swissmedic issued a press release stating that there was «**no international evidence» of an increased rate of deaths** following mRNA injection – which, given the globally **high reporting rates of 17.1-32.1 deaths per million doses administered** up to that time, once again represented **misleading and dangerous misinformation to the public**.
- Despite explicit reference by the manufacturers to missing information concerning the **elderly and those with pre-existing illnesses,** Swissmedic did **not include a corresponding warning in the information for healthcare professionals for Comirnaty** at the end of 2021, whereupon the «booster» – in disregard of the missing study data – was even recommended as a priority for this age group.
- On December 10, 2021, Swissmedic announced on its website a «high clinical efficacy in younger children» – which is diametrically **opposed to the study results. Swissmedic thus unnecessarily exposed the population group at the absolute least risk to the risk of severe adverse events and deaths in an absolutely misleading manner.**
- In its «Vigilance News» of May 2022, Swissmedic **omitted** elementary **findings from the clinical studies, such as severe adverse events and deaths that had occurred**, thus **misleading experts.**
- The **information for healthcare professionals and patient information** – the basis of information for the treating physicians – is **completely inadequate with regard to contraindications and frequent adverse events:** For example, there is no reference to thromboembolic events (**thromboses,** etc.), although this serious, and in the worst case fatal, danger (pulmonary embolisms, heart attacks, and strokes) has already been proven in detail in hundreds of studies worldwide and is evident from the worldwide reports of adverse events.

13 This list is also not exhaustive (for detailed information on further misleading events, please consult criminal claim N 845, 849, 853, and 855). This creates the picture of a **population which has not been sufficiently informed in any respect, and has even been misled,** and which, on the basis of false assumptions, has undergone a **completely novel and dangerous form of gene therapy without any significant protective effect.** To this day,

many people are probably entirely unaware that they are participating in a **worldwide human experiment.** Swissmedic (and the partly complicit physicians) knew better or at least should have known better. They have all long been and are still obliged to prevent this disastrous experiment from going ahead in the first place or to do everything in their power to stop it immediately.

14 Accordingly, the criminal liability of the **leading and vaccinating physicians** (in the present case: the notifying parties of the Insel Group) must also be examined, in particular if they did not provide any or completely insufficient information to the patients prior to the application **(Art. 86(1a) TPA, in conjunction with Art. 26 TPA)** of the mRNA «vaccines». Based on the documents available to date, it can be stated that either **no information was provided at all** or that at best only five minutes of information were documented, which is simply not sufficient in view of the complexity of the mRNA «vaccines». Thus, without informed consent, a hasty decision was made to administer a «vaccination» that could cause bodily harm or even death, which means that **criminal offenses under the Criminal Code (SCC***)* must also be examined. Furthermore, a **violation of the prohibition on the advertising of therapeutic products** (Art. 87(1b) TPA) must also be examined in the case of the medical community**,** insofar as misleading information (such as on the website of the Insel Group) was and is being disseminated. Also, in view of the massive underreporting, there is a strong suspicion that a large number of physicians have violated their due diligence obligations in the area of their **obligations to notify under therapeutic product law** (Art. 87"1c) TPA).

15 With their grossly negligent behavior, the responsible persons at Swissmedic (and the medical community, which is jointly responsible) have already accepted a damage to public health that goes far beyond the alleged threat of SARS-CoV-2. But this is apparently still not enough: Swissmedic has prepared everything in specially issued guidance documents to massively increase the damage already done. According to the new guidelines, **Swissmedic intends to tolerate all conceivable manipulations (exchange of serotypes, strains, etc.) of these «vaccines» based on the unlawful «temporary» initial authorizations of the mRNA «vaccines» in order to then be able to immediately authorize these modified mRNA «vaccines» – which represent completely new products and would have to go through an ordinary procedure – without any safety mechanisms such as preclinical and clinical studies.**

16 This planned procedure – based exclusively on emergency law – not only violates all principles of therapeutic product law in the most elementary way, but also imperative international law: According to Art. 7 and Art. 4(1&2) of the International Covenant on Civil and Political Rights (SR 0.103.2), no one may be subjected to medical or scientific tests without

their voluntary consent – not even in the case of a public emergency. Thus, should Swissmedic actually intend to authorize **new medicinal products under the guise of a «pandemic» without any studies and without compelling warnings – which would be comprehensible and transparently communicated to everyone –** the corresponding «authorization» would lead to yet another **human experiment** to which no one could validly consent in the absence of sufficient information. This was an **obvious violation of mandatory international law, which must be prevented as a matter of urgency.**

17 Without immediate intervention at all relevant levels, the health risks and damage caused by the mRNA injections already administered and those still planned will continue to increase – without any significant positive benefit being achieved. To protect people living in Switzerland from the dangerous and largely ineffective mRNA injections, the **urgent coercive measures (search of premises at Swissmedic; seizure of the mRNA «vaccines») must** therefore be **taken immediately.** In addition, it must be effectively ensured that the **misled population** is **informed** about the present facts as soon as possible. Therefore, the undersigned lawyers reserve the right to **publish the present criminal claim, together with its enclosures, for the protection of the population.**