



Electronic monitoring for protection against violence, threats or stalking

For better protection against violence, threats or stalking by a specific person who is posing a threat, you can apply to the civil court to have this person banned from approaching and/or contacting you for a specific time, in accordance with Article 28b ZGB [Swiss Civil Code]. In accordance with Article 28c ZGB, you can also make an application to the civil court to require the person causing danger to wear an electronic tag in order to monitor adherence to this ban. The person who is being monitored can also be required to contribute to the costs of this monitoring.¹

How does electronic monitoring work?

A transmitter tag is placed around the ankle of the person to be monitored. Via GPS, the tag provides information about the person's location at any time. The tag also provides notification if it has been removed or tampered with. Checks on whether the person has violated the ban are made at regular intervals (not in real time). This is called "passive monitoring". Violations are only seen after the event. It is not possible to identify forbidden contact that takes place using non-physical channels (via mobile phone, Whatsapp, telephone, email or letter).

How does electronic monitoring protect me?

Electronic monitoring does not guarantee that the person being monitored is adhering to the ban on contacting and approaching you. However, the authorities will see (after the event) if the person does not adhere to the ban. It is therefore possible to prove that a violation has taken place and where it took place. This is supposed to help the person being monitored to adhere to the ban on contacting and approaching you.

What happens in the event of a violation?

Violations are only seen after the event ("passive monitoring"). By the time the authorities spot a violation, the person causing the danger has usually left the prohibited area. The police are therefore *not* informed because the violation has already taken place and can no longer be prevented by the police. If the authorities see the violation in the monitoring system, they will notify the public prosecutor's office and the civil court within a few working days. The public prosecutor's office will impose a fine on the person being monitored. The civil court can also extend electronic monitoring on your request, if conditions have been met.

Will I find out about violations?

You will be informed of violations within a few working days (copy of the report to the public prosecutor's office). You can let the civil court know if you do not want to be informed about violations.

What can I do if I don't feel safe?

You can call the police on 117 in an emergency.

Who can I contact if I am looking for support?

A variety of support offers are available in the Canton of Basel-Stadt. You will find all the relevant services that you can contact on the Emergency Card.

- The Emergency Card is available at: <https://www.bs.ch/themen/sicherheit-und-demokratie/gewalt/haeusliche-gewalt/infomaterial-deutsch-und-fremdsprachen>

¹ Legal bases at national level: ZGB Article 28b and 28c: https://www.fedlex.admin.ch/eli/cc/24/233_245_233/en (as of January 2022);
Legal bases at cantonal level: regulation concerning electronic monitoring for protection of people affected by violence (SG 212.191):
https://www.gesetzessammlung.bs.ch/app/de/texts_of_law/212.191 (as of January 2022).

- Opferhilfe beider Basel [Basel Victim Support] provides advice on social, legal, psychological, medical, insurance and financial issues: tel. + 41 (0) 61 205 09 10, www.opferhilfe-beiderbasel.ch