

# Compulsory vaccination with penalties planned

## Swiss cantons adopt compulsory vaccination

by Dr Sabine Vuilleumier-Koch\*

*It is important to remain vigilant and closely monitor developments in the field of "health care". This was the message conveyed by lawyer Andrea Staubli in an interview on Hoch2.tv.<sup>1</sup> The reason for her clearly presented expert explanations and recommendations was the example of a radical change in the health law of the canton of St. Gallen in eastern Switzerland. Increasingly, WHO guidelines are being adopted unquestioningly into Swiss law without any assessment of the sometimes serious damage caused by their implementation to date.*

### The canton of St. Gallen as a pioneer

In September 2025, the government of the canton of St. Gallen opened the consultation process for a total revision of its health law, including in preventive healthcare. In Article 18, it wants to enshrine the possibility of compulsory vaccination:

"The government may declare vaccinations compulsory by decree under Article 22 of the Federal Epidemics Act of 28 September 2012."<sup>2</sup>

### The current Epidemics Act makes it possible

Since 2016, the current version of the Federal Act on Controlling Communicable Human Diseases, known as the Epidemics Act or EpG for short, has been in force in Switzerland. It "regulates protecting people against communicable diseases and provides for the measures required to do so".<sup>3</sup>

In an interview with lawyer Andrea Staubli, the focus was specifically on the article of the EpG that gives the cantons the option of enshrining compulsory vaccination in their health legislation. It describes the conditions for imposing compulsory vaccination. The relevant article of the Epidemics Act reads as follows:

"Art. 22 Mandatory vaccinations: The cantons may declare vaccinations to be mandatory for population groups at high risk, persons who are particularly exposed to infection and persons

that carry out certain activities, provided there is a significant risk."<sup>3</sup>

### "Vague legal terms" – who defines them?

Article 22 of the EpG contains terms whose definition allows for a great deal of leeway. According to lawyer Staubli, these are referred

to as "vague legal terms" in this context. Who defines key terms such as "vulnerable population groups", "high risk", "particularly exposed persons" and "persons that carry out certain activities?"

During the coronavirus pandemic, "vulnerable persons" were initially defined as all persons over the age of 70, regardless of their state of health, even though this is a very important factor in a person's susceptibility to infection. Or persons who "carry out certain activities", which could include, for example, all employees of a hospital or nursing home, which would be a very large number of people. Who is allowed to determine when there is a "significant risk" and what criteria must be met?

We have seen that there were different opinions on this during the coronavirus pandemic, but only one narrative was acted upon, explains Andrea Staubli. The WHO's International Health Regulations (IHR) have been followed unquestioningly in many places. The Federal Council adopted the new IHR in June 2025 despite widespread protest.<sup>4</sup>

The WHO is therefore shaping the narrative, and the Federal Council and cantonal governments are given additional leeway to reinforce this narrative with Art. 22 EpG and the corresponding provisions in cantonal health laws.

### Compulsory vaccination with heavy penalties for non-compliance

As the example of the canton of St. Gallen shows, according to Andrea Staubli, the option of incorporating compulsory vaccination into cantonal legislation is being increasingly utilised. However,



Lawyer Andrea Staubli.  
(Picture ma)

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the canton of St. Gallen not only wants to incorporate compulsory vaccination into its health law but even provides for penalties for non-compliance in Art. 141. This goes further than the federal Epidemics Act, which does not contain any penal provisions.

The fines of up to CHF 20,000 are very high. Failure to pay – due to lack of financial means or refusal – could even result in a substitute prison sentence, which would then have to be served in prison. However, it is questionable whether the possibility of a penalty can really be enshrined in law.

Article 10 of the Federal Constitution guarantees in paragraph 2: “Every person has the right to personal liberty and in particular to physical and mental integrity and to freedom of movement.”<sup>5</sup>

Incidentally, a vaccination requirement with a fine of up to CHF 50,000 came into force in the canton of Zurich on 1 March 2020. Here, too, a total revision of the Health Act is underway.

### **“Compulsory” and “obligatory” are synonymous terms**

Ms Staubli explained that the terms “compulsory” and “obligatory” are actually synonymous but are perceived differently by people. If we take the example of compulsory seat belts (wearing seat belts when driving a car), the term “obligatory” is usually associated with a feeling of necessity, which is perceived differently from “compulsory”, which is perceived as coercion.

### **“Compulsory vaccination”**

The Swiss Federal Councillor responsible for health, Ms. Elisabeth Baume-Schneider, repeatedly asserts that there is no compulsory vaccination in Switzerland. This is also not formally stipulated anywhere. However, we do have de facto or indirect compulsory vaccination when an obligation is subject to a fine, explained lawyer Staubli. A fine creates a great deal of pressure, as does the threat of losing one’s job or being excluded from society, which many people have experienced during the Covid period.

### **Federal Epidemics Act under revision**

As a lawyer for the Action Alliance for a Free Switzerland (ABF Switzerland), Ms Staubli also pointed out that the section on vaccinations in

the current partial revision of the Epidemics Act is being massively expanded.<sup>6</sup> The pressure towards “more vaccination” is constantly increasing. The EpG requires doctors, pharmacists and other health professionals to implement the National Vaccination Plan, which is updated every year. Vaccinations are also promoted through vaccination buses at schools and the option of getting vaccinated at pharmacies or directly at work. A vaccination recommendation can become a vaccination obligation if it is made mandatory and penalties are imposed – an alarming development in terms of the rule of law.

ABF Switzerland has launched a petition demanding that the measures taken during the Covid period be reviewed. Only on this basis can a revised EpG meet the requirements of scientific evidence.<sup>7</sup>

### **Compulsory vaccination: yes or no?**

Lawyer Staubli’s question “Do we want compulsory vaccination or don’t we?” was not meant rhetorically; it was an invitation to continue discussing the issue. The consultation period, i.e. the deadline for submitting opinions on the planned new St. Gallen Health Act, has expired. However, the invitation to actively participate in the discussion surrounding this law and the federal Epidemics Act, which is currently under revision, still stands. This is because the sovereign power lies with the citizens, who can play a decisive role in shaping the political process. Letters to national and cantonal politicians contribute to this.

(Translation “Swiss Standpoint”)

- 1 <https://hoch2.tv/sendung/impfpflicht-geldstrafen-gefaengnis-was-sagt-das-recht/>
- 2 [https://www.sg.ch/news/sgch\\_allgemein/2025/09/totalrevision-gesundheitsgesetz/\\_jcr\\_content/Par/sgch\\_downloadlist/DownloadListPar/sgch\\_download\\_452473931.ocFile/RRB\\_2025\\_650\\_8.1\\_Beilage%201\\_Entwurf%20Gesundheitsgesetz%20Null-Lesung%20v2%20\(1\).pdf](https://www.sg.ch/news/sgch_allgemein/2025/09/totalrevision-gesundheitsgesetz/_jcr_content/Par/sgch_downloadlist/DownloadListPar/sgch_download_452473931.ocFile/RRB_2025_650_8.1_Beilage%201_Entwurf%20Gesundheitsgesetz%20Null-Lesung%20v2%20(1).pdf)
- 3 <https://www.fedlex.admin.ch/eli/cc/2015/297/de>
- 4 <https://swiss-standpoint.ch/news-detailansicht-de-schweiz/wo-bleibt-die-souveraenitaet-in-der-schweizer-gesundheitspolitik.html>
- 5 <https://www.fedlex.admin.ch/eli/cc/1999/404/de>
- 6 <https://abfschweiz.ch/wp-content/uploads/Artikel-20.08.25.pdf>
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