

Crypto disputes and asset recovery in Switzerland

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Crypto assets can be moved across the world in minutes, but they leave a permanent trail on the blockchain, and a large part of the industry's exchanges, custodians and issuers is based in or connected with Switzerland. For victims of fraud, for customers of a failed exchange and for parties in a commercial dispute, Swiss law offers effective tools to trace, freeze and recover crypto assets, provided that they act quickly and choose the right procedure.

1 Tracing on the blockchain

The first step is to establish where the assets went. Blockchain analysis follows the transactions from the victim's wallet through intermediate addresses to the point where the assets reach an exchange, a custodian or another identifiable service provider. At that point the assets can often be linked to an account holder, and that is where legal measures take effect. A tracing report prepared by a specialist is also the basis for a criminal complaint or a civil application.

2 Criminal complaint and seizure

Where the assets were obtained by fraud, a criminal complaint to the Swiss public prosecutor is often the fastest route. The prosecutor can order the exchange or custodian to block the account and seize the assets under Article 263 of the Criminal Procedure Code, and can obtain information on the account holder from Swiss service providers, which are subject to the anti-money laundering rules. The injured party can join the proceedings as a private claimant and request that the seized assets be returned or allocated to it.

3 Civil measures: attachment and provisional measures

A creditor with a claim against a debtor who holds crypto assets with a Swiss exchange or custodian can request an attachment under Article 271 of the Debt Enforcement and Bankruptcy Act, as explained in the article on [attachment under Article 271 DEBA](#). Provisional measures can also be ordered by the civil courts to prevent the transfer of crypto assets while a dispute is pending. The application must identify the assets and the service provider holding them as precisely as possible, which is why tracing comes first.

4 Failed exchanges and custodians

When a crypto exchange or custodian becomes insolvent, the decisive question is whether the customers' assets form part of the bankruptcy estate. Under Article 242a of the Debt Enforcement and Bankruptcy Act, crypto assets that the debtor held for a customer can be segregated if they are attributable to that customer individually or as part of a community with a clearly determined share. Customers should file their segregation claims in time and document their holdings, as explained in the article on [the DLT Act](#).

5 Litigation and arbitration

Disputes between businesses in the crypto industry, for example over token sale agreements, custody contracts, market-making arrangements or joint ventures, are decided by the Swiss courts or by arbitration. Arbitration under the Swiss Rules with a seat in Zurich or Geneva allows the parties to choose arbitrators with technical and financial expertise, as described in the article on [Geneva as a seat of international arbitration](#). Swiss judgments and awards can be enforced against assets in Switzerland; abroad, arbitral awards are enforceable in most countries of the world under the New York Convention, and judgments in Europe under the Lugano Convention.

6 Acting quickly

In crypto cases, time decides the outcome. Victims should secure all transaction data and communications, commission a tracing analysis, and file the criminal complaint or the civil application as soon as the assets have been located. The longer the assets remain unblocked, the more likely it is that they are converted, mixed or moved to jurisdictions where recovery is difficult.

7 How Ressos Legal helps

I represent victims of crypto fraud and customers of failed exchanges, coordinate blockchain tracing, file criminal complaints and applications for attachment and provisional measures, and conduct litigation and arbitration involving crypto assets. [Contact me](#) for a first conversation.

For general information only. This article does not constitute legal or tax advice, does not replace advice on an individual case and creates no lawyer-client relationship. It reflects the legal position as of September 2026.

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