

Switzerland: 42nd session of the UPR

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UPR: joint civil society report

- Report by NGO Platform for Human Rights, 100+ civil society organisations from Switzerland including Amnesty International
- Additional reports on specific topics by individual organisations and coalitions
- Coordinated by humanrights.ch and Amnesty International
- Indicates the approximate state of implementation of recommendations made to Switzerland during previous UPR cycles.
- Captures the state of play for each theme and formulates recommendations for next steps to be taken by the authorities.



Priority areas of action

- Series of recommendations dedicated on tackling discrimination in all its forms.
- Report assesses the national human rights framework regarding issues such as the police and justice system and
- Concern about the situation of vulnerable groups including migrants, asylum seekers and refugees, children, victims of trafficking and stateless persons, as well as the right to an adequate standard of living and the right to life, liberty, and security.
- Taking account of Switzerland's role and responsibility regarding policy questions of global relevance, the submission also recommends Switzerland stepping up on tackling climate change, ensuring corporate accountability for its companies, and playing a positive role in combating the COVID19 and other pandemics.



Institutional progress & political buy-in

- There is a lack of domestic political leadership on human rights. Most coordination tasks are fulfilled by the FDFA, and other ministers – justice, interior, economy – only play a marginal role.
- Switzerland has no functioning coordination of human rights reporting and follow-up. There is a mechanism – the “Core Group International Human Rights Policy” – where most of the right actors of federal and cantonal levels are represented. However, it has virtually no resources, and lacks the tools, political buy in and mandate to play an effective coordination role (recommendation 8)
- Emblematic is the passage of a law creating the national human rights institution (NHRI), in 2021 after 20 years of civil society and parliamentary advocacy, but with very limited financial resources which risks posing an insurmountable barrier for its independence.



Business and human rights: No real mHRDD

- During the last UPR Switzerland accepted to increase oversight over Swiss companies operating abroad.
- However, the law enacted in 2022 limits due diligence to child labour and certain conflict minerals, and non-compliance has no legal consequences. Only a limited amount of companies are covered by the new provisions.
- Recommendation:
 - Enact a stand-alone corporate accountability law aligning with the UNGPs and corresponding to at least the standards of the foreseen EU Directive on Corporate Sustainability Due Diligence.
 - Provide for human rights due diligence in relation to the company's own operations, its business relationships and throughout the value chain, and for effective enforcement mechanisms, appropriate remedies, and a supervisory authority to ensure compliance.



Violence against women / gender- and sex-based violence

- CEDAW review found significant differences between Cantons on gender equality and efforts to combat gender- and sex-based violence
- Ongoing review of the criminal code provisions on rape and sexual assault. CEDAW, the Council of Europe (GreVio) and most people living in Switzerland are demanding that parliament adopt a definition based on the absence of consent, as required by the Istanbul Convention.
- Other important measures include inclusive and non-discriminatory measures to combat gender and sex-based violence against, particularly against LGBTI* persons, and ensuring that all women who are victims of domestic or sexual violence can leave their abusive spouse without losing their residence status (AIG 50).



Various NGO Reports:

- Contribution of the Swiss NGO Platform for Human Rights
- Contribution of the working group «Pact I» (ICESCR) of the Swiss NGO Platform for Human Rights
- Submission by Swiss Coalition of the Friends of the UNDROP: Switzerland's Foreign Policy and the United Nations Declaration on the Rights of Peasants (UNDROP)
- Submission by CETIM, FIAN Switzerland, Geneva Academy, SWISSAID and Uniterre: The implementation of the UNDROP in Swiss domestic laws and policies
- Report of InterAction Switzerland

