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# Human Rights Situation in Switzerland

Ethnic and Racial Profiling | National Action Plan | General law on  
Discrimination | Pre-trial Detention

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## Situation in Switzerland

# 1. *Ethnic and Racial profiling*

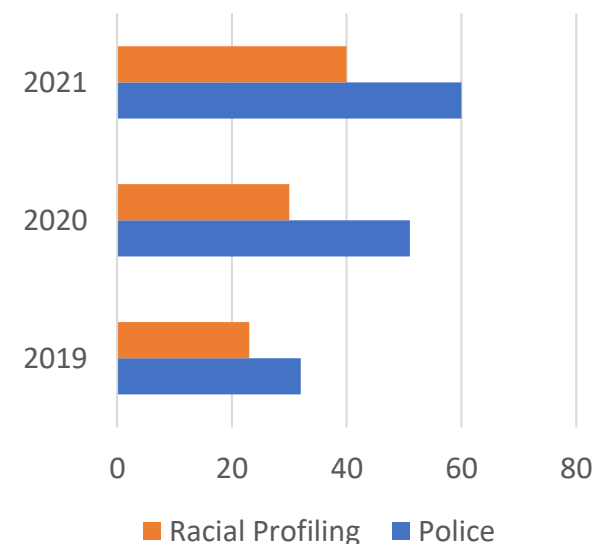
... is a widespread problem in Switzerland

... has formed the object of a number of recommendations to Switzerland (CERD, ECRI)

... is difficult to fight against legally

... is, as well as the resulting police violence, insufficiently investigated and managed

Reported cases of racial discrimination involving the police and racial profiling



## Recommendations

# *1. Ethnic and Racial profiling*

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### **Legislate**

against racial and ethnic profiling in federal, cantonal, and communal police laws.

### **Improve**

access to justice for victims of racial profiling and set up an independent monitoring mechanism and a commission of independent experts to investigate all deaths related to police operations.

## Situation in Switzerland

# *2. National Action Plan*

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- Switzerland lacks a National Action Plan to combat racism, racial discrimination, xenophobia, and related intolerance
- The general policy is still fragmented at a local level and the accountability of implemented measures is missing
- The cantonal integrations programs are not enough then the fight against racial discrimination is not just a subject related to the integration of immigrants.



## Recommendations

# *2. National Action Plan*

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### **Develop and implement**

a comprehensive National Action Plan that sets and ensures the implementation of action standards against racism and racial discrimination at all federal levels and improves the protection against racism and racial discrimination and the prevention of xenophobic violence.

## Situation in Switzerland

### *3. General Law on discrimination*

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- Legal instruments to provide justice to victims of discrimination are insufficient, since there is no general and complete anti-discrimination law
- The existing policy is fragmented
- This lack of legal provisions, adapted policies and funding means that people belonging to vulnerable groups are often not protected from discrimination, especially by private actors.

## Recommendations

### *3. General law on discrimination*

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**Develop  
and  
implement**

a complete and comprehensive law that ensures the protection against all forms of discrimination covering all areas of public and private life and promotes equity for all persons.

**Eliminate**

procedural obstacles and provide a fund-relief to meet the procedural costs for victims of discrimination.

**Consult**

with all groups affected by discrimination in all matters concerning them.



Situation in Switzerland

## *4. Pre-trial Detention*

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During pre-trial detention human rights are still systematically violated in Switzerland. Especially by...

...a lack of proportionality in the ordering of the detention

...a long duration of the detention without legal limitations for its maximum duration

...disproportionately harsh conditions



## Recommendations

# 4. *Pre-trial Detention*

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### **Ensure**

that pre-trial detention is only used exceptionally and as a last resort. Alternative measures to detention should not be the exception but the rule.

### **Set**

a maximum duration for pre-trial detention, which may be exceeded only in exceptional cases and under specific criteria.

### **Ensure**

that conditions during pre-trial detention meet human rights standards and the principle of proportionality.