

UPR Switzerland

The Swiss NGO Platform for Human Rights identifies the following priority areas of action, where Switzerland fails to fulfil its human rights obligations and state authorities are required to act without delay.

DISCRIMINATION

In Switzerland, legal instruments to provide justice to victims of discrimination are insufficient. There is no general anti-discrimination law, and the government still holds on to its reservation to Art. 26 ICCPR and has yet to ratify optional protocol no. 12 to the ECHR.

The Swiss authorities need to strengthen protection against all forms of discrimination, including discrimination caused by private actors, through appropriate laws, policies, and funding. Further, the Swiss government is called upon to combat structural discrimination and promote equity for all persons, while consulting with all groups affected by discrimination in all matters concerning them. This refers especially to women, LGBTQIA+ People, people affected by racism, persons with disabilities, as well as religious and national minorities.

BUSINESS AND HUMAN RIGHTS

In Switzerland, there is no effective law on corporate accountability. The provisions enacted in 2022 only affect a few companies and limit due diligence to child labor and certain conflict minerals. Further, non-compliance has no legal consequences.

The Swiss government is called upon to 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. Moreover, authorities need to provide negotiation mandates to participate actively, substantively, and constructively in the OEIGWG.

REFUGEES, MIGRANTS, ASYLUM-SEEKING AND STATELESS PERSONS

In Switzerland, people without citizenship rights are exposed to a wide variety of treatment that is hostile to human rights. This concerns in particular the duration and lack of consistent judicial review of migration-related detentions; the failure to fully grant the right to family reunification; the lack of adequate accommodation facilities and support provided in Federal Asylum Centers; the absence of a formalized statelessness determination procedure; and lastly, a naturalization system with restrictive requirements, arbitrary procedures and very high costs.

Among other things, the Swiss government is called upon to ensure judicial reviews of all migration-related detentions and only permit them as a last resort; ensure that the right to family life is not restricted; operate Federal asylum centers and cantonal reception centers in line with international standards and ensure accountability for perpetrators of abuses; formalize the statelessness determination procedure; and ensure that naturalization procedures are accessible for everyone, not arbitrary and do not discriminate.



INSTITUTIONAL REFORMS

In Switzerland, there is a lack of various institutional frameworks for the protection of human rights. For example, there is no institutional mechanism to prevent a public vote on issues that are contrary to human rights; there are not enough out-of-court settlements that can resolve human rights conflicts between citizens and state representatives; coordination and follow-up mechanisms to international human rights reviews within the federal administration are weak and ineffective; and the upcoming National Human Rights Institution is lacking sufficient funding as well as an explicit protection mandate.

FULL COALITION REPORT:

