

Responses to Recommendations

SWITZERLAND

Review in the Working Group: 8 May 2008
 Adoption in the Plenary: 12 June 2008

Switzerland's responses to recommendations (as of 24.01.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
6 REC accepted; 2 rejected; 23 pending	Out of the 23 pending, 14 accepted, 3 converted into voluntary pledges (-> no clear position) and 7 rejected ¹	No additional information provided	Accepted: 20 Rejected: 9 No clear position: 3 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/8/41:

- A - 1. To pursue its efforts in preventing and combating xenophobia (Algeria);
- A - 2. To ratify the Optional Protocol to the Convention against Torture (Mexico, United Kingdom) and to create or designate a national mechanism for the prevention of torture (Mexico);
- A - 3. To fully, systematically and continuously integrate a gender perspective into the follow-up process to the Universal Periodic Review (Slovenia);
- A - 4. To continue to consult stakeholders in the follow-up to the Universal Periodic Review outcome (United Kingdom);
- A - 5. To take necessary steps to prevent the incidence of acts of violence with racist and xenophobic undertones by security agents against foreigners, immigrants and asylum-seekers, and to bring to justice the perpetrators of such acts (Nigeria);
- A - 6 . To continue its efforts to promote the use of non-gender specific language (Canada).

¹ The total number of recommendations is now 32 as one was split.

57. The following recommendations will be examined by Switzerland which will provide responses in due time. The response of Switzerland will be included in the outcome report to be adopted by the Human Rights Council at its eighth session:

NC - 1. To establish a national institution on human rights in accordance with the Paris Principles (Algeria, India, Canada, Philippines, United Kingdom, Germany, Jordan, Morocco);

A - 2. To foster internal analysis on the recently adopted law on asylum and its compatibility with international human rights law (Brazil);

NC - 3. To accede to the first Optional Protocol to the International Covenant on Civil and Political Rights (Brazil);

R - 4. To adopt legislatives or other measures so that human rights are taken into account upstream by the judiciary, in particular during the elaboration of popular initiatives to ensure their compliance with international obligations (Belgium);

A - 5. To consider the establishment of a national commission for women to facilitate a holistic consideration at the national level of issues related to women (India);

A - 6. To adopt measures to reinforce existing mechanisms on combating racial discrimination (Egypt);

R - 7. To adopt a specific law prohibiting incitement to racial and religious hatred, in accordance with article 20, paragraph 2, of the International Covenant of Civil and Political Rights (Egypt);

A - 8. To ensure that the revocation of the resident permits of married women who are victims of domestic violence is subject to a review and done only after a full evaluation of the impact on those women and their children (Canada);

A - 9. To maintain judiciary recourse in the naturalization process (Canada);

A - 10. To treat offenders under the age of 18 in police custody and detention differently from adults (Canada);

R - 11. To recruit minorities in the police and establish a body tasked to carry out inquiries into cases of police brutality (Canada);

A - 12. To accede to the Convention on the Rights of Persons with Disabilities (Mexico);

A - 13. To sign the International Convention for the Protection of All Persons from Enforced Disappearance (France, Mexico);

A - 14. To consider increasing its assistance to developing countries, contributing thereby to the realization of the right to development and the achievement of the Millennium Development Goals (Cuba);

R - 15. To withdraw reservation to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (Cuba);

A - 16. To further address and enhance combating the root causes of discrimination, particularly of foreign migrant women, by removing legal and systemic obstacles to equal rights (Slovenia);

A - 17. To take measures to prevent that migrant women who are victims of sexual and domestic violence or trafficking are at risk of deportation if such incidents are reported (Slovenia);

R - 18. That federal legislation be strived for to provide protection against all forms of discrimination, including on grounds of sexual orientation and gender identity (the Netherlands);

A - 19. To strengthen efforts to guarantee equal opportunities in the labour market, in particular for women from minority groups (the Netherlands);

R - 20. To take additional steps to ensure that same-sex couples are not discriminated (United Kingdom);

R - 21. To withdraw the reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Germany) and

NC - to ratify the Optional Protocol thereto (Germany, Brazil, Mexico);

A - 22. Regarding trafficking of women and girls and their sexual exploitation, to formulate a comprehensive strategy, which should include measures of prevention, prosecution and punishment of offenders and increased regional and international cooperation (Islamic Republic of Iran);

A - 23. To consider the explicit prohibition of all practices of corporal punishment of children (Italy).

58. One recommendation noted in the present report in paragraphs 10, 15, 25 and 39 (the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families) and another recommendation noted in paragraph 15 (the justiciability of the economic, social and cultural rights) above did not enjoy the support of Switzerland.”

R - Paragraphs 10, 15, 25, 39: “To ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria, Egypt, the Philippines, and Guatemala)”

R - Paragraph 15 (Egypt): “Recommended that the justiciability of economic, social, and cultural rights be established in domestic law”

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