



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women  
Sixty-fifth session**

**Summary record of the 1445th meeting**

Held at the Palais des Nations, Geneva, on Wednesday, 2 November 2016, at 10 a.m.

*Chair:* Ms. Hayashi

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*Combined fourth and fifth periodic reports of Switzerland*

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*The meeting was called to order at 10 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention**

*Combined fourth and fifth periodic reports of Switzerland (CEDAW/C/CHE/4-5; CEDAW/C/CHE/Q/4-5 and Add.1)*

1. *At the invitation of the Chair, the delegation of Switzerland took places at the Committee table.*
2. **Ms. Durrer** (Switzerland) said that, as a young democracy — with women gaining the right to vote only in 1971 — Switzerland had not yet achieved full gender equality, a challenge that was being addressed through the inclusion of gender equality guidelines in its 2016-2019 legislative agenda and its Sustainable Development Strategy for the period 2016-2019. An action plan was in place to implement the Committee's previous concluding observations and raise awareness of gender issues among Government departments, and the Federal Office for Gender Equality had published a guide to analysing the potential impact of draft legislation on equality.
3. At a national conference held in February 2016 to assess the impact of the Federal Act on Gender Equality, several shortcomings had been identified, including a lack of awareness about the Act and difficulties in finding legal experts capable of carrying out pay-gap analyses. Gender discrimination in the workplace was addressed by arbitration authorities, which had compiled statistics showing an increase in complaints lodged by mothers and pregnant women. It was not known whether that increase reflected an improved awareness of rights or an increase in the prevalence of discrimination. Several law professors specializing in gender discrimination had recently been appointed at Swiss universities.
4. A range of measures to fight against sexism and gender stereotypes existed in Switzerland, and cantons and municipalities were also able to take action, for example by prohibiting sexist advertising. The Federal Office for Gender Equality was planning a study on stalking to identify best practices at home and abroad. The Federal Commission for Women's Issues had published an analysis of the role of the media in the 2015 federal elections which, in addition to showing a decrease in the number of women elected to the Council of States, had found that female candidates were underrepresented in the press. Nevertheless, women's representation on the National Council had increased.
5. Switzerland was home to a significant immigrant population that was generally well integrated into society. A report on the situation of Muslims in Switzerland had confirmed that they, too, were well integrated, and protection against discrimination on the grounds of race or religion was a vital part of the integration policy. The authorities at all levels had redoubled their efforts to counter racial discrimination, which included a guide for social workers on advising victims of racial discrimination.
6. However, the recent migration crisis and terrorist attacks in the name of Islam had had shaken the overall level of public trust in the Muslim community, as illustrated by the current debate surrounding full-face veils. Although their use in Switzerland was mainly limited to tourists, and the Government had repeatedly expressed its opposition to banning them, not all cantons took the same view, and the Canton of Ticino had prohibited the use of facial coverings in public. That provision was similar to a French law that had been upheld by the European Court of Human Rights. It was likely that a similar ban would be put to a national vote in the future; indeed, the lower house had narrowly voted in favour of a parliamentary proposal to ban the wearing of full-face veils in public, and a popular initiative on the matter had been launched. Whatever the outcome, the Government would ensure that Muslim women did not suffer discrimination because of their religion.

7. While female students outnumbered their male counterparts in universities, once they entered the job market, they still faced stereotypes and discrimination that hindered their ability to find a job and build a career, and they earned less than their male counterparts from the outset. Women who aspired to management positions often encountered a glass ceiling. Wage inequality had therefore been included in the Government's legislative agenda, and the public sector's responsibility to set an example in that regard had been discussed at two national meetings. During the second of those meetings a charter on wage equality in the public sector had been signed, with signatories committing to raising awareness of the Federal Act on Gender Equality and to undertaking regular monitoring of wage equality in their departments and in government contractors and subsidized companies.

8. The Government had ensured that its wage practices were in keeping with the principle of equality and had signed an agreement on monitoring income equality with trade unions. Companies that provided services, work or supplies under procurement contracts were required to uphold the principle of equal pay, and the Government had funded increased checks on companies that submitted tenders. Those checks had shown that many companies had failed to conduct a pay-gap analyses and had led to the introduction of a requirement for all companies submitting tenders above a certain value to provide proof of such an analysis. That initiative had brought about a change in attitudes, confirmed by two large-scale surveys that had found that most businesses recognized the importance of wage equality and would accept stricter measures to guarantee it and that, of the few businesses that undertook analyses, half had identified and closed the pay gap. The results of the surveys had prompted the Government to require businesses with more than 50 employees to undertake a wage equality analysis every four years, to be verified by an external body. Companies could also check for themselves if their pay practices were gender neutral using the Logib software program developed by the Government of Switzerland, which was currently developing new tools for companies with fewer than 50 employees.

9. Self-regulation had failed to bring about a gender balance in management positions, with women's representation remaining low. The Government had put forward a draft proposal for amendments to Swiss company law, under which women would be required to make up 20 per cent of senior managers and 30 per cent of the members of boards of directors of listed companies.

10. Measures to strike a balance between women's family and professional lives included an initiative of the Federal Department of Economic Affairs aiming to overcome the shortage of qualified staff and promote the employment of local workers. The Government had introduced a range of measures to make it easier for women to enter the labour market and strike a work-life balance, including increased day-care allowances, the introduction of a new tax structure so that married couples with two salaries no longer paid higher taxes than unmarried couples, thus removing the economic incentive for one spouse to remain at home, and tax credits for day-care costs. The Government aimed to improve women's financial independence not only during their working lives but also during retirement. In the light of studies that had found that women's pension funds were significantly smaller than those of men at retirement age, the Government had introduced a pension reform package that was currently being discussed in the parliament which would expand occupational pension coverage.

11. The number of criminal offences registered in the police crime statistics on domestic violence had remained stable in recent years; it was not known whether awareness-raising activities had encouraged a greater proportion of victims to come forward or whether the incidence of domestic violence was the same. She trusted that the Council of Europe Convention on Action against Trafficking in Human Beings (Istanbul Convention) would be ratified in the near future and thus become Swiss law. A broad range of measures had

been adopted to address violence against women, including a draft law on improving protection for victims of violence, an annual budget to combat female genital mutilation and a consultation on the review of the Foreign Nationals Act to allow foreign sex workers who had been victims of crime to remain in the country.

12. Legislative amendments to family law that would allow for occupational pension assets to be shared more equitably in the event of divorce would come into force in 2017. Homosexual persons could adopt their partner's children. Her Government's efforts on the international stage included cooperation work in support of the 2030 Agenda for Sustainable Development, and it had increased its contribution to UN-Women and supported the opening of that organization's Geneva office. Switzerland was also committed to supporting the women, peace and security agenda and was drawing up a strategy on gender equality and women's rights to be implemented by the Federal Department of Foreign Affairs.

*Articles 1 to 6*

13. **Ms. Patten**, noting that the State party's reservation to the Convention concerned only a small number of women who had been married before 1988, asked what were the true obstacles to withdrawing the reservation and whether there was a time frame for the process. The Committee had previously expressed its concern at the Federal Supreme Court's narrow interpretation of the principles of equality and non-discrimination. She asked how the State party ensured that the principles of equality and non-discrimination were upheld in accordance with article 1 of the Convention.

14. While the Convention could not be applied directly in court, that was not true for certain articles of the International Covenant on Civil and Political Rights or the European Convention on Human Rights. She wished to know the reasons for that distinction. She asked whether there were plans to collect data on the number of court cases in which the Convention was invoked and what activities were planned to raise awareness of the Convention among the judiciary, lawyers and women.

15. Women's concerns regarding peace and security were at increasing risk of being sidelined. In the light of the State party's involvement in peace processes worldwide, she asked what steps the Government was taking to increase women's participation in those processes and whether it had increased funding for women's civil society organizations working on peace and security, including through dedicated funding mechanisms. She asked to what extent arms manufacturers were required to monitor and report on the use of their weapons in acts of violence against women.

16. Women played an important role in preventing violent extremism, and she commended the Government's efforts to place that issue on the women, peace and security agenda. She wished to know what measures were being adopted to build women's and girls' capacities to participate in efforts to counter violent extremism in a manner tailored to local contexts.

17. **Ms. Ramseyer** (Switzerland) said that Switzerland would be unable to withdraw its reservations to articles 15 (2) and 16 (1) (h) until around 2050, when it could be safely assumed that the choice of matrimonial regime of the nearly 2,500 couples who had expressed a joint preference for maintaining community of property, as regulated in interim provisions of the Civil Code, was no longer a going concern.

18. **Ms. Steiger Leuba** (Switzerland) said there was no new jurisprudence on the definition of discrimination. The Federal Supreme Court had consistently ruled that the prohibition of discrimination under article 8 (2) of the Constitution required only equality of opportunity. Under another constitutional provision, however, the federal authorities

were given a mandate to ensure the achievement of de facto equality between men and women.

19. **Ms. Durrer** (Switzerland) said that the specificity of a given provision of the Convention or any other international instrument ratified by Switzerland was the criterion used by the Courts to determine whether it was directly applicable.

20. **Ms. Schmidt** (Switzerland) said that Switzerland had adopted its first national action plan on the implementation of Security Council resolution 1325 (2000) in 2007. Changes to the initial plan had included several relating to the introduction of progress indicators and regular reporting. The third plan, for the period 2017-2020, was currently under development, and, to that end, consideration was being given to the objectives it should prioritize, including the more active participation of women in mediation, conflict prevention and the fight against impunity.

21. A recently introduced foreign policy action plan on the prevention of extremist violence stressed the involvement of women in efforts to prevent such violence. The Swiss authorities were making ongoing efforts to combat the unlawful trade in and abusive use of small arms, which played a major role in violence against women.

22. **Ms. Durrer** (Switzerland) said that the multilingual site <http://www.leg.ch/> contained a wealth of information, including figures, on cases involving equality issues. In addition, a recent report of the Federal Council on the right to protection from discrimination contained figures pertaining to discrimination cases. Training sessions on the Convention were held regularly.

23. **Ms. Steiger Leuba** (Switzerland) said that a number of recent court decisions had cited the Convention. One, which had cited article 10, had involved the University of Lausanne's refusal to grant official recognition to a student association not open to women.

24. **Ms. Durrer** (Switzerland) said that Switzerland had supported the publication in German of a major commentary on the Convention. The publication of a second such commentary, in French, had recently been approved. Such publications contributed to greater familiarity with the Convention among academics, judges and lawyers.

25. **Ms. Hofmeister** asked what steps the Federal Office for Gender Equality intended to take to familiarize stakeholders and society as a whole with the argument put forward in the commentary on the Convention that article 8 (3) of the Constitution lent itself to the interpretation that the Convention was legally binding and directly applicable in Switzerland.

26. **Ms. Patten** said that she wished to know whether the budget for the third national action plan on the implementation of Security Council resolution 1325 (2000) would be larger than those of the first and second plans. She also wished to know what steps were taken to ensure that arms manufacturers in the State party monitored the use of their products. Information on the State party's programmes of actions on small arms, including on whether they incorporated a gender perspective, would be especially welcome.

27. **Ms. Halperin-Kaddari** said that she would appreciate a clarification of whether the provisions of the Convention and other international instruments were directly applicable in the State party's courts. She would also appreciate an explanation of the term "essentially programmatic", which had evidently been used by the Federal Supreme Court to characterize the provisions of the Convention (CEDAW/C/CHE/Q/4-5/Add.1, para. 1.1).

28. **Ms. Durrer** (Switzerland) said that commentaries on the Convention such as the one published in German could not simply be put before an uninformed public. For that reason, conferences and other events were organized for persons working on issues relating to discrimination against women. The aim was for the knowledge thus gained to spill over into

other relevant sectors. The Federal Office for Gender Equality, as well as the cantonal offices, was regularly required to intervene in highly diverse environments. The outreach initiatives they led invariably touched on the Convention.

29. **Ms. Schmidt** (Switzerland) said that although cooperation between the federal Government and civil society was one of the pillars of the national action plan, it would be premature to state whether the grants awarded to cooperating NGOs would be larger than those granted for the development and realization of the first two plans.

30. **Ms. Steiger Leuba** (Switzerland) said that, as Switzerland took a monist approach to international instruments, the Istanbul Convention, once ratified, would be an integral part of the domestic legal system. It would define the framework for all actions to prevent and combat violence against women and domestic violence. The direct applicability of such instruments was a related but separate issue. At some point in the future, the courts could find that any given provision was directly applicable.

31. **Ms. Joubli** (Switzerland) said that arms exports were authorized as long as the exports were not contrary to international law, the country's international commitments or the underlying principles of its foreign policy. The manufacture and transfer of weaponry and related technology were regulated under the law on weaponry and the order on weaponry. Sales of weaponry to countries where human rights were systematically violated were not authorized. Since November 2012, Switzerland had reserved the right to ensure that weaponry whose export it had authorized was not re-exported, if necessary by carrying out a visit to the country of consignment. Switzerland was one of the few countries to make such checks.

32. **Ms. Hofmeister** said that it would be a step forward for the State party to establish an independent national human rights institution with a broad human rights mandate, including women's rights. She wished to know why the focus of the Federal Office for Gender Equality was not expanded to cover other areas of concern, what plans had been made to provide it with additional resources and what initiatives had been taken to discourage the use of generic masculine pronouns in the country's main official languages.

33. **Ms. Jahan** asked how progress towards targets for the representation of women in mid-level and senior government posts would be monitored and whether there would be any penalties for a failure to reach the targets. She wished to know whether the federal and cantonal Governments were given incentives to increase the representation of women in other areas of employment and whether there were special quotas for woman from rural areas or with disabilities. It would be especially interesting to know if there were any plans to use temporary special measures to hasten the integration of migrant women, in particular Muslim women. Lastly, she wondered whether it was perhaps not time for the State party to move from voluntary to binding targets for the representation of women in both the public and private sectors.

34. **Ms. Durrer** (Switzerland) said that the mandate of the Federal Office for Gender Equality was relatively limited. It dealt with little other than issues of equality between women and men. Other offices dealt with such issues as racism and disability.

35. Instructions had been given to use gender-neutral language in laws and regulations in German, French and Italian. In German, they were followed. The Federal Chancellery would decide on how to proceed in French in 2017. The use of gender-neutral language was widespread in cantonal governments.

36. Some years earlier, in a referendum, an overwhelming majority of Swiss voters had rejected a proposal to introduce mandatory quotas in connection with the participation of women in politics. The attitude of the Swiss towards temporary special measures or quotas, reinforced by a number of court decisions, was one of great prudence. Voluntary quotas or

flexible targets, used with increasing frequency in the private and public sectors, appeared to be effective, however. When an organization explained why it had failed to meet the targets it had set, the resulting blow to its public image was itself a kind of penalty. The Federal Office for Gender Equality supported a project whose objective was to encourage greater participation of women in the country's major agricultural associations.

37. **Ms. Steiger Leuba** (Switzerland) said that the mandate of the Swiss Centre of Expertise in Human Rights had been extended for a further five years. The Centre would continue to receive federal funds, which it would be authorized to use more freely than it had in the past. The Paris Principles served as guidelines for the status and organization of the Centre.

38. Gender issues were one of the Centre's areas of work. Topics for priority consideration included structural and institutional discrimination on grounds of gender and the human rights of transgender or intersex persons.

39. **Ms. Wiesendanger** (Switzerland) said that, since 2014, Switzerland had applied a policy on the integration of migrant women through programmes at the cantonal level, which were based on article 55 of the Act on Foreign Nationals. The Confederation and the cantons had together set targets in the areas of language, training, counselling, employability and social integration. The Federal Council required the integration programmes to be implemented alongside efforts to combat racial discrimination and to be aimed at removing structural and individual impediments to access to housing, employment, training and recreational activities. Accordingly, nearly all cantons now provided special counselling for victims of racial discrimination and ensured that public services and facilities such as hospitals and schools were aware of the issues involved. Migrant women were among those who should benefit, but the challenge was to encourage them to use the available counselling services; information was therefore provided by other services that became aware of cases of discrimination and social workers were being sensitized to the relevant issues.

40. **Ms. Baer** (Switzerland) said that targets were set to ensure equal opportunities in the federal administration and progress in the various departments was evaluated each year. The Federal Council was required to inform the parliamentary oversight bodies, in its annual report on the implementation of the administration's personnel strategy, of the outcome of the annual evaluation.

41. **Ms. Halperin-Kaddari** said that she would appreciate clarification of the situation regarding the Swiss Centre of Expertise in Human Rights: was the intention for the Centre to be funded by the Confederation but to have autonomy in determining how to use the funds? She would also appreciate clarification with regard to accreditation and the application of the Paris Principles: what had the delegation meant when it said that it expected the accreditation body to take account of the special situation of Switzerland?

42. **Ms. Jahan**, referring to the reluctance in the State party to apply mandatory political quotas, asked whether any efforts had been made to explain to the public the purpose of quotas or of temporary special measures. What role had NGOs played in the debate? She would appreciate some specific examples of any temporary special measures that might have been applied to promote the integration of migrants.

43. **Ms. Steiger Leuba** (Switzerland) said that the Swiss Centre of Expertise in Human Rights was a pilot project that, in 2015, had been extended for a further five years. The Centre would now have a legal basis. It would also be able to freely decide on how to use core funding allocated to it. Whether it had full control over such funds or whether the Government could still assign it tasks was still under discussion. The Paris Principles left States parties with some room for manoeuvre. The Centre took the Principles as its main guidelines and adapted them to the specific situation of Switzerland.

44. **Ms. Neubauer Khurshid** (Switzerland) said that all the cantons provided language courses that met the needs of migrant women, and most cantons offered specially designed courses with non-mixed classes, for example, classes for mothers and children, classes for pregnant women and classes where childcare was provided. The emphasis was on empowerment in daily life and in matters of particular importance to them. Pregnant women were able to practise the language they had learned with midwives or paediatricians and thereby acquired more confidence and autonomy in matters of prenatal care and family planning. Other arrangements that had proved successful with migrant women, a group it was not always easy to reach, brought them together to discuss issues of importance, either in their mother tongue or in one of the national languages. There were also mentoring programmes to encourage personal and professional development. The Canton of Geneva, where Muslim women had found that wearing a veil hampered their prospects of obtaining internships, had launched a project to improve their situation by helping them to find employment in pharmacies.

45. **Ms. Durrer** (Switzerland) said that, although the public was rather wary of political quotas, the Federal Chancellery did expect the cantons to ensure gender balance and gave them ideas on how to achieve it. Training was also provided for women who wanted to move into politics and some political parties had introduced quotas. Extra-parliamentary commissions applied a 30 per cent quota and the situation there had improved.

46. **Ms. Ruf** (Switzerland) said that, before the 2015 elections, the Canton of Ticino had specifically encouraged voters to use their influence to change the gender balance, with the result that the percentage of women in elected office had risen from 15.5 per cent to 24.4 per cent.

47. **Ms. Gabr** said that she would like to know what efforts were made in schools and in the cantons to eliminate negative stereotypes of migrant women and Muslim women. She would also like to know what was being done to curb the feelings of anxiety and xenophobia that were on the rise in what was basically a very tolerant society. Foreign communities themselves also perpetuated negative stereotypes of women, notably in respect of forced marriage and female genital mutilation. It was important to encourage women and girls to speak out about the problem and the suffering it caused and to make complaints. That would require awareness-raising, probably with the engagement of religious institutions.

48. **Ms. Hofmeister**, noting that Switzerland had signed the Istanbul Convention in 2013, asked what was preventing Switzerland from ratifying the Convention more speedily. Given that those working in the judicial system were often unaware of the impact of violence, sexual offences and sexual abuse on women, were steps being taken to raise the awareness of judges, prosecutors and lawyers in that regard? If so, with what results?

49. She would like to know what was being done to prohibit corporal punishment of girls and what progress was being made towards a national action plan against domestic violence. Were there plans to increase the number of women's shelters within Switzerland and train police officers in assisting victims?

50. **Ms. Jahan** said that, notwithstanding the steps taken by Switzerland to address trafficking, including by setting up the Human Trafficking and Migrant Smuggling Unit, which had improved coordination, the prevalence of trafficking in women and girls was still a matter for concern. The State party's report gave no detailed disaggregated data on trafficking, so she would appreciate some information on the extent of the problem. In recent years, women had begun being trafficked for labour exploitation as opposed to sexual exploitation in Switzerland. They worked in relative isolation and there was a risk that such offences would remain hidden. She would like to know what had been done to improve the procedure for identifying trafficking victims by training labour inspectors and



law-enforcement officials to deal with women victims in a gender-sensitive manner. Were awareness seminars run for those working with refugee and migrant populations to help identify trafficking victims?

51. She would like to know how many cases of trafficking, particularly trafficking of women, had been investigated and prosecuted, and how many perpetrators had been punished, in the past three years. Law enforcement and victim protection had to go hand in hand, yet, according to reports, improvements in that regard were limited to those cantons that had established cooperation mechanisms. She would appreciate information on any targeted measures that had been developed to institutionalize cooperation between law enforcement agencies, victim support organizations and the authorities. Given that the victims were entitled to shelter and free medical aid, she would like to know if Government-funded shelters existed and how many were run in cooperation with NGOs.

52. She would appreciate the delegation's comments on the situation of foreign women victims of trafficking who risked deportation unless they were identified as victims by trained police officers and agreed to cooperate with the prosecution, which in some cases led to revictimization.

53. Noting that, according to the State party report, various protective measures for women were to be introduced in compensation for the abolition of the status of "cabaret dancer", she wondered how many women had applied for such measures. Lastly, she wondered whether the State party had any intention of criminalizing demand for prostitution.

54. **Ms. Wiesendanger** (Switzerland) said that the Confederation kept a close eye on relevant judicial decisions and on public opinion and had observed that hostility towards certain religious communities was an issue but had not as yet reached alarming proportions. The measures taken had therefore been chiefly of a preventive nature, designed to foster dialogue and friendly relations. Her own office, the Service for Combating Racism, had provided funding for around 50 projects at the local, cantonal and national levels since 2001 totalling some SwF 700,000. The projects mainly targeted schools and youngsters and had more recently begun addressing the question of discrimination in the social media. In addition, most cantons and towns engaged actively with the local religious communities and promoted interreligious dialogue, notably in the context of the "Week of Religions", held every November, and promoted awareness-raising during "Anti-racism Week". As to combating hate speech and racism in the media, the Confederation was part of the Council of Europe "No Hate Speech" campaign, which addressed all forms of discrimination, including discrimination based on sexual orientation or identity. Under certain conditions, stereotyping and hate speech could fall under the provisions of the Criminal Code and be subject to ex officio prosecution.

55. **Ms. Durrer** (Switzerland) said that the reason the Istanbul Convention was not going to be ratified before 2018 was that consultations were being carried out with the cantons and organizations concerned and measures put in place to ensure that, once ratified, the Convention could be properly implemented. The intervening time was not being wasted.

56. **Ms. Siegrist** (Switzerland) said that, under a preliminary bill to amend the Civil Code, cantons would be obliged to provide special training in dealing with domestic violence, probably as from 2017. Over the past three years, some 200 members of the judiciary had attended a special training course in domestic violence developed by the University of St. Gallen. At the national and cantonal levels, conferences were organized for judges and prosecutors by the Federal Office for Gender Equality and each canton had its own "round table" that included members of the judiciary and coordinated action on domestic violence. Provision was also made for sensitizing medical personnel to the health implications of domestic violence.

57. With regard to the national plan of action, at the federal level, all except 2 of the 20 measures from 2009 were now under way; they included a programme on forced marriage and another that dealt with the connection between alcohol abuse and domestic violence. Once the Istanbul Convention had entered into force, a new action plan would be developed. There were several plans of action in effect in the cantons, including action in relation to perpetrators. A recent survey had shown that there was sufficient space for women and children in shelters in all cantons, and provision was also made for other types of accommodation.

58. **Ms. Durrer** (Switzerland) said that it was known that, in certain cases, a person who obtained a place in a shelter found it difficult to obtain proper housing in the open market and was obliged to stay longer, thereby occupying a place that might have been needed in an emergency. Parents had had no right to administer corporal punishment since 1978. Since 1990, the criminal law had provided for ex officio prosecution of corporal punishment. However, it was generally accepted that recourse to criminal proceedings for a simple slap would not have the desired effect and, in such cases, the Government found it more judicious to apply a combination of measures to protect the child and change the parents' behaviour.

59. **Mr. Knubel** (Switzerland) said that, following improvements to data collection, it was now possible to produce police crime statistics — from open investigations — that were disaggregated by age and sex of both the victims and perpetrators of trafficking. Further measures were in the pipeline to break down data on trafficking by different types of exploitation, such as forced labour or sexual exploitation. In that connection, an exploratory study had been undertaken with a view to identifying the sectors of the economy and professions that were particularly vulnerable to exploitation. The status of foreign cabaret performers, who were at particular risk, had been modified to enable them to seek other employment once in Switzerland. There had been training programmes in combating trafficking in persons and trafficking in migrants for the police, public prosecutors, migration officers and victim assistance service providers. Although it could not compel them to do so, the Government was encouraging the so-called round tables on human trafficking in the cantons throughout the country to step up their efforts, and each year progress had been registered in that respect.

60. The results of a comprehensive analysis had revealed that there were sufficient shelter places available for victims of trafficking. Regarding residence permits for victims of trafficking or forced prostitution, Switzerland ensured that its approach was fully in line with the Istanbul Convention. As such, residence permits for victims were granted in the event that it was considered necessary by the competent authority for the purpose of their cooperation in the investigation or prosecution of the perpetrators or owing to their personal situation.

61. **Ms. Joubli** (Switzerland) added that Switzerland had ratified the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189) in November 2014. Moreover, labour inspections could be carried out in any place of work during employees' working hours.

62. **Ms. Gabr** said that, regarding harmful practices, she wondered whether the State party had implemented joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (CEDAW/C/GC/31-CRC/C/GC/18), since it would be useful in helping it to tackle the problem. Noting that comparative studies had revealed that a majority of Islamic countries did not allow children under 18 years of age to marry, she suggested that referring to the data from those studies might prove useful when working with migrant communities in Switzerland.

63. **Ms. Hofmeister** invited the delegation to comment on reports that intersex genital mutilation was being carried out by medical staff in cantonal children's hospitals. If indeed that was the case, it would amount to a serious violation of those children's human rights.

64. **Ms. Jahan** said that, in view of the difficulties experienced by trafficking victims in acquiring long-term residence in Switzerland, and the different approaches taken by the cantons, she wondered whether the State party would give consideration to adopting a national residency permit applicable to all victims, irrespective of whether or not they were prepared to participate in the prosecution of perpetrators. She also wished to point out that she had yet to receive an answer to her question regarding a Federal Council report on prostitution, which was to examine the merits of implementing the so-called Swedish model, whereby the clients were the ones who were punished.

65. **Ms. Gachoud** (Switzerland) said that between 2003 and 2015, various measures and studies had been undertaken to combat the prevalence of female genital mutilation in Switzerland. However, only temporary measures were currently in place, which was why the Confederation intended to help support cantons, municipalities and public institutions to tackle the problem. A network to combat female genital mutilation had been set up to carry out prevention and awareness-raising activities, provide advice and facilitate coordination at the federal level for the period 2016-2019, in line with the joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices. Owing to a shortage of resources, the budget of SwF 300,000 would fund activities that targeted only the communities affected by the phenomenon.

66. **Ms. Durrer** (Switzerland) said that the Government was committed to upholding the rights and physical and psychological integrity of intersex persons and combating discrimination on the grounds of sexual orientation or gender identity. Various parliamentary measures had been taken to meet that objective and, in April 2015, the Federal Council had agreed to adopt the Valletta Declaration of Intent of the Council of Europe, which was aimed at protecting intersex persons. A national ethics commission had also put forward several recommendations to the Government, which included the simplification of applicable laws, the vast majority of which had been, or were in the process of being, implemented. Doctors also contributed to awareness-raising by drafting guidelines and improving training programmes. Lastly, it was crucial that intersex persons were involved in sensitizing the general public and speaking out about their experiences.

67. **Mr. Knubel** (Switzerland) said that while different approaches were taken in the cantons regarding residency permits for victims of trafficking, the minimum legal standards had to be applied throughout the Confederation. To that end, a multidisciplinary framework had been established to define the scope of activities of the agencies that were involved when a human-trafficking-related offence was reported. Regarding the "Swedish model" with respect to prostitution, the possibility had been discussed at great length and two working groups had been set up to assess the merits of replicating that approach. The conclusion, however, had been that such a model was not desirable in Switzerland, since it could lead to prostitution being pushed into the informal sector, thereby increasing the number of victims. Instead, the focus would be on providing support and advice to women in prostitution.

#### *Articles 7 to 9*

68. **Ms. Nadaraia** said that she wished to know why women were still underrepresented in elected office and in leadership and decision-making roles at the federal, cantonal and municipal level, the judiciary and the private sector. She was concerned that, despite the Committee's recommendations in its previous concluding observations (CEDAW/C/CHE/CO/3), women's representation in political life was steadily declining.

She wondered what causes were underlying the lack of progress in that area. She would be interested to know whether there were any plans to reconsider the decision of the Federal Supreme Court, which had rejected the use of rigid political quotas for women's representation in organs of the legislative, executive and judicial branches. She asked what measures had been taken by the State party to protect women human rights defenders around the world, who were particularly exposed to gender-based violence.

69. **Ms. Durrer** (Switzerland) said that, while it was certainly disappointing that there had been no real or consistent improvement in women's representation in political and public life, some progress had been made at certain levels of politics. Some women found it difficult to pursue a political career and strike a work-life balance at the same time. Another obstacle to women's participation in public life was the traditional stereotypes of men being associated with power and women with private life. For that reason, various mentoring and training programmes, as well as awareness-raising campaigns, were being implemented at the cantonal and municipal levels. Clearly, more needed to be done and awareness-raising would continue. As to the use of gender quotas to raise women's political representation, that proposal had been decisively rejected in a public referendum.

70. **Ms. Schmidt** (Switzerland) said that the publication of the Guidelines on the Protection of Human Rights Defenders was testament to the country's commitment to the safety of human rights defenders, including women activists. Diplomatic missions abroad were fully aware of those guidelines and of their obligations to provide protection to women human rights defenders. Switzerland was committed to safeguarding human rights defenders and upholding women's rights, as demonstrated by its support of a 2015 Council of Europe round table on the issue. Moreover, the issue of the promotion and protection of human rights defenders had been incorporated into a human rights strategy for the period 2016-2019, which had been disseminated to overseas missions. The strategy also formed part of training for young diplomats. In addition to supporting international and multilateral efforts to protect human rights defenders, Switzerland also raised any specific concerns it had within the framework of its bilateral agreements with other countries.

71. **The Chair**, speaking in her capacity as an expert, said that she would be interested to hear more information as to why there had been such an out-and-out rejection of the use of political quotas.

72. **Ms. Durrer** (Switzerland) said that quotas were being used in certain areas to some success, and there was a generalized awareness of the need for balanced gender and linguistic representation in the regions. The use of rigid quotas had been hotly debated in the run up to the referendum, but was ultimately rejected for being a fairly pedestrian tool that would be difficult to implement in Switzerland. Instead, organizations were gradually shifting towards women's advancement through more flexible targets, which were deemed a more suitable approach.

#### *Articles 10 to 14*

73. **Ms. Hofmeister** said that deeply entrenched stereotypes and gender roles persisted in Swiss society. In the area of education, not enough was being done to encourage girls to take non-traditional courses; mathematics, information technology, science and engineering remained overwhelmingly male-dominated subjects. She wished to know whether the State party intended to undertake research to assess the present educational system with a view to modifying it and closing the gender gap, what action was being taken to encourage women and girls to study for non-traditional careers and to what extent school textbooks and other educational literature contributed to combating traditional gender roles and establishing de facto equality.

74. **The Chair** said that the delegation would have the opportunity to provide their replies in the afternoon session.

*The meeting rose at 1 p.m.*