



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Eighty-fourth session

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Item 6 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined seventh to ninth periodic reports of Switzerland (CERD/C/CHE/7-9)

Note by the Country Rapporteur

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

1. The Convention in domestic law, institutional and policy framework for its implementation (arts. 2, 4, 6 and 7)

(a) Progress made to standardize and reinforce legal protection against discrimination throughout the State party, including the adoption of comprehensive legislation at the federal level containing a clear definition of racial discrimination in accordance with article 1 of the Convention (CERD/C/CHE/7-9, paras. 141 and 266–267) and the adoption of anti-discrimination laws in the remaining cantons (CERD/C/CHE/CO/6, para. 9);

(b) Updated information on cases of racial discrimination examined by the courts, including racially motivated violence (CERD/C/CHE/7-9, para. 136), and the impact of measures to promote awareness of legal remedies on the number of cases brought before the courts (CERD/C/CHE/7-9, para. 268);

(c) Compatibility of popular initiatives with the State party's obligations under international human rights law (CERD/C/CHE/7-9, paras. 26–30);

(d) Measures taken to strengthen the mandate of the Federal Commission against Racism, including the provision of adequate funds (CERD/C/CHE/CO/6, para. 10);

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(e) Updated information on legal protection against discrimination in the workplace (CERD/C/CHE/7-9, para. 175);

(f) Racism and xenophobia in political campaigns and specific measures taken to address the issue, including legal or administrative measures taken against political leaders, associations and parties;

(g) Information on strategies adopted to combat right-wing extremism at the national, cantonal and communal levels and the impact of such measures (CERD/C/CHE/7-9, para. 254);

(h) Information on the prevalence of racial profiling and relevant measures taken in cantons other than Zurich (CERD/C/CHE/7-9, paras. 292-296);

(i) Progress in prohibiting and punishing the public use of symbols promoting extremist movements preaching violence and racial discrimination (CERD/C/CHE/7-9, para. 140).

2. Situation of ethnic and minority communities (arts. 2–7)

(a) Updated information on the situation of Roma, including Roma migrants, particularly in relation to access to employment, housing and education, and measures taken to address negative stereotypes and their impact (CERD/C/CHE/7-9, paras. 343–350);

(b) Updated information concerning the approval of a ban on face-covering headgear in public places in Ticino;

(c) Information on obstacles faced in the enjoyment of rights by Yenish, Manush, and Sinti ethnic groups who have become sedentary (CERD/C/CHE/7-9, paras. 344–345).

3. Access to justice, discrimination against non-citizens including migrants, refugees and asylum seekers (arts. 5, 6 and 7)

(a) Impact of the amendment of the Asylum Act on asylum seekers' rights, including the right to freedom of movement and access to public places;

(b) Information on allegations of excessive use of force by the police during arrest, detention or expulsion of asylum seekers and immigrants, investigations conducted and their outcomes (CERD/C/CHE/7-9, para. 302);

(c) Situation of individuals dependent on the emergency assistance procedure, including children living in emergency accommodation and their right to education (CERD/C/CHE/7-9, para. 215);

(d) System of naturalization and the lack of standardized criteria and the appeals procedure at cantonal levels (CERD/C/CHE/7-9, paras. 336–342).
