



Convention on the Elimination of All Forms of Discrimination against Women

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Summary record of the 1927th meeting

Held at the Palais des Nations, Geneva, on Friday, 21 October 2022, at 10 a.m.

Chair: Ms. Acosta Vargas

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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 (continued)

Sixth periodic report of Switzerland (CEDAW/C/CHE/6; CEDAW/C/CHE/QPR/6)

1. *At the invitation of the Chair, the delegation of Switzerland joined the meeting.*
2. **Ms. Durrer** (Switzerland), introducing the sixth periodic report of Switzerland (CEDAW/C/CHE/6), said that the first national strategy to promote equality between men and women – the 2030 Gender Equality Strategy – had been adopted in 2021 as part of the country’s efforts to implement the Convention on the Elimination of All Forms of Discrimination against Women and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).
3. The 2030 Gender Equality Strategy was implemented by means of an updatable action plan setting out detailed measures. An interdepartmental committee overseen by the Federal Office for Gender Equality coordinated the implementation of the Strategy and ensured that it was fully embedded in the Federal Administration. The cantons and communes had been invited to include their own measures in the action plan and, in some cases, had drawn up their own action plans for equality. Additional financial and human resources had been obtained for coordinating and monitoring the implementation of the Strategy.
4. The Istanbul Convention was implemented by means of an updatable national action plan covering the period 2022–2026. The action plan was focused on public information and awareness-raising campaigns, basic and in-service training for professionals and volunteers, and preventing and combating sexual and sexist violence. The 2030 Sustainable Development Strategy, which had been adopted in 2021, included a component on gender equality.
5. In October 2021, the Swiss parliament had held its second women’s session. The event had been attended by more than 240 women from all regions of Switzerland, including civil society representatives, who had discussed numerous issues of concern to women and had identified areas where the Federal Administration might take action. A list of 23 motions, concerning equal pay, childcare, women’s health, the promotion of women in science and research, among others, had been carried at the session and submitted to the Swiss parliament for consideration and some had already been approved. The Federal Administration had thus been requested to take practical measures. For example, it had been asked to consider increases in parenting and childcare credits.
6. While women’s participation in Swiss political bodies was increasing, it was not increasing fast enough. Regrettably, women still accounted for less than 30 per cent of the members of the upper chamber of the Swiss parliament and of cantonal governments, compared with 42 per cent in the lower chamber. Steps would be taken to promote female candidacies in future federal, cantonal and communal elections.
7. The first objective of the 2030 Gender Equality Strategy was to promote gender equality in the workplace and, more specifically, to strengthen the economic empowerment of women. Despite the right to equal pay for work of equal value being enshrined in the Constitution, a gender pay gap continued to exist in both the private and public sectors. The Gender Equality Act had been amended in 2020 to remedy that situation. The Act now required companies with 100 or more employees to conduct an equal pay analysis, to have it audited by an independent third party and to share the results with employees and, where appropriate, shareholders. The free online tool known as “Logib” provided both larger companies with 50 or more employees and smaller companies with between 2 and 49 employees with a means to analyse wage equality.
8. At the request of the Swiss parliament, the Confederation was currently assessing ways of strengthening the Charter for equal pay in the public sector. Companies wishing to participate in the Confederation’s public procurement activities were under an obligation to ensure wage equality. Wage equality audits continued to be conducted, with a new focus on small and medium-sized enterprises. Similar audits were also being carried out at the cantonal and communal levels.

9. There was also a need to improve gender distribution in education and training, in all occupational groups at all levels and in decision-making bodies. Efforts were being made to increase the proportion of women pursuing a tertiary level education and embarking on careers in the fields of science, technology, engineering and mathematics (STEM).

10. In early 2021, new minimum thresholds for the representation of men and women in large, listed companies – 30 per cent for boards of directors and 20 per cent for management bodies – had been introduced and the minimum target rate for the representation of both sexes in the top management bodies of enterprises affiliated with the Confederation had been raised from 30 per cent to 40 per cent.

11. Many dual-income married couples were still paying more taxes than unmarried couples in similar financial circumstances. The Federal Administration intended to adopt a dispatch on individual taxation in 2023 to give the lower earner in the couple – typically the female partner – a greater incentive to work. Moreover, a popular initiative in favour of individual taxation regardless of marital status had been successfully launched and would soon be put to a popular vote.

12. The Old Age and Survivors' Insurance 21 reform initiative, the purpose of which was to maintain the level of the first pillar, or most important element of the three-pillar concept of old-age, survivors' and disability insurance, and to ensure sufficient funding for such pensions until 2030, had been adopted by means of a popular vote in September 2022. The reform would gradually raise the statutory retirement age for women from 64 to 65 years to bring it into line with that of their male counterparts. That change would be accompanied by financial compensation measures designed to mitigate the impact on women. The proposed reform of the second pillar, or occupational pension funds, which was currently being debated by the Swiss parliament, was intended to improve the situation of low earners, part-time workers or persons juggling more than one job, which included a significant number of women.

13. A recent study had showed that the percentage of rural women who were employed or self-employed had risen to 55 per cent and that, thanks to several awareness-raising campaigns, rural women now had better social insurance cover.

14. The second objective of the 2030 Gender Equality Strategy was to improve work-life balance. The Federal Administration planned to devise and implement a national strategy to that end by 2023. The availability of childcare outside the family was undeniably an issue affecting work-life balance. A bill under which the Confederation would be required to help cover the costs associated with such childcare for the foreseeable future was currently before the Swiss parliament. In 2021, a new law had been adopted to make it easier to combine caring responsibilities with work obligations. Two new types of leave had been introduced as a result: 14 weeks of paid leave to allow parents to stop working temporarily to care for a seriously ill child, and a maximum of 10 days of paid leave per year to enable employees to care for a relative who was sick or had been involved in an accident.

15. Since 1 January 2021, fathers had been able to take up to two weeks of paid paternity leave. Parents would be able to avail themselves of up to two weeks of paid adoption leave from 1 January 2023. While Swiss law did not currently provide for parental leave, work on an overall cost-benefit analysis of different parental leave models was currently under way.

16. The third objective of the 2030 Gender Equality Strategy was to prevent and combat gender-based violence, which, regrettably, was still widespread in Switzerland. The figures remained alarming, even if the number of domestic violence cases recorded by the police had decreased by 3.9 per cent, from more than 20,000 offences in 2020 to some 19,300 offences in 2021. Over 70 per cent of victims of gender-based violence were women while men accounted for 73 per cent of offenders. Women accounted for 86 per cent of the victims of all the sexual offences recorded by the police in 2020. The measures contained in the action plan to implement the Istanbul Convention covered all the groups that were targets of violence, regardless of age, origin or sexual orientation. Switzerland had submitted its first report on the implementation of the Istanbul Convention in June 2021. It had subsequently received a visit from the Group of Experts on Action against Violence against Women and Domestic Violence in February 2022. It was expected that the proposals made by the Group

of Experts, along with comments by the Swiss authorities, would be published in November 2022.

17. A dialogue on combating domestic violence in which federal and cantonal officials and representatives of non-governmental organizations (NGOs) had taken part had been held in April 2021, and a road map setting out several measures, including the setting up of a 24-hour hotline for victims, had been adopted. From early 2021 onwards, private and public organizations had been entitled to apply to the Confederation for funding for projects aimed at preventing and combating violence against women and domestic violence. A new civil law provision on the electronic monitoring of compliance with restraining orders had entered into force in January 2022. A national campaign to prevent domestic, sexual and gender-based violence would be conducted in the near future.

18. The Federal Administration had recently spoken out in favour of ratifying the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190). The upper chamber of the Swiss parliament had refused to take up the matter, while the lower chamber had not yet taken a decision. Switzerland was constantly working to improve its methodology for collecting gender-disaggregated data. A new report dealing with the problem of violence suffered by women with disabilities would provide a valuable insight into the multiple discrimination they faced.

19. The fourth objective of the 2030 Gender Equality Strategy was to address discrimination in general. Various measures contained in the related action plan reflected the commitment made by several cantons to combat stereotyping in schools and to raise awareness of the issues surrounding discrimination, especially intersectional discrimination.

20. The Confederation attached great importance to ensuring the equal treatment of all segments of the population in the health-care system and took gender-based differences into account. A report on gender disparities in the fields of research, prevention and health care would be published in the future.

21. In 2021, the Swiss electorate had voted in favour of equal marriage by a large majority. The corresponding legal amendment, which had entered into force in July 2022, placed same-sex couples on an equal footing with other couples. Same-sex couples could thus adopt a child jointly and married female couples could make use of a sperm donor under the conditions prescribed by law. Moreover, since early 2022, persons who were transgender or who exhibited differences in sex development could change their sex and first name quickly and simply by submitting a declaration to the civil registry office. The Swiss parliament had recently agreed to legalize egg donation for married couples where the woman had been found to have fertility problems.

22. Since the start of the conflict in Ukraine, over 60,000 people, most of them women, had obtained protected status in Switzerland. For the first time in the country's history, Protection Status 'S', which granted, *inter alia*, full access to the labour market and education for children and allowed for family reunification, had been made available. In addition, a special anti-trafficking information campaign had been launched in several languages, including Ukrainian and Russian.

23. The Confederation and the cantons had created a special anti-domestic violence task force in response to concerns that the coronavirus disease (COVID-19) pandemic would lead to an increase in that phenomenon. Police forces and victim support services had exercised increased vigilance and remained on stand-by throughout the pandemic period. Additional financial assistance had been granted to women's shelters and to various hotlines.

24. The Federal Commission for Women's Issues had commissioned a gender analysis of the restrictions and support measures put in place during the pandemic with a view to formulating specific equality-related recommendations. The analysis showed that women working a small number of hours, low-income households and persons employed in private households had been particularly affected during the pandemic. Women's underrepresentation in crisis management bodies posed a further challenge; the Federal Administration would take steps to remedy that situation. The collection of data and statistics had proved crucial in managing the crisis. In October 2021, Switzerland had hosted the

United Nations World Data Forum, which had culminated in the adoption of a data-related agreement intended to promote the achievement of the Sustainable Development Goals.

25. Gender equality and women's rights had long featured in the country's foreign policy documents and were currently reflected in the Foreign Policy Strategy 2020–2023. The 2030 Gender Equality Strategy likewise contained related targets and measures. In 2022, Switzerland had co-chaired the Women and Peace and Security Focal Points Network and was working to translate its commitments under the Security Council's women and peace and security resolutions into reality.

26. **Ms. Dettmeijer-Vermeulen** said that Switzerland was to be commended on the progress it had made in closing the gender gap, particularly in political participation, and on the wide range of legislative and policy measures it had taken during the reporting period to promote gender equality and to protect women's rights.

27. While the Committee welcomed the initiatives undertaken to raise awareness of the Convention in Switzerland, including the explanatory multimedia content uploaded to video-sharing platforms, it remained concerned that its effect on the population had been minimal, judging by the small number of views it had garnered. It would be useful to know how the State party intended to improve the visibility of the Convention, particularly within the digital sphere, in line with Sustainable Development Goal target 5.b, and how it ensured the effective and coherent implementation of the Convention, the Optional Protocol and the Committee's general recommendations at all levels.

28. A study conducted by Zurich University of Applied Sciences showed that the conviction rate for rape varied significantly from canton to canton, with the rates in the French-speaking cantons normally far exceeding those in the German-speaking cantons. She wondered how the State party planned to address that discrepancy and the differences in the protection given to women's rights in the cantons more generally.

29. She understood that, in Switzerland, ratified international instruments were directly applicable if their provisions were sufficiently specific and formulated in an unconditional manner such that they could be applied directly and unequivocally by the competent authorities. With a few exceptions, the Federal Council seemed to view the provisions of the Convention as merely political or moral declarations of intent, instead of an integral part of the country's legal system. Moreover, according to the State party's report, the cantonal courts only sometimes referred to the Convention and to the decisions and recommendations of the Committee in their case law. She would like to know how the State party intended to ensure that the judicial authorities viewed the Convention as an integral part of the Swiss legal system and to receive information on any court cases in which judges had relied on the provisions of the Convention to reach a decision.

30. It would also be interesting to hear about the impact of the guide to the Convention for legal practitioners published by the Federal Commission for Women's Issues and the road map for giving effect to the Committee's recommendations drawn up by the Federal Office for Gender Equality, and whether those tools were routinely used by judges, prosecutors and lawyers.

31. She would appreciate information on the indicators used to measure the achievement of the interim goals contained in the 2030 Gender Equality Strategy and to assess its overall implementation. She wished to know whether the Strategy included a component on gender-responsive budgeting in keeping with Sustainable Development Goal 5 and, if not, why not. The delegation might explain how the State party went about ensuring that the 2030 Gender Equality Strategy and its related action plan were implemented in a coordinated and effective manner and describe the impact of the Strategy so far. She would also like to hear about what was being done to ensure women's participation in the design and implementation of the country's digital strategy.

32. The Swiss Constitution provided that indigent persons were entitled to free legal assistance unless they stood little chance of being successful in their claim. However, without statistical data on the number of persons who had received free legal assistance, it was impossible for the Committee to know how many women, particularly disadvantaged women, had claimed that right. Did the State party plan to collect such data? How were

women with disabilities and Roma women informed of their legal rights, especially when they did not understand any of the country's official languages or have Internet access?

33. **Ms. Durrer** (Switzerland) said that the recommendations made by the Committee following its consideration of the previous periodic reports had been widely disseminated to the executive, legislature and judiciary at all levels of government and to NGOs. The road map developed by the interdepartmental working group on the Convention led by the Federal Office for Gender Equality had provided a blueprint for the actions and initiatives presented to the Committee during the current meeting. The 2030 Gender Equality Strategy, which had been developed with the active participation of the cantons, was central to the implementation of Convention.

34. The Digital Switzerland Strategy would include a gender perspective and the Swiss parliament had addressed a procedural request to the Federal Council to take account of the gender dimension, which had been met with approval. Training would be provided to enhance digital competence among women and promote their employment in the digital sector. Broad discussions were also held on issues relating to algorithms, digital platforms, and other relevant matters; both the Federal Office for Gender Equality and the Federal Commission for Women's Issues participated in those discussions.

35. **A representative of Switzerland**, drawing attention to the awareness-raising activities rolled out at the cantonal and municipal levels, said that the provisions of the Convention were taken into account in all cantonal and municipal action plans and regulations. A mobile exhibition was currently touring secondary schools in Geneva and, in Bern, NGOs had recently organized an event relating to the practical applicability of the Convention.

36. **Ms. Durrer** (Switzerland) said that much thought was given to the variations in rape conviction rates between cantons, without any conclusive outcomes as of yet. Awareness and training activities were being conducted for judges within the framework of the implementation of the Istanbul Convention. In the absence of a Judicial Training Centre, there was no basic or continuous training in that regard. Still, the federal Government engaged regularly with the judiciary to raise awareness about the Convention, within the limits imposed by the separation of powers. A digital overhaul of court procedures and law enforcement agencies was currently under way – under the Justitia 4.0 electronic document management project – which was expected to improve the availability of data.

37. **A representative of Switzerland** said that the Convention was directly applicable in court so long as the provision concerned the rights and obligations of individuals and the rule to be applied was sufficiently clear and precise to substantiate a ruling. It was for courts to determine whether the Convention applied to a given case. Still, international treaties prevailed over domestic law and the Convention must thus be taken into consideration in the interpretation of national legislation. Both the Federal Court and the Federal Administrative Court had issued several rulings since 2016 that made reference to the Convention. It had been invoked, for example, in a Federal Court ruling concerning maternity benefits for military personnel in 2020. In another recent ruling in which the Convention had been invoked, concerning the Foreign Nationals Act, the Federal Administrative Court had found that the claimant could not assert rights under the Convention that were already granted under domestic legislation. The same conclusion had been reached by federal courts on other occasions.

38. With regard to access to justice, proceedings brought under equality legislation at the cantonal level were free of charge. The Swiss parliament had adopted two measures to reduce the burden of legal fees for private individuals: the advance payment of legal fees was capped at 50 per cent and the risk associated with insolvency of the opposing party was no longer born by the person who won the case, but by the State.

39. **A representative of Switzerland** said that the Confederation and the cantons coordinated actions to ensure that migrant women received adequate information about their rights, legal resources, complaints mechanisms and victims support services, among others. All refugees and persons admitted temporarily were supported by integration case managers, who also provided information on legal recourse at the cantonal level where needed.

40. **A representative of Switzerland** said that the Federal Act on Improving the Protection of Persons Affected by Violence facilitated access to justice, including by abolishing legal fees and the conciliation procedure. Counselling centres for undocumented migrants had been established in 10 cantons to inform them of their rights.

41. There was no statistical information on the number of beneficiaries of legal aid. However, according to data collected on the services delivered under the Victim Support Act, in 2021 three quarters of beneficiaries had been women; 1 out of every 10 persons consulting a lawyer had been granted legal aid.

42. **Ms. Durrer** (Switzerland) said that within one year of the adoption of the 2030 Gender Equality Strategy, several measures had been implemented already. An important milestone had been the development of an action plan to implement the Istanbul Convention.

43. **A representative of Switzerland** said that one of three focus areas of the action plan for the implementation of the Istanbul Convention was training. A recently published survey of basic and continuing education on violence against women and domestic violence for police officers, prosecutors and judges had revealed that educational opportunities were manifold, but only 32 per cent of training courses were mandatory. In response, minimum standards for the training of judges had been included in the action plan and basic and continuing education would be made mandatory. The action plan contained six specific measures on the training of police officers, prosecutors and judges. A guide for judges published in 2021 contained specific recommendations for the protection of children in the context of domestic violence and divorce.

44. **Ms. Durrer** (Switzerland) said that the action plan for the implementation of the Istanbul Convention and the guide for judges had been developed in close collaboration with the cantons, the police, the judiciary and civil society organizations.

45. A 40 per cent quota had been introduced for women in leadership positions in State-owned enterprises and institutions. The Government would lead by example to generate momentum in the private sector. A new indicator – the gender overall earnings gap – had been developed to gain a better understanding of the economic status of women in Switzerland.

46. The 2030 Gender Equality Strategy comprised indicators such as the gender pay gap, the gender overall earnings gap, women's economic activity rate, the percentage of women professors, the number of women in the executive pay category, the number of women in official delegations and poverty rates for single-parent households. The Strategy had been linked to other equality tools to ensure a holistic approach. A mid-term evaluation of the Strategy was envisaged for 2025. Prior to that, a national conference would be held on 27 June 2023, which would bring together government bodies, social partners and civil society actors to take stock of the progress made.

47. **A representative of Switzerland** said that a large set of gender equality indicators were available on the website of the Central Office for Statistics. The indicators were updated regularly. A new “gender pension gap” indicator had been added recently. Additional indicators would be developed under the 2030 Gender Equality Strategy, which would help enhance the visibility of the vast body of sex disaggregated data available already.

48. **Ms. Durrer** (Switzerland) said that the Swiss Government attached great importance to evidence-based policymaking. Action plans were used as living documents and adapted to changing realities. The Swiss parliament had addressed a procedural request to the Government calling for additional efforts in that regard and requested that a gender perspective be integrated into all data collection and research studies to assess the gender-specific impact of laws and policies.

49. A motion calling for gender-responsive budgeting in the budget of the Confederation put before the parliament had been rejected. The reasons for the defeat of the motion were varied. The usefulness of such budgeting at the federal level was called into question, as the federal budget largely focused on redistribution of funds to third parties, such as cantons, social security agencies and State-owned companies, which were the true service providers. While no gender-responsive budgeting was applied at the federal level, individual departments and offices could decide to adopt such budgets. The Swiss Agency for

Development and Cooperation, for example, conducted a gender-specific analysis of development cooperation projects, and the Federal Office of Sport carried out a gender analysis of its budget. While no suitable tool had been identified thus far that could be applied to the specific context of Switzerland and enable a comprehensive shift towards gender-sensitive budgeting, several sector-based initiatives were already under way.

50. **A representative of Switzerland** said that gender-sensitive budgeting was among the key objectives of the Federal Department of Foreign Affairs and mainstreamed across development cooperation projects. The Swiss Agency for Development and Cooperation worked with local, provincial and national governments to raise awareness of gender-sensitive budgeting and provided training and awareness-raising in that regard. A series of guidance documents had been developed in 2019, which defined the principles of action, provided examples, and encouraged gender budgeting and, more broadly, socially inclusive budgeting. Eight of the projects currently being implemented included a gender-budgeting dimension.

51. **Ms. Dettmeijer-Vermeulen** said that she was not entirely satisfied with the State party's reply with regard to the applicability of the Convention in domestic courts. Notwithstanding the separation of powers, States parties had an obligation to ensure that the Convention was applied by domestic courts, and that judges and prosecutors were trained to that effect.

52. Turning to the State party's extraterritorial obligations under the Convention, she asked whether the National Action Plan for the Implementation of the Guiding Principles on Business and Human Rights and the Action Plan on Corporate Social Responsibility for Society and the Environment incorporated a gender perspective, and whether their outcomes had been monitored and evaluated. With reference to the State party's position vis-à-vis the proposed waiver from certain provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) for the prevention, containment and treatment of COVID-19, she asked how it envisaged implementing its extraterritorial obligations under the Convention.

53. Given the State party's role as a global hub for international cooperation, including for women, it would be useful to find out whether it would consider streamlining visa application procedures to ensure greater access to the country, particularly for women from the Global South, and minimize the financial burden of such procedures. She also wondered whether the State party might assess the impact of its tax and financial secrecy policies on the resources available for the fulfilment of women's rights and substantive equality overseas.

54. With regard to women and peace and security, the Committee would be interested to hear about the outcome of the fourth action plan for the implementation of Security Council resolution 1325 (2000), which covered the period 2018–2022. Given the low share of female ambassadors and heads of mission, it would be helpful to find out about measures taken to promote a sustainable, fair and inclusive culture in diplomacy. She wondered whether the reporting State party might consider introducing quotas in the diplomatic service.

55. The Committee wished to find out about the measures taken to mainstream a gender perspective into Swiss foreign policy, including strategies to prevent violent extremism. It would also be useful to know how the State party ensured the effective participation of women in negotiations, mediation and post-conflict reconciliation and rebuilding activities, and in post-conflict governance structures. She was curious to learn about the results of the work carried out by the organization Small Arms Survey and the Office for Disarmament Affairs in studying the effects of weapons and ammunition on women. She wondered which tools, indicators or findings had emerged, and whether those were being used in the National Action Plan for the implementation of the Guiding Principles on Business and Human Rights and the Action Plan on Corporate Social Responsibility.

56. **Ms. Durrer** (Switzerland) said that the Government did its utmost to raise the awareness of the Convention among the judiciary. Training courses and materials were widely available, but the Government could not compel judges to participate.

57. **A representative of Switzerland** said that the country's visa policy was in line with its obligations as a member of the Schengen area. Visa matters came within the competence of the International Geneva Visa Service of the Permanent Mission of Switzerland to the United Nations Office and other international organizations in Geneva. Access for civil society actors was a priority and Switzerland engaged in constant exchange with civil society organizations, private actors and NGOs to create awareness around visa-related issues. A meeting had been held in 2022 involving representatives of the Swiss Mission and the United Nations Non-Governmental Liaison Service to discuss difficulties encountered in obtaining visas. A survey had revealed that the vast majority of unsuccessful visa applications had been rejected because they had not been submitted on time, the application had been incomplete or other formal requirements had not been met. In order to remedy the problem, the Mission had posted a visa application checklist on its website and made available a model application letter to non-governmental applicants to facilitate procedures.

58. **Ms. Durrer** (Switzerland) said that, over the course of the previous decade, bank secrecy had been abolished in cross-border contexts and reforms had been adopted, aimed at greater transparency, in line with the recommendations of international bodies.

59. **A representative of Switzerland** said that the National Action Plan for the Implementation of the Guiding Principles on Business and Human Rights included a measure specifically aimed at promoting gender equality, as recommended by the Working Group on the issue of human rights and transnational corporations and other business enterprises. In addition, the State Secretariat for Economic Affairs had, since 2018, held more than 50 events for companies in a variety of sectors, in particular high-risk ones, such as the raw materials industry, aimed at strengthening their human rights due diligence procedures. Implementation indicators had been incorporated into the action plan and her Government had commissioned two independent studies to evaluate, on the basis of those indicators, the plan's implementation. Since 1 January 2022, companies had been obliged to report on their compliance with human rights and environmental protection standards and had been bound by a due diligence obligation in relation to conflict minerals and to child labour.

60. **Ms. Durrer** (Switzerland) said that there was a monitoring system in place to ensure the prohibition of exports of any weapons and munitions that might jeopardize the safety of women.

61. **A representative of Switzerland** said that the Government had requested Small Arms Survey to look into the effects of small arms and light weapons on women. The organization had produced a study entitled "At Whose Risk: Understanding States Parties' Implementation of the Arms Trade Treaty", which had found, among other things, that no State party to the Treaty had publicly rejected an application for an arms export licence because of the risk that conventional weapons would be used to commit or facilitate serious acts of gender-based violence. Switzerland had also supported the Department for Disarmament Affairs in its work on the gender-differentiated effects of munitions and developing measures to better integrate gender considerations into munitions management. Furthermore, gender issues were a core element of the recently adopted Arms Control and Disarmament Strategy 2022–2025.

62. **A representative of Switzerland** said that the action plan to combat radicalization and violent extremism incorporated prevention programmes, as well as security measures. Her Government cooperated with specialized women's organizations on the ground, such as Women for Peace, Mediation and Conflict Prevention, which worked with female victims of Boko Haram in northern Cameroon, who had become active in promoting peace and dialogue with friends and family members who were involved in armed groups. The intention of such programmes and of the Government's post-conflict measures was to incorporate such organizations' recommendations, and therefore women's rights and needs, into political decision-making.

63. She wished to highlight that sustainable peace, along with the issue of women and peace and security, would be central to the approach taken by Switzerland to its membership of the Security Council in 2023. In relation to promoting a sustainable, fair and inclusive culture in her country's diplomatic corps, no quotas were used for the competitive examinations for diplomatic careers, but determined efforts had been made to ensure equal representation of men and women.

64. **A representative of Switzerland** said that 41 per cent of federal judges were women and, in the judiciary as a whole, there were almost as many women as men. The proportion of the diplomatic service made up of women was continuously increasing and was currently at 23 per cent of ambassadors and 38 per cent of the overall staff.

65. **A representative of Switzerland** said that the action plan to combat radicalization and violent extremism empowered the Federal Office of Police to back various projects run by civil society organizations or public bodies to enhance the security of minorities exposed to the threat of terrorism or violent extremism. In the first nine months of 2022, the Federal Office of Police had provided a total of 950,000 Swiss francs (SwF) in funding for 14 projects; the annual budget was SwF 1 million.

66. **A representative of Switzerland** said that a growing number of lawyers used the Convention to strengthen their arguments and the courts would consider any complaints of violations. Since 2016, the Convention had been mentioned in several decisions of the Federal Supreme Court and the Federal Administrative Court. Lawyers planning to submit an individual communication to the Committee must invoke the Convention in their filings before the domestic courts, from the trial court stage onward; increasing numbers of such communications had been submitted in recent years.

67. **Ms. Toé-Bouda**, highlighting the Government's numerous measures to promote gender equality, said that, nevertheless, some cantonal offices for gender equality faced budget cuts or closure, while others had already been shut down owing to lack of funding; she wished to know whether the State party was planning any measures to make the handling of gender issues more uniform and effective across the country. Information on the underlying causes of the threats to the offices for gender equality would be useful, as would details of any steps the State party was planning in order to address those threats. In the light of the closure of two cantonal offices for gender equality due to lack of funding and interest and of the threat to two others, she wondered whether the State party planned to take action to raise the profile of their work.

68. She would like to hear about specific measures taken in respect of disadvantaged women, in particular migrant women. It would be interesting to know how the State party intended to promote the concept of an inclusive work environment, introduced in the Equality and Work Programme for persons with disabilities, among public- and private-sector employers. It would also be helpful to have an account of how artificial intelligence, in particular machine learning, was being used to prevent inequality and discrimination against women, especially those who were most vulnerable.

69. **Ms. Durrer** (Switzerland) said that the human and financial resources of the Federal Office for Gender Equality had slightly increased, with a new allocation of SwF 3 million to support efforts to combat domestic violence and gender-based violence.

70. **A representative of Switzerland** said that the staffs of some offices for gender equality had increased, for instance those of the Canton of Bern, the City of Bern and the Canton of Geneva; meanwhile, Lausanne now had an office for gender equality to replace the Office of the Gender Equality Delegate, and the Canton of Solothurn had replaced its equality mechanism with a gender equality coordination service. In addition, some offices for gender equality had new powers, such as monitoring wage equality or handling issues pertaining to the LGBTIQ community. In March 2022, the Swiss parliament had rejected an amendment to the Gender Equality Act, which would have obligated all cantons to have an equality office. The Swiss Conference of Gender Equality Delegates attempted to support any equality mechanism threatened with closure by the government of its canton or commune.

71. **A representative of Switzerland** said that the cantonal integration programmes had sought to encourage the integration of migrant and asylum-seeking women into society. Under the programmes, jointly funded by the Confederation and the cantons, integration case managers were assigned to help migrant and refugee women in various areas, including legal assistance. In addition, the Confederation funded programmes and projects of associations such as Femmes-Tische and Hommes-Tische, a network of organizations that promoted round-table discussions among people from migrant backgrounds, in particular women, to provide information on health and education, exchange experiences and facilitate integration.

72. Refugees and temporarily admitted foreign nationals were offered preparatory courses to help them find apprenticeships and receive vocational training. Under a pilot programme, businesses employing refugees and temporarily admitted foreign nationals on a full-time basis received financial support for a limited period; women accounted for between 25 per cent and 30 per cent of the persons who had found work through that programme.

73. **Ms. Durrer** (Switzerland) said that the Federal Office for the Equality of Persons with Disabilities had incorporated into the Equality and Work Programme measures to ensure inclusive working environments, partly by means of disseminating information – some of it through organizations of persons with disabilities – and partly by using its annual budget of around SwF 2 million to support various projects. A new disability policy for the period 2023–2026 would be finalized in late 2022, covering housing, social protection and work, among other areas.

74. In order to maximize the benefits of its digital strategy, the Federal Council wished to ensure that no one was excluded, so digital skills training was promoted to all persons, regardless of sex. The Federal Chancellery, which was responsible for the strategy, strove to ensure that it responded to the specific needs and situations of women in Switzerland. The strategy not only provided for training but also took account the issue of algorithms that could include biases that was raised by the Committee. The motion put before the Swiss parliament at the women's session calling on the Federal Council to integrate the gender perspective into the federal digital strategy had been carried.

75. **Ms. Gabr** said that, despite the State party's progress, negative stereotypes continued to have an impact on all women's human rights. Given that the Council of States had, in December 2020, rejected a proposal for a large-scale anti-sexism campaign using social media, posters and newspaper and cinema advertising, despite its having been approved by the National Council, she wondered what further action could be taken to tackle gender stereotypes and sexism in the public sphere; she also wished to know how the Electronic Media Act addressed the issue. In view of the State party's legally binding obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Istanbul Convention, she would like to know whether the Confederation planned to follow the example of the Canton of Vaux by amending federal media legislation to prohibit sexist advertising. It would be interesting to hear how the State party envisaged preventing technological change from exacerbating existing gender inequalities. She would appreciate further information on the Swiss parliament's motion calling for gender targets to be incorporated into the country's digital strategy. In addition, she would like to know how the State party planned to challenge stereotypical images of migrant women with a view to promoting their integration and greater acceptance in society.

76. **Ms. Al-Rammah** said that she would be grateful for details of any measures taken by the State party to provide protection and support services, including psychological counselling and rehabilitation programmes, to women and girls, in particular women from migrant backgrounds, asylum-seekers and refugees, who had been, or were at risk of being, subjected to female genital mutilation. Information on the number of investigations and prosecutions that had taken place in respect of such cases would be helpful. In addition, she wondered if there were any programmes to train parents, teachers, social workers, police officers, religious leaders and judges on how to identify and report such cases.

77. She would appreciate information, including any available statistical data, on the practice of sterilizing women with disabilities who were incapable of judgment or forcing them to have abortions. Also, she wished to know what measures the State party intended to take to put a stop to the practice.

78. **Ms. Durrer** (Switzerland) said that, measures to combat stereotypes in schools included regularly updated teaching aids called *L'école de l'égalité* (School of Equality), available in French-speaking Switzerland; a day dedicated to raising awareness among children and their teachers about stereotypes, in particular in relation to career choices; and a review of some 30 ordinances of the State Secretariat for Education, Research and Innovation to ensure that none perpetuated stereotypes. In addition, some of the measures to encourage migrants' integration incorporated elements of breaking stereotypes about foreigners. The Federal Office for Gender Equality sometimes funded projects to prevent

workplace sexism, such as training for human resources managers, and provided a kit for preventing workplace sexual harassment, developed by the Swiss Conference of Gender Equality Delegates.

79. While no specific legislation governed gender equality in the media, many provisions of other laws related to that issue and the Federal Act on Gender Equality protected persons working in the media from discrimination. Switzerland actively participated in the Global Media Monitoring Project, which found that women were underrepresented in the media, but media companies themselves were working to redress the imbalance. In addition, public-sector concessions to private media firms included extremely clear requirements that broadcasters should strive to achieve appropriate gender representation in their programming, requirements that were likely to become even more stringent for the concessions to be awarded for 2025. Any person or body could report any advertisement to the Swiss Commission on Fairness in Advertising, which regularly issued decisions banning advertisements that it deemed sexist. In addition, sexist advertising had been prohibited in several cantons and cities.

80. **A representative of Switzerland** said that fear of female genital mutilation was a ground for the granting of refugee status. If such a fear was expressed in the course of an asylum claim, the woman in question was given the details of the Network against female genital cutting Switzerland and, in the case of imminent threats, the police was immediately contacted.

81. **A representative of Switzerland** said that, since the requirement to take out health insurance also applied to asylum-seekers and undocumented persons, all victims of female genital mutilation received the medical assistance covered by that insurance. In addition, at the specialist regional reception facilities, they were given psychosocial support, developed by the Network against female genital cutting. Those facilities would remain in place until the end of 2023. Under the Assistance to Victims of Crimes Act, if female genital mutilation took place in Switzerland, the victim was entitled, regardless of nationality or immigration status, to services including short- and long-term support and compensation and non-pecuniary damages. According to the statistics currently available, since the criminalization of female genital mutilation in 2012, only three offences had been reported – one in 2018, one in 2020 and one in 2021 – resulting in just one conviction, in 2018. A survey of the cantonal police services showed that evidence of female genital mutilation was very rarely given to the police by victims or by their friends and family and that the offence was practically never reported. Since the Confederation was unable to require the inclusion of female genital mutilation in training syllabuses for health-care professionals, it supported the Network against female genital cutting in raising awareness of the issue's pertinence among all relevant stakeholders and in providing specialist additions to existing training syllabuses.

82. Under the Sterilization Act, the sterilization of persons over 18 years of age capable of judgment could only be performed with their free and informed consent; the sterilization of persons over 18 who were temporarily incapable of judgment was prohibited; the sterilization of persons 16 years of age or older who were permanently incapable of judgment was prohibited, except at the request of the persons in question, or of a member of their family, under exceptional circumstances. Any other sterilization of persons incapable of judgment was considered a gross injury, subject to deprivation of liberty for between 6 months and 10 years.

83. **Ms. Gabr** said that she wished to know what steps the State party was taking to raise awareness among judges, prosecutors and lawyers of the particular impact on women of sexual and other violence. She wondered whether the State party intended to harmonize the section of its criminal legislation pertaining to marital rape and domestic violence, including all forms of intimate partner violence, with the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19. According to researchers at ZHAW Zurich University of Applied Sciences, although the number of reported rape cases had risen in the period 2016–2018 compared with the period 2010–2012, the number of convictions had fallen; the researchers attributed that to problems with the burden of proof, and she hoped to hear how the State party could remedy those problems. She would appreciate details of any efforts or plans to report different forms of violence more accurately. Since migrant women, fearing deportation if separated from their

partner, were usually reluctant to report domestic violence, she would like to know if the State party would consider the amendment of the provisions of the Federal Act on Foreign Nationals and Integration concerning the dissolution of marriage or family household and residency. She wondered whether the State party considered it necessary to increase police officers' training on extending support to migrant victims. Lastly, she wished to know how the State party envisaged tackling digital gender-based violence against women.

84. **Mr. Safarov** said that he would like to know what the Government was doing to address its problems with identifying and registering victims of trafficking in persons, more than 80 per cent of whom worked in the country's flourishing sex industry. He also wished to know how the State party intended to increase the visibility of the hotline for such victims, which had been little used since its establishment, perhaps because those victims did not have access to the telephone or Internet. He wondered when the third national action plan against trafficking in persons would be adopted. It would be useful to know what action had been taken to implement Ordinance RS No. 311.039.4, on measures to prevent prostitution-related offences, and whether any good practices could be drawn from it, to be followed at the cantonal level in particular. A motion calling for a ban on the purchase of sexual services had been rejected by the National Council in 2022, despite research showing that between 30 per cent and 50 per cent of women who turned to prostitution had been forced into doing so; he wished to know whether the State party recognized the link between the demand for commercial sex and trafficking in persons for sexual exploitation. Lastly, he wondered whether the State party would ensure the cantons' cooperation on improving protection of victims.

85. **Ms. Dettmeijer-Vermeulen** said that, although Switzerland ranked seventeenth out of 191 States worldwide for women's political participation, women were far less represented in the Council of States and at subnational levels than they were in the National Council. It would therefore be useful to know whether any time-bound goals or quotas been implemented at any of those subnational levels. In addition, she would like to know what efforts had been made to increase the number of women in elected decision-making bodies at all levels and whether the State party had taken any measures to proactively address the structural obstacles to substantive gender equality in political and public life.

86. She wished to know the number of female politicians and candidates experiencing hate speech and sexism. Details of any measures the State party was planning in order to protect women participating in political life would be helpful. She wondered whether the State party had contemplated changing the legal definition of hate speech to incorporate the concept of gender discrimination. In addition, while she was aware of media's independence, she would be interested to know whether the State party was considering any measures to address the underrepresentation of women in the media. Lastly, she would appreciate information on any childcare services for the children of public and elected officials.

87. **Ms. Durrer** (Switzerland) said that criminal prosecution of gender-based violence was part of initial and ongoing training given to personnel at all levels of the prosecution services, including the police, and training of professionals and volunteers who dealt with gender-based violence was a priority under the action plan on the implementation of the Istanbul Convention.

88. **A representative of Switzerland** said that the action plan also set minimum standards for the training of all professionals who came into contact with victims or perpetrators of violence. Following discussions with civil society and NGOs, an intersectional approach had been incorporated into the action plan and was followed in the implementation of all its measures. In addition, measures specifically designed for certain target groups, such as women with disabilities and migrant women, had been incorporated.

89. **Ms. Durrer** (Switzerland) said that a parliamentary initiative was currently before the Swiss parliament calling for the establishment of a right under the Federal Act on Foreign Nationals and Integration to the settlement of the conditions of stay after the dissolution of marriage or family household on the grounds of domestic violence.

90. **A representative of Switzerland** said that persons holding residence permits who were victims of domestic violence had the opportunity to extend their stay in the event of a dissolution of marriage or family household. While the Federal Act on Foreign Nationals and

Integration established the right of such victims to extend their stay in Switzerland only for the spouses of Swiss nationals or of holders of a settlement permit, holders of a residence permit could generally extend their stay in the event of the dissolution of marriage owing to spousal abuse, as could persons granted temporary admission. In addition, those who enjoyed the right to extend their stay could appeal any decisions all the way to the Federal Court, whereas those with a B permit, for example, did not have such a right.

91. **A representative of Switzerland** said that, in addition to separate measures targeting victims and the general public, the Federal Office of Police had worked with a group of experts to revise the list of potential signs of trafficking in persons, to be provided to professionals who might come into contact with such persons. The list gave both general signs of trafficking and other indicators specific to sexual exploitation, forced labour and organ harvesting, along with other forms of exploitation of victims. A separate list had been prepared for labour inspectors and both lists of signs of trafficking had been strongly promoted in training and awareness-raising sessions. A national campaign had been held to raise health-care professionals' awareness of the hotline, and a bus – organized in conjunction with the International Organization for Migration – had toured the country raising the hotline's profile among the general public; moreover, there were also regular campaigns advertising the hotline on public transport in the Canton of Geneva. The third national action plan against trafficking in persons would be based on the recommendations of the Group of Experts on Action against Trafficking in Human Beings and would be adopted by the end of 2022; its strategic goals would include improving training and combating labour exploitation.

92. Exploitation of prostitution was a criminal offence and any victims were entitled to assistance. The Federal Council had commissioned a group of experts to consider the issue of prohibiting prostitution; the experts had unanimously argued against a ban, taking the view that such a measure would push prostitutes underground, rendering them even more vulnerable to exploitation and difficult to target with assistance. Under Ordinance RS No. 311.039.4, on measures to prevent prostitution-related offences, the Federal Office of Police had provided a total of over SwF 195,000 in funding for six projects by specialist NGOs in 2019, over SwF 209,000 in 2020 and over SwF 129,000 in 2021. Under another ordinance issued in 2016, projects to prevent trafficking in persons were funded, with a total current allocation of around SwF 500,000.

93. **Ms. Durrer** (Switzerland) said that, although quotas had been debated in the Swiss parliament, they were not supported in Switzerland. Nevertheless, thanks to the work of civil society organizations, such as Alliance F, there was widespread awareness of the issue of women's political representation. For the upcoming federal elections, all parties had a stake in increasing the number of women on the electoral lists.

94. **A representative of Switzerland** said that various cantons and communes had taken specific measures to increase representation in cantonal and municipal executives and in the Council of States. Women accounted for 69 per cent of the members of the Communal Council of Bern and 61 per cent of those of the cantonal parliament of Neuchâtel; both bodies were positive examples. The Swiss Conference of Gender Equality Delegates provided subnational authorities with advice on increasing their representation of women, as well as offering women candidates training on handling online hate speech against them.

The meeting rose at 1.05 p.m.