



PALAIS DES NATIONS – 1211, GENEVA 10, SWITZERLAND

COURTESY TRANSLATION

30 October 2023

Sir,

I have the honour to refer to the fourth cycle review of Switzerland by the Universal Periodic Review (UPR) Working Group at its 42nd session in January/February 2023. The constructive engagement between your Government, my Office, and the UPR mechanism is warmly welcome. As the final outcome report on the review of Switzerland was recently adopted by the Human Rights Council at its 53rd session, I have also taken note of the efforts of your Government to implement specific recommendations since the previous review.

A matrix of thematically clustered recommendations, starting with those supported by your Government, is available at OHCHR's website (<https://www.ohchr.org/en/hr-bodies/upr/ch-index>) and should be considered as part of this letter. The matrix indicates the recommending State and links each recommendation to relevant Sustainable Development Goals (SDGs).

In annex, I have also attached my Office's observations in light of the outcome of the fourth cycle of the UPR. In line with previous practice, I will be sending similar observations to all Member States once their fourth cycle UPR outcome is adopted by the Human Rights Council, with a view to follow-up action in close cooperation with national entities and other stakeholders.

I take this opportunity to draw your attention to the support available through the Voluntary Fund for UPR Implementation, which may be activated at the request and with the consent of a concerned State, along with tools such as the "UPR practical guidance" and the "UN good practices" repository on how the UPR process supports sustainable development, available at <https://www.ohchr.org/en/hr-bodies/upr/upr-main>, with a view to facilitating efforts to implement UPR recommendations in line with the SDGs.

Please accept, Sir, the assurances of my highest consideration.

Volker Türk

His Excellency
Mr. Ignazio Cassis
Head of the Federal Department of Foreign Affairs of Switzerland



Observations in light of the outcome of the fourth cycle of the Universal Periodic Review

Since its review, Switzerland has initiated a revision of the Disability Discrimination Act to better protect persons with disabilities against discrimination in the workplace and access to services. Positive note is also taken of the revision, adopted in June 2023, of the Swiss Criminal Code related to offences against sexual integrity, expanding the definition of rape to include refusal and explicitly taking into account the victim's possible inability to refuse due to a state of shock.

Additionally, the establishment on 23 May 2023, of the Swiss National Human Rights Institution is very welcome. As highlighted by several recommendations received during the review, the institution should receive adequate resources enabling it to carry out its mandate and fully comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

A number of recommendations to combat racism, racial discrimination, intolerance and hate speech, including against migrants, refugees and asylum seekers, were supported and several measures on these issues were adopted. Switzerland is encouraged to also consider reviewing legislation addressing these issues and examine whether additional measures should be adopted to tackle racial profiling.

Moreover, several recommendations were also made during the review on the gender-pay gap, and it would be of great importance that the measures and policies adopted to address this issue are adequate, and more effectively enforced.

Switzerland is also encouraged to develop an implementation plan in follow up to the UPR outcome, in close consultation and cooperation with all stakeholders, in particular the National Council and Council of States, the judiciary, local and regional governments, and civil society organizations. The matrix may be of use in the development of such an implementation plan. The Government is encouraged to explicitly link each UPR recommendation to corresponding recommendations of other international or regional human rights mechanisms and to the relevant SDG and its targets. This will, in turn, facilitate the creation of synergies between UPR implementation and SDG related actions and reporting within the context of the Voluntary National Review (VNR).

The Government is further encouraged to establish a national mechanism for reporting and follow-up, with the aim of ensuring a coordinated and effective approach to reporting to international human rights mechanisms, and to implementing the recommendations, in line with the guidance provided by OHCHR following regional consultations and the High Commissioner's report to the Human Rights Council ([A/HRC/50/64](#)).



Further, an important measure that could positively contribute to follow-up action is voluntary mid-term UPR reporting. All Member States are encouraged to submit a voluntary mid-term UPR report some two years after the adoption of the UPR outcome. In this regard, the Government of Switzerland may wish to consider submitting a mid-term report on follow-up to the fourth cycle UPR recommendations by 2025, detailing both implementation efforts as well as challenges to implementation, including the possible need for technical or capacity-building assistance.

OHCHR
30 October 2023