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The Swiss Confederation, with a population of 7.5 million, is a constitutional republic with a federal structure. Legislative authority is vested in the bicameral parliament (Federal Assembly), whose members were chosen in free and fair elections on October 21. The government, elected by the Federal Assembly on December 12, is a coalition of the four major parties. Civilian authorities generally maintained effective control of the security forces.

The government generally respected the human rights of its citizens, and the law and judiciary provided effective means of dealing with individual instances of abuse. However, there were reports that police at times used excessive force, particularly against blacks, asylum seekers, and certain other groups. Other human rights problems were lengthy pretrial detention, anti-Semitic and anti-Muslim incidents, violence against women, trafficking in persons, and discrimination against minorities.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including

Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading

Treatment or Punishment

The constitution prohibits such practices; however, there were reports that police occasionally used excessive force.

In its annual report published in May, Amnesty International (AI) alleged mistreatment, use of excessive force, and racist abuse by police officers. In addition, AI released a special report in June accusing Swiss police forces of repeated human rights abuses that were rarely punished. The report documented some 30 instances of alleged police abuse, some of which had lethal consequences, in 14 cantons between 2001 and 2006. AI also alleged that police disproportionately subjected asylum seekers, blacks, anti-globalization protesters, soccer fans, and minors to interference, arbitrary detention, and degrading treatment. Police authorities responded that the AI report was biased against the police. The vice president of the National Conference of Cantonal Police and Justice Ministers stated to the press that no other state service was scrutinized and disciplined so scrupulously.

Prison and Detention Center Conditions

Prison conditions generally met international standards; however, prison overcrowding was a problem, particularly in the cantons of Geneva, Zurich, and Bern. A government report issued in February 2006 indicated that as of September 2005, one-third of the country's detention centers were at or above their designated capacity, and nine were overcrowded by 20 percent or more.

A study by the Ministry of Justice, published in May, found that during investigative detention, juveniles were often held together with adults and kept in prisons rather than reform schools. A new penal code for young offenders, which took effect at the beginning of the year, stipulates that juvenile detention prior to conviction should be minimized, and juveniles should be held in reform schools or separate wings of prisons, where they can be given educational support. As a consequence, in August the Federal Tribunal (the country's highest court) cancelled a provision of the Code of Criminal Procedures for juvenile offenders in the Canton of Basel that permitted the detention of juveniles in adult facilities under exceptional circumstances.

The government permitted access to prisons by independent local and international human rights groups. A delegation of the Council of Europe's Committee for the Prevention of Torture conducted a two-week visit in September.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over police forces, which are organized and administered by the cantons with federal coordination. The government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces.

Arrest and Detention

According to the law, criminal suspects must be apprehended on the basis of warrants issued by a duly authorized official unless there is a specific and immediate danger to which police must respond immediately. In most cases a suspect may not be held longer than 24 hours before being presented to a prosecutor or investigating magistrate, who must either bring formal charges or order the detainee's release; however, asylum seekers and other foreigners without valid documents may be held up

to 96 hours without an arrest warrant.

There was a functioning bail system, and courts grant release on personal recognizance or bail unless the magistrate believes the person charged is dangerous or is a flight risk. A suspect may be denied legal counsel at the time of detention but has the right to choose and contact an attorney before charges are brought. The state provides free legal assistance for indigents who are charged with crimes for which imprisonment would be a possible punishment. Access to family members may be restricted to prevent tampering with evidence, but law enforcement authorities are required to inform close relatives promptly of the detention.

AI and other nongovernmental organizations (NGOs) working with refugees complained that detained asylum seekers were often effectively denied proper legal representation in deportation cases because they lacked the financial means to obtain an attorney. Free legal assistance was only provided in cases of serious criminal offenses. The procedures for initiating and processing the deportation of asylum seekers are administrative, rather than judicial.

In some cases lengthy pretrial detention was a problem. During the year approximately one-third of all prisoners were in pretrial detention, and the average length of such detention was approximately 50 days. In April an expert group commissioned by Geneva's cantonal parliament reported that a shortage of investigative magistrates reviewing new cases resulted in lengthy pretrial detention periods at the Champ-Dollon prison.

All cases of prolonged pretrial detention are subject to review by higher judicial authorities. The country's highest court has ruled that pretrial detention must not exceed the length of the expected sentence for the crime a suspect is charged with.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence in practice.

Trial Procedures

The constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right. Trials were generally expeditious and public. Those involving minor offenses are generally heard by a single judge, more serious or complex cases by a panel of judges, and the most serious cases (including murder) by a jury. Defendants have the right to be present and to consult with an attorney in a timely manner, and an attorney is provided at public expense if defendants face serious criminal charges. Defendants have the right to confront or question witnesses and to present witnesses or evidence. Defendants enjoy a presumption of innocence and have the right to appeal, ultimately to the highest court, the Federal Tribunal. These rights were generally respected in practice.

The Military Penal Code requires that war crimes or violations of the Geneva Conventions be prosecuted only if the defendant has close ties with Switzerland. Normal civilian rules of evidence and procedure apply in military trials. The Military Penal Code allows the appeal of any case, ultimately to the Military Supreme Court. In most cases defendants used attorneys assigned by the courts. Any licensed attorney may serve as a military defense counsel. Under military law the government pays for defense costs. Civilians charged with revealing military secrets, such as classified military documents or classified military locations and installations, may be tried in military courts.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. Citizens have access to a court to bring lawsuits seeking damages for, or cessation of, human rights violations.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and the government generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

The law penalizes public incitement to racial hatred or discrimination, spreading racist ideology, and denying crimes against humanity. The law does not name anti-Semitism, Holocaust denial, or other specific offenses; however, there have been convictions under this legislation for anti-Semitism and denying the Holocaust as well as other offenses.

On March 9, a Lausanne court fined Dogu Perincek, a Turkish politician, $2,650 (3,000 francs) for racial discrimination based on his public statement that Armenians had not been victims of genocide. In June the Vaud cantonal court confirmed the sentence. On December 12, the Federal Tribunal upheld the verdict, rejecting an appeal by Perincek.

It is a crime to publish "secret official discussions." In February a military court announced that it had indicted three journalists working for the weekly *SonntagsBlick* for publishing a diplomatic communication. The indictments were criticized by organizations committed to freedom of the press. In April the military tribunal acquitted the defendants of all charges.

In December, in a case from 1997, the Grand Chamber of the European Court of Human Rights (ECHR) ruled that a domestic court had not violated freedom of expression when it fined a journalist for publishing excerpts from a confidential diplomatic document. The decision reversed an ECHR ruling from April 2006. It concluded that the way in which the journalist abbreviated the document for publication showed that his chief intent was to provoke a stir rather than to contribute to the public debate protected by freedom of expression.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Internet access was widely available, and over two-thirds of the population used it regularly.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution provides for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice.

There is no official state church; however, most cantons provided financial support from tax revenues to at least one of three traditional denominations--Roman Catholic, Old Catholic, or Protestant. Each of the 26 cantons has its own regulations regarding the relationship between church and state. Foreign missionaries must obtain a religious worker visa to work in the country. Such permits were generally granted routinely.

Resident Islamic organizations complained that authorities in many cantons and municipalities discriminated against them by refusing zoning approval to build mosques, minarets, or Islamic cemeteries. In the Canton of Solothurn, a project to build a symbolic minaret on top of existing prayer rooms was held up in legal disputes until July 4, when the Federal Tribunal threw out a complaint by a group of neighbors opposing the project. In the Canton of Bern, a similar community building project stalled when, on April 16, the cantonal government cancelled the building permit issued by municipal authorities. There are currently two minarets in the country--at the Geneva and Zurich mosques.

Religious instruction was a part of the curriculum in most public cantonal schools except in Geneva and Neuchatel. Most schools offered classes in Roman Catholic and Protestant doctrine, but some schools included discussion of other religious groups present in the country. A number of cantons complemented or entirely supplanted traditional classes in Christian doctrine with nonconfessional teachings about religion and culture.

The Department of the Interior's Federal Service for the Combating of Racism sponsored a variety of educational and awareness-building projects to combat racism, xenophobia, and anti-Semitism.

Societal Abuses and Discrimination

There were reports of societal abuses or discrimination based on religious belief or practice. Some observers remained concerned about the climate for members of religious minorities, particularly Muslims and Jews.

According to the 2000 census, the most recent official data available, there were 17,914 members of Jewish communities, constituting 0.24 percent of the population. Anti-Semitic incidents occurred during the year. In 2006, according to the Geneva-based Intercommunity Center for Coordination against Anti-Semitism and Defamation recorded 67 anti-Semitic incidents in the western, French-speaking, part of the country; they ranged from verbal and written assaults to offensive graffiti and acts of vandalism against Jewish property. This represented a decrease from the 75 incidents in 2005. In the German-speaking part of the country, the NGO Children of the Holocaust recorded 73 anti-Semitic incidents between September 2005 and December 2006.

On May 24, early in the morning, a fire broke out at the Hekhal Hanes synagogue in Geneva. The entrance hall was charred and other rooms heavily damaged, but no one was hurt. Authorities believed that the fire was arson, but did not identify political extremism as the motive for the attack. However, Alfred Donath, the head of the Federation of Jewish communities, told Swiss radio RSR that the anti-Semitic nature of the attack was undeniable. Local authorities opened an investigation, which was ongoing.

A study released during the year by the Federal Commission against Racism reviewed 183 court convictions between 1995 and 2000 for violation of antiracism legislation. It found that in over 25 percent of the cases, the victims of discrimination were members of the Jewish religious community.

The law penalizes public incitement to racial hatred or discrimination, spreading racist ideology, and denying crimes against humanity. The law does not name anti-Semitism, Holocaust denial, or other specific offenses; however, there have been convictions under this legislation have included anti-Semitism and Holocaust denial. Schools across the country honored Holocaust Remembrance Day, January 27, for victims of the Holocaust. The country is a member of the Task Force for International Co-operation on Holocaust Education, Remembrance, and Research.

On November 12, a 23-year-old man entered the Islamic center in Crissier near Lausanne and fired several shots, seriously injuring a 43-year-old worshiper, before being overwhelmed by other worshippers. The motive for the attack remained unclear. The attacker reportedly was a practicing Muslim. Police have opened an investigation that was incomplete at year-end. On February 20, a criminal court found the perpetrator of a 2004 attack on the imam of Lausanne not responsible for his actions by reason of insanity and ordered his confinement in a psychiatric institution. The man had entered the local Islamic center during Friday prayers and stabbed the cleric and a nearby worshiper with a knife. The two victims were each granted an indemnity of approximately $13,251 (15,000 francs).

Plans by some Islamic associations to build minarets next to their houses of worship in the Cantons of Solothurn, Bern, and Sankt Gallen provoked political debates far beyond the municipalities concerned. In April a committee including members of the federal parliament launched an initiative favoring a vote to ban the construction of minarets across the country. Three cabinet ministers condemned the petition; Islamic umbrella organizations deplored it as threatening peaceful coexistence and hampering the integration of Muslims. However, the Swiss People's Party (SVP), which won 29 percent of the vote in national elections in October, supported the banning of minarets.

Some employers prohibited the wearing of headscarves in the workplace. For example, the second largest retailer announced that its dress code did not cover headgear and that it would not allow the wearing of the Islamic headscarf.

For a more detailed discussion, see the *2007 International Religious Freedom Report*.

d. Freedom of Movement, Internally Displaced Persons,

Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice.

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations to provide protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

The constitution prohibits forced exile, and the government did not employ it.

Protection of Refugees

The laws provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. The government received asylum requests involving 10,387 persons. Authorities also adjudicated 9,577 cases, and granted refugee status or asylum to 1,561 persons. In practice the government provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution. The Federal Office for Migration relied on a list of approximately 45 "safe countries," and would-be refugees who originated in, or transited, these countries were generally ineligible to apply for asylum. NGOs criticized the inclusion in 2006 of some countries in Eastern Europe and Africa that they considered not sufficiently stable to justify automatic rejection.

The government also provided temporary protection to individuals who may not qualify as refugees under the 1951 convention and the 1967 protocol and provided it to 2,749 persons during the year; 22,753 individuals with temporary protection status were living in the country at year's end.

Asylum applicants were required to present documentation verifying their identity, and authorities refused to process the applications of asylum seekers who were unable to justify the lack of acceptable documents. Rejected asylum seekers were not generally detained, nor were they removed from the country. They were instructed to leave voluntarily. However, if they refuse to return home voluntarily, they may be forcibly repatriated.

On January 1, a revision of the asylum law took effect that imposed stricter identification requirements on asylum seekers and tightened treatment of rejected applicants. Under the revised law, asylum seekers not presenting an official travel or identity document within 48 hours or credibly justifying their lack of documents or showing evidence of persecution were excluded from the asylum process. Authorities could detain uncooperative asylum seekers, subject to judicial review, for up to six months while adjudicating their applications. Rejected applicants could be detained for up to three months to ensure their departure, or up to 18 months if repatriation posed special obstacles. Minors between 15 and 18 years of age could be detained up to 12 months pending repatriation.

International organizations and NGOs raised concerns that the new provisions would make the country's asylum process too restrictive. These measures followed other restrictive steps in recent years that had also been widely criticized by international organizations.

In September 2006, voters approved by referendum a new law on foreigners scheduled to enter into force on January 1, 2008. The law gives asylum applicants with temporary protection status easier access to the labor market and permits them to bring their families into the country, albeit after a waiting period of three years.

NGOs alleged that police at times used excessive force against asylum seekers.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

Elections and Political Participation

On October 21, citizens chose a new Federal Assembly in free and fair elections. Political parties could operate without restriction or outside interference.

There were 67 women in the 246-seat Federal Assembly and three women in the seven-seat Federal Council (cabinet). The proportion of female representatives in cantonal legislatures remained 24 percent. Women held approximately one-fifth of the seats in cantonal executive bodies.

There was one member of an ethnic minority in the 200-seat National Council, the lower house of the federal parliament.

Government Corruption and Transparency

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively.

There were isolated reports of government corruption during the year.

Members of the Federal Parliament must disclose their interests, professional activities, supervisory board or executive body memberships, and expert or consulting activities every year. Investigating and prosecuting government corruption is a responsibility of the federal authorities. A majority of cantons also require members of cantonal parliament to disclose their interests. Since 2000 a joint working group comprising representatives of various federal government agencies has been working under the leadership of the Federal Department of Foreign Affairs to combat corruption.

The constitution requires the government to inform the public about its activities, and government information was available freely to all persons living in the country, including foreign media. A transparency law provides for public access to government documents.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were cooperative and responsive to their views.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination on the basis of race, gender, disability, language, or social status; however, some laws discriminate against women. The government generally enforced these prohibitions effectively. Violence against women and children, trafficking in persons, and discrimination against minorities were problems.

Women

Rape, including spousal rape, is a statutory offense, and the government effectively prosecuted those accused of such crimes. According to a 2003 survey, more than 5 percent of women polled had been raped. In 2006 police recorded 639 instances of rape, and there were 486 prosecutions and 117 convictions.

Domestic violence is a statutory offence. On July 1, new legislation entered into force permitting a court to order an abusive spouse to leave the family home as a temporary measure and making stalking a punishable offence. Victims of domestic violence could obtain help, counseling, and legal assistance from specialized government agencies and NGOs or from nearly a dozen hot lines sponsored privately or by local, cantonal, and national authorities. In 2006, 1,127 women and 1,123 children spent a total of 58,795 nights in 18 women's shelters across the country. In the same year, 955 applicants for shelter had to be turned away, mostly due to a lack of space. The interior ministry's Federal Office for Equality between Women and Men has a special unit focusing on domestic violence. Most cantonal police forces had specially trained domestic violence units. A majority of cantons also had special administrative units coordinating the activities of law enforcement agencies, prosecutors, and victim assistance groups.

Violence against women was a problem. A 2003 international survey showed that almost 40 percent of women had suffered some sort of physical or sexual assault in their lifetimes, frequently at the hands of a former partner or an acquaintance; only one-third of the instances of physical violence and only 6 percent of sexual abuses were reported to police. A government study released in October 2006 found that 74 percent of all homicides or attempted homicides against women between 2000 and 2004 were acts of domestic violence; approximately 20 women are killed each year by their partners or former partners.

Forced marriage is illegal; however, NGOs asserted the practice occurred, predominantly in underprivileged immigrant families, but its extent remained unknown. In October 2006, the Asylum Appeals Commission ruled that forced marriage may be a reason to grant asylum.

Female genital mutilation (FGM) is illegal, but there were reports that the practice occurred. The UN Children's Fund (UNICEF) estimated that there were nearly 7,000 circumcised women and girls in the country as a result of immigration from areas where FGM is practiced. UNICEF continued its efforts to raise awareness of FGM and, in cooperation with local gynecologists, has drafted guidelines for the medical care of circumcised women. In November a Zurich cantonal prosecutor opened criminal proceedings charging the parents of a 13-year-old girl with grievous bodily harm in a case of female genital mutilation. The parents of Somali origin reportedly had their daughter circumcised at the age of two. It was the first time judicial authorities launched criminal proceedings in a case of FGM performed inside the country.

Prostitution is legal; however, street prostitution is illegal except in specially designated areas in the major cities. Police estimates from 1999, the latest nationwide data available, indicated that approximately 14,000 persons were engaged in prostitution. Information from individual cantons suggests that the number has increased since then.

The law prohibits sexual harassment and facilitates access to

legal remedies for those who claim discrimination or harassment in the workplace; however, special legal protection against the dismissal of a claimant is only temporary. Employers failing to take reasonable measures to prevent sexual harassment are liable for damages equal to as much as six months' salary. In a government-contracted survey of 2,020 persons conducted during the year, 6.5 percent of respondents reported having suffered sexual harassment during the previous 12 months, and 18.1 percent had been subjected to sexual harassment at least once during their professional career. According to the study, women were three times more likely to be victims of sexual harassment than men.

Women enjoy the same rights as men under the constitution, including in family law, property law, and in the judicial system; however, independent observers claimed that some laws, as interpreted by the courts, were discriminatory. For example, the Federal Tribunal ruled that the primary wage earner in a divorce must be left with sufficient income to remain above the poverty level. Since the primary wage earner in most marriages was the man, if the household income was too low to support both parties, the wife and children could be forced to resort to public assistance. In June the Federal Commission for Women's Issues concluded that twice as many women as men fell below the poverty line following a divorce.

The Federal Office for Equality between Women and Men and the Federal Commission on Women worked to eliminate both direct and indirect gender discrimination. Many cantons and some large cities have equality offices to handle gender issues.

Discrimination against women in the workplace is illegal, but women disproportionately held jobs with lower levels of responsibility. Women were promoted less frequently than men and were less likely to own or manage businesses.

Under the constitution women and men are entitled to equal pay for equal work; however, women's gross salaries were on average more than 20 percent lower than men's. A government report issued in June 2006 estimated that 40 percent of the wage differential was due to gender discrimination.

Children

The government was strongly committed to children's rights and welfare, and it amply funded a system of public education and need-based subsidies of health insurance.

Education was compulsory, free, and universal for nine years, from ages six or seven through 15 or 16, depending on the canton. Almost all school-aged children attended school. Almost 90 percent completed postsecondary education or professional vocational training, and approximately 45 percent continued to earn specialized or university degrees.

Boys and girls had equal access to state-provided health care.

Child abuse was a problem. A 2005 study by the University of Fribourg estimated that, nationwide, 13,000 children under the age of two-and-a-half had been slapped in the face by their parents at times and 1,700 had been occasionally struck with objects. Statistics on the extent of sexual violence against children were unavailable, but experts estimated that 20 percent of girls and 10 percent of boys under the age of 18 had been victims. Most abuse took place in the family or the immediate social environment.

During 2006 the national cyber crime monitoring body, CYCOS, referred 352 instances of possibly illegal Internet activities, including child pornography, to local prosecuting authorities. In most cases the cantonal prosecuting office opened a criminal investigation, and such investigations usually led to the confiscation of illegal material. The production, possession, distribution, or downloading from the Internet of pornography involving children is illegal and carries heavy fines or a maximum sentence of a year in prison. In 2005 the government initiated a three-year information campaign against child pornography on the Internet.

Trafficking in Persons

The penal code prohibits all forms of trafficking in persons and provides for extraterritorial jurisdiction; however, there were reports that persons were trafficked to, from, and within the country and forced into prostitution or domestic servitude.

Officials estimated the number of trafficking victims to be a few hundred a year. Federal police conjectured that between 1,500 and 3,000 victims of human trafficking were residing in the country during the year. According to authorities, most victims came from Central Europe, the former Soviet Union, Latin America, Southeast Asia, and, to a lesser extent, Africa. The country was primarily a country of destination, and secondarily of transit, for trafficked persons.

The great majority of trafficking victims were women who were trafficked primarily for purposes of sexual exploitation, although trafficking for domestic servitude also

occurred. In 2006 there were some isolated cases of trafficking in children, according to an NGO. Traffickers were mainly individuals and small groups related through ethnic, clan, or family ties, as well as, occasionally, organized criminals. Traffickers often forced victims into prostitution and in many cases subjected them to physical and sexual violence, threatened them or their families, encouraged drug addiction, withheld their documents, or incarcerated them. Many victims were forced to work in salons or clubs to pay for travel expenses and the production of fraudulent documents and found themselves dependent on the traffickers.

Trafficking in persons is punishable by a prison sentence of up to 20 years, and coercing a person into prostitution by up to 10 years. In 2006 authorities convicted 20 persons of trafficking in persons and forcing others into prostitution. The highest sentence given to a convicted trafficker was four years in prison; however, the majority of convicted traffickers received suspended sentences. The Coordination Unit against Trafficking in Persons and Smuggling of Migrants, which is linked to the Federal Office of Police, coordinates and monitors all antitrafficking efforts, including those of a federal interagency task force. Authorities were active in international law enforcement activities and took the lead in coordinating several international trafficking investigations.

The law entitles trafficking victims to safe shelter as well as medical, psychological, social, and legal assistance regardless of their residency status. During 2005, 126 trafficking victims received assistance from publicly funded victim assistance centers. The government continued partial funding of Zurich's leading antitrafficking NGO. A number of cantons have formalized their victim referral mechanisms in written agreements between NGOs and local law enforcement officials. As a result of this formalized cooperation, the number of victims who received professional counseling and were willing to testify against their traffickers increased considerably.

In September 2006 voters approved a new law on foreigners, scheduled to enter into force in 2008. It is intended to formalize the existing process of granting potential trafficking victims a stay of deportation to permit them to recover from their trauma and consider participation in judicial proceedings. The new law authorizes the government to waive normal immigration requirements and grant residency permits to victims and witnesses who would be in danger if they returned home. It allows the federal government to assist victims logistically and financially in their voluntary return and their reintegration into the societies of their home countries.

The government funded several antitrafficking information and education campaigns around the world. The Ministry of Foreign Affairs provided specialized training to its consular staff and distributed trafficking awareness information to visa applicants in local languages.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services, and the prohibition was generally enforced. The law mandates access to public buildings and government services for persons with disabilities, and the government generally enforced these provisions in practice. On June 17, voters approved a government proposed reform of the federal disability insurance scheme, which was facing financial difficulties. The reform restricts access to disability benefits but also offers better and timelier assistance to enable persons with disabilities to remain (partially) employed and strengthens incentives for employers to hire them.

The Federal Equal Opportunity Office for Persons with Disabilities promoted awareness of the law and respect for the rights of the disabled through counseling and financial support for projects to facilitate their integration in society and the labor market. In January 2006 the government began a three-year pilot project to empower persons with severe disabilities to live on their own, away from institutions. Approximately 400 participants, including some children, received grants to pay for a helper but remained free to decide who should assist them and how much care they needed.

National/Racial/Ethnic Minorities

Right-wing extremists, including skinheads, continued to be publicly active; police estimated that their numbers remained steady at approximately 1,200; in 2006 such groups were involved in 109 public incidents, including arson attacks, assaults, and "hate concerts" held to increase membership. This represented an increase of 12 percent over the previous year. Almost 60 percent of the incidents were violent attacks; 14 of them were against foreigners. The objects of right-wing hostility included foreigners, ethnic and religious minorities, and immigrants. Many of the violent incidents were clashes between right- and left-wing extremist groups. (Federal police counted slightly more hate concerts and brawls between left- and right-wing extremists but noted a drop in violence targeting foreigners.)

There were reports of violent confrontations between skinheads and young individuals of foreign origin or non-Christian faith. According to statistics gathered by the Foundation Against Racism and Anti-Semitism, 113 incidents directed against ethnic and religious minorities were reported during the year. These figures included verbal and written attacks and acts of vandalism against property, which were much more common than physical assaults.

On May 1, unknown assailants attacked a 43-year old immigrant from Angola at his place of work in a suburb of Zurich. Using chainsaws as weapons, the perpetrators inflicted severe injuries on the victim requiring extensive medical care. The victim reported that the attackers shouted statements against Africans during the attack. Authorities continued to investigate the attack but reportedly had no suspects.

The extreme right-wing, xenophobic, Party of Nationally Oriented Swiss (PNOS) continued to be the subject of judicial action. In October, according to media reports, a district court in Aargau Canton convicted five PNOS board members for racial discrimination. They were accused of having distributed a pocket diary with anti-Semitic content and published on the Internet a party program that denigrated foreigners. In June the Bern Cantonal Appeals Court partially upheld the verdict against the former president of the PNOS party's Bern chapter for racial discrimination, but lowered the fine from approximately $1,060 (1,200 francs) to approximately $707 (800 francs).

The number of naturalizations of resident foreigners rose from 26,860 in 2001 to 45,987 in 2006. In September the Federal Commission against Racism (FCR) released an official report on the country's naturalization procedures of foreign residents. The FCR concluded that the existing system in which parliaments or town hall assemblies decide on citizenship applications, sometimes resulted in discriminatory rejections, particularly of nationals of the former Yugoslavia and of Muslims. The commission recommended that the power to grant citizenship be delegated to an elected executive body.

On August 1, police prevented a group of right-wing extremists from gaining access to the Rutli meadow in central Switzerland, a place of national historical importance where national day festivities were scheduled to be held. The police action foiled the extremists' plans to disrupt the ceremonies, as they had done in previous years. Nevertheless, on August 1, an explosive device planted in the ground went off on the Rutli meadow, and on September 4, three small bombs detonated outside the private homes of three politicians who were key sponsors of the Rutli national day celebrations. Nobody was hurt in any of these incidents. There were no reports of arrests by year's end.

A 2006 study by the University of Neuchatel indicated that young adults whose immigrant parents came from outside the European Union faced discrimination in the job market. Young, second-generation immigrants who were equally well qualified and with identical resumes as their peers, stood a significantly lower chance of finding employment.

On March 27, the UN special rapporteur on contemporary forms of racism, Doudou Diene, reported to the UN Human Rights Council on his January 2006 visit to the country. Diene concluded that there was "a dynamic of racism and xenophobia" and that, "although Switzerland has competent mechanisms and motivated officials with mandates to combat racism," the country lacked a coherent political and legal strategy to combat it. He commented that he believed there to be a "growing prevalence of racist and xenophobic stances in political programs and discourse, particularly during elections and various votes." In its reaction, the government acknowledged that deplorable incidents sometimes occurred, but rejected the conclusions about a "general dynamism of racism and xenophobia" in the country as a whole.

A number of NGOs, politicians, and special rapporteur Diene, expressed concern about what they concluded were racial overtones in election campaign posters of the

nationalist SVP that depicted a white sheep kicking a black sheep off of a Swiss flag under the slogan "Create Security." The SVP claimed that the poster was an idiomatic reference to a SVP initiative to deport foreigners who commit crimes in Switzerland, and not racist. Diene concluded that the posters promoted racial discrimination, and he requested a response from the Swiss government. The Federal Council stated that the posters in question were protected by laws governing freedom of expression.

The Department of the Interior's Federal Service for Combating Racism sponsored a variety of educational and awareness-building projects to combat racism, xenophobia, and anti-Semitism.

In June 2006 the government foundation, Future for Swiss Itinerants, reported that habitat for the traveling Jenisch (a nomadic group of unknown origin and European ethnicity) was becoming scarce. Only one new permanent stopping place had been established since 2001, when the need for additional locations was pointed out, and the number of transit stopping places declined from 51 to 44 over the same period. In an October 2006 report on the situation of traveling Jenisch, the government acknowledged that the number of permanent and transit stopping places was insufficient. Local authorities took some steps to alleviate the situation.

Other Societal Abuses and Discrimination

There were no reports of societal violence or discrimination based on sexual orientation. However, there were occasional reports of discrimination against persons with HIV/AIDS. On World Aids Day, the Swiss Aids Federation (SAF) launched an awareness campaign to combat prejudices and workplace discrimination against persons with HIV/AIDS. In November the SAF started a billboard campaign to raise awareness of discrimination against children born with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The law permits all workers, including foreigners, to form and join unions of their choice without previous authorization or excessive requirements, and workers exercised these rights in practice. Approximately 25 percent of the workforce was unionized.

Trade union leaders criticized absence of a legal requirement obliging employees to offer reinstatement to an employee who is found to be unjustly dismissed. Present law provides that a worker found to have been dismissed illegally is entitled to maximum compensation of up to six months' wages. Trade union leaders complained that this penalty was insufficient to deter abusive dismissals of union activists.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference, and the government protected this right in practice. The law provides for the freedom to bargain collectively, and workers exercised this right. Approximately 50 percent of the work force was covered by collective bargaining agreements. The law provides for the right to strike, and workers exercised this right by conducting legal strikes. However, collective bargaining agreements commit the social partners to maintaining labor peace, limiting the right to strike for the duration of the agreement. Such agreements generally last several years, with wages being negotiated annually. The government may curtail the right of federal public servants to strike, but only for reasons of national security or safeguarding foreign policy interests. Public servants in some cantons and many municipalities are prohibited from going on strike.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred. Women were trafficked for sexual exploitation and domestic labor; there were isolated reports of trafficking in children.

d. Prohibition of Child Labor and Minimum Age for Employment

The government effectively enforced laws and policies to protect children from exploitation in the workplace; however, there were isolated reports of trafficking in children.

The minimum age for full-time employment is 15 years. Children 13 and 14 years of age may be employed in light duties for not more than nine hours per week during the school year and 15 hours at other times. The employment of youths 15 and over is also restricted and cantonal inspectorates strictly regulated these provisions. Children are not permitted to work at night, on Sundays, or in hazardous conditions. In June 2006 the Federal Assembly adopted an amendment to the labor law lowering the maximum age for the special protection of young workers from 20 to 18 years.

The economics ministry monitors the implementation of child labor laws and policies, but actual enforcement is the responsibility of the cantonal labor inspectorates; government officials inspected companies to determine whether there were violations of the child labor laws.

e. Acceptable Conditions of Work

There was no national minimum wage, which resulted in low average wages for workers and employees in the clothing, hospitality, and retail industries. A majority of the voluntary collective bargaining agreements contained clauses on minimum compensation, ranging from approximately $1,943 to $3,710 (2,200 to 4,200 francs) per month for unskilled workers and $2,473 to $4,681 (2,800 to 5,300 francs) per month for skilled employees. However, parties did not always adhere to these agreements. On September 27, the government released the results of a study involving the inspection of more than 31,000 companies between January 2006 and June 2007, which found that 24 percent of inspected companies undercut the minimum compensation provisions set in their collective bargaining agreements. This practice was most prevalent in the construction and hospitality sectors.

The law sets a maximum 45-hour workweek for blue- and white-collar workers in industry, services, and retail trades, and a 50-hour workweek for all other workers. The law prescribes a rest period of 35 consecutive hours plus an additional half-day per week. Premium pay for overtime must be at least 25 percent; overtime is generally restricted to two hours per day. Annual overtime is limited by law to 170 hours for those working 45 hours a week and to 140 hours for those working 50 hours a week. The government effectively enforced these regulations.

The law contains extensive provisions to protect worker health and safety. The Economics Ministry and cantonal labor inspectorates effectively enforced the law. Workers have the right to remove themselves from work situations that endanger health or safety without jeopardy to their continued employment, and the authorities effectively enforced this right.

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