



International Covenant on Civil and Political Rights

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Human Rights Committee

Consideration of reports submitted by States parties under article 40 of the Covenant

Switzerland

**Information provided by the Government of Switzerland on
the follow-up to the concluding observations of the Human
Rights Committee (CCPR/C/CHE/CO/3)**

[12 July 2011]

Switzerland's replies to the questions of the Special Rapporteur for follow-up to concluding observations

We have carefully studied your letter of 9 May 2011 concerning consideration of Switzerland's third periodic report and are pleased to transmit the following information in response to your questions.

Paragraph 14 of the concluding observations, question (a)

We consulted all cantons during preparation of the information provided to the Committee on 5 November 2010 (CCPR/C/CHE/CO/3/Add.1) on the implementation of paragraphs 10, 14 and 18 of the Committee's concluding observations (CCPR/C/CHE/CO/3). The outcome of this consultation exercise was incorporated into the information provided to the Committee. As it is not possible for us to engage the cantons in a new consultation exercise on the same issue, we refer the Committee to paragraphs 20 to 23 of the information document (CCPR/C/CHE/CO/3/Add.1).

Paragraph 14 of the concluding observations, question (b)

New police crime statistics have been compiled, since 2010, by the Federal Statistical Office in association with the police authorities of the cantons. Generally speaking, they provide information on incidence, patterns and trends with regard to offences reported, as well as on persons facing charges. They are based on crime reports and are fed into databases for analysing crime, assessing prosecution of crime and better understanding criminal careers.

These police crime statistics record all abuses of authority (Criminal Code, art. 312). However, they only record whether (or not) an act has been committed in the exercise of official duties, without disaggregating incidents by profession. Abuse of police authority is thus merged within the wider category of abuses of power committed by public officials.

Paragraph 10 of the concluding observations, question (a)

In response to this question, we would like to recall the decision adopted by the Federal Council on 1 July 2009 to establish a Swiss Centre of Expertise in Human Rights, to operate under a five-year pilot programme involving one or more Swiss universities. Following an invitation to tender, a project submitted by the universities of Bern, Fribourg, Neuchâtel and Zurich was selected, to be implemented in association with the University Institute Kurt Bösch, the University of Teacher Education Central Switzerland (PHZ) and the organization Humanrights.ch. This decision was made public on 3 September 2010. The Centre was formally inaugurated on 6 May 2011.

The Centre is structured around six thematic clusters: police and justice, migration, gender policy, children and youth policies, human rights and economics, and institutional issues. Each institution taking part in the Centre is responsible for a cluster.

The Centre's task is to strengthen the capacities of the various stakeholders for the realization of human rights in Switzerland. In addition, the Centre assists the authorities in identifying shortcomings in the realization of human rights, and makes concrete proposals to address such shortcomings. It is responsible for producing or coordinating reports, seminars and awareness-raising and practical training activities, and it deals with requests from public bodies, the private sector and civil society. It does not handle individual cases.

The Centre receives core annual funding of 1 million Swiss francs allocated by the Federal Department of Foreign Affairs and the Federal Department of Justice and Police, as

well as resources from the partner universities and additional resources from payments for the tasks it performs.

In four years' time, the Centre's activities will be evaluated. Thereafter, the Federal Council will decide on the follow-up to be given to this pilot project.

Paragraph 10 of the concluding observations, questions (b) and (c)

These are new questions that were not raised by the Committee during consideration of Switzerland's third periodic report. Concerning question (c), we also wish to remind you that Switzerland has issued a reservation to article 26 of the Covenant, according to which "The equality of all persons before the law and their entitlement without any discrimination to the equal protection of the law shall be guaranteed only in connection with other rights contained in the present Covenant." To the extent that this reservation is not applicable, we will take due account of the issues raised during preparation of Switzerland's fourth periodic report.
