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Amnesty International (Author)

The State of the World's Human Rights; Switzerland 2024

The new Criminal Code definition of rape entered into force. A popular initiative was handed in to the federal government, seeking to strengthen constitutional protections for people with disabilities. Landmark rulings on racial profiling and on climate justice were delivered by the European Court of Human Rights. The right to freedom of peaceful assembly was threatened by new cantonal laws and restrictions at universities.

Sexual and gender-based violence

On 1 July an amendment to the Criminal Code entered into force, recognizing that “sex against the will of another person” is rape, marking the end of the outdated definition of rape that required the use of physical force, threat or coercion, and considered only women as victims.¹

In June, parliament amended the Foreign Nationals and Integration Act to better protect foreign victims of domestic violence.

Discrimination

In a landmark judgment by the European Court of Human Rights (ECtHR) on *Wa Baile v. Switzerland*, Switzerland was convicted of racial profiling in the searching and fining of a Black Swiss citizen.²

Parliament tasked the government with developing an action plan to combat racism and antisemitism.

In September the lower house of parliament voted to cut all future funding to the UN Relief and Works Agency for Palestine Refugees in the Near East. It asked the government to take steps within the UN to replace the agency entirely, reflecting the anti-Palestinian sentiment present in

parliament. The upper house postponed a decision on the issue until 2025.

Rights of people with disabilities

In September, 108,000 Swiss citizens signed the “Inclusion Initiative” to enshrine equality for people with disabilities in the constitution. It was expected to be put to a popular vote within the next three years.

Freedom of expression and assembly

The right to protest was restricted in several cantons. In March, residents of the canton of Zurich, rejecting an even more extreme proposal, voted for a law that would require prior authorization for public demonstrations and would instruct the police to charge the organizers of demonstrations for the cost of policing them. In April a draft law was proposed that would ban demonstrations in parts of Geneva city centre.

In May, academic institutions imposed restrictions on student protests in support of Palestinians, including bans, demands that the police disperse protests, and threatening and taking legal action against students. Politicians called for more restrictive laws to prevent future protests at universities and for the criminal prosecution of protesters. The start of the academic year saw renewed attempts at protests and events in support of Palestinian and Lebanese victims of Israeli attacks.

Right to a healthy environment

In April the ECtHR found a violation of Articles 6 and 8 of the European Convention on Human Rights in the landmark case of *KlimaSeniorinnen Schweiz and Others v. Switzerland*. According to the ruling, Switzerland had failed to consider the best available science to limit global heating to 1.5°C, and had not effectively devised and enacted mitigation measures.³ Parliament and the government criticized the judgment, claiming that Switzerland had already implemented sufficient measures and arguing that the ECtHR had overstepped its mandate.⁴ Motions in parliament to withdraw from the European Convention on Human Rights were rejected. In spite of its objections, Switzerland submitted a national action plan to the Council of Europe on how to implement the court’s ruling.

Refugees’ and migrants’ rights

New cases came to light of abuses against children, including physical violence, in federal asylum centres in 2023.⁵ The government presented proposals to amend the law on family reunification, and a new law allowing for the detention of children in federal asylum centres without proper safeguards was pending in parliament.

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1. "Switzerland: New sexual criminal law comes into force: An important step forward, but still not enough", 27 June (French and German only) [↩](#)
 2. "Switzerland: Mohamed Wa Baile wins ethnic profiling case as the European Court of Human Rights unanimously condemns racial discrimination", 4 March [↩](#)
 3. "Switzerland: Parliament must respect landmark climate case", 4 June [↩](#)
 4. "Europe: New Amnesty briefing analyzes landmark climate judgments of the European Court of Human Rights", 21 August [↩](#)
 5. "Switzerland: Federal asylum centres: Improve the protection of children's rights", 22 October (French and German only) [↩](#)

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Associated documents

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Austrian Red Cross
Austrian Centre for
Country of Origin and
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(ACCORD)

Wiedner Hauptstraße
32, 1041 Wien
T +43 1 589 00 583
F +43 1 589 00 589
info@ecoi.net

Contact
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F.A.Q.
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