

Switzerland 2023 Human Rights Report

Executive Summary

There were no significant changes in the human rights situation in Switzerland during the year.

There were no credible reports of significant human rights abuses.

The government took credible steps to identify and punish officials who may have committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading

Treatment or Punishment, and Other Related Abuses

The constitution and law prohibited such practices. There were isolated reports that individual police officers used excessive force while making arrests and that prison staff engaged in degrading treatment of detainees.

Prison and Detention Center Conditions

Notwithstanding some inadequate and overcrowded facilities, prison and detention center conditions generally met international standards. There were some reports regarding prolonged pretrial detention with prisoners held in isolation that raised human rights concerns.

Abusive Physical Conditions: In its *Activity Report 2022*, released in July, the National Commission for the Prevention of Torture (NCPT) noted outdated facilities and limited sunlight exposure and outdoor exercise opportunities as points of criticism. Conditions in pretrial detention centers were strongly criticized by civil society as being much harsher than those in long-term imprisonment or detention centers. There were reports of detainees being prohibited from contacting relatives for weeks, having to be alone in their cells up to 23 hours per day, and receiving few opportunities for activity. Nongovernmental organizations (NGOs) claimed that uniformly putting all detainees in solitary confinement needlessly restricted conditions for detainees who were unlikely to collude.

Administration: Authorities conducted investigations of credible allegations of mistreatment.

Independent Monitoring: The government permitted monitoring of conditions in prisons and asylum reception centers by independent local and international human rights groups, media, the NCPT, and the International Committee of the Red Cross.

d. Arbitrary Arrest or Detention

The constitution prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

By law police could only apprehend a criminal suspect based on a warrant issued by a duly authorized official unless responding to a specific and immediate danger. In most instances, authorities could not hold a suspect more than 24 hours before bringing the suspect before a prosecutor or investigating magistrate, who was required either to charge the detainee or order their release. The law allowed police to detain minors between ages 10 and 18 for a “minimal period” but did not explicitly state the length of time. Without an arraignment or arrest warrant, police could detain young

offenders for a maximum of 24 hours (or 48 hours during weekends).

Authorities respected these rights.

Immigration authorities could detain asylum seekers and other inadequately documented foreigners up to 96 hours without an arrest warrant.

There was a functioning bail system, and courts granted release on personal recognizance or bail unless the magistrate believed the person charged to be dangerous or a flight risk. Alternatives to bail included having suspects report to probation officers and imposing restraining orders on suspects. Authorities could deny a suspect legal counsel at the time of detention or initial questioning, but the suspect had the right to choose and contact an attorney before being charged. The state provided free legal assistance for indigents charged with crimes punishable by imprisonment.

Pretrial Detention: According to police and civil society reports, lengthy pretrial detention continued. By law pretrial detention could not exceed the length of the expected sentence for conviction of the crime for which a suspect was charged. Due to understaffing in the courts, pretrial detention in some cases lasted up to two years.

e. Denial of Fair Public Trial

The constitution provided for an independent judiciary, and the government generally respected judicial independence and impartiality.

Trial Procedures

The constitution provided for the right to a fair and public trial, and the judiciary generally enforced this right.

Military courts could try civilians charged with revealing military secrets, such as divulging classified military documents or classified military locations and installations.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

f. Transnational Repression

Not applicable.

g. Property Seizure and Restitution

The government had laws and mechanisms in place to resolve Holocaust-era claims, of which none were open, but NGOs reported the government did not make significant progress regarding the disposition of art of questionable provenance. The government reported that Holocaust-era restitution was no longer a significant problem and that no litigation or restitution claims regarding real or immovable property covered by the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues, which the government endorsed, were pending before authorities. Jewish

communities confirmed there were no pending real or immovable property claims. There remained some art in the country with undetermined provenance, as museums that received art donations claimed not to have the funds for investigation. According to media, there was insufficient research into flight-art, wherein Jews were forced or coerced to sell their art under duress and for low prices.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act Report* to Congress can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibited such actions, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provided for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning

democratic political system combined to promote freedom of expression, including for media members.

Freedom of Expression: The law provided for punishment of hate speech, including public incitement to racial hatred or discrimination, spreading racist ideology, and denying crimes against humanity, with monetary fines and up to three years' imprisonment if convicted.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Publications specializing in corruption, money laundering, or white-collar crime of very wealthy individuals and oligarchs were routinely brought before court by such individuals to prohibit preliminarily their publication of articles. Specialized journals like the web portal *Gotham City*, which specialized in financial crime, reported not having the financial resources to fight such publication bans in court.

Libel/Slander Laws: The law prohibited willful defamation and denigration, with punishment, if convicted, ranging from fines to prison sentences of up to three years. The law was enforced but not used to restrict public discussion or retaliate against journalists or political opponents.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content.

b. Freedoms of Peaceful Assembly and Association

The constitution provided for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

Recruiting, training, and travel for terrorism were criminal offenses. Individuals who authorities deemed might pose a threat but were not subject to criminal proceedings could be obliged to report to a police station at certain times, banned from traveling abroad, and confined to specific areas in the country. These measures could be applied to residents as young as age 12. By law the Federal Office of Police could place persons it deemed dangerous under house arrest for up to six months, renewable once.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees and asylum seekers, as well as other persons of concern.

Access to Asylum: The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees.

Abuse of Refugees and Asylum Seekers: While authorities continued to note the growing number of potential trafficking victims among asylum seekers, they officially identified relatively few victims. NGOs reported officials at times falsely gauged the age of unaccompanied asylum-seeking children and misidentified them as adults due to a lack of reliable age verification methods. This allowed authorities to transfer the children back to their country of first entrance or into accommodation facilities for adults. Civil society noted a significant number of unaccompanied children left in or disappeared from asylum centers.

The law provided for detained migrants to be held in dedicated and specialized facilities; however, some continued to be held in prisons with convicts. New record levels of asylum seekers led to overcrowding of facilities and the use of inadequate facilities such as bomb shelters. NGOs

and media criticized parliament for not granting funds to establish new facilities.

Durable Solutions: The government approved the admission of 1,600 refugees referred by UNHCR for resettlement in 2022-23. An additional 220 places were carried over from 2020-21, bringing the total quota to 1,820 individuals.

Temporary Protection: The government provided emergency protection to more than 2,900 individuals who did not qualify as refugees. The government extended a temporary protective status for Ukrainian refugees through at least March 2024. As of October, more than 72,000 Ukrainians received this status without having to go through any eligibility checks apart from proving their Ukrainian citizenship. Non-Ukrainian asylum seekers from other war-torn countries such as Afghanistan called the preferential treatment of Ukrainians racist.

Section 3. Freedom to Participate in the Political Process

The constitution provided citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Abuses or Irregularities in Recent Elections: In October voters elected representatives for the National Council and the Council of States, the two chambers of parliament. Parliament elected the executive leadership (the seven-member Federal Council). National elections were widely reported to be fair and free of abuses and irregularities.

Participation of Women and Members of Marginalized or Vulnerable Groups: The law withheld the right to vote from persons with mental illness or persons with cognitive disabilities, affecting 16,000 individuals under comprehensive guardianship. Civil society groups criticized the approach and argued that a significant portion of these individuals were capable of forming a political opinion.

Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption. One cantonal politician was convicted for accepting luxury travel as a gift from a foreign state.

Section 5. Governmental Posture Towards

International and Nongovernmental Monitoring and

Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction to monitor or investigate human rights conditions or cases and publish their findings. Government officials were often cooperative and responsive to the views of these groups.

Government Human Rights Bodies: On May 23, the government established the National Human Rights Institution (NHRI), which replaced the Swiss Centre of Expertise for Human Rights (SCHR). In contrast to the SCHR, which conducted research only in response to taskings, the NHRI was independent but funded by the government. Civil society groups stated government funding was insufficient for the NHRI to cover the full range of human rights issues. The Federal Office for Gender Equality, part of the Interior Ministry, had a mandate to advance gender equality and abolish discrimination in all areas of life. It supported parliament, published studies, coordinated actors, and supported projects that advanced equality and countered domestic violence.

The Service for Combating Racism, a federal body in the Interior Ministry, was tasked with preventing racism. It worked in the fields of public awareness, prevention, and legal protection and regularly published reports on racism and racial discrimination.

Thirteen cantons had ombudsperson offices or municipal ombudspersons

that assessed cases of misconduct by government agencies. Some larger cities, including Basel, Bern, Luzern, Rapperswil-Jona, St. Gallen, Winterthur, and Zurich, had an ombudsperson.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape of women, including spousal rape, and domestic violence were statutory offenses for which penalties ranged from one to 10 years in prison. Rape of a man was considered “sexual assault,” which usually received less severe sentencing, a practice that was criticized by civil society. As with rape of women, courts could issue maximum prison sentences of 10 years for sexual abuse of men, but a minimum sentence of 12 months was only applicable for rape of women. The law penalized domestic violence and stalking. A court could order an abusive spouse to leave the family home for up to 20 days. The government effectively enforced the law and prosecuted individuals accused of such crimes.

Specialized government agencies, numerous NGOs including 17 women’s shelters, and nearly a dozen private or government-sponsored hotlines provided help, counseling, and legal assistance to survivors of domestic violence. A countrywide 24/7 emergency telephone service existed for survivors of rape and domestic violence to contact for assistance. Most cantonal police forces included specially trained domestic violence units.

Discrimination: The constitution and law required equality for women and men and provided the same legal status and rights for women as for men under laws concerning family, religion, marital status, nationality, employment, equal pay, and owning or managing a business or property. The law did not prohibit gender-based discrimination in access to credit. The Gender Equality Act prohibited discrimination with respect to employment based on gender. Authorities generally enforced the law effectively.

The World Economic Forum's *2023 Global Gender Gap Report* noted stagnation in women's economic participation, with women holding only 30 percent of board memberships. According to the *2023 Gender Intelligence Report* by the University of St. Gallen, the proportion of women decreased at each successive level of management from 29 percent in lower management, to 24 percent in middle management, and 22 percent in top management. Since 2021, larger publicly listed companies headquartered in the country were slated to fill at least 30 percent of corporate board positions and 20 percent of corporate management positions in enterprises with women. The nonbinding policy required businesses that failed to reach these targets within five years to submit a written justification to the government and an outline of planned remediation measures.

Although the constitution entitled women and men to equal pay for equal work, this was not enforced effectively. NGOs, academia, and the Federal

Office for Statistics disagreed over the extent of the gender wage gap, with some claiming there was no gap and others claiming a gap of up to 7.8 percent.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The government provided access to sexual and reproductive health services for survivors of sexual violence, including emergency contraception and postexposure prophylaxis.

Systemic Racial or Ethnic Violence and Discrimination

The law's prohibition of discrimination prohibited public, racially discriminatory incitement, defamation, and statements contrary to human dignity based on race or ethnicity. Refusing to provide a publicly offered service to a person because of their race or ethnicity was a criminal offense. Authorities generally enforced the law effectively.

Children

Child Abuse: The law prohibited parents from using corporal punishment to discipline their children, and the constitution stated that all children had the right to special protection of their integrity. The government enforced the law effectively.

Child, Early, and Forced Marriage: The legal minimum age of marriage was 18. The law prohibited forced marriage. The government effectively enforced the law.

The federal government supported prevention activities by the NGO Center for Competence against Forced Marriage, including a website where at-risk individuals could declare their unwillingness to be married while on foreign travel. The website enabled authorities either to stop vulnerable individuals from leaving the country or to pronounce the marriages as invalid upon their return.

Sexual Exploitation of Children: The law prohibited commercial sexual exploitation, including child sex trafficking, child pornography, and the sale, grooming, offering, or use of children for commercial sexual exploitation. Conviction of the production, possession, distribution, or downloading of pornography that involved children was punishable by fines or a maximum sentence of one year in prison. Conviction of child sex trafficking was punishable by up to 10 years' imprisonment. Authorities enforced the law.

With few exceptions, the law designated 16 as the minimum age for consensual sex. The maximum penalty for conviction of statutory rape was 10 years' imprisonment.

Media outlets reported that police in larger cantons were overwhelmed with the scale of notifications of alleged online child exploitation from

abroad and their inability to launch investigations of chat rooms and internet forums due to a lack of staffing, funding, and training.

The NGO Child Protection Switzerland welcomed the establishment of a national reporting platform for child pornography in 2022, but it criticized that internet providers did not have a reporting obligation on their platforms. It also noted the Federal Police should be responsible for coordinating criminal investigations. Cantons cooperated on a voluntary basis but often did not have sufficient resources for online investigations. Cases of sexual exploitation of children on the internet significantly increased during the pandemic and remained high during the year.

Antisemitism

According to the World Jewish Congress, approximately 17,500 Jewish individuals resided in the country.

The *2022 Anti-Semitism Report*, produced jointly by the Swiss Federation of Jewish Communities (SIG) and the Foundation against Racism and Anti-Semitism and published in 2023 with data from the Intercommunity Center for Coordination against Antisemitism and Defamation (CICAD), cited 1,472 antisemitic incidents in 2022. The vast majority of these incidents took place on social media and in online newspaper comment sections, although they also included one case of physical assault, 16 cases of verbal abuse, and nine cases of offensive graffiti. The government financially supported

increased security measures for buildings. The lack of a national strategy against antisemitism, ban of Nazi symbols, and clear statements by the president condemning antisemitism were criticized by Jewish associations.

The conflict in Gaza after October 7 led to the most significant increase in antisemitic incidents in the country in the last 15 years, primarily in French-speaking regions, according to SIG and the CICAD. Most of these incidents were online or vandalism, but there were seven physical attacks in October. The government supported police patrols around Jewish institutions. During street protests in support of Palestinians, authorities took several individuals into custody for displaying antisemitic signs or slogans. NGOs reported a high level of government support and solidarity with the Jewish community and with victims of antisemitism in German-speaking regions, but lower levels in French-speaking regions, which historically had a stricter separation of religion and state.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, please see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at

<https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: There were no laws that criminalized consensual same-sex conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors.

Violence and Harassment: Police and government agents did not incite, perpetrate, condone, or tolerate violence or harassment against lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) individuals or those reporting on such abuse.

The *Hate Crime Report*, covering 2022 and published in May by the NGO Pink Cross, reported 134 cases of hate crimes against LGBTQI+ persons, 20 percent of which involved physical violence and 80 percent of which involved insults. Of the reported cases, only 11 percent were reported to police. Pink Cross noted that police responses were only partially appropriate and one-third of individuals who reported said they were treated condescendingly and derisively by police.

According to the NGO QueerAmnesty, it was difficult to estimate how widespread hate crimes committed against LGBTQI+ individuals were in the

country because the government did not compile hate-crime statistics.

Discrimination: The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics. The law explicitly recognized LGBTQI+ couples and their families and granted them rights equal to rights of other persons.

According to Pink Cross, unemployment remained much higher for LGBTQI+ persons, especially transgender persons, than for the general public. Pink Cross and the NGO Transgender Network noted LGBTQI+ persons experienced workplace discrimination. According to Transgender Network Switzerland, 20 percent of transgender persons in the country were unemployed, which was nearly five times the rate of the general public.

Availability of Legal Gender Recognition: As of 2021 it was possible for persons older than 16 to change their civil gender, based on self-identification, for a fee of 75 francs (\$80) at the civil registry office. The available options were limited to male or female. Nonbinary gender options were not available.

Involuntary or Coercive Medical or Psychological Practices: Involuntary conversion “therapy” practices to attempt to change a person’s sexual orientation and gender identity or expression were illegal. Legal proceedings to outlaw voluntary, conversion “therapy” practices were underway on a federal and cantonal level.

There were no reports of medically unnecessary and irreversible “normalization” surgeries performed on children or nonconsenting adult intersex persons, but hormonal treatments were made available to children. The government and medical associations did not make efforts to limit these practices.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no laws or other restrictions on individuals speaking or media reporting on LGBTQI+ issues, on the ability of LGBTQI+ individuals to assemble in public or private to form associations, or on the ability of LGBTQI+ organizations to legally register or convene events.

Persons with Disabilities

The constitution and law prohibited discrimination against persons with physical, sensory, intellectual, or mental disabilities, including access to education, employment, health services, information, communications, buildings, transportation, the judicial system, or other state services.

The law provided for persons with disabilities to have access to public buildings, transport facilities, education, and training to be independent of third-party assistance. The law also provided for the elimination of disadvantages in services, including the right to use state and online services. Persons with disabilities did not, however, always have access to education, health services, public buildings, and transportation on an equal

basis with others, and sometimes faced discrimination in employment and occupation. An umbrella organization for disability NGOs, Inclusion Handicap, stated the Federal Supreme Court maintained a “very narrow interpretation” of discrimination, which required plaintiffs to prove malicious intent in discrimination complaints, resulting in insufficient legal protection for persons with disabilities.

The Federal Equal Opportunity Office for Persons with Disabilities promoted awareness of the law and respect for the rights of individuals with disabilities through counseling and financial support for projects to facilitate their integration in society and the labor market. The NGO Inclusion Handicap noted that only the cantons of Geneva, Valais, and Basel-City granted persons with disabilities full rights to sue for denial of accessibility needs, such as sign language interpreters, documents in simple language, or verbal explanations.

According to Inclusion Handicap, problems remained in integrating individuals with disabilities, especially young persons with mental and cognitive handicaps, into the labor market. The NGO noted discrimination against persons with disabilities was particularly significant in the private sector. According to the Federal Office for Statistics, 72 percent of persons with disabilities were active in the labor market in comparison to 85 percent of persons without disabilities. Additionally, persons with disabilities rarely worked full time and often could find employment only in subsidized

institutions.

Institutionalized Children: Children with significant physical or mental disabilities could be placed in specialized institutions. This usually happened upon request of the parents. Only in cases of severe parental neglect were children with disabilities forcibly taken from parents by authorities and placed in foster families or institutions.

Other Societal Violence or Discrimination

According to AIDS Relief Switzerland, a federal reporting office, there were 106 reports of discrimination against persons with HIV or AIDS in 2022. Most discrimination cases involved insurance discrimination and discrimination in the public health sector. In most cases, the legal aid section of the Swiss Federation against AIDS was able to successfully intervene. The law did not contain an antidiscrimination provision that covered HIV or AIDS, however. There were reports of labor discrimination against persons with HIV or AIDS. In 2022, AIDS Relief Switzerland registered nine cases of labor discrimination. To combat harassment and unequal treatment of persons with HIV or AIDS, the Swiss Federation against AIDS conducted multiple campaigns to sensitize the public.

Unlike women, men were obligated to complete one year of military service or one and one-half years of civil service. Those who failed to do so were required to pay 3 percent of their yearly taxable income for 11 years, at

most until age 37. The retirement age was 65 for men and 64 for women. In 2022, however, voters approved a referendum to raise the retirement age for women to that of men in several steps between 2025 and 2028. Civil society reported fathers were often disadvantaged in divorce settlements in court, with mothers usually receiving custody of children.

Older persons faced discrimination in the workplace. According to the State Secretariat for Economic Affairs and the NGO Avenir50Plus, unemployed persons older than 50 took much longer to find a stable job, and often at a lower wage, after becoming unemployed. Age discrimination was especially pronounced in information and communications services, manufacturing, and the finance and insurance sectors.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The federal constitution provided for freedom of association for employers and employees, including the right to strike and the right to hold lockouts. It provided for the right of all workers to form and join independent unions of their choice without additional authorization or excessive requirements.

The constitution also foresaw collective agreements between workers and employers and provided for the right to conduct legal strikes, as well as the

right to unionize. The government protected these rights.

Strikes were required to be linked to industrial relations, however, and the government could curtail the right of federal public servants to strike for reasons of national security or to safeguard foreign policy interests. Local laws prohibited public servants in some cantons and municipalities from striking. The law protected employees from termination because of union membership or lawful union activities. Collective agreements committed employers and employees to maintain labor peace, thereby limiting the right to strike for the duration of an agreement, which generally lasted several years. The State Secretariat for Economic Affairs maintained a list of collective agreements that were declared binding in various regions and sectors of the economy.

No law defined minimum or maximum penalties for violations of the freedoms of association or collective bargaining. The trade union Unia confirmed the practice followed the guidance of the International Labor Organization (ILO), which stated that unjustified dismissals for workers involved in trade union activity could result in compensation of up to six months' wages.

The government respected freedom of association and the right to collective bargaining, but there were cases when employers dismissed trade unionists or used the legal system to limit legitimate trade union activities. Trade unions continued to report discriminatory behavior against their members.

Penalties for violations of laws protecting freedom of association were commensurate with penalties for violation of similar laws, such as laws against discrimination. Penalties were regularly applied against violators.

b. Prohibition of Forced or Compulsory Labor

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibited the worst forms of child labor. There were no confirmed reports during the year of the worst forms of child labor. The minimum age for full-time employment was 15. Children ages 13 or 14 could engage in light work for no more than nine hours per week during the school year and 15 hours at other times. Children younger than 15 could, under special circumstances, work at sports or cultural events with the approval of cantonal authorities. Children younger than 16 were not allowed to serve as waiters. Employment of youths between ages 15 and 18 was also restricted. Children who had not completed compulsory education could not work on Sundays. Children younger than 18 were prohibited from working under hazardous conditions or at night. Children needed parental oral or written approval to work. The government effectively enforced laws and policies to

protect children from exploitation in the workplace. The Federal Department of Economic Affairs, Education, and Research monitored the implementation of child labor laws and policies, and cantonal labor inspectors effectively inspected companies to determine whether there were violations of child labor laws. Penalties were commensurate with those for similar serious crimes. Penalties were regularly applied against violators.

d. Discrimination (see section 6)

e. Acceptable Conditions of Work

Wage and Hour Laws: The country had no national minimum wage, but five of the 26 cantons (Basel-City, Geneva, Jura, Neuenberg, and Ticino) had minimum wage laws. Collective agreements on working conditions, including sectoral minimum wages, covered approximately 50 percent of the workforce. Average wages for workers and employees covered by these contracts, particularly in the hospitality, crafts, machinery, production, and retail industries, however, remained relatively low. Minimum wages in the agreements exceeded the poverty income level for a single person but often did not exceed the poverty level for families with two adults and two children. Labor law set 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.

Occupational Safety and Health: There were occupational safety and health (OSH) standards generally appropriate for the main industries. By law workers could remove themselves from situations that endangered health or safety without jeopardy to their employment. Regular inspections took place to ensure compliance with OSH regulations.

Migrant workers in low-wage jobs were more likely to experience exploitative labor practices, although the criminal code forbade labor exploitation.

Wage, Hour, and OSH Enforcement: The Federal Department of Economic Affairs, Education, and Research and cantonal labor inspectorates effectively enforced laws relating to minimum wage, overtime, and OSH laws across all sectors. The department also oversaw collective bargaining agreements. In general, labor inspectorates did not have enough personnel to conduct extensive and randomized inspections as suggested by the ILO. Where applicable, courts determined fines according to the personal and economic situation of the perpetrator. Penalties were regularly applied against violators and were commensurate with those for conviction of similar crimes, such as fraud.

The effective implementation and control of the maximum hour workweek was subject to loopholes. Cantonal labor inspectorates were not always independent since they reported to the cantonal Department of Economy. As a result, public institutions' wage and hour practices were not always

subject to independent supervision.

The International Monetary Fund estimated the informal sector to constitute approximately 7 percent of the economy. The government enforced labor laws in this sector.