

Racial discrimination in Switzerland 2016 report of the Service for Combating Racism

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Table of contents

1	Introduction	5
2	Terminology	6
3	Legal framework	9
4	Competent institutions	12
5	Racial discrimination and racism in Switzerland: available data	14
5.1	Federal Statistical Office survey on diversity and coexistence in Switzerland	15
5.2	Data synthesis: number of explicit cases	18
5.2.1	Cases brought before the law: convictions.....	18
5.2.2	Cases of experienced discrimination	20
5.3	Characteristics of discrimination	21
5.3.1	Characteristics in legal decisions and advisory cases	21
5.3.2	Characteristics of discrimination: experienced discrimination by group membership.....	22
5.4	Areas of life in which discrimination is experienced most frequently	24
5.5	Type of discrimination	24
5.6	Information on the perpetrators and victims of discrimination	25
5.6.1	Victims of discrimination	26
5.6.2	Perpetrators of discrimination	26
5.7	Attitudes towards groups	27
5.7.1	Attitudes towards foreigners and minorities.....	27
5.7.2	Attitudes towards specific groups	28
5.8	Conclusion	29
6	Action against racial discrimination in Switzerland	30
6.1	Overarching measures at the national level	30
6.1.1	Embedding protection against discrimination in the cantonal integration programmes (CIPs)	30
6.2	Measures by area of life	32
6.2.1	Economy and work.....	33
6.2.2	Schooling and education	36
6.2.3	Housing	39
6.2.4	Health	41
6.2.5	Social welfare.....	44
6.2.6	Sports and clubs/associations	46
6.2.7	Leisure time and going out	48

6.2.8	Police.....	49
6.2.9	Armed forces.....	52
6.2.10	Naturalisation procedure	53
6.2.11	Political participation.....	54
6.2.12	Right-wing extremism	56
6.3	Specific topics	58
6.3.1	Coexistence of religious communities	58
6.3.2	Anti-Muslimism and measures to combat it.....	60
6.3.3	Anti-black racism and measures to combat it.....	64
6.3.4	Antisemitism and measures to combat it.....	67
6.3.5	The situation of the Yenish and Sinti, both sedentary and itinerant, in Switzerland	70
6.3.6	The situation of the Roma in Switzerland	74
7	Conclusion	76
8	Opinion of the Federal Commission against Racism	77
9	Opinion of the Federal Commission on Migration	79
10	Bibliography	81
11	List of abbreviations	83
12	Appendix	86

Foreword by Federal Councillor A. Berset

Switzerland's greatest strengths include its cultural diversity and the many different lifestyles to be found here. These prevent us from stagnating and becoming too rigid in our identity by continually forcing us to confront the question of how we, as a society, can best handle our differences. The answer lies in values such as freedom, legal certainty and equality – but also in maintaining a permanent dialogue.

Diversity calls for active acceptance, not just passive tolerance. Many people form part of a minority in their own country because of their language, religion, ethnic origin or way of life. Every single one of them has the right to lead a life of dignity.

Social cohesion is strong in Switzerland. Nevertheless, we are no less susceptible than other countries to racism in important areas of life such as work, school and housing. Discrimination often takes subtle and covert forms in our everyday relations, but is increasingly open and aggressive on the internet and in social networks. This is one of the conclusions reached in the latest report produced by the Service for Combating Racism. As a society, it is our duty to react to discrimination whenever we encounter it: by openly speaking out against it and, if laws have been broken, by pursuing legal action.

Racism has many faces: hostility towards Muslims, anti-black racism, prejudice towards people with a travelling lifestyle and antisemitism are just some of the forms it takes, all of which have their own history and mechanisms. As this report also shows, we need to be able to recognise these essential differences if we are to combat racism successfully.

The cantons began setting up information, awareness-raising and advisory services in 2014, thus making protection against discrimination an integral component of social policy at the federal, cantonal and communal level. The sooner we react to racial discrimination and the firmer a stance we take, the more effective we will be in preventing conflicts and strengthening social cohesion.

Federal Councillor Alain Berset,

Head of the Federal Department of Home Affairs

1 Introduction

People are discriminated against on account of their origin, colour, lifestyle or language in every area of life: when trying to find housing, in the workplace, in hospital, in their dealings with the authorities and when practising sports. The federal government is responsible for some of these areas, while others fall within the remit of the cantons and communes.

In its 2016 report, the Service for Combating Racism (SCRA) provides an overview of the latest data and delivers an assessment of the overall situation based on the results of the most recent surveys. It also takes a general look at the areas of life in question, summarising where the problems lie and what is being done to solve them.

- The first part discusses the terminology used, the legal situation and competent institutions (chapters 2–4) and briefly considers the data available in Switzerland and the trends it reveals (chapter 5).
- The second part of the report provides an insight into the action being taken to combat racial discrimination (chapter 6), focusing in particular on what the cantonal integration programmes (CIPs) are doing to provide protection. The report then takes a look at the situation in particularly susceptible areas such as work, housing and access to public services, before addressing the issues faced by those sections of the population that are most affected.

The Federal Statistical Office (FSO) conducted its first survey on diversity and coexistence in Switzerland in 2016. The results show that a clear majority of respondents believe racism in Switzerland to be a 'serious' or 'rather serious' problem. In their opinion, measures to rectify this should be taken above all by the state (i.e. the federal government) but also by each individual. A large number of those surveyed had a positive attitude towards Muslims, black people and Jews. And foreigners resident in Switzerland seem to enjoy broad acceptance among a clear majority of the population. However, just over a quarter of respondents said they were unsettled at work by the presence of people perceived as 'different', while around one fifth felt uncomfortable with diversity in their neighbourhood or in everyday life. On the other hand, 20% of those questioned claimed to have experienced discrimination in the preceding five years, especially at work or when looking for a job.¹

These findings tally with the repeated observation that Switzerland is generally not prey to racist tendencies rooted in ideology; instead, acts of racial discrimination are the main source of conflict and injury in day-to-day life. This means that any measures taken by the state must be developed in close cooperation with the established structures, the victims and civil society, and geared towards the areas in which such acts occur.

This report reflects the Federal Administration's view of its own efforts. In order to gain an outside view, the Federal Commission against Racism (FCR) and the Federal Commission on Migration (FCM) were invited to comment on the report and on the work done by the federal government, cantons, cities and communes. Their responses can be found at the end of the report (chapters 8 and 9).

¹ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

2 Terminology

When talking about racism and racial discrimination, it is important to establish a common understanding of the terms being used in the discussion. Only the most important terms are outlined below. Anyone wishing more detailed explanations should refer to the 2014 study on the language of racism and its use in the national and international context produced by the SCRA together with experts from the Federal Department of Foreign Affairs (FDFA).²

Racism describes an ideology that divides people into supposedly natural groups on the basis of their ethnic origin, nationality or religion (so-called ‘races’) and arranges these groups hierarchically. People are thus not treated as individuals, but are viewed as members of pseudo-natural groupings which are assigned shared characteristics that are considered immutable. As a social construct, a ‘race’ is not only defined by its outward appearance, but also by supposed differences in culture, religion or ancestral heritage. It is used, for example, to ‘justify’ existing socio-economic or educational inequalities by attributing them to ‘natural’ biological differences based on a person’s ethnic, cultural or religious affiliation. Use of the term ‘race’ is now frowned upon in German-speaking countries. Instead, reference is made to ‘incompatible cultures’, ethnic groups or ‘foreigners’ that are portrayed as immutably ‘other’ and declared to be *persona non grata*. Depending on whether it is being employed in an academic, legal or political context, the term ‘racism’ is more or less widely delineated and used only in relation to consciously espoused ideologies or underlying social structures and dynamics that are frequently unconscious. This report deliberately adopts a broad definition of racism in order to facilitate the much-needed debate on where its confines lie.

Racial discrimination is a legal term that describes any practice by which people are denied their rights, treated unfairly or with intolerance, humiliated, threatened or their life or health is endangered on grounds of their physical appearance, ethnic origin, cultural characteristics (language or name) and/or (real or supposed) religious affiliation. It can affect Swiss and foreign nationals in equal measure. Unlike racism, racial discrimination is not necessarily underpinned by ideology.

A distinction must be made between racist incidents or racial discrimination and non-visible racist **attitudes**. They too are not necessarily underpinned by ideology and do not generally lead to racist acts. Personal attitudes voiced in private are protected by the right to freedom of expression. However, they can contribute to a climate in which there is a tendency to tolerate or approve of racist statements and discriminatory acts, even though the majority of the population would never behave in such a manner themselves.

Direct discrimination occurs when someone is treated less favourably than another person in a comparable situation on grounds that are unlawful. **Indirect discrimination** refers to legal rules, policies or practices which appear to be neutral but nevertheless lead to certain people being treated less favourably than others for no good reason. Individuals may also be subjected to **multiple discrimination** if they are discriminated against concurrently on grounds such as their origin, colour, culture or religion as well as their gender, social class, disability or another characteristic. This phenomenon affects women who come from both an ethnic minority and a disadvantaged social class, for example, thus combining a number of ‘vulnerable’ characteristics.

² Naguib, Tarek. Begrifflichkeiten zum Thema Rassismus im nationalen und im internationalen Verständnis. Eine Auslegeordnung unter Berücksichtigung des Völker- und Verfassungsrechts. Expertise im Auftrag der Fachstelle für Rassismusbekämpfung FRB, Eidgenössisches Departement des Innern EDI. Winterthur/Bern, 27. August 2014: www.frb.admin.ch > Recht und Beratung > Rechtliche Grundlagen. The study approaches the topic from a legal perspective, exploring the ideological, political, academic and legal discourse at length. However, it can also be referred to on an ad hoc basis for information on particular terms.

Xenophobia, which literally means ‘fear of strangers’, describes an attitude based on prejudices and stereotypes that creates negative feelings towards everything that is perceived to be foreign, strange or unfamiliar. Social psychology tells us that hostility towards ‘foreigners’ gives rise to a belief in the superiority of one’s own culture over others. The pictures built up of those who are perceived as ‘foreign’ or ‘other’ are not rooted in anthropological structures, but are instead based on sociocultural criteria. In other words, they are not an inherent part of the natural order and can be changed. The danger in using the term xenophobia is that seeking to explain stigmatisation mechanisms in terms of psychology and biology (as indicated by the ‘-phobia’ suffix) is tantamount to saying that violence and exclusion are inevitable given the nature of things. However, the term is useful in describing a vague attitude that is not necessarily rooted in ideology but which represents a general rejection of everything ‘foreign’, a fear of ‘over-foreignisation’ and the desire for a discriminatory, restrictive immigration policy. Another reason for using this term is the fact that it is enshrined in international treaties and documents (commonly paired with racism as ‘racism and xenophobia’).

The term **anti-Muslimism** describes a negative outlook or attitude towards people who identify themselves as Muslims or are perceived as such. Other components may include a dislike of people who come from a particular (predominantly Muslim) country, opposition to a society that is judged to be patriarchal and sexist, or the rejection of fundamental religious practices. The belief that all Muslims want to introduce Sharia law and claims that they have no respect for human rights or that they generally sympathise with Islamic terrorism also form part of the typical anti-Muslim world view. We prefer the term anti-Muslimism to that of Islamophobia as the main aim of the government measures tackling discrimination against Muslims is to protect individuals and groups of people, and not the religion as such.

Anti-black racism, or racism directed towards black people or people of African descent, is based specifically on skin colour and physical characteristics. Conclusions are drawn about a person’s inner being (genotype) from their outward appearance (phenotype), and negative traits and behaviours are ascribed to them on that basis. Anti-black racism can be traced back to the racist ideologies of the 17th and 18th centuries, which served as justification for colonialism and slavery. It currently affects very different sections of the population in Switzerland (Swiss people of African, North or South American descent, and immigrants from those regions and neighbouring European countries). Unlike racist attitudes and behaviour towards other people on grounds of their (actual or supposed) religion or culture, this type of racism is based on characteristics that are both visible and immutable. The person’s outward appearance or skin colour is the deciding factor, regardless of whether they have just arrived in Switzerland or lived here for generations, and regardless of how well integrated they may be. This means that anti-black racism cannot be eradicated by encouraging integration. Only measures to eliminate discriminatory behaviour and attitudes can work.

Antisemitism / anti-Judaism / hatred of Jews: Antisemitism describes actions such as attacks on the physical integrity or property of Jewish people and institutions. However, antisemitism can also refer to hostile convictions, prejudices and stereotypes that manifest themselves – clearly or otherwise – within a culture or society and in the actions of its members, and which are intended to establish that culture or society’s superiority over Jews as a group, Jewish individuals or Jewish institutions, or to humiliate or disadvantage them. Anti-Judaism, or hatred of Jews, describes a negative outlook or attitude towards people who identify themselves as Jewish or are perceived as such. Antisemitism is now used as a generic term and partly as a synonym for all forms of hostility towards Jews. It is an unusual phenomenon in the context of racism, as it ascribes an ethnic identity to individuals on the basis of their religious affiliation (Judaism); (the root word ‘*Semite*’ is misleading as it actually refers to everyone who speaks a Semitic language). The main aim of the government measures tackling discrimination against

those who are Jewish or perceived as Jewish, is to protect individuals and groups of people, and not the religion as such.³

Antigypsyism is a term that draws important parallels with antisemitism. It has been in use since the 1980s to describe an attitude shaped by stereotypical views and hostility towards individuals and groups who are stigmatised as 'gypsies' (Yenish, Sinti, Roma and others), regardless of whether or not they lead a travelling lifestyle. Historically, hostility towards 'gypsies' has taken the form of economic, social or state-sponsored discrimination and various forms of political persecution that go as far as deportation, internment, forced sterilisation and state-perpetrated genocide. The term is not without controversy as it includes the word 'gypsy', which is itself an external name with racist connotations that are perpetuated by using it to refer to racism towards Yenish, Sinti or Roma.

Right-wing extremism is characterised by its refusal to recognise that all human beings are equal, coupled with an ideology of exclusion that may also be accompanied by an increased propensity for violence. All definitions of right-wing extremism agree that racism and xenophobia are core elements of this phenomenon. Those who espouse right-wing extremism believe in racially or ethnically based social inequality and seek to establish ethnic homogeneity. They refuse to accept that fundamental rights and human rights apply universally to all people everywhere. They reject the pluralism of values that characterises liberal democracy and wage war on the 'multiculturalism' of the globalised world.

³ This definition is largely based on that provided by the International Holocaust Remembrance Alliance (IHRA); it has been expanded to take account of the situation in Switzerland. Further information is available at www.holocaustremembrance.com

3 Legal framework

Awareness-raising, prevention and extralegal interventions are essential in effectively combating racial discrimination in the long term. However, in concrete cases, the victims must be able to rely on legal protection. The legal framework – at the national, cantonal and international level – was explained in detail in the SCRA's first report in 2012⁴ and has not changed materially since then. The constitutional prohibition of discrimination (Art. 8 Cst) and the prosecution of racial discrimination as a criminal offence (Art. 261bis SCC) remain the primary legal instruments at the federal level. A number of general provisions also protect against racial discrimination under private law. In addition, both prohibition and protection are enshrined in sector-specific laws and ordinances at the cantonal level.⁵

Around 30 parliamentary procedural requests were submitted on the subject of racism and racial discrimination in 2015 and 2016. Further requests were submitted during this period on more specific aspects of hostility towards Muslims and Jews, access by certain sections of the population to services in the healthcare and social sector, preventing and combating extremism, and the risks of discrimination in connection with the digitalisation of society.⁶

In the period under review, questions were increasingly raised about freedom of speech and its limits, for example, in the context of whether or not to allow controversial satirists or musicians to perform in public. In this context, the national, cantonal and communal authorities were forced to weigh up the extent to which restricting freedom of expression in order to protect certain sections of the population or maintain public order lay in the public interests. While approval was actually granted in most of these cases, civil society organisations monitored the performances and reported any breaches of the law.

The European Court of Human Rights (ECtHR) was forced to consider highly specific aspects of freedom of expression in connection with the ban on denying, trivialising or seeking to justify genocide (Art. 261^{bis} para. 4 SCC).⁷ In 2005, Turkish politician Dogu Perinçek took part in a series of events at which he stated publicly that the massacres of the Armenian people (1915 to 1917) could not be construed as genocide. He was subsequently found guilty of racial discrimination within the meaning of the Criminal Code and ordered to pay 90 daily penalty units of CHF 100, a fine of CHF 3,000 and the sum of CHF 1,000 in compensation to the Switzerland-Armenia Association. The Federal Supreme Court upheld this decision and found that it did not violate Perinçek's right to freedom of expression. The Grand Chamber of the European Court of Human Rights, on the other hand, came to the conclusion that Mr Perinçek's comments in this particular case were of public interest and did not constitute incitement to hatred towards the Armenian people, especially as they were not made amidst a climate of social tension. The ECtHR also took the view that the statements were not so wounding to the dignity of the Armenians as to warrant criminal law measures. However, the Grand Chamber's decision was a close one: seven of the seventeen judges appended a partly dissenting opinion to the judgment, which does not call Article 261^{bis} of the Criminal Code (or paragraph 4 thereof) into question, but clearly

⁴ Service for Combating Racism. *Bericht der Fachstelle für Rassismusbekämpfung 2012 – Übersicht und Handlungsfelder*. Bern, March 2013, chapter 3 (in DE/FR/IT).

⁵ e.g. Art. 49 para. 3 of the new act on hospital care in the canton of Bern, Art. 18 of the ordinance on social assistance in the canton of Zurich, Art. 10 of the education act in the canton of Obwalden, Art. 25 para. 1 let. b of the citizenship act in the canton of St Gallen, Art. 10 para. 3 let. a of the ordinance on the promotion of affordable housing in the canton of Bern, Art. 15 para. 2 of the personnel ordinance of University Hospital Zurich, Art. 5 of the personnel ordinance of the University of Basel and Art. 25 of the ordinance on the Arxhof young offenders institution in the canton of Basel-Landschaft.

⁶ The Federal Commission against Racism (FCR) provides an overview of the relevant procedural requests on its website (in FR/DE/IT): www.ekr.admin.ch > Dienstleistungen > Politische Agenda zu Rassismus und Antirassismus > Rassismus/Rassendiskriminierung

⁷ Perinçek vs Switzerland, Judgment of 15 October 2015 (27510/08)

illustrates the ECtHR's practice of thoroughly analysing the specific circumstances of the case in question when examining breaches of freedom of expression.

In the spring of 2015, Parliament agreed to proceed with the initiative submitted by Mathias Reynard, which proposed adding sexual orientation to the list of prohibited grounds for discrimination in Article 261^{bis} of the Criminal Code.⁸ The competent National Council commission has been tasked with submitting a draft amendment to this effect to Parliament by the spring session of 2019.⁹

A law banning the wearing of face-covering clothing in public places came into force in the canton of Ticino on 1 July 2016.¹⁰ In its legal assessment of this amendment to the canton's constitution, the Federal Council reached the conclusion that the provision could be interpreted as conforming with federal law – or, at least, that such an interpretation could not be ruled out immediately. At the same time, it made clear that it does not consider a provision of this kind to be meaningful, stating that the ban relates to what is a marginal phenomenon in Switzerland, that forced concealment is already covered by the Criminal Code's ban on coercion (Art. 181 SCC) and that the reintroduction of "special rules for different religions" is not in keeping with Swiss custom and practice.¹¹ Six months after the law came into force in Ticino, six prosecutions had been registered and around ten warnings had been issued for violations of the ban.¹²

Similar bans are being discussed in other cantons. The *Landsgemeinde* (people's assembly) of the canton of Glarus voted against a concealment ban on 7 May 2017. At the national level, procedural requests to this effect have also been rejected by the Federal Council and Parliament on several occasions. A parliamentary initiative, whose wording closely follows that of the legal provision adopted in Ticino, was marginally approved by the National Council in September 2016 and is currently pending.¹³ The popular initiative "Yes to a ban on full facial coverings" was launched in March that same year. Although the initiative is formulated in general terms and does not explicitly mention Islamic full-body coverings, its supporters believe the latter issue will dominate political campaigning during the referendum on the subject.

The Federal Council fulfilled a postulate by Martin Naef in May 2016 by presenting its report on the right to legal protection against discrimination.¹⁴ Basing its position on a study conducted on behalf of the Federal Administration by the Swiss Centre of Expertise in Human Rights (SCHR), the Federal Council recognises that there are shortcomings in the right to protection against discrimination under private law

⁸ Parliamentary initiative "*Kampf der Diskriminierung aufgrund der sexuellen Orientierung*" (PI 13.407) submitted by Mathias Reynard on 7 March 2013 (in DE/FR/IT).

⁹ See: www.parlament.ch > Organs > Specialist committees > Legal affairs committees > Press releases LAC-N > "*Kampf gegen die Diskriminierung aufgrund der sexuellen Orientierung und Identität*" (press release of the Legal Affairs Committee of the National Council, 3 February 2017; in DE/FR/IT)

¹⁰ A large number of cantons (Basel-Stadt, Zurich, Bern, Lucern, Thurgau, Solothurn and St Gallen) have laws that prohibit individuals from covering their faces during demonstrations that require official approval (known as 'anti-masking laws'). However, these restrict themselves to the wearing of articles that conceal a person's identity when taking part in large gatherings – requiring approval by the public authorities – in public places. The protective purpose of these provisions is thus to uphold public order and safety by preventing acts of violence committed in anonymity.

¹¹ Federal Council dispatch of 12 November 2014 "*Botschaft zur Gewährleistung der geänderten Verfassungen der Kantone BE, UR, SO, BS, BL, AR, AI, TI, VD und JU*" (SR 14.084), no. 1.8 (in DE/FR/IT).

¹² www.ti.ch > Comunicati > Tutti i comunicati > Nuove Leggi sull'ordine pubblico e la dissimulazione del volto: un primo bilancio (press release of 6 February 2017)

¹³ Parliamentary initiative "*Verbot der Verhüllung des eigenen Gesichts*" (PI 14.467) submitted by Walter Wobmann on 11 December 2014 (in DE/FR/IT).

¹⁴ Federal Council report in reply to postulate 12.3543 submitted by Martin Naef on 14 June 2012. "*Recht auf Schutz vor Diskriminierung*." Bern, 25 May 2016 (in DE/FR/IT)

and that certain recommendations made by the SCHR should be pursued further.¹⁵ These particularly include introducing additional anti-discrimination norms in certain areas governed by private law (such as working life, tenancy law, general contract law), expanding the right of associations to bring a group action, reducing the cost of civil proceedings and launching awareness-raising measures to tackle the problem of multiple discrimination.¹⁶ In its opinion given in reply to the interpellation by Reynard, the Federal Council also added that data on multiple discrimination should be taken into account when considering how to improve the available data on discrimination based on sexual orientation or gender identity. However, the Federal Council rejects the idea of an action plan to eliminate the shortcomings identified in the SCHR study as this would only increase the administrative workload without delivering any actual value.¹⁷

The SCHR study provides a good basis for Switzerland to thoroughly examine this issue: for the first time, it delivers a large-scale empirical overview of the impact and benefits of the existing legal protection against racial discrimination. However, the study also shows that legal professionals are still not sufficiently well-informed and aware of the issues involved. That is why the SCRA partnered with the SCHR to hold a symposium on 26 October 2017 for those working at the advice centres and contact points or in the field of law.

With this in mind, the SCRA also revised its legal guide to racial discrimination in close collaboration with the Federal Commission against Racism (FCR), and published it on the website. The new guide has been available online since July 2017 (in DE/FR/IT)¹⁸, and gives legal and advisory professionals, victims of discrimination and students quick access to relevant information. As well as providing an overview of the main terminology, the legal situation and the advisory services on offer, there are modules taking an in-depth look at how various areas of life (incl. work, housing and leisure time) are affected. In addition to the legal instruments, time-tested extralegal approaches are presented. Anyone interested in pursuing further training on anti-discrimination law can get in touch with the SCRA directly.

¹⁵ Kälin Walter, Locher Reto et al. “Zugang zur Justiz in Diskriminierungsfällen”. SCHR, Bern, July 2015: www.skmr.ch
› Home › Thematic Clusters › Gender politics › Publications (in DE)

¹⁶ Interpellation entitled “Was unternimmt der Bund, um Mehrfachdiskriminierungen wirksam zu bekämpfen?” (Ip. 16.3679; submitted by Mathias Reynard on 21 September 2016; in DE/FR/IT).

¹⁷ Statement of the Federal Council on the motion entitled “Konkreter Aktionsplan für den Schutz vor Diskriminierung” (Mo. 16.3626; in DE/FR/IT) submitted by the Legal Affairs Committee on 18 August 2016; the motion had not yet been debated by the Council at the time of publication.

¹⁸ www.rechtsratgeber-frb.admin.ch (in DE/FR/IT)

4 Competent institutions

At federal level

Protecting against and eliminating discrimination is a cross-cutting topic that spans every area and level of authority within the Federal Administration. Specialised bodies have therefore been set up, each with their own clearly defined remit, to ensure that this issue is tackled in a manner that is fit for purpose and not merely paid lip service to through vague statements of intent.¹⁹ Most of these bodies form part of the Federal Department of Home Affairs (FDHA), and each has its own legal basis and list of duties. A number of extra-parliamentary commissions also play an important role by keeping a critical eye on developments, identifying the need for action and reconciling governmental and non-governmental measures.²⁰

Service for Combating Racism

Established in 2001, the Service for Combating Racism (SCRA) promotes, coordinates and networks action to combat racism and racial discrimination, and supports authorities and institutions at the federal, cantonal and communal level. It is involved in Switzerland's efforts within the relevant international institutions (in particular the UN, Council of Europe and the OSCE) and actively encourages exchanges with non-governmental organisations and research institutes. In the period from its founding in 2001 to December 2016, the SCRA provided some CHF 16 million in support to a total of 870 projects throughout Switzerland, with more than CHF 5 million also going to 396 school projects. It has a staffing budget of 3.4 FTEs and an annual operating credit of around CH 370,000.

Service for Combating Extremism in the Armed Forces

The Service for Combating Extremism in the Armed Forces (FS EXA) supports the Federal Department of Defence, Civil Protection and Sport (DDPS) in all matters related to extremism within the army. It serves as both a point of contact and a reporting office, investigating reported incidents, providing advice on legal issues, leadership and prevention measures and information on extremist groups and movements. All members of the armed forces can turn to the service regardless of their rank and function; however, it is also open to cantonal and communal authorities, civilians and the media. Another of its tasks is to deliver awareness-raising modules as part of a wide range of training courses, aimed primarily at senior officers with a key role to play in preventing extremism and members of the military police. The service is mindful of the responsibility and powers of the high-ranking military personnel with which it deals, guards state secrets and respects privacy; it does not act as an ombudsman. It was set up in 2002 and has been attached to the SCRA at the FDHA for administrative purposes since August 2005. However, the unit, which has a staffing budget of 0.5 FTEs, works exclusively on behalf of the military and is accountable to the Chief of Armed Forces Personnel (DOS1).

Federal Commission against Racism

The Federal Commission against Racism (FCR) is an extra-parliamentary commission, set up in 1995, that keeps a critical eye on racist phenomena and racial discrimination, monitoring incidents and activities in this area. It is tasked by the Federal Council with "(...) promoting a better understanding among people of different race, colour, national or ethnic origin and religion, and combating all forms of direct and indirect racial discrimination, attaching particular importance to effective prevention." In doing so, the FCR also addresses the needs and concerns of minorities and is free to state its opinion without

¹⁹ Federal Office for Gender Equality (FOGE), Federal Bureau for the Equality of People with Disabilities (FBED), Service for Combating Racism (SCRA).

²⁰ The following are the main commissions in relation to racial discrimination: Federal Commission against Racism (FCR), Federal Commission on Migration (FCM), Federal Commission for Women's Issues (FCWI), Federal Commission for Child and Youth Affairs (FCCY).

having to adopt an official political line or government stance. The Commission's 16 members constitute a balanced mix of subject-matter experts and representatives of interest groups and minority groups, in which both genders and all of Switzerland's languages, regions and religions are represented. The Commission is supported by a secretariat staffed by 2.8 FTEs, which is organisationally attached to the FDHA General Secretariat. In 2017, the FCR had an ordinary budget of CHF 198,000.

Federal Commission on Migration

The extra-parliamentary Federal Commission on Migration (FCM) acts as a bridge between civil society and the authorities. It is mandated by law to address social, economic, cultural, political, demographic and legal issues arising from the presence of foreign nationals residing in Switzerland. It advises the Federal Council and the public administration on questions of migration and supports projects that promote integration, protect human rights and prevent discrimination. The Commission is attached to the State Secretariat for Migration (SEM) in the Federal Department of Justice and Police (FDJP). The FCM has 30 members, more than half of whom have personal experience of migration. It is supported by a secretariat (staffed by 5.4 FTEs) and has an annual operating credit of CHF 240,000.

At cantonal and communal level

All of the **cantons** have provisions in their constitutions and legislation that afford both explicit and implicit protection against discrimination. To achieve the stated integration and anti-discriminatory protection goals, they have either set up integration offices or created the position of 'integration delegate', all of which have come together to form the Swiss Conference of Communal, Regional and Cantonal Integration Delegates (KID). The KID helps shape Switzerland's integration policy going forward and seeks to establish anti-discriminatory protection as one of the pillars of integration policy; its secretariat is run by the Conference of the Cantonal Governments of Switzerland (CCG). The **cities and communes** also play a major role in translating protection against discrimination into practice. Like the cantons, some cities have appointed their own integration delegates or set up integration offices, which are also members of the KID.

5 Racial discrimination and racism in Switzerland: available data

As racism and racial discrimination cover a wide variety of different phenomena, the corresponding data also comes from a variety of sources. In order to gain a better picture of the situation and improve its handling of measures, in 2007 the Federal Council asked the Service for Combating Racism (SCRA) to look into the extent of racial discrimination and racist attitudes in Switzerland, and the action being taken to counter them, and to make this information available to a wider public on a regular basis.²¹

A number of different institutions currently gather data on racist and discriminatory behaviour and attitudes: public sector bodies record data on acts that are punishable by law and which are reported to the police or lead to criminal proceedings or a conviction. The media and independent organisations such as advice centres and complaints services also report on cases that are not necessarily brought to the attention of the judicial authorities. Lastly, representative surveys reveal the discrimination experienced by respondents while also shining a light on attitudes to racism and racial discrimination.

In this chapter, we will compare and synthesise the different data in order to show how the number of racist incidents in Switzerland has changed over the last 25 years. In gaining an overview of the situation, we will differentiate between officially documented and penalised incidents of discrimination on the one hand and cases of experienced discrimination on the other. We will then go on to analyse these incidents more thoroughly using various criteria (discrimination characteristics, area of life in which the discrimination occurs, and socio-economic information on those doing the discriminating and those being discriminated against). Thirdly, we will reveal parallels with attitudes among the general population in order to build up a more comprehensive picture. When discussing the respective surveys, the terminology and assessments are taken from the sources in question; in legal terms, only those cases brought before the courts constitute cases of racism or racial discrimination.

Most of the data on attitudes among the general public is taken from the results of the survey on diversity and coexistence in Switzerland (VeS), which was conducted by the Federal Statistical Office (FSO) for the first time in 2016. The survey builds on the findings of a pilot project of the same name, which was carried out by gfs.bern on behalf of the SCRA and the State Secretariat for Migration (SEM) in collaboration with other federal agencies from 2010-2014. As the survey methods had to be adapted to bring them into line with FSO criteria and standards, the data from 2016 is only comparable with that of the pilot project to a certain extent. The most important changes are looked at in greater detail in the introductory section and the differences are highlighted in all the charts and analyses.

Because the data referred to in this chapter is drawn from a number of different sources with different methodological approaches (see overview in Appendix 1), it does not lend itself to well-founded statements based on absolute figures. However, the datasets do complement one another sufficiently that they can be aggregated, allowing long-term trends to be identified and suppositions to be substantiated or disproved.²²

²¹ See the report on integration measures and its annexe on measure 3.9 (in DE/FR/IT), Bern, 30 June 2007: www.sem.admin.ch > Publikationen & Service > Berichte > Integration > Thematische Berichte und Studien > "Bericht Integrationsmassnahmen" and "Anhang Massnahmenpaket" plus: Federal Council Objectives for 2008, Goal 10 "Gesellschaftlichen Zusammenhalt fördern": www.bk.admin.ch > Dokumentation > Publikationen > Politische Planung > Jahresziele > Archiv > Jahresziele des Bundesrats Band I "Die Ziele des Bundesrats 2008"

²² In the interests of readability, we have not included the results of statistical tests. Moreover, numbers are rounded to the nearest decimal point and percentages are used rather than absolute values in order to avoid giving a misleading impression of accuracy and focus instead on established tendencies.

5.1 Federal Statistical Office survey on diversity and coexistence in Switzerland

Following a six-year pilot phase, the Federal Council decided in the spring of 2015 to launch an instrument that would regularly survey the attitudes, opinions and perceptions of Switzerland's resident population regarding various forms of racism and issues related to coexistence and integration. It asked the Federal Statistical Office (FSO) to perform this task. The survey on diversity and coexistence in Switzerland (VeS) has been carried out every two years since 2016. A shorter survey is conducted in the intervening years; this looks at specific areas ('sub-topics') in greater detail or explores new issues. The overall survey aims to round out the picture created by the existing data on cases of racial discrimination by also providing data on attitudes. As well as gathering information on the issues raised by coexistence, a further objective is to flag up potential problem areas at an early stage by monitoring trends.

The survey and its methodology were developed from the experiences gained during a pilot project run by the polling institute gfs.bern. However, as the survey now forms part of the FSO's omnibus series of questionnaires for the population census, adjustments had to be made. The following table provides an overview of the most important changes.

	FSO 2016 survey	gfs.bern pilot project 2010–2014	Remarks
Sample size (members of permanent resident population aged 15 and over)	Total: 3,010 Swiss nationals: 2,362 Foreign nationals: 648	Total: 1,700 Swiss nationals: 1,000 Foreign nationals: 700	The FSO's sampling procedure leads to more representative results.
Survey method	Mixed mode: top priority is given to the online questionnaire (75%), with telephone interviews coming second (25%).	Face-to-face survey	It will not be possible to analyse the impact of the different survey methods in greater detail until at least three VeS surveys have been conducted.
Time taken to complete survey	Around 29 minutes on average	Around 56 minutes on average	The duration had to be shortened due to the design of the FSO omnibus questionnaire.
Periodicity	Main survey every two years starting in 2016: shorter, topic-specific interim surveys every two years from 2017	Conducted three times at two-yearly intervals: 2010, 2012, 2014	No interim surveys were carried out during the pilot project.
Changes in content	Questions on anti-racism, intolerance, anomie, propensity for violence, authoritarianism and political alienation deleted; Anti-black racism included as a topic; Itinerant lifestyles added as a reason why people may feel a sense of discomfort (added to the existing questions on the topic in the FSO survey on language, religion and culture); Socio-demographic variables harmonised and expanded to bring them into line with the		The deletions were made following an evaluation of their informative value during the pilot phase. The anti-black racism module was newly designed and is to be optimised on the basis of the experiences gained in the initial survey.

	population census (SHAPE variables); Ad-hoc reformulations.		
Objectives	Consolidated survey instrument capable of monitoring long-term trends.	Pilot project trialling a survey instrument and a variety of evaluation methods.	Once it has been conducted in 2020 for the third time, the FSO survey should be largely stable and only require periodic adjustment.

As a result of these changes, the data from the FSO's 2016 survey is only comparable with that from the 2010-2014 pilot projects to a certain extent (therefore, in the diagrams in this report the results of the three gfs pilot surveys are depicted as a single line, while those of the FSO's 2016 survey are pictured separately as dots). For the same reason, the 2016 results must be interpreted with caution; it will most likely only be possible to conduct in-depth analyses and model relationships using indices or socio-demographic evaluations after the third survey has been carried out in 2020. A look at the 2016 results nevertheless delivers information on the following topics:

- Sense of discomfort caused by certain groups: How many respondents feel discomfort in their everyday lives caused by the presence of people whose nationality, colour, religion or language is different or who have a non-sedentary lifestyle? How many respondents feel discomfort caused by the presence at work or in their neighbourhood of people whose nationality, colour, religion or language is different?
- Attitudes towards certain groups of people: How are Muslims, black people and Jews perceived, and what opinions or stereotypes exist in relation to these three groups?
- Attitudes towards foreigners: How do people feel about the rights and obligations of foreign nationals living in Switzerland? How do they perceive the behaviour or role of foreigners and what expectations do they have?
- Sense of threat: How many people feel threatened by the presence of foreigners or Swiss nationals, either in general, in relation to their political conflicts or on the labour market?
- Personal experience of discrimination or violence: What proportion of respondents stated that they had personally experienced discrimination or violence? In what situation did these experiences take place and on what grounds?
- Integration and racism: How do people view Switzerland's integration policy and to what extent is racism considered to be a major social problem? Does the population believe that enough is being done to integrate migrants and combat racism, and who does it think should be doing more or less?

The results of the 2016 survey are published on the FSO website.²³ In this and the following chapter, we consider and comment on them in relation to other data. In addition, all the data is fed into the FORS database, where it is available for use in other research projects.²⁴

Overall, the FSO's evaluation shows that the population tends to take a positive view of the integration of migrants in Switzerland. Racism is seen as a serious social problem, and 34% of those questioned

²³ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

²⁴ FORS is a national centre of expertise in the social sciences. It collates and shares complex datasets and publishes the results of current projects. The data from the gfs pilot surveys is currently stored (in German) at: <https://forsbase.unil.ch/project/study-public-detail/13142/>

believe that more should be done to fight it. In the public eye, responsibility for doing so lies primarily with the state, followed by individual citizens and political parties and their members.

21% of those surveyed are made uneasy in their everyday lives by the presence of people with an itinerant lifestyle, 12% by people who speak a different language, 10% by people with a different religion and 6% by people of a different colour or nationality. At first sight, the high figure for those with an itinerant lifestyle in comparison with the other groups may appear surprising. However, similar findings have been presented in Germany and other European countries – although these do not actually refer to the travelling way of life per se, but rather to certain sections of the population such as the Sinti or Roma (only some of whom pursue a semi-nomadic lifestyle and some of whom are even sedentary).²⁵ The interim VeS survey in 2019 will explore attitudes towards the itinerant way of life, the Yenish, Sinti/Manouches and Roma in greater detail.

Of those respondents who stated that the presence of the above groups made them feel uncomfortable, 28% claimed they experienced this discomfort at work and 19% in the neighbourhood where they live.²⁶ However, if the language factor is left aside, the figures for everyday life, work and neighbourhood are the same at roughly 14%. The interviews conducted during the trial period and feedback received by the polling institute indicate that we can safely assume that functional considerations rather than negative attitudes were uppermost in the respondents' minds when answering this question (i.e. it is more difficult to work together when people don't speak the same language). However, this explanation requires further investigation.

The results of the VeS survey lead to the conclusion that attitudes towards foreigners are just as ambivalent in Switzerland as in other countries. The population recognises that foreign skilled workers benefit the economy (64% believe that it could not function without them) and support their participation in society (60% are in favour of family reunification and 56% would like to see automatic naturalisation for foreign nationals who were born in Switzerland). At the same time, critical views are widespread (53% believe that foreigners abuse the social benefits system and 30% think that foreign workers are responsible for increases in the unemployment rate). This is also reflected in the fact that barely half of the population (48%) is in favour of giving foreign citizens political rights.

Negative attitudes mainly appear to be directed towards potential immigrants who have not yet arrived in Switzerland. Along with support for family reunification (60%) and the automatic naturalisation of foreign nationals who were born in Switzerland (56%), the rejection of the idea that foreigners should be sent back to their country of origin when jobs are scarce (64%) shows that foreign nationals already living in the country are largely accepted as part of society. Nevertheless, the results demonstrate that a significant proportion of the population takes a critical view even of this latter category of foreigners, which can lead to a sense of threat.

For instance, 18% of respondents state that they generally feel threatened by the presence of foreigners in Switzerland. 67% feel threatened when immigrants bring conflicts in their country of origin with them to Switzerland, and 19% feel threatened by the presence of foreigners on the employment market. Conversely, 44% of those surveyed feel threatened when Swiss people settle their domestic disputes at the expense of foreign nationals, 10% feel threatened by Swiss nationals on the labour market and 4% claim to feel threatened in general.

Attitudes towards the three specific groups of Muslims, black people and Jews will be explored in chapter 6 of this report. However, we can already note here that they are, on the whole, mainly positive. 96% of respondents believe that black people have good and bad points like everyone else, while 95% say the

²⁵ Federal Anti-Discrimination Agency. Between indifference and rejection. Population's attitudes towards Sinti and Roma. Berlin, September 2014. Appendix 4 of the study provides an overview (in German) of existing surveys in Germany and Europe.

²⁶ In this case, people with an itinerant lifestyle were not included in the different areas of life.

same of Jewish people. This figure falls to 91% for Muslims – a negative aspect that was already visible in the 2010–2014 pilot phase.

As in other countries, negative attitudes and stereotypes in Switzerland vary depending on the respondent's age and degree of urbanisation. In the FSO's 2016 survey, this can be observed in relation to the stereotypes assigned to Muslims. 14% of respondents in the 25–39 age group have negative stereotypes of Muslims in Switzerland, compared with 21% of respondents aged 55–64. Attitudes are more positive in urban areas than in rural ones. Thus, 22% of those living in sparsely populated areas systematically assign negative stereotypes to Muslims in Switzerland whereas only 14% of those living in densely populated areas do so. This may have to do with the stronger presence of Muslims in urban areas, which allows respondents in the cities and towns to draw on their own, direct experience.

As was the case with the pilot survey conducted by gfs.bern, the FSO survey also looks at people's own experience of discrimination and/or violence. 21% of respondents have been discriminated against in the last five years because they belong to a certain group, 13% have experienced psychological abuse and 4% physical violence. The main reasons given were nationality (54%) and language (25%); religion (13%) and skin colour or physical appearance (12%) were less frequently cited. Discrimination was experienced above all in the workplace (48%), in discussions and conversations (29%), and in public places or on public transport (25%). Situations such as education (16%), when looking for accommodation and during leisure time (12% each), being denied entry to restaurants, bars and clubs (8%), and dealings with the police (6%) were less common.

5.2 Data synthesis: number of explicit cases

When it comes to cases of explicit racism/discrimination, a distinction is made here between those that resulted in legal action being taken ('cases brought before the law') and those that either cannot be prosecuted or may have gone unpunished ('experienced discrimination'). Data in the first category is gathered via police reports and judicial rulings, the second is provided by the advice centres and survey responses to questions about experiences of discrimination.²⁷

Whereas the number of cases of experienced discrimination has flattened out in recent years, convictions for racist offences have been rising again over the last three years.

5.2.1 Cases brought before the law: convictions

The FCR's collection of legal cases collates, describes and analyses cases on which a decision has been handed down under Art. 261^{bis} SCC, drawing on information obtained from the Federal Intelligence Service (FIS), the courts and the public prosecutor's office.²⁸ The statistics on criminal convictions (COS) maintained by the FSO cover all convictions under Art. 261 SCC (attack on the freedom of faith and the freedom to worship) and Art. 261^{bis} SCC that have been entered in the register of criminal

²⁷ It is therefore possible that cases of experienced discrimination will be recorded in both categories. However, this does not matter too much as we are dealing with trend analyses here.

²⁸ The FCR's collection of legal cases thus also takes in acquittals and formal decisions (i.e. when the investigating authorities decide to drop the charges or not to institute criminal proceedings after performing a summary review of the facts, or even refrain from filing criminal charges in the first place). Figure 1 takes only guilty verdicts into account.

convictions.²⁹ For reasons of comparability, only those offences that have resulted in a final guilty verdict are taken into account in the following analysis.³⁰

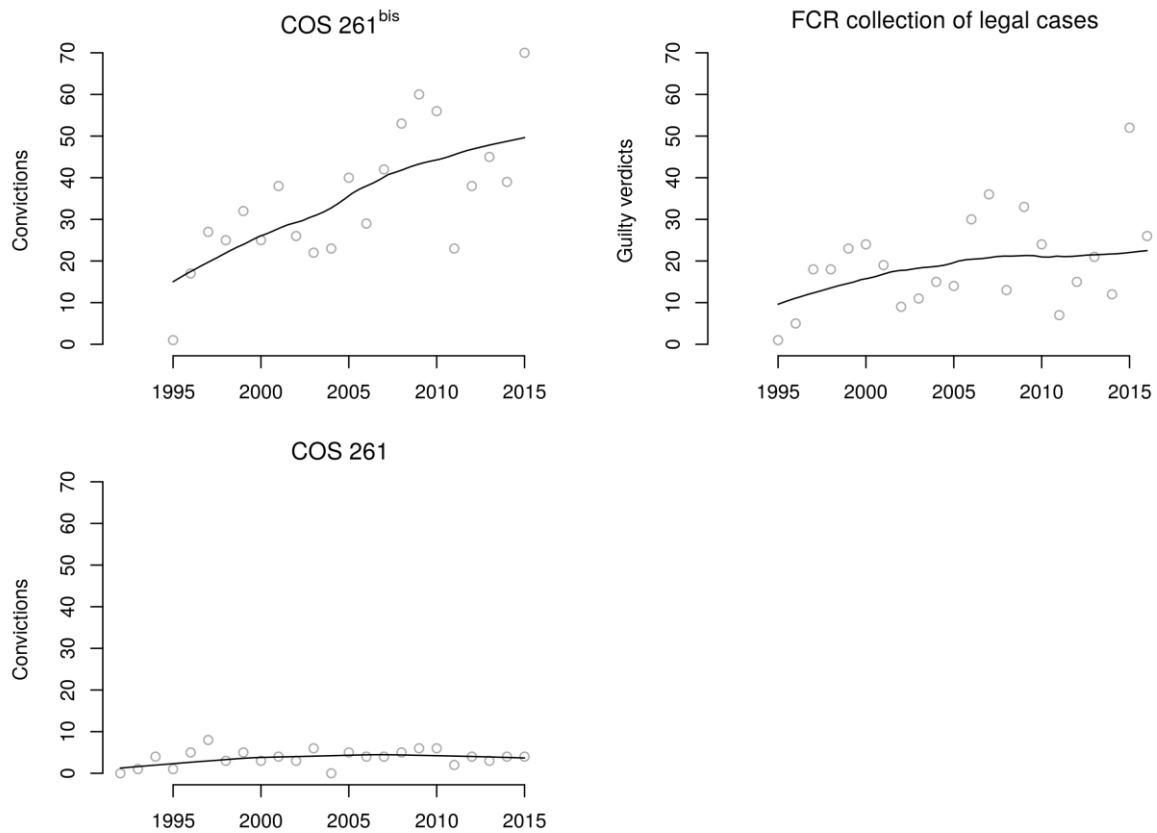


Figure 1: Cases of explicit discrimination in which legal sanctions were imposed by the state: criminal offences in accordance with Art. 261 and 261^{bis} SCC. The circles indicate the respective number of guilty verdicts, the trend line has been smoothed with LOESS.

Figure 1 shows that the number of cases prosecuted under Art. 261^{bis} SCC has risen constantly since the statutory provision on racism was introduced. The FCR's collection of legal cases recorded more guilty verdicts than ever before in 2015, a fact that is mainly attributable to the rise in criminal acts on the internet since 2014. On the other hand, convictions under Art. 261 SCC have remained at a low level.

²⁹ A judgment under Art. 261^{bis} SCC may be entered in both the COS and the FCR's collection of legal cases. The differing number of cases is explained by the fact that the cantonal authorities do not report all cases to the FIS despite being required to do so by the Notification Ordinance (Ordinance on the Notification of Cantonal Criminal Judgments; SR 312.3). In addition, the FCR's collection of legal cases also includes cases that fall under juvenile criminal law.

³⁰ Data from the FIS report on incidents of right-wing extremism has not been taken into account although the fact that such cases come to the attention of the state leads to sentencing. Since 2007, this report has only included incidents directly involving violence, which means that the number of incidents recorded that year necessarily fell. However, the number of incidents continued to decline in the following years (76 incidents in 2008 and 28 in 2015).

5.2.2 Cases of experienced discrimination

Advice centres and reporting offices also record incidents of racism and discrimination that do not necessarily lead to legal sanctions being imposed (for example, because the charges are dropped, not all of the requirements for legal proceedings are met or the person in question does not wish to take legal action). At the same time, they are only able to document a small number of all actual incidents as those affected may not have access to an advice centre, may wish to deal with the experience without professional counselling or may not feel they have been discriminated against. Furthermore, it can be supposed that many victims do not contact a specialist advice centre but turn instead to a counselling service or person of their choice, who may not identify the incidents as racist or report them.

On average, the number of complaints of experienced discrimination seems to have flattened out in recent years, although a number of sources indicate otherwise (Figure 2).³¹ In particular, the figures from the SIG and GRA reports and those of the PCS appear to have flattened out³². For example, the GRA reports a rise in racist incidents up to 2004, after which the figure drops off significantly. The SIG reports support the assumption that antisemitic incidents have decreased slightly over the last few years, even though a particularly high number of incidents was recorded in 2014 and CICAD also reports a further rise. Both the SIG and CICAD report record highs for 2014. This is attributable to the growth in

³¹ Sources used: Racism documentation and monitoring system (DoSyRa database), antisemitism report of the *Coordination intercommunautaire contre l'antisémitisme et la diffamation* (CICAD; for French-speaking Switzerland), antisemitism report of the Swiss Federation of Jewish Communities (SIG), report of the Foundation against Racism and Antisemitism (GRA), Federal Office of Police (fedpol) information on internet crime (in earlier reports this source went under the name of KOBik), complaints submitted to the Swiss Press Council, complaints submitted to the Independent Complaints Authority for Radio and Television (ICA) and criminal offences reported under the police crime statistics (PCS). It should be noted that the increasing number of cases in this section could simply be an indication that data is being collected more efficiently; however, the large number of sources from which the data is drawn disproves this assumption.

³² The antisemitism report covers antisemitic incidents in the German-speaking part of Switzerland. The figures were documented by the SIG in 2008 and 2009; the report has been published jointly by the SIG and GRA since 2010. It takes account of directly reported cases as well as incidents reported in the media. Incidents taking place in social networks were actively researched and included in 2011, however, since 2012 they have been taken into consideration only if they spark media attention. In contrast, the CICAD report covering French-speaking Switzerland actively seeks out incidents on the internet and records them as a separate category. There are further differences in the way the reports are compiled and evaluated.

hate speech in social networks following the conflict in the Gaza Strip in the summer of that year. Significantly fewer incidents were reported to and registered by these two bodies in the following years.

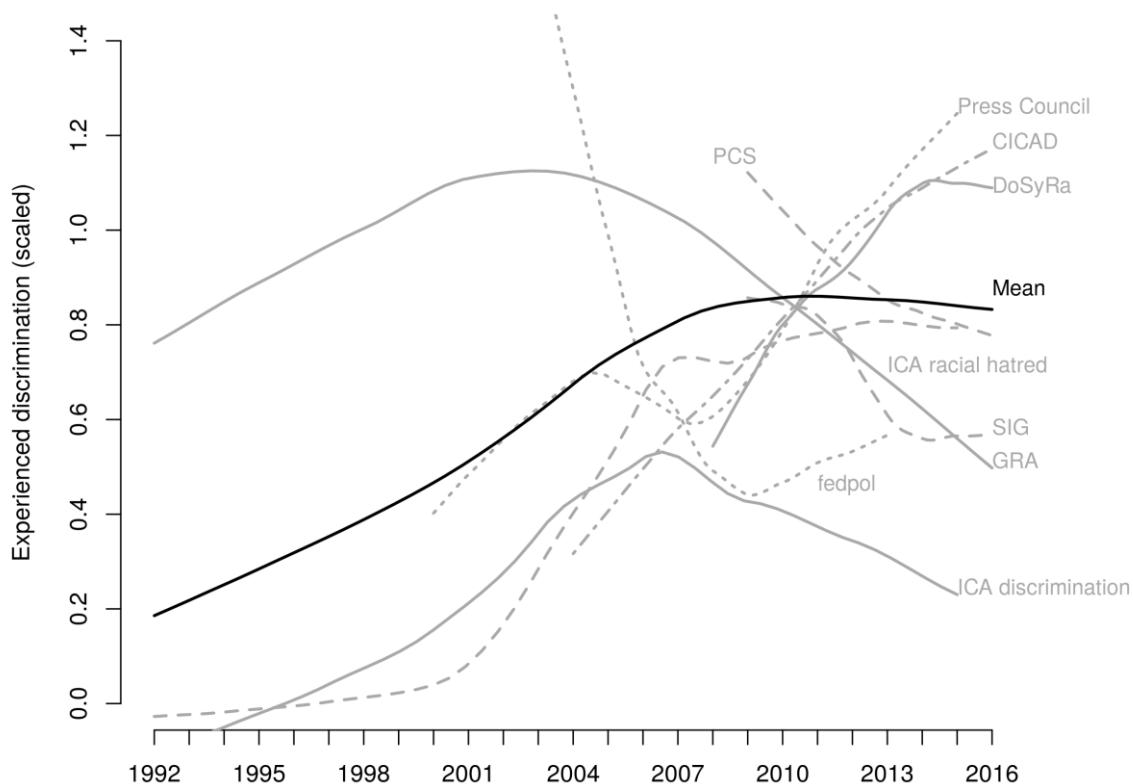


Figure 2: Explicit cases that were experienced by the victims as discrimination: advisory cases, known incidents, reported violations and data from reporting offices. To allow comparison over time, all figures have been standardised and only the trend lines are shown. The black line represents the trend-line average.

5.3 Characteristics of discrimination

The actual or supposed characteristics on which discrimination is based do not appear to vary much over time.³³ The data available from the European Social Survey (ESS) for the period from 2002 to 2014 indicates that, unlike the other characteristics, discrimination experienced on grounds of nationality is on the rise.

5.3.1 Characteristics in legal decisions and advisory cases

According to the DoSyRa database, the advice centres most often deal with cases of discrimination on grounds of nationality (some 50% of cases), followed by incidents in relation to colour. The FCR's collection of legal cases, on the other hand, indicates that court rulings under Art. 261^{bis} SCC are mainly handed down in connection with cases of religiously motivated discrimination (at 60%, this figure is much higher than the year before). In addition, the FCR's collection of legal cases reveals a proportionately higher increase in cases of hostility towards Jews than towards Muslims, whereas the advice centres report the opposite. This suggests that victims make different use of the advisory services

³³ Possible characteristics include colour, religion, nationality, origin and language. The term 'characteristic' is problematic in the sense that it suggests some kind of objective relationship to the person in question. However, this relationship is often merely (and falsely) assumed (such as when a Swiss national with dark skin is treated as a foreigner), or may even be attributed by arbitrary association to someone who does not display the characteristic in question ('discrimination by association' can affect women who are married to Muslims, for example).

that feed into the DoSyRa database than they do the legal action recorded in the FCR's collection of legal cases.

Source	Nationality	Colour	Religion	of which Jewish	of which Muslim	Travelling lifestyle
CICAD			153	153		
SIG			24	24		
DoSyRa	118	70	39	6	31	0
FCR	9	11	22	13	9	0

Table 1: Absolute number of reported cases of explicit discrimination by motive. The figures relate to 2016.

The differences presented here have not changed significantly over the last few years. In line with the general trend (see Figure 2), the DoSyRa database reveals an increase in incidents based on nationality, colour and religion. The number of incidents related to nationality dealt with by the advice centres rose from 33 in 2008 to 118 in 2016, those related to colour from 26 to 70 and those related to religion from 4 to 39 (out of a total of 245 cases in 2016).³⁴ In the case of the FCR's collection of legal cases, the number of incidents related to nationality and colour remained relatively stable over the same period (rising from 6 to 9 cases for nationality and from 4 to 11 for skin colour). In both 2015 and 2016, the FCR recorded more legal cases based on religion – brought by both Jews and Muslims; this could point to a changing trend. As already mentioned under 5.2.2, the CICAD and SIG data on antisemitic acts also reveals a significant rise in the number of incidents recorded, especially in 2014, before tailing off slightly again.³⁵

5.3.2 Characteristics of discrimination: experienced discrimination by group membership

Certain representative surveys allow respondents to indicate whether they belong to a group that is discriminated against (in which case their membership of that group is the characteristic at the root of discrimination). As the number of people in the existing sources claiming they are discriminated against is relatively small, this report ignores small deviations from one year to another and concentrates instead on fundamental shifts.

³⁴ In connection with discrimination on grounds of nationality, it should be noted that holders of a Swiss passport and people with settled resident status are more likely to consult an advice centre than are asylum seekers, temporarily admitted foreigners and sans-papiers. Members of the latter group in particular (including asylum seekers who have gone underground or had their application rejected) tend to have greater inhibitions about seeking advice as they fear that revealing their status could have negative consequences for their residence situation.

³⁵ Given that CICAD and the SIG only register reports of antisemitic incidents, we have made no attempt to compare their data with that from other sources which also include hostility shown towards Muslims.

The European Social Survey (ESS) provides time series data on this issue going back to 2002. For most groups (broken down by colour/'race'³⁶, religion, nationality and ethnic group), the number of people answering this question with 'Yes' constantly remains within a range of 0.3% to 1.6% of the population. There has been a distinct rise in the number of people claiming that the group to which they identify themselves as belonging is discriminated against on grounds of nationality: this figure has risen from around 1% of the population in 2002 to 2.5% in 2014. The situation for each group in question is depicted in Figure 3.

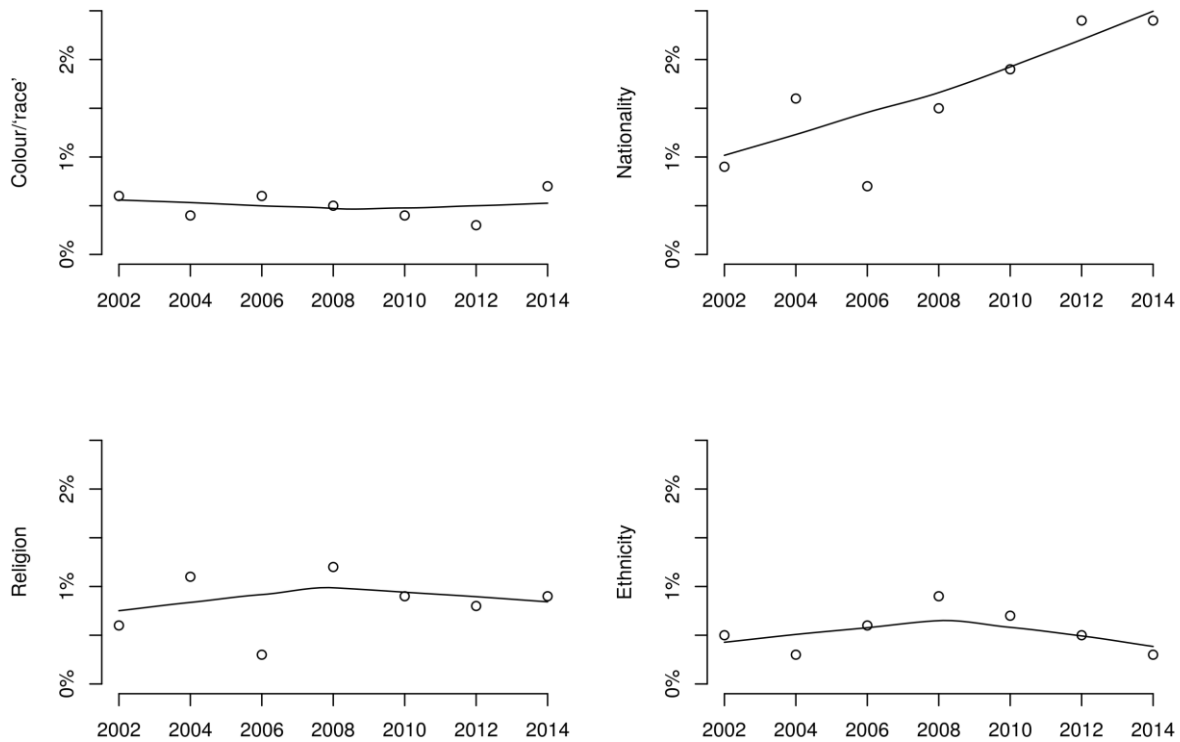


Figure 3: Explicit cases from the European Social Survey (ESS). Percentage of the population claiming that the group to which they identify themselves as belonging is discriminated against on grounds of colour/'race', nationality, religion or ethnic origin. The circles indicate the respective percentages (observed), the trend line has been smoothed with LOESS.

Additional data can be found in the VeS survey. As in the ESS, discrimination based on nationality achieves the highest percentage score, before language/accent, religion and colour. The situation for each group in question is depicted in Table 2. The percentages relate to people who believe they are discriminated against (some 21% of respondents) and not to the resident population as is the case in the ESS (Figure 3). As in the ESS, the figure for discrimination on grounds of colour in the VeS survey is relatively low; however, at 1% of the population, it roughly corresponds to the proportion of black people living in Switzerland, which suggests a very high prevalence of this type of discrimination.

³⁶ The survey uses the term 'race' together with colour without defining it in further detail.

Grounds for discrimination	Mentions
Nationality	54%
Language, accent	25%
Religion	13%
Skin colour and distinctive physical features	12%
Ethnic origin	7%

Table 2: Grounds of discrimination from the VeS survey, 2016. Percentage of respondents claiming they are discriminated against, by grounds of discrimination (multiple answers possible).

5.4 Areas of life in which discrimination is experienced most frequently

Discrimination is experienced particularly frequently when looking for work and in the workplace itself. When it comes to looking for accommodation and going out/leisure activities, the findings from the various sources are contradictory. All of the sources referred to here (DoSyRa, FCR's collection of legal cases, VeS survey) indicate a stable trend over time.

Source	Looking for work	Looking for accommodation	School/higher education	Everyday working life	Dealing with authorities	Leisure activities/going out	Healthcare	Sport/club/association membership
DoSyRa	5%	4%	9%	13%	6%	4%	1%	2%
FCR			0%	0%	4%			
VeS	26%	12%	16%	30%	8%	12%	4%	12%

Table 3: Area of life in which discrimination is experienced, from a variety of sources. The figures relate to 2016. All of the sources referred to allow more than one answer to be given.

Whereas, in the past, the cases recorded in DoSyRa frequently related to dealings with the authorities and public administration, a decline can now appear to be seen both here and in relation to healthcare. On the other hand, incidents in the social sector appear to be on the rise (14 cases in relation to homes, assisted living facilities, social security and social services in 2016 from a total of 245, compared with 11 out of 317 cases in 2015). Compared with the figures from the VeS survey, those for everyday working life in DoSyRa are low (33 cases in 2016 from a total of 245). Discrimination by the police accounted for 8% of cases dealt with by advice centres in 2016 and were mentioned by 6% of respondents in the VeS survey. The latter survey recorded relatively few cases of discrimination by public offices or in the healthcare sector.

5.5 Type of discrimination

Four sources deliver data on the type or means of discrimination.³⁷ The most common forms of racial discrimination are verbal racial abuse and not being treated equally, whereas physical attacks are relatively rare. The 2016 VeS survey, in which 22% of respondents say they have been discriminated against but only 4% claim to have experienced physical violence, corroborates this.³⁸

³⁷ DoSyRa, FCR, GRA, SIG

³⁸ The detailed breakdown of categories in DoSyRa and the GRA report have been synthesised in Table 4 to enable comparison.

There are major differences between the sources: the DoSyRa database counts cases dealt with by advice centres, whereas the GRA gathers information on incidents or statements motivated by racism or xenophobia that have been made public and mentioned in the media or personally reported to the GRA. As a result, many of the cases registered in DoSyRa mainly concern verbal racial abuse, unequal treatment and other non-specific forms of discrimination, while the GRA's methods lead it to document more cases of damage to property and incidents taking place in public places or at meetings of the extreme right that are racist in nature (but not necessarily punishable under criminal law).

Type of discrimination	DoSyRa	GRA	SIG	FCR
Physical violence	5%	2%	8%	1%
Inequality and discrimination	46%	21%	0%	0%
Spoken remarks	76%	14%	25%	26%
Damage to property	2%	5%	4%	0%
Distribution of written/audio material	1%	7%	0%	3%
Hate mail	0%	0%	42%	31%
Meetings of the extreme right	1%	14%	0%	0%
Other	1%	37%	21%	38%

Table 4: Types of discrimination according to four sources.

There has been a slight proportional increase in the number of cases of discrimination and verbal abuse registered in DoSyRa since 2008 (36 cases of discrimination in 2008 from a total of 105 compared with 132 in 2016 from a total of 378). However, the distribution of written propaganda has decreased (10 cases in 2008, 2 in 2016). No major changes are discernible in relation to the other forms of discrimination. As far as the incidents recorded by the GRA are concerned, there has been a rise in racist comments accompanied by a decrease in physical violence. The data from the FCR's collection of legal cases does not appear to vary much over time, although a decline in the distribution of written propaganda can also be detected here. It can be assumed that the rise in verbal discrimination is at least partly attributable to the spread of racist remarks on the internet and in social media; thanks to a growing awareness, these are now being reported more often.

5.6 Information on the perpetrators and victims of discrimination

Socio-economic data on the people being discriminated against and those doing the discriminating is rarely gathered or, if so, it is rarely made available given its sensitive nature. The most detailed information is collected during surveys on attitudes (e.g. socio-economic information about individuals with negative attitudes towards immigrants and minorities).³⁹ However, as negative attitudes do not necessarily lead to acts of discrimination, this data only provides limited insight into the profile of the actual perpetrators.

According to the existing sources, foreign nationals continue to be most affected by discrimination. However, the DoSyRa data shows that the number of people born in Switzerland who are now turning to the advice centres for help has been increasing since 2008. The advice centres currently receive fewer queries from European citizens and more from individuals originally from Asian, American and

³⁹ ESS and VeS surveys

especially African countries. Men experience more racial discrimination than women, and young people are more often targeted than the elderly (cf. chapter 5.6.1). However, men and young people are also more often convicted of racial discrimination (cf. chapter 5.6.1).

Place of birth	Switzerland	Abroad	EU/EFTA	Rest of Europe	Africa	Other
DoSyRa 2016	19%	78%	11%	4%	41%	23%

Table 5: Place of birth of people consulting advice centres entered in the DoSyRa database in 2016.

5.6.1 Victims of discrimination

The DoSyRa system records certain characteristics of those who consult an advice centre. If men are slightly overrepresented in this dataset, the situation is different in the ESS and VeS surveys, where there are no material differences between the sexes. This indicates that while men may tend to seek specialist advice slightly more often, the frequency of discrimination (especially on the basis of religion or colour) bears no relation to gender. Foreigners more often identify themselves as belonging to groups that are discriminated against than Swiss.

The way the data is broken down by age in the DoSyRa system does not allow comparisons to be made. The VeS survey provides more useful information as it records the principal demographic characteristics of respondents who say they are discriminated against because they belong to a particular group.

Age group	Feels discriminated against
15–24	28%
25–39	31%
40–54	22%
55–64	20%
65+	8%

Table 6: People who feel discriminated against, by age group, VeS 2016.

Table 6 shows that discrimination is most often experienced in midlife and drops away rapidly from age 65 onwards. The table does not indicate the respondents' level of education, but the ESS and VeS surveys allow us to conclude that there is no correlation between educational level and experience of discrimination. The probability of someone feeling that they belong to a group that is discriminated against is just as high in urban areas as in rural ones.

5.6.2 Perpetrators of discrimination

Racist attitudes are not necessarily underpinned by ideology and do not always lead to racist acts. However, they do create a climate in which there is a tendency to tolerate or even approve of racial discrimination, even though the majority of the population would never behave in such a manner themselves.

The statistics on criminal convictions (COS) and the police crime statistics (PCS) provide a rough insight into the profiles of those who have been convicted or accused of committing racist acts. They tend to

be Swiss and male: those convicted are mainly young, whereas all age groups are represented among those accused. The proportion of men and Swiss nationals has remained stable over time in both datasets. This finding is barely surprising given that men are generally overrepresented in statistics on crime. What is noticeable, is that the percentage of under-18s among those accused and convicted is declining year on year.

	M	F	0-17	18-34	35-59	60+	Swiss nationals	Foreign nationals
COS 261 ^{bis}	90%	10%	4%	69%	23%	4%	70%	30%
PCS (accused)	81%	19%	9%	24%	43%	24%	72%	28%

Table 7: Convicted persons (COS, 2015) and accused persons (PCS, 2016) by gender (M, F), age group and nationality.

Academic literature, surveys and experiments have built up a picture of those who tend to have negative attitudes towards migrants and other minorities,⁴⁰ i.e. people with little education, working in low-skilled or unskilled jobs and holding conservative values, as well as the elderly, people who have no contact with foreigners and those who make little effort to overcome their prejudices. The VeS survey will show whether this finding continues to hold true in the long term.

5.7 Attitudes towards groups

5.7.1 Attitudes towards foreigners and minorities

Overall, attitudes towards foreigners and minorities appear not to have changed much over time, although a slight increase in negative attitudes can be detected in the last few years.⁴¹ Since 1993, the Voto (formerly VOXIT) poll, which is conducted regularly after elections and referendums, has included a question on equal opportunities for Swiss and foreign nationals (in Figure 4, a clear rejection of equal opportunities is counted as a 'negative attitude').⁴² The same question is also posed in other surveys, although fewer response categories are available.⁴³

⁴⁰ See for example: Pecoraro, Marco / Ruedin, Didier. 'A Foreigner Who Doesn't Steal My Job: The Role of Unemployment Risk and Values in Attitudes towards Equal Opportunities'. *International Migration Review*, 50 (3): 628–666, 2016; Freitag, Markus / Rapp, Carolin. 'Intolerance Toward Immigrants in Switzerland: Diminished Threat Through Social Contacts.' *Swiss Political Science Review* 19 (4): 425–46, 2013; Hainmueller, Jens / Hiscox, Michael J. 'Attitudes toward Highly Skilled and Low-Skilled Immigration: Evidence from a Survey Experiment.' *American Political Science Review* 104 (1): 61–84, 2010; Diekmann, Andreas / Jann, Ben et al. 'Wie fremdenfeindlich ist die Schweiz? Fünf Feldexperimente über prosoziales Verhalten und die Diskriminierung von Ausländern in der Stadt Zürich und in der Deutschschweiz.' *Soziale Welt* 65 (2): 185–99, 2014.

⁴¹ Sources used: European Social Survey (ESS), Survey on diversity and coexistence in Switzerland (VeS), International Social Survey Programme (MOSAICH-ISSP), SELECTS Swiss Electoral Studies, Swiss Household Panel (SHP), Statistics on Income and Living Conditions in Switzerland (SILC), VOXIT and Voto post-election polls.

⁴² The data from the ESS and VeS surveys does not yet allow such a long-term comparison to be made. However, the systematisation of the VeS survey should serve to map tendencies in later reporting years.

⁴³ SHP, MOSAICH-ISSP, SELECTS, SILC

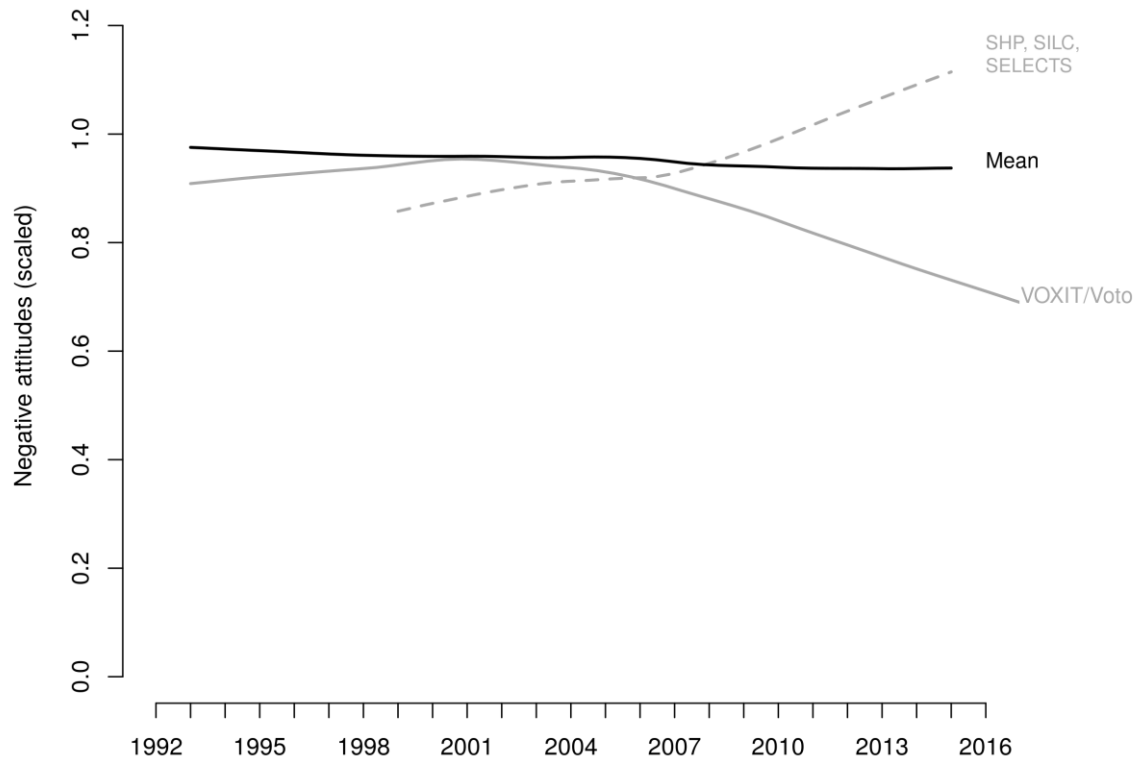


Figure 4: Attitudes towards equal opportunities for foreigners. In the interests of readability negative attitudes are depicted through trend lines (LOESS) only.

The percentage of respondents opposed to equal opportunities has fallen in the VOXIT/Voto data but is trending slightly upwards in the others. The values of the most recent Voto poll of 2017 show that around 33% of the population would like to see greater opportunities being enjoyed by Swiss nationals.

5.7.2 Attitudes towards specific groups

Although there are representative surveys gauging attitudes towards certain groups, they do not yet provide data over a long time series. The VeS survey presents respondents with a series of negative stereotypes associated with certain population groups, with which they can agree or disagree on a scale of 1-6. The percentage of respondents that consistently agrees with group-related negative stereotypes is then calculated. The results indicate that hostile attitudes towards Muslims are most prevalent (17% of respondents), with negative attitudes towards Jews ranked second (12%) and towards black people third (4%). However, these figures require careful interpretation as the influence of social desirability and differences in the questions asked (different stereotypes were presented for each group) must be examined in greater detail. It should also be noted that the rankings obtained do not correspond to either those of the advisory cases recorded in DoSyRa or those of the data in the FCR's collection of legal cases (Table 8).

	Muslims	Black people	Jews
DoSyRa (cases)	14%	32%	3%
FCR (cases)	21%	26%	31%

Table 8: Number of cases in DoSyRa (2016) and the FCR's collection of legal cases (2016).

The VeS survey goes on to ask what type of people cause respondents to feel a sense of discomfort in their everyday lives. The figures vary considerably for the four characteristics of colour, nationality, religion and language, although the percentage of negative attitudes based on skin colour and nationality is somewhat lower on average than the others. This could be down to the effect of social desirability. There is a lack of comparative data for the questions regarding colour and Yenish, Sinti and Roma with a sedentary or travelling lifestyle. It would appear that visible signs of a different way of life (language, religion, travelling lifestyle) are considered disturbing.

Characteristic	Sense of discomfort
Colour	6%
Nationality	6%
Other language	12%
Religion	10%
Travelling lifestyle	21%

Table 9: Proportion of population that feels threatened by people with the stated characteristics, VeS survey, 2016.

5.8 Conclusion

Comparing and combining data on racial discrimination from a number of different sources enables statements to be made that would not be viable if simply based on a single source. Whereas the number of cases of experienced discrimination has flattened out in recent years, convictions for racist offences have been rising again over the last three years. However, it is noticeable that there does not appear to be any significant shift in negative attitudes towards foreigners and minorities, despite the growing politicisation of immigration.

Verbal abuse and unequal treatment based on a protected characteristic are the most common forms of racial discrimination recorded. While men and women are affected in almost equal measure, men are more likely to seek specialist advice. Younger people are victimised more often than older people, but it is hardly surprising that foreigners experience the most discrimination.

There has been relatively little change in the reasons for discrimination, with the exception of nationality, which seems to have increased from 2002 to 2014. Discrimination is most often experienced when job-hunting or at work. As those affected may be afraid of losing their jobs, it can be assumed that workplace discrimination rarely leads to formal accusations being made. This example demonstrates that the statistics on cases resulting in legal action being taken are insufficient to identify the true extent of incidents of discrimination. They must be complemented by representative surveys like the European Social Survey (ESS) and, in particular, the survey on diversity and coexistence in Switzerland (VeS), which deliver data on the respondents' direct experiences of discrimination. In addition, these surveys provide information on the attitudes of the population. Only when the data on incidents is considered alongside the analyses of trends in attitudes can the main areas of tension be identified.

6 Action against racial discrimination in Switzerland

Racial discrimination is frequently encountered in areas that fall within the remit of the cantons, cities and communes rather than that of the federal government. As the duties and powers assigned to each level of state are laid down in the Constitution, any changes must be put to a popular vote. While this aspect of the federalist system ensures that any action taken is in keeping with the reality at each of the three different levels and that civil society organisations are involved, it also requires a great degree of cooperation: both horizontally between the various agencies at state level and vertically between the federal government, cantons, cities and communes.

In this chapter, we begin by taking a look at overarching measures and projects which are aimed at the population as a whole. We then go on to consider the situation in individual areas of life and the action taken on behalf of certain population groups, focusing on the most important developments since the 2014 report.

6.1 Overarching measures at the national level

Overarching measures are required where protection against discrimination is to be improved for every section of the population and in every area of life. Alongside financial aid for concrete projects and the measures implemented to improve legal access for the victims of discrimination as outlined in chapter 3, embedding protection against discrimination in the cantonal integration programmes (CIPs) has been the main focus of efforts in this reporting period. Let us now, therefore, look at this topic in greater detail.

6.1.1 Embedding protection against discrimination in the cantonal integration programmes (CIPs)

Providing protection against discrimination and eliminating structural and individual barriers to housing, work, education, leisure activities and other relevant areas of life is a crucial part of the work done by the cantonal integration programmes (CIPs) to promote integration. The cantons have adopted measures agreed with the federal government to ensure that those who are discriminated against receive professional counselling and that institutions within the established framework receive advice and assistance on anti-discrimination issues.⁴⁴ These measures are drawn up by the individual cantons or at the regional level, and their effectiveness is monitored by means of binding goals and indicators. The CIPs are thus equivalent to a national action plan for combating discrimination, as called for in international recommendations (UNO, ECRI etc.).

The SEM oversees the general programmes on behalf of the federal government, while the SCRA tracks progress in implementing the anti-discrimination measures. The latter is monitored annually using an evaluation grid, and detailed reports are presented at the end of each four-year programme phase. In addition, the SCRA discusses upcoming projects and issues directly with all 26 cantonal integration officers. The explanations that follow are based on these documents and interviews, and provide an insight into the cantons' activities and the problems faced. This account makes no claim to completeness, as the final evaluation of the first programme phase (2014–2017) was not yet available at the time of writing.

Ensuring there are sufficient and appropriate advisory services

One of the CIPs' main objectives in protecting against discrimination is to ensure that appropriate advice and support is available to those who need it. Nine cantons (Aargau, Bern, Basel-Landschaft, Basel-Stadt, Geneva, Neuchâtel, Solothurn, Vaud and Zurich) already provided a service of this kind at the time the CIPs were set up. They therefore used the first programme phase (2014–2017) to realise

⁴⁴ The set of goals to be achieved by the cantons was drafted jointly by the State Secretariat for Migration (SEM; until 1 January 2015: Federal Office for Migration FOM), the SCRA and the Conference of the Cantonal Governments of Switzerland (CCG).

measures to maintain, expand and improve the quality of these services (in particular by running training courses for those doing the counselling and enhancing the way in which case data is captured). As a result, a new, specialist legal advice centre opened its doors to the public in Bern in January 2016. Its initial tasks were to effectively coordinate with all the other relevant agencies and establish a triage system. The *Stopp Rassismus* advice centres in Basel-Stadt, Basel-Landschaft and Solothurn were also able to extend their opening hours.

New contact points were established in the other 17 cantons. The services on offer vary from one canton to another, with some (such as in Vaud) forming part of the local administration. Many of these provide initial, low-threshold counselling and refer the more complex cases to specialist services (as is the model in central Switzerland). Bern, Fribourg and Valais are the only cantons to explicitly offer legal advice; those seeking advice elsewhere are referred to the competent legal services on a case-by-case basis.

Providing a low-threshold specialist advice service that is nevertheless professional and actually reaches its target audience poses a challenge for many cantons. It was uncertain how much demand there would be – for the new services especially. In some cases, the advice centres were overwhelmed with enquiries (e.g. St Gallen, Valais), in others less so – or the queries were not specifically related to discrimination, thus necessitating an improvement in the triage system (e.g. Bern). Those cantons that already had advisory services in place realised that continuous information is needed to stabilise demand. The financial and personnel resources required for the corresponding communication and information measures will have to be taken into account when developing the second CIP programme phase (2018–2021).

Data collection and monitoring issues were also tackled during the reporting period at the cantonal, intercantonal and national level. With new organisations joining the *Beratungsnetz für Rassismuscopfer* network of advice centres for the victims of racism, boosting its membership total to 26, the DoSyRa database was also expanded. Only Appenzell Innerrhoden, Glarus, Graubünden, Neuchâtel und Uri have not joined the network, for either organisational or financial reasons, although Neuchâtel plans to do so in 2018. DoSyRa gives the cantons access to a time-tested system for recording data that allows them to tackle quality assurance issues together within the network. The aim is to make gathering data as simple, coherent and standardised as possible. Over and above that, the network of advice centres will play a greater role in letting people know about the training opportunities available.

Informing and advising the administration, institutions within the established framework and the general public

The CIPs' package of measures to prevent racial discrimination includes providing those who work in the administration or established everyday structures with assistance and advice, and raising awareness of the issue among the general public. These measures are put into practice according to the need for action in each individual canton. In the period under review, the main difficulty for the integration delegates lay in gaining access to very different areas (such as schools or social services) and creating a willingness among those who work in those areas to engage with the topic of discrimination. Where this was not possible, the integration delegates had to explore new avenues. Some succeeded in incorporating the topic into existing education and training courses or platforms for exchange. The amount of work involved in these efforts to acquire access to various institutions within the established framework should not be underestimated. However, they are also crucial to the effective, long-term implementation of anti-discrimination measures.

All of the cantons except one held training courses at various levels in the reporting period. Just under half of these (Aargau, Bern, Basel-Landschaft, Glarus, Graubünden, Neuchâtel, St Gallen, Solothurn, Uri, Valais and Zug) focused specifically on discrimination issues, while the others addressed the subject in association with intercultural problems. Many integration delegates experienced a certain resistance to discussing racial discrimination and first had to gain the trust of those in positions of responsibility before talking about potential awareness-raising measures. The heads of HR departments in a number

of cantons (Neuchâtel, St Gallen, Valais and Zug) were won over by this approach. Awareness-raising events were also held for individuals and whole teams from residents' register offices, the authorities responsible for nationalisation, the social services and the police as well as for staff at every level of the cantonal and communal administrations (Aargau, Bern, Fribourg, Graubünden, Neuchâtel, Ticino and Zurich). Jura and Basel-Stadt are seeking to increase the readiness to adopt measures in their cantons by establishing networks (in the form of committees or round tables).

Just under one third of the cantons (Aargau, Fribourg, Geneva, Jura, Neuchâtel, Ticino, Vaud and Valais) and several cities (Bern, Lausanne, Lucerne and other communes) make use of the anti-racism action week held each March to raise awareness among a wider audience by hosting round tables, cultural activities and other events. In Basel-Stadt, the week-long campaign is run by civil society organisations with the support of the canton. After successfully staging the event in 2015 and 2016, the canton of Solothurn was unable to take part in 2017 due to a lack of resources. These events are not only effective in directly targeting and reaching a wider public: the week of action also presents an opportunity for networking and persuading new partner organisations of the merits of joining the fight.

A number of cantons have also taken highly visible steps to raise public awareness. The canton of Zurich, for example, launched a high-profile poster campaign entitled "*Ich bin Zürich – Zürich lebt die Vielfalt*" ('I am Zurich – Zurich lives diversity') in which the communes played a significant role. The City of Zurich organised a series of events on racism at the heart of society in 2016-2017. All six sessions, which took an innovative look at different aspects of racism and the fight against it, were well attended.

Protection against discrimination as a cross-cutting issue

Protection against discrimination is not limited to the specific goals that have been set – as a cross-cutting issue it spans every pillar of the CIP programmes. The cantons have pinpointed a need for action in vocational education and training, labour market integration, social assistance and health in particular, and either support or carry out projects in these areas on an ad hoc basis. The cantons of Basel-Stadt, Geneva and Zurich and the City of Bern have earmarked funding for anti-discrimination projects. A large majority of the cantons also support initiatives that promote interfaith dialogue, especially as part of the 'Week of Religions' held every November.

To sum up, the period covered by this report was dominated by the setting up and consolidation of counselling and advisory services, and the associated information and communication activities. The initial experiences of the advice centres must now be assessed with the second CIP programme phase in mind: if case numbers are low, this could mean that the services on offer are not (yet) reaching the intended target groups, whereas high case numbers would indicate that the existing services have reached their limits. Establishing a fully functioning system of cooperation and triage with the other relevant points of contact and advice centres also proved time-consuming. In addition, it became clear that there is a direct correlation between awareness-raising work and the public's willingness to seek advice: when racism is a taboo subject, people have greater inhibitions about making use of advisory services. In this respect, the allocation of resources for measures to protect against discrimination in the next programme phase takes on a crucial significance. If budgets are restricted to maintaining a minimum counselling service without also being able to invest in communication and awareness-raising, this could jeopardise the overall implementation of this particular programme goal and reverse the developments of recent years, which have seen protection against discrimination become an integral part of the measures taken to promote integration in every canton.

6.2 Measures by area of life

We will now look at the current situation and measures taken in individual areas of life or in respect of individual sections of the population. As a rule, the information provided under the heading "Facts and figures" is taken from the cases of racism encountered in practice and documented by the *Beratungsnetz für Rassismuskritiker* network of advice centres in the DoSyRa documentation and monitoring system

(DoSyRa), the Federal Commission against Racism's collection of court cases on Art. 261^{bis} SCC (FCR's collection of legal cases), and the set of integration indicators compiled by the Federal Statistical Office from various surveys (FSO integration indicators).

When evaluating the DoSyRa case numbers, it should be remembered that a firm distinction has been made since 2016 between cases in which the victims feel they have been discriminated against and those which meet the advice centre criteria for proven cases of racial discrimination; only the latter are included in the statistics. This means that the number of cases dealt with by the network of advice centres is slightly lower than in previous years. It should also be pointed out at this juncture that the documented cases and court rulings represent only a fraction of all incidents of discrimination that actually take place. Those affected often do not seek advice or, if they do, they turn either to someone they trust or a counselling centre that is not part of the network, which means the cases are never recorded. What is more, only a minority of cases result in criminal proceedings.

Wherever possible, the data on attitudes revealed by the survey on diversity and coexistence in Switzerland (VeS survey) is used to round out the data referred to above. The VeS data has been gathered by the FSO since 2016 and cannot be compared with the data from the 2010-2014 gfs pilot study of the same name (see chapter 5.1.). Therefore, it is not possible to interpret the results as an uninterrupted time series. As a new feature of this report, the changes over time in most areas of life are now depicted in a graphic. Projects and programmes in each area are presented under the heading "Measures to protect against discrimination" along with relevant and innovative studies.

6.2.1 Economy and work

In Switzerland, employment is the area of life in which racial discrimination is most frequently reported. Whereas openly racist remarks and discriminatory behaviour are relatively rare, indirect expressions of prejudice, marginalisation, bullying, teasing and 'stupid comments' are more common. These can not only cause psychological damage to the victims, they can also result in tension within the team that ultimately has a negative impact on the business and its profitability.

Inequality in the workplace can stem from a number of factors and should not be equated wholesale with discrimination. Individuals are variously equipped in terms of education, school selection, recognition of qualifications and residence status when they enter the labour market. Measures to counter these *inequalities before entering the labour market* must begin by promoting equal opportunities in schools and during further or continuing education and training.

People in work can be treated differently when it comes to hiring conditions, pay, continuing professional development, promotion, safety at work and termination. They may also experience harassment or bullying. If this *inequality once on the labour market* is due to criteria such as origin, colour or religion, then it constitutes racial discrimination. It is not only foreigners who are affected by discrimination: depending on the most common stereotypes, people can also be targeted because of their ethnic background or religion or because they have a foreign-sounding name, regardless of their nationality.

Facts and figures

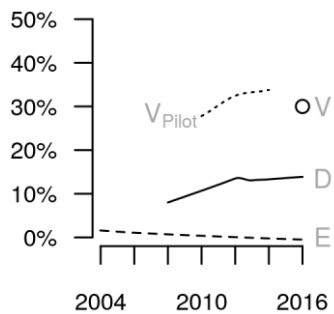


Figure 1: Work-related discrimination

Figure 1 shows that the trend in work-related discrimination is continuing to rise.⁴⁵ The *Beratungsnetz für Rassismuskritiker* comes to the conclusion in its 2016 annual report that the workplace and public places are the two areas in which discrimination has increased most compared with the year before.⁴⁶ The DoSyRa database recorded 45 cases from a total of 245 in 2016; the previous year it had been 47 cases out of 317. This translates into an increase of 5 percentage points.⁴⁷ Respondents in the VeS survey on diversity and coexistence in Switzerland also named the workplace and public places as the context in which they were most often discriminated against.⁴⁸ The figure for experienced discrimination is much higher in the VeS Survey than that recorded by the advice centres as not everyone who is affected seeks assistance. Furthermore, it must

be noted that in the 2016 VeS survey 'everyday working life' and 'looking for work' were combined to form a single reply category: the resulting figures are therefore higher than those reported by the surveys conducted in the pilot phase from 2010–2014. The FCR's collection of legal cases has not recorded any work-related cases since 2005; as working life is primarily governed by private law, the provision criminalising racism seldom applies here.⁴⁹

Various other indicators suggest that access to the employment market remains difficult for immigrants and people with a migrant background.⁵⁰ The unemployment rate among first-generation immigrants and people with a migrant background is generally higher than that among Swiss people (7.7% and 7.5% respectively, compared with 2.7% in 2015; 7.4% and 7.3% respectively, compared with 3.1% in 2014).⁵¹ In 2015, 14.7% of those in employment with a tertiary qualification worked in occupations for which they were overqualified: for the population without a migrant background, this figure came to 11.4%, among the population with a migrant background it stood at 19.4% for the first generation and 11.7% for the second generation or more.⁵² That same year, 15.8% of workers were in low-paid jobs; for the population without a migrant background, this figure came to 13.3% and for the population with a migrant background it stood at 19.5% in general and 20.4% for the first generation, most of whom were women (thus potentially pointing to multiple discrimination).⁵³

⁴⁵ The trend lines have been smoothed (LOESS). Sources: FCR's collection of legal cases (E), DoSyRa monitoring system (D) and VeS survey on diversity and coexistence in Switzerland (Z).

⁴⁶ Monitoring report "Rassismuskritische aus der Beratungspraxis. Januar bis Dezember 2016". Beratungsnetz für Rassismuskritiker, 2017, p. 7. DoSyRa breaks employment-related cases down into two categories: discrimination on the labour market and workplace discrimination. The variation expressed in percentage points (PP) refers to the difference in the percentage share calculated for each category in 2016 and in 2015.

⁴⁷ Monitoring report "Rassismuskritische aus der Beratungspraxis. Januar bis Dezember 2016". Beratungsnetz für Rassismuskritiker, 2017, p. 11.

⁴⁸ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

⁴⁹ www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Gesellschaftliches Umfeld (in DE/FR/IT)

⁵⁰ For a definition of the typology by migration status see www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Population by migration status > Typology

⁵¹ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Arbeitsmarkt > Erwerbslosenquote gemäss ILO (in DE/FR)

⁵² www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Arbeitsmarkt > Übereinstimmung Bildungsniveau und ausgeübte Tätigkeit (in DE/FR)

⁵³ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Arbeitsmarkt > Anteil niedrige Löhne (in DE/FR)

These differences do not necessarily prove that discrimination exists; neither do they cover all the population groups potentially affected by discrimination. However, they do show that there is a continuing need for action to promote the integration of immigrants and their descendants in the workplace.

Measures to protect against discrimination

In Switzerland, the social partners bear a great deal of responsibility for regulating the labour market and therefore have a special duty to develop anti-discrimination measures. As part of the dialogue on integration launched by the *Tripartite Agglomerationskonferenz* (TAK, a political platform set up to deal with agglomeration issues), the federal government, cantons, cities and communes joined with representatives from the business world in setting 15 concrete and measurable targets for the 2012 to 2016 period designed to encourage the integration of foreign workers by removing barriers and eliminating discrimination (TAK Dialogue entitled “Employment – Creating opportunities, seizing opportunities”). The dialogue partners delivered a positive overall assessment of the initiative on 3 November 2016, stating that the goals formulated in the three fields of action at launch (“Information and awareness-raising”, “Language and education” and “Labour market integration of recognised refugees and temporarily admitted foreigners”) had mostly been achieved, and cooperation between the public and private sectors had been tangibly improved. While the dialogue had functioned well at the national level and in some cantons, it had not been transposed sufficiently at the communal level.⁵⁴

Promoting participation in the labour force by individuals with a migrant background is also one of the objectives of the National Programme for the Prevention and Eradication of Poverty, launched by the federal government in 2013 to be implemented jointly with the cantons, cities and communes during the 2014–2018 period. The programme, which has a budget of around CHF 9 million, includes measures that tackle aspects of social disadvantage linked to migration among the projects it supports.⁵⁵

In the period under review, the SCRA supported a total of five different anti-discrimination projects run by non-governmental organisations, associations and companies to the tune of CHF 35,000. The focus lay on raising awareness of diversity management in the corporate environment, and on legal training. Thus for example, the Swiss public services Union (VPOD) ran a CPD course on the legal rules that afford protection against discrimination in the workplace.⁵⁶

In 2015, the *Schweizerische Dienstleistungszentrum für Berufsbildung* (the ‘Swiss Service Centre for Vocational Education and Training’, SDBB) began publishing a series of information sheets on equal opportunities and fair treatment. These are aimed at VET trainers and host companies, and tackle subjects such as violence and equal training opportunities. The leaflet on racism includes recommendations on how to act in specific situations.⁵⁷

The Federal Commission on Migration issued a position paper in 2016 in which it called for a guarantee of fair working conditions for all and systematic elimination of the barriers to labour market access. It found that new programmes should be created for those newly arrived in the country that would allow them to improve their language proficiency at the same time as gaining work experience. Mentoring and coaching could also help smooth the path to workforce integration.⁵⁸

⁵⁴ Tripartite Agglomerationskonferenz (TAK): www.dialog-integration.ch > Arbeiten (in DE/FR)

⁵⁵ www.gegenarmut.ch (in DE/FR/IT)

⁵⁶ www.vpod.ch > mitmachen > Service und Vorteile für Mitglieder > Bildungsangebote des VPOD (IN DE/FR)

⁵⁷ www.berufsbildung.ch > Themen > Merkblätter der Berufsbildung > Gleiche Chancen und korrekter Umgang (in DE/FR/IT)

⁵⁸ www.ekm.admin.ch > Aktuell > News > Medienmitteilungen 2016 > Zugang zum Arbeitsmarkt neu denken (press release of 19.12.2016; in DE/FR/IT)

The cantons have set themselves employment-related goals under the CIPs. The Cantonal Commission for the Integration of Migrants and Prevention of Racism (KMR) in the canton of Fribourg produced a guide in 2015 that aims to make employers in the private and public sectors more aware of the key steps involved in integrating foreign nationals into the workforce and the tools available to help them do so. For instance, the guide encourages them to promote continuing education and training courses related to social diversity. It also comes with a checklist intended to assist companies in hiring new employees from a non-Swiss background.⁵⁹

The CIPs place a special emphasis on access to the labour market for refugees and temporarily admitted foreigners. Every canton in the country provides them with assistance in the form of job application coaching, work placements, continuing education and training solutions and accelerated training opportunities. These measures are intended to give younger adults in particular the chance to gain better vocational qualifications. Further action has been launched at the cantonal level, such as the “Chance” campaign conducted in the canton of Basel-Stadt in 2016. The aim here was to unite partners from the business world and society in supporting the workplace and social integration of refugees.⁶⁰

In 2013, HEKS (the aid organization of the Swiss Protestant Churches) launched an annual campaign entitled “Equal opportunity pays off”, in partnership with the Swiss Employers Confederation (SAV). Businesses that have taken active steps to promote equality of opportunity were portrayed during the first phase of the campaign. In the second phase, which kicked off in 2016, a platform was set up to allow companies looking for skilled workers to get in touch with well-qualified professionals from third countries.⁶¹ HEKS also published a brochure on the untapped potential of the migrant population.⁶²

6.2.2 Schooling and education

Education is a key factor in professional and social integration, and the economy depends on a well-educated workforce. Nevertheless, not everyone has equal access to education. Because of the way in which the Swiss education system is organised, the successful implementation of measures to counter discrimination of this kind requires close cooperation between the federal government, cantons, cities and communes. These efforts involve a wide range of actors, spanning every level of education from pre-school right through to university and continuing education and training.

Facts and figures

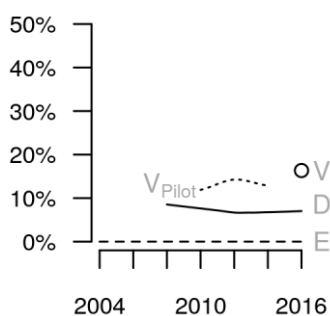


Figure 2: Discrimination in schooling and education

Figure 2 shows that the general trend in racial discrimination in schools and education establishments is on the rise.⁶³ The number of cases on which the advice centres were consulted has risen again following a slight decline in 2013. The DoSyRa database recorded 21 cases from a

⁵⁹ www.fr.ch/imr > Kommission für die Integration KMR > Publikationen > Empfehlungen für Arbeitgebende (in DE/FR)

⁶⁰ www.chance-basel.ch

⁶¹ <https://chancen-geben.heks.ch> > Porträts (in DE/FR)

⁶² <https://chancen-geben.heks.ch> > Hintergründe > Studie: Fachkräftemangel – inländisches Potenzial nutzen (in DE/FR)

⁶³ The trend lines have been smoothed (LOESS). Sources: FCR's collection of legal cases (E), DoSyRa monitoring system (D) and VeS survey on diversity and coexistence in Switzerland (Z).

total of 245 in 2016 and 19 cases out of 317 in 2015.⁶⁴ On the other hand, no uniform trend is discernible in the survey on diversity and coexistence in Switzerland (VeS). In the 2010-2014 pilot phase, the proportion of people experiencing discrimination at school and in education peaked in 2012 before falling again. The figure from the new 2016 VeS survey, on the other hand, is clearly higher than that for 2014. The reason why the figures from the survey are higher than those from the advice centres is once again to be found in the fact that not everyone who is affected seeks assistance. No legal cases involving racial discrimination within schools or the education sector have been recorded in the FCR's collection of legal cases since 2012.⁶⁵ This is hardly remarkable given that racist incidents in schools tend to be dealt with by the class or school themselves and rarely lead to legal action being taken. According to a survey conducted for the first time in 2016 by the National Centre of Competence in Research (NCCR), education and work are the two areas in which the respondents said they most often experienced discrimination (47% of those surveyed claimed to have been discriminated against in the last 24 months).⁶⁶

These findings slightly contradict the fact that acceptance of pupils from different backgrounds appears to be growing among the Swiss population. In the VeS survey, fewer and fewer people agreed that the presence of foreigners in the classroom has a negative effect on the education of Swiss children (2016: 30%; 2014: 34%; 2012: 38%; 2010: 45%).⁶⁷ Nevertheless, a person's (migrant) background remains a key factor in their educational and professional career, as is demonstrated by the following indicators measured in the reporting period.⁶⁸ Not only is the number of Swiss students at upper secondary level considerably higher⁶⁹, they also tend to continue their schooling for much longer than young people of the same age with a migrant background.⁷⁰ According to the federal government's apprenticeship barometer, almost twice as many young foreigners as Swiss found themselves on the waiting list for a training place but without any firm commitment (13% vs 7%) in 2016.⁷¹ This matches the figures of the preceding years.

The final report of the CONVEGNO 2015 convention on "Equity", which specifically considered discrimination and equal opportunities within the education system (see below), highlights the fact that pupils from a migrant background are overrepresented at special needs schools and in special needs classes and that foreign youngsters have a much harder time than their Swiss counterparts in finding an apprenticeship at the end of their compulsory schooling.⁷²

⁶⁴ Monitoring report "*Rassismuvorfälle aus der Beratungspraxis. Januar bis Dezember 2016*". Beratungsnetz für Rassismuspfer, 2017, p. 11.

⁶⁵ www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Gesellschaftliches Umfeld
www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Gesellschaftliches Umfeld (in DE/FR/IT)

⁶⁶ The sample population for the survey was made up of around 6,000 people. However, it should be noted that, unlike the FOS's VeS survey, only people from a migrant background were included. This meant the NCCR figures were generally higher and cannot be compared with the VeS figures. www.nccr-onthemove.ch > Research > Migration-Mobility Survey

⁶⁷ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

⁶⁸ For an overview of the Swiss education system (in German and French), see: www.bfs.admin.ch > Statistiken finden > Bildung und Wissenschaft > Bildungssystem

⁶⁹ The study covers "compulsory education", "upper secondary level" and "tertiary level". www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Schlüsselindikatoren > Bildung > Höchste abgeschlossene Ausbildung (in DE/FR)

⁷⁰ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Bildung > frühzeitige Schulabgänger/innen (in DE/FR)

⁷¹ SERI: *Lehrstellenbarometer August 2016 – Detaillierter Ergebnisbericht*, Bern 2016, p. 75 (in DE/FR/IT).

⁷² Haenni Hoti, Andrea (Ed.): *Equity – Diskriminierung und Chancengleichheit im Bildungswesen. Migrationshintergrund und soziale Herkunft im Fokus*, Bern 2015, p. 51–89 (in DE/FR).

Measures to protect against discrimination

Given that inequalities between Swiss and foreign students can partly stem from factors outside the education system (e.g. language barriers or difficulties in integrating), action to protect against discrimination and efforts to promote integration are inextricably linked.

The cantons have a wide range of measures in place to improve access to education. Many find that working with parents is the best way to remove the barriers to integration and ensure equal access to educational opportunities. Events are held for parents who lack proficiency in a national language at which they are given information on school-related issues and told where they can find further assistance.

As previously mentioned, the convention organised by the Education and Migration Commission of the Swiss Conference of Cantonal Ministers of Education (EDK) in 2015 was devoted to the topic of equity, discrimination and equal opportunities within the education system. At this event, experts in the field of education and migration examined what impact an individual's social origins and migration status have on equitable access to educational opportunities. Everyday discrimination in schools was discussed at a workshop, drawing on real-life examples.⁷³

Since 2013, it has been possible for foreign youths without legal residence status to be granted a residence permit to allow them to complete basic vocational education and training in Switzerland. To be eligible, they must satisfy certain conditions: they must be well integrated, speak one of the national languages and have attended compulsory schooling in Switzerland for at least five years. They are also required to disclose their identity when submitting their application.⁷⁴ According to an analysis conducted by the Federal Commission on Migration (FCM), these stringent requirements mean that barely any applications are being made.⁷⁵ In view of these difficulties, the State Secretariat for Migration (SEM) is currently looking into various options for amending the wording of Art. 30a of the Ordinance on Admission, Period of Stay and Employment (ASEO).

Raising awareness about racism at an early stage and in an age-appropriate manner is a key step in preventing racist tendencies in schools. With this in mind, the SCRA supported 24 projects at every stage of the curriculum, with funding totalling some CHF 300,000 (in line with the previous years). The *éducation21* foundation is responsible for reviewing, assessing, monitoring and evaluating the projects⁷⁶, which dealt with subjects such as how we treat 'strangers', exclusion mechanisms, moral courage, the Holocaust and everyday racism. The *éducation21* foundation also supports projects concerning human rights education, for which it receives annual subsidies of CHF 35,000 from the SCRA.

Non-governmental organisations are also active in this area. The Foundation against Racism and Antisemitism (GRA) has developed a free e-learning tool, which went live in the summer of 2016. It is designed to help school pupils and their teachers explore various aspects of human rights and discrimination.⁷⁷ Regional NGOs such as the *Coordination intercommunautaire contre l'antisémitisme*

⁷³ www.edk.ch > Arbeiten > Bildung und Migration > CONVEGNO – Fachtagung der EDK (in DE/FR)

⁷⁴ www.sem.admin.ch > Aktuell > News > News 2016 > Sans-Papiers in der Schweiz: Studie 2015 (press release of 25.04.2016; in DE/FR/IT)

⁷⁵ www.ekm.admin.ch > Zuwanderung & Aufenthalt > Sans-Papiers > Berufslehre für jugendliche Sans-Papiers (in DE/FR/IT)

⁷⁶ The *éducation21* foundation is a national competence centre that coordinates and promotes Education for Sustainable Development (ESD) on behalf of the federal government, cantons and civil society.

⁷⁷ www.gra.ch > Education > E-Learning Tool

migrant background vs 15.1% without).⁸³ People with a migrant background pay a higher rent per square metre for housing than those without (CHF 17.10 vs CHF 15.50 per square metre) Mixed households with members from both a migrant and a non-migrant background tend to pay a similar amount in rent as those from a purely migrant background (CHF 16.90 per square metre).⁸⁴

Measures to protect against discrimination

The principle of freedom of contract applies on the housing market. Without a specific legal framework in place, the state can only propose and take action by entering into a voluntary partnership with the other stakeholders (landlords, tenants, real estate and property management companies). Given the frequently complex nature of problems in this area, it is essential that the victims of racial discrimination can seek and obtain advice. The services offered by the cantons through the CIPs therefore play an important role in combating discrimination, as they complement the existing public and private advisory services (on tenancy law).

Projects are being run in every part of Switzerland to raise awareness of discrimination issues among the general public and the authorities and promote social participation at local community and neighbourhood level. In the canton of Zurich, for example, *Stiftung Domicil* helps find suitable, affordable accommodation for around 100 families and individuals who would otherwise struggle to find somewhere to live because of their low income and/or origins. The foundation thus makes an important contribution by enabling people who are multiply disadvantaged to gain economic stability and become more socially integrated.⁸⁵ The *IG Wohnen* association in the canton of Basel-Stadt represents the interests of those who find themselves at a disadvantage on the free housing market and champions projects and action to solve housing problems.⁸⁶ Private organisations in other cantons also help people find housing and intervene when conflicts arise.

The federal government joined forces with the cantons to run the *Projets urbains* programme tackling social integration in residential areas from 2008 to 2015; this supported the communes in their efforts to improve the quality of life and promote social integration in neighbourhoods with special requirements. The final outcome was positive and many of the measures are now being continued by public and private bodies, all of which helps create a uniform and coordinated neighbourhood and communal development policy, thus minimising the risk of urban sprawl and segregation processes.⁸⁷ The Federal Council tasked the Federal Office for Spatial Development (ARE) with developing a new programme as part of the Federal Agglomeration Policy 2016+. The new community cohesion project seeks to facilitate the social integration of different sections of the population, with the help of the communes, while taking due account of the varying needs of a diverse society.⁸⁸

The Federal Commission on Migration (FCM) is making its own contribution to promoting social cohesion and the integration of migrants in particular through the *Periurban* programme, which is being implemented in regions where very little action has been taken thus far and regions with measures that did not previously benefit from government support. The third and final phase of the programme got

⁸³ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Wohnen > Wohnbedingungen in Bezug auf Ausstattung/Lärm

⁸⁴ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Wohnen > Durchschnittlicher Mietpreis pro m² (in DE/FR)

⁸⁵ See www.domicilwohnen.ch (in DE)

⁸⁶ www.ig-wohnen.ch (in DE)

⁸⁷ www.are.admin.ch > Städte & Agglomerationen > Programme und Projekte > Projets urbains (in DE/FR/IT)

⁸⁸ www.are.admin.ch > Städte & Agglomerationen > Strategie und Planung > Agglomerationspolitik des Bundes 2016+ (in DE/FR/IT)

under way in 2016. It will provide support to rural communes in running innovative projects for strengthening social cohesion and participation until 2020.⁸⁹

In the period under review, plans to create accommodation for asylum seekers (e.g. the planned departure centre in Guglera in the canton of Fribourg in 2015 and the planned asylum centre in Muhen in the canton of Aargau in 2016) led to vocal outpourings of prejudice and the wholesale rejection of asylum seekers. Experience has shown that incidents of this kind can be overcome if civil society responds appropriately. Examples include the volunteer projects in Menzingen in the canton of Zug and Riggisberg in the canton of Bern, which saw acceptance rates of asylum seekers rise in these communes.

The specific question of housing for those who lead an itinerant way of life is dealt with in chapters 6.3.5 and 6.3.6.

6.2.4 Health

Art. 41 para. 1 lit. b of the Federal Constitution states that the Confederation and the cantons must endeavour to ensure that every person has access to the healthcare they require. The right to assistance when in need (Art. 12 Cst) includes, among other things, the right to equitable and discrimination-free access to primary medical care. Everyone residing in Switzerland must have basic health insurance, and that includes asylum seekers, temporarily admitted foreigners and individuals without a residence permit. Nevertheless, not everyone has the same level of access to healthcare services, in part due to hidden or indirect racial discrimination.

⁸⁹ www.periurban.ch > Periurban > Programm (in DE/FR)

Facts and figures

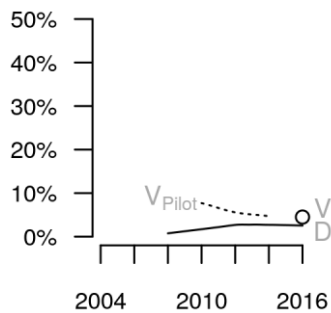


Figure 4: Discrimination in the healthcare system

Figure 4 shows a contradictory trend between the data provided by the advice centres and that obtained via the survey on diversity and coexistence in Switzerland (VeS).⁹⁰ The number of people seeking advice has increased slightly over time, even though the VeS survey indicates that the number of cases of experienced discrimination has fallen slightly (2016: 4.5%; 2014: 5%; 2012: 5%; 2010: 9%).⁹¹ The DoSyRa database recorded 3 healthcare-related advisory cases from a total of 245 in 2016, compared with 10 cases out of 317 the year before.⁹² In percentage terms, both sources are at a similarly low level in 2016.

The FSO indicators show that migration can have a negative effect on a person's health or constitute a barrier to their accessing healthcare if that person also has a low level of education, difficult work or living conditions or lacks proficiency in the local language.⁹³ The percentage of people who preferred not to go to the doctor for financial reasons stood at 1.3% in 2014. The population with a migrant background is overrepresented in this category, with 2.5% compared to 0.6% for the Swiss. Data on dental examinations provides an even clearer picture. First-generation immigrants (8.7%) and second-generation or higher (6.2%) chose not to go to the dentist for financial reasons much more often than their Swiss counterparts (2.8%).⁹⁴ The infant mortality rate is slightly higher among children born to mothers born abroad (4.2‰) than to mothers born in Switzerland (3.4‰). The figure for infants born to mothers from outside Europe is higher than that for mothers from the EU27 and EFTA states (4.8‰ vs 3.6‰).⁹⁵

Measures to protect against discrimination

The National Programme on Migration and Health was first launched by the Federal Office of Public Health (FOPH) in 2002 and has been contributing to integration and equal opportunities for migrants living in Switzerland ever since. The programme comes to an end in 2017, but its key measures are to be integrated into the FOPH's activities and become part of a national strategy from 2018 onwards. The most important action in terms of health literacy and information will be continued. In particular, health professionals are to receive training that will make them better equipped to interact with migrants and the use of community interpreting is to be stepped up within the healthcare sector.⁹⁶ The FOPH and the SCRA launched a research project in the autumn of 2015 on perinatal care for migrant women and how it can be improved. The first results of the BRIDGE study on "Barrier-free communication in maternity care of allophone migrants" were unveiled in 2017, illustrating what can be done to improve

⁹⁰ The trend lines have been smoothed (LOESS). Sources: DoSyRa monitoring system (D) and VeS survey on diversity and coexistence in Switzerland (Z).

⁹¹ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

⁹² Monitoring report "*Rassismuskvälle aus der Beratungspraxis. Januar bis Dezember 2016*". Beratungsnetz für Rassismuskvälle, 2017, p. 11.

⁹³ Health statistics 2014. Federal Statistical Office, 2014, p.11-12

⁹⁴ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Gesundheit > Zugang zu medizinischen Leistungen (in DE/FR)

⁹⁵ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Gesundheit > Säuglingssterblichkeitsrate (in DE/FR)

⁹⁶ www.bag.admin.ch > Themen > Strategien & Politik > Nationale Gesundheitsstrategien > Nationales Programm Migration und Gesundheit > Zukunft des Programms Migration und Gesundheit (in DE/FR)

understanding between medical professionals and female migrants who do not speak the local language, and how the services could be better coordinated.⁹⁷

The FOPH champions the establishment of migrant-friendly centres of competence, in partnership with H+ (the national umbrella organisation of public and private hospitals), through a project entitled “Swiss Hospitals for Equity – Migrant Friendly Hospitals”. The eight hospitals involved held a national conference in November 2016 at which they explored aspects of their day-to-day clinical practice and discussed health equity and quality in healthcare with politicians, researchers and other medical professionals. Participants attended a number of workshops on topics such as diversity management, transcultural skills, equal opportunities in the healthcare system and the impact of inequalities on the health of those affected.⁹⁸

On 27 June 2014, the *Tripartite Agglomerationskonferenz* (TAK) issued 13 concrete recommendations to government agencies on creating the right conditions for proper physical, emotional and social development in early childhood – for all children, regardless of their background. These were derived from the integration dialogue entitled “Growing up – a healthy start in life” that had been initiated and sponsored by the TAK. The Conference also took note of recommendations aimed at non-governmental actors.⁹⁹ Numerous projects were realised throughout Switzerland specifically to improve access to information and support opportunities for pregnant women and infants (boosting the health of women and children, community interpreting, etc.).¹⁰⁰

Some cantonal measures were implemented as part of these nationwide projects while others were realised separately. In Basel-Stadt, Geneva, Glarus, Schaffhausen, Solothurn, Thurgau, Uri and Zug, a growing number of key personnel and support workers were given training on topics specifically related to migration and diversity to ensure that all patients receive the same high-quality service. In Basel-Stadt, Glarus, Nidwalden and Zurich, in order to remove barriers to contact with members of the migrant population, additional foreign language skills of healthcare professionals were identified and promoted. Lastly, all of the cantons took steps to educate migrants on the peculiarities of the Swiss healthcare system and how it works, and provide them with information on health-related topics.

A number of projects pursue an outreach approach in order to connect with migrants who otherwise lack access to healthcare and information through the usual channels. These low-threshold, milieu-centred services (e.g. Vitalina in the cantons of Aargau, Basel-Landschaft, Basel-Stadt and Solothurn and Primano in the city of Bern) involve facilitators seeking out and approaching the target groups in the places they commonly frequent.

The Swiss Red Cross (SRC) is involved in a variety of programmes and projects that combat racism and discrimination in the healthcare sector. It runs awareness-raising and education workshops that examine racism and discrimination in their social context as well as suggesting strategies and tools that healthcare staff and institutions can adopt to prevent workplace discrimination.¹⁰¹ In addition, the SRC's migesplus.ch portal provides health information in many different languages, thus helping to ensure equitable access.¹⁰²

⁹⁷ www.bag.admin.ch > Themen > Strategien & Politik > Nationale Gesundheitsstrategien > Nationales Programm Migration und Gesundheit > Forschung Migration und Gesundheit > Laufende Forschungsprojekte Migration und Gesundheit (in DE/FR)

⁹⁸ www.hospitals4equity.ch > Meda & Publications

⁹⁹ www.tak-cta.ch > Medienmitteilungen > Integrationsdialog > “Aufwachsen – gesund ins Leben starten” (press release of 27.06.2014; (in DE/FR)

¹⁰⁰ www.dialog-integration.ch > Aufwachsen > Dialog-Projekte (in DE/FR/IT)

¹⁰¹ www.redcross.ch > Für Sie da > Gesundheit / Integration > Gegen Rassismus und Diskriminierung (in DE/FR)

¹⁰² See www.migesplus.ch (in DE/FR/IT)

More and more, age-related issues are having to be addressed by the healthcare system. The *Nationale Forum Alter und Migration* held a conference on 16 November 2016 which explored the question of migrant health and ageing and presented an action plan covering six key areas. The forum calls upon its member organisations to facilitate equitable access for elderly migrants to services that promote healthcare and integration. It also wishes to see greater transcultural skills within institutions, networking and coordination between organisations, the promotion of research projects and the interests of the elderly migrant population being represented through political lobbying and advocacy.¹⁰³

6.2.5 Social welfare

The Federal Constitution guarantees every person in need the right to the financial means and assistance required for a decent standard of living (Art. 12 Cst). It also sets out social objectives which include ensuring that everyone has access to social security (Art. 41 para.1 lit. a Cst). Switzerland's social security system comprises social insurance, social assistance and emergency aid.

Social insurance falls within the remit of the federal government, which determines the conditions governing eligibility and entitlement in the laws on which the various forms of insurance are based. Given good reason, it may, for example, prescribe that Swiss insured can be treated differently to foreign insured without this amounting to unlawful discrimination.

Social assistance and emergency aid are governed at the cantonal, and sometimes communal, level and take the form of means-tested benefits for all persons residing in Switzerland who find themselves in need. They must be made available to everyone in need regardless of their nationality or residence status, and each case must be treated on an individual basis, taking due account of the particular situation and needs of those in a vulnerable position.

Facts and figures

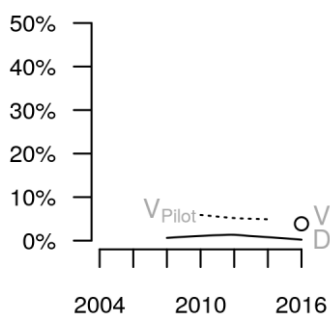


Figure 5: Discrimination in the social sector

There is very little specific data on racial discrimination in relation to social insurance and social assistance. The existing sources can prove that differences in treatment and unfair treatment are attributable to nationality or residence status, but cannot show that discrimination has taken place on the basis of characteristics such as colour or religion. Figure 5 thus demonstrates that discrimination in this area is barely visible, and neither the data from the advice centres or from the survey on diversity and coexistence in Switzerland (VeS) permits an actual trend to be identified.¹⁰⁴ The DoSyRa database recorded a total of 14 cases (from 245) in the relevant categories in 2016: (social services: 8; social insurance: 1; homes/ assisted living: 5). In 2015, 11 of a total of 317 cases related to this area (social services: 9; social insurance: 0; homes/ assisted living: 2).¹⁰⁵ Although this indicates a slight increase overall, the main category under consideration – social services – has basically remained stable. The FCR's collection of legal cases does not make specific reference to social welfare.

The findings regarding the material situation of various sections of the Swiss population have remained unchanged since the last reporting period. According to the FSO integration indicators, the rate of material deprivation was almost three times higher among people with a migrant background as among

The findings regarding the material situation of various sections of the Swiss population have remained unchanged since the last reporting period. According to the FSO integration indicators, the rate of material deprivation was almost three times higher among people with a migrant background as among

¹⁰³ www.alter-migration.ch > Tagung 16.11.2016 (in DE/FR)

¹⁰⁴ The trend lines have been smoothed (LOESS). Sources: DoSyRa monitoring system (D) and VeS survey on diversity and coexistence in Switzerland (Z).

¹⁰⁵ Monitoring report "Rassismussvorfälle aus der Beratungspraxis. Januar bis Dezember 2016". Beratungsnetz für Rassismussopfer, 2017, p. 11.

those without (7.7% vs 2.6%)¹⁰⁶, and the former group was also far more likely to find themselves at risk of poverty than the latter (15.3% vs 9.9%).¹⁰⁷ The actual poverty rate was also higher among the population with a migrant background (7.7%) than those without (6.3%).¹⁰⁸ In 2015, almost three times as many foreigners were claiming social assistance than Swiss people (6.2% vs 2.2%).¹⁰⁹

Drawing social assistance has specific consequences for foreigners wishing to acquire Swiss citizenship. As things stand today, it may lead to an application for naturalisation being rejected by the federal authorities, and several cantons (Aargau, Bern, Graubünden, St Gallen, Schaffhausen, Schwyz and Zurich) do indeed make this a specific criteria for rejection. The newly created ordinance on the revised Swiss Citizenship Act, which comes into effect on 1 January 2018 (Swiss Citizenship Act SCA; SR 141.0: see also Chap. 6.2.10), adopts and substantiates this rule. It states that an application for naturalisation may be rejected if the person in question drew social assistance in the three years before submitting the application or draws it during the naturalisation process (unless the amount drawn is repaid during this period). This rule constitutes a minimum requirement, and the cantons are free to adopt more restrictive provisions. However, the Federal Council's explanatory report makes it clear that claiming social assistance must not be seen as an absolute barrier to naturalisation and that the competent authorities must have proper regard to the prohibition of discrimination (Art. 8 para. 2 Cst) and the principle of proportionality (Art. 5 para. 2 Cst) when assessing applications. Above all, the personal circumstances in each individual case, such as disability, illness, the necessity of caring for family members or first-time attempts to acquire a formal education, must be taken into consideration.¹¹⁰ Nevertheless, the inclusion of this new rule in the ordinance was criticised heavily by human rights organisations and the Swiss Association of Welfare Organisations (SKOS) in terms of equality before the law and the ban on discrimination.

Individuals with a precarious social status are hit particularly hard by racial discrimination. It is not so easy for them to move house, change job or risk becoming involved in a court case. Like multiple discrimination in general, the interaction between socio-economic status and racial discrimination in Switzerland has not yet been sufficiently researched.

Measures to protect against discrimination

The national programme set up to prevent and combat poverty during the 2014-2018 period focuses on measures that promote equality of opportunity for the socially disadvantaged and the educational underclass (e.g. early learning, workplace and social integration, family poverty and improving the housing situation). Spearheaded by the Federal Social Insurance Office (FSIO), this programme unites the federal government, cantons, cities, communes and civil society organisations in the fight against poverty (in particular, by allowing the various actors to share knowledge and information and coordinate their efforts).¹¹¹

In the case of the social insurance schemes that fall within the competence of the federal authorities, any rightful claimants who feel they have been discriminated against must first file their grievances in

¹⁰⁶ www.bfs.admin.ch > Look for statistics > Economic and social situation of the population > Social situation, well-being and poverty > Poverty and material deprivation > Material deprivation

¹⁰⁷ www.bfs.admin.ch > Look for statistics > Economic and social situation of the population > Social situation, well-being and poverty > Poverty and material deprivation > Risk of poverty

¹⁰⁸ www.bfs.admin.ch > Look for statistics > Economic and social situation of the population > Social situation, well-being and poverty > Poverty and material deprivation > Poverty

¹⁰⁹ Swiss Statistics on Social Assistance Recipients 2015: Rate of social assistance recipients unchanged at 3.2%. Federal Statistical Office, 2016, p.2

¹¹⁰ FDJP. *Erläuternder Bericht. Entwurf zur Verordnung zum Bürgerrechtsgesetz*. April 2016, p. 19–20 (in DE/FR/IT).

¹¹¹ www.gegenarmut.ch (in DE/FR/IT)

the form of an administrative complaint before taking any legal action. In the case of social assistance and emergency aid, only the courts have jurisdiction to verify compliance with the legal norms; neither the Federal Council nor the Federal Administration has the right to supervise the cantons in this respect.

The social sector plays an important role when it comes to providing the victims of racial discrimination with counselling. Advice centres in this area can only do their work properly if the upstream services are also aware of the problems surrounding racial discrimination and know which specialist services they can refer people to. As this concerns social workers in particular, the *AvenirSocial* professional association partnered with the SCRA to produce a brochure on racial discrimination that provides specific, practical guidance for use in everyday social work. Its publication was accompanied by a series of information events and articles in the *SozialAktuell* journal. In parallel with this, the SCRA supported the *FORMULAR:CH* theatre project, which tackled real-life discrimination in the social services. The play had been performed some 33 times up to June 2017, and will now transfer to French-speaking Switzerland.¹¹²

Efforts to embed protection against discrimination within the CIPs also touched on social security and social assistance. Most of the cantons have attempted to raise awareness of the fight against discrimination among social advice services and experts. For example, staff of the communal social services and residents' register offices in the canton of Basel-Landschaft attended courses on how to deal with their diverse clientele in a consistently professional manner, which included making them think about specific topics such as prejudice and discrimination.

6.2.6 Sports and clubs/associations

Participation in the social life of a commune through membership of a club or association requires a minimum of social integration, but also helps to build a network of new relationships. It is an important social resource that plays a major role in social cohesion. People with a migrant background are not very well represented in clubs and associations. Racism and discrimination can hinder access to social or sporting activities – whether because the individuals in question are consciously or unintentionally marginalised due to their nationality, religion, social status or colour, or whether because the club or association does too little to encourage greater diversity among its members.

¹¹² Further information is available at www.dasventil.ch (in DE/FR)

Facts and figures

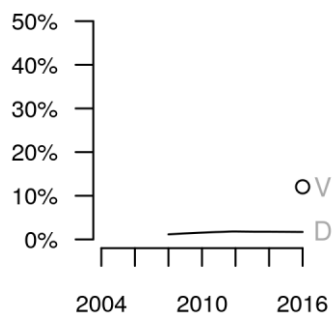


Figure 6: Discrimination in sports and clubs/associations

Figure 6 shows that the advice centres deal with a low number of cases in relation to sporting activities and clubs/associations, and that this figure has remained constant over time.¹¹³ A comparison with the trend revealed by the survey on diversity and coexistence in Switzerland (VeS) is not possible as there is not yet sufficient data available. However, sports and clubs/associations were mentioned much more often in the 2016 VeS survey than in the advice centre data.¹¹⁴ The DoSyRa database reported 1 case of discrimination in relation to sport (from a total of 245) and 4 in 2015 (from a total of 317). In the clubs/associations category, 4 cases were recorded in 2016 and 1 in 2015.¹¹⁵ No convictions in relation to sporting activities have been recorded in the FCR's collection of legal cases since 2013; when it comes to clubs/associations/organisations, there was 1 guilty verdict in 2015.¹¹⁶

According to the FSO, around 45% of the country's adult population in 2014 were active members of at least one club or organisation. The lowest rates of active membership were to be found among foreign nationals, single parents and people on a low income; this suggests that the combination of these two factors – migrant background and low socio-economic status – can pose a real obstacle to membership.¹¹⁷ The Federal Office of Sport (FOSPO) also comes to the conclusion in one of its reports that a person's social status, professional and personal situation, and origin all influence their degree of involvement in sports. However, it also shows that the longer immigrants stay in Switzerland, the more similar their sporting habits become to those of the Swiss population.¹¹⁸

Measures to protect against discrimination

A large number of sports associations take a pragmatic approach to fighting social exclusion. As the national coordination body for the Football against Racism in Europe network, the *FARE Netzwerk Schweiz* takes an active stand against racism and other forms of discrimination within the sport and at football events, to which end it acts as prevention partner of the Swiss Football League (SFL) and Swiss Football Association (SFA). As in previous years, Switzerland took part in the Football People Action Weeks that were held across the continent in the autumn of 2016, staging activities that challenged violence and discrimination.¹¹⁹

¹¹³ The trend lines have been smoothed (LOESS). Sources: DoSyRa monitoring system (D) and VeS survey on diversity and coexistence in Switzerland (Z).

¹¹⁴ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

¹¹⁵ Monitoring report "*Rassismussvorfälle aus der Beratungspraxis. Januar bis Dezember 2016*". Beratungsnetz für Rassismussopfer, 2017, p. 11.

¹¹⁶ www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Gesellschaftliches Umfeld (in DE/FR/IT)

¹¹⁷ In 2014, 43.9% of the country's resident population were actively involved in associations, societies, clubs, political parties and other groups, while a further 30.0% were passive members of a group or association. Those who do not come from a migrant background engage in social or sporting activities much more frequently than those who do, whether as active members (51.8% and 28.9% respectively) or passive members (40.0% and 17.5% respectively). See: www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Kultur, Religion und Medien > Mitgliedschaft in einem Verein oder einer Gruppe ((in DE/FR/IT)

¹¹⁸ Federal Office of Sport (BASPO). *Sport Schweiz 2014 – Sportaktivität und Sportinteresse der Schweizer Bevölkerung*, Bern 2014, p. 29 (in DE/FR/IT).

¹¹⁹ www.faren.net (in DE/FR/IT)

The FOSPO supports programmes encouraging children and young people from a migrant background to take part in sports, and has produced information leaflets on the subject.¹²⁰ As part of their official Youth+Sports training, future coaches can take a module on integrative action, in which they learn how to handle cultural diversity. The *Pro Juventute* foundation partnered with the FOSPO in late 2015 to launch a hotline through which leaders of youth organisations can seek guidance on difficult issues.¹²¹ In 2016 and 2017, the theory and practice of tackling racist incidents also formed part of the training attended by the counsellors who staff the hotline.

The vast majority of cantons support events that specifically seek to involve resident foreigners and encourage the entire population to participate. Caritas Switzerland runs its Teamspirit project, in which experts educate amateur football teams and their trainers in preventing racism, in several cantons.¹²² The National Youth Council of Switzerland (SNYC) has set up the *Varietà* centre of excellence in interculturalism, whose main aim is to empower youth organisations to open up to different cultures.¹²³

6.2.7 Leisure time and going out

Problems such as being refused admittance for discriminatory motives are regularly encountered when trying to enter public places like bars and clubs. However, incidents of this kind very rarely culminate in legal action. They are usually addressed on a case-by-case basis by speaking directly to the establishments concerned and taking preventive measures.

Facts and figures

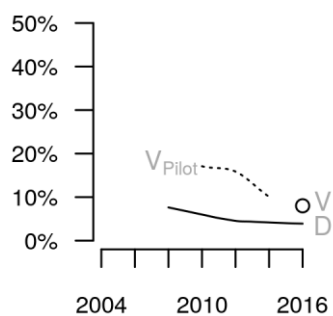


Figure 7: Discrimination during leisure activities or on a night out

Figure 7 shows that the trend in discrimination encountered during leisure activities or when going out continues to fall.¹²⁴ While the number of cases registered by the advice centres has declined slightly since 2012, the survey on diversity and coexistence in Switzerland (VeS) reveals a more marked trend. The DoSyRa database recorded 11 cases in this area in 2016 (from a total of 245). In 2015, 15 (of a total of 317) cases related to leisure time/going out.¹²⁵ According to the 2016 VeS survey, 8% of respondents felt discriminated against when trying to enter restaurants, clubs or discos.¹²⁶ The 2016 survey by the National Centre of Competence in Research (NCCR), on the other hand, shows that 43% of those questioned who claimed to have experienced discrimination within the last 24 months, said that this had taken place in relation to leisure activities – the second-highest figure after education and the workplace.¹²⁷

¹²⁰ www.baspo.admin.ch > Sportförderung > Fairer und sicherer Sport (in DE/FR/IT)

¹²¹ www.projuventute.ch > Programme > Jugendleiter-Beratung (in DE/FR/IT)

¹²² www.caritas.ch > Was wir tun > Asyl und Migration > Teamspirit – Fairplay im Fussball (in DE/FR)

¹²³ www.sajv.ch > Dienstleistungen > varietà (in DE/FR)

¹²⁴ The trend lines have been smoothed (LOESS). Sources: DoSyRa monitoring system (D) and VeS survey on diversity and coexistence in Switzerland (Z).

¹²⁵ Monitoring report “*Rassismusevorfälle aus der Beratungspraxis. Januar bis Dezember 2016*”. Beratungsnetz für Rassismusevorfälle, 2017, p. 11.

¹²⁶ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

¹²⁷ www.nccr-onthemove.ch > Research > Migration-Mobility Survey

Measures to protect against discrimination

Founded in 2009, Safer Clubbing is an association of clubs and bars that are committed to providing discrimination-free access to patrons.¹²⁸ The association stepped up its activities at the local level during the reporting period. For example, in October 2017 it joined forces with *Akzent Prävention und Suchttherapie*, an association specialising in preventing and treating addiction, to organise an awareness-raising workshop in Lucerne for club owners and bar and security staff. As well as looking at appropriate communication and de-escalation measures, a legal officer from FABIA, the Lucerne-based Competence Centre for Advising and Integrating Foreigners, also talked them through some of the legal aspects.

“*Stopp Eintrittsverweigerung*”, a project launched by Bern’s gggfon advice centre in 2013 to counter discriminatory admission practices, was continued as a means of implementing the intervention concept it had developed together with the local trade police.¹²⁹ The project’s objectives are now accepted without question by the City of Bern, and the information leaflet on refusing entry has become an integral part of its event licensing process.¹³⁰

Regular round table events have been held in the cities of Bern, Zurich and Lausanne in recent years, with the aim of developing nightlife concepts. At present, the focus is on reconciling the needs of partygoers and clubbers with those of the neighbourhoods in which the nightlife takes place; however, the round tables would also be suitable forums in which to address problems such as refused entry or the systematic exclusion of certain groups of people.

6.2.8 Police

The main measures employed to ensure the police can go about their work in a professional and non-discriminatory manner include educating and training police officers on human rights and racial discrimination, regularly monitoring the practice of random stop and ID checks (to avoid racial profiling), and creating effective complaints authorities to which people can bring allegations of racially motivated police misconduct. Recruiting people with a migrant background to the police force is another approach that can boost the public acceptance of law enforcement and minimise the potential for conflict.

¹²⁸ www.saferclubbing.ch (in DE)

¹²⁹ www.gggfon.ch > Projekte > Eintrittsverweigerung. The leaflet and a checklist for venue owners can also be downloaded here (in DE/FR)

¹³⁰ www.bern.ch > Themen > Freizeit und Sport > Veranstaltungen > Bewilligungen für Veranstaltungen (in DE/FR)

Facts and figures

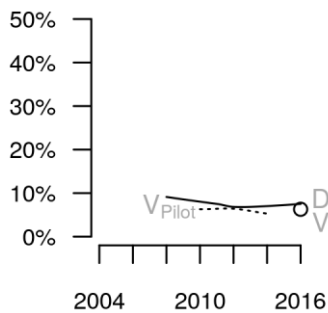


Figure 8: Discrimination by the police

Figure 8 shows that the figures for police discrimination have settled at a similar level over time in both the advice centre and VeS survey data.¹³¹ The DoSyRa database noted 19 advisory cases in relation to police discrimination in 2016 (from a total of 245), compared with 23 (from a total of 317) cases in 2015.¹³² According to the VeS survey, 6.3% of respondents said they had experienced discrimination by the police.¹³³ However, the figures from the advice centres are slightly higher than those from the survey.

Experiences of being discriminated against by the police are not specifically recorded by the FSO integration indicators; instead, they form part of the larger category of discrimination within public institutions, which accounted for some 25.4% of cases in the 2010-2014 period.¹³⁴

Measures to protect against discrimination

The measures outlined in the 2012 and 2014 reports were mostly long-term projects that are still ongoing.

Training for police officers addresses the topics of ethics and human rights in detail, and the Swiss Police Institute runs a three-day module on intercultural skills. Similar training courses have been developed in the cantons of Aargau, Lucerne and Neuchâtel.

The police practice of random stop and ID checks and the suspected use of racial profiling were the subject of wide debate during the period under review, and the cantons are continually analysing these practices with a view to increasing their effectiveness and efficiency. The Police Academy of Eastern Switzerland introduced a module on intercultural competence in police work in 2009, to which the topics of racism and racial profiling will be added, with reference to case studies, as of 2017. The police academy at Savatan in western Switzerland also runs an elective module dedicated to racial profiling.¹³⁵ The Zurich Cantonal Police has launched a training programme entitled “Analyzing Suspicious People and Cognitive Training” (ASPECT) with the aim of improving behaviour detection.¹³⁶ After attending the training, police officers should be able to conduct identity checks without being influenced by physical appearance or assumptions about nationality. This particular training programme is also open to interested parties from other cantons. In the canton of Bern, the *Dialog* project involving the cantonal police, the gggfon advice centre and the Swiss African Forum (SAF) is being continued.¹³⁷ To round out this exchange between the police and stakeholders and the associated information campaigns, the Bern Cantonal Police joined forces with the African Mirror Foundation to produce a series of videos in

¹³¹ The trend lines have been smoothed (LOESS). Sources: DoSyRa monitoring system (D) and VeS survey on diversity and coexistence in Switzerland (Z).

¹³² Monitoring report “*Rassismusrvorfälle aus der Beratungspraxis. Januar bis Dezember 2016*”. Beratungsnetz für Rassismuspfer, 2017, p. 11.

¹³³ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

¹³⁴ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Rassismus, Diskriminierung und Sicherheit > Diskriminierende oder rassistische Erfahrung(en) (in DE/FR)

¹³⁵ Police officers from the cantons of Appenzell-Ausserrhoden, Appenzell-Innerrhoden, Graubünden, Schaffhausen, St Gallen and Thurgau and from the cities of St Gallen and Chur are trained at the Police Academy of Eastern Switzerland. The Savatan Police Academy trains officers from the cantons of Geneva, Vaud and Valais and the city of Lausanne.

¹³⁶ www.kapo.zh.ch > Über uns > Fachstellen und -bereiche > Forschung & Entwicklung (in DE)

¹³⁷ www.gggfon.ch > Projekte > Projekt Dialog (in DE)

which individuals speak about their experiences of being stopped and checked by the police. These went online in 2017.

Cities such as Bern, Zurich and Lausanne have also developed strategies and projects tackling this subject – mostly in the form of a direct exchange of views between the police, those concerned and other parties. The Zurich City Police launched a project in 2016 to ensure that no one population group is subjected to more controls on persons than others. It also looked into the existing complaint mechanisms and whether a new independent complaints body should be created. The parliament of the city of Bern decided in February 2017 to run a pilot project to determine whether the issuing of receipts to persons who are stopped and checked would lead to a more mindful and transparent practice. No further details of the project were available at the time of writing this report.

The Swiss Centre of Expertise in Human Rights (SCHR) held a symposium on discriminatory identity checks on 1 December 2016.¹³⁸ The opinions expressed by the experts on this occasion demonstrated the lack of agreement on the need for action between the government agencies and NGOs in attendance, based on their differing analysis of the situation. If discriminatory identity checks are seen as a question of proper comportment by individual police officers, there will be a tendency to place an emphasis on education and training measures and projects in this area. However, if we assume that discriminatory checks have a basis in institutional mechanisms, then solutions must also be found at that level (e.g. by explicitly incorporating the ban on discrimination into police laws and personnel regulations, and punishing those who contravene it). The process of reconciling these two positions is taking place at the cantonal and communal levels.

The Alliance against Racial Profiling was set up in 2016 as an informal movement of academics, artists and human rights organisations united in the fight against institutional racism in the Swiss police force. The Alliance also puts pressure on the police and state institutions to change their practices, and shares information and knowledge.¹³⁹ It publicises complaints by victims in order to bring them to the attention of a wider audience.

As far as complaints mechanisms and legal protection against mistreatment at the hands of the police are concerned, no new information has come to light since the critical report of the situation in the cantons and communes published by the SCHR in 2014.¹⁴⁰

A number of cantonal or city police forces have made efforts to increase diversity, especially by employing more women and recruiting more members with a migrant background. Several cantons (Appenzell-Innerrhoden, Basel-Stadt, Jura, Neuchâtel and Schwyz) have either opened up their police forces to foreign nationals or not explicitly excluded the possibility of doing so in their laws. Others (Aargau, Fribourg, Geneva and Vaud) hire foreign nationals with permanent residence permits as police officers provided they agree to be naturalised within a certain time frame. Similar, well-advanced plans in the cantons of Bern, Schaffhausen and Solothurn had to be shelved (following resistance that was partly political in nature and partly emanated from within the police force itself). The Zurich City Police Department has made a particular effort since 2014 to target people with a migration background in its recruitment campaigns, based on the positive experiences of diversity management gained in other departments.¹⁴¹

¹³⁸ www.skmr.ch > Themenbereiche > Polizei und Justiz > Artikel > Fachtagung zum Polizeirecht (20.09.2016; in DE/FR)

¹³⁹ www.stop-racial-profiling.ch > Alliance > Mission statement

¹⁴⁰ Künzli, Jörg / Sturm, Evelyne et al. *Rechtsschutz gegen polizeiliche Übergriffe. Eine Darstellung der Beschwerdemechanismen in der Schweiz*. (Ed.) Swiss Centre of Expertise in Human Rights. Bern, 21 February 2014 (in DE/FR).

¹⁴¹ Polizeidepartement der Stadt Zürich. *Strategischer Plan des Polizeidepartements 2015–2019*, 2014, p. 24 (in DE).

6.2.9 Armed forces

As a mirror of society, the armed forces are also confronted with the problem of extremism. The Swiss military accords great importance to preventing and avoiding extremism, both to ensure the safety and cohesion of its troops and protect members of the armed forces from being discriminated against. The Chief of the Armed Forces and Head of the DDPS pursue a zero-tolerance policy towards extremism.

Facts and figures

The Service for Combating Extremism in the Armed Forces (FS EX A) handled 50 reports and queries in 2016 and 34 in 2015. However, not every lead that it pursued turned out to be a proven case of extremism within the meaning of the law. While 21 (in 2016) and 16 (in 2015) of the reported incidents involved suspicions of right-wing extremism, cases of leftist extremism have become rare in recent years. 15 reports and queries were submitted in 2015 concerning suspected jihad-motivated extremism, compared with 10 the year before. Cases of this kind quickly attract media attention. However, it is important to note that no acts of violence, incidents that posed a threat to security or cases of obvious discrimination were recorded within the Armed Forces. Most of the reports and queries concern isolated cases.

The FCR's collection of legal cases documents 2 guilty verdicts each in 2016 and 2015 under the heading "Authorities/Offices/Army".¹⁴² In the survey on diversity and coexistence in Switzerland (VeS), 1% of respondents state they have experienced discrimination within the armed forces.¹⁴³

Measures to protect against discrimination

The service has been supporting the DDPS in handling all matters connected with extremism since May 2002.¹⁴⁴ In the event of circumstances that contravene the Compulsory Military Service Ordinance (CMSO, SR 512.21), indications of a potential threat under Art. 113 of the Armed Forces Act (ArmA, SR 510.10) or irregular personal circumstances within the meaning of Art. 66 CMSO, the case is handed over to the Armed Forces HR department so that precautionary measures may be taken. If need be, the Service for Combating Extremism in the Armed Forces acts as coordinator between the administrative and military units involved.

The awareness-raising and CET courses that have gradually been built up over the years were continued in the reporting period. Thus, in 2015 and 2016, all aspiring platoon leaders, battalion commanders and military academy staff officers, warrant officers (first and second class) and candidates for the military police received awareness-raising training appropriate to their function and rank. In addition, a series of training modules for aspiring career officers first launched in 2015 was subsequently incorporated into the general training curriculum at this level, thereby allowing more than 1,000, mostly higher-ranking, members of the Armed Forces and DDPS employees a year to improve their understanding of the phenomenon of extremism and what can be done to prevent it. Each of these courses covers the fundamental freedoms guaranteed by the Constitution as well as the leadership instruments and measures available to put the military's zero-tolerance strategy into practice.

¹⁴² www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Gesellschaftliches Umfeld (in DE/FR)

¹⁴³ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

¹⁴⁴ www.vtg.admin.ch > Mein Militärdienst > Allgemeines zum Militärdienst > Extremismus (in DE/FR/IT)

6.2.10 Naturalisation procedure

In Switzerland, nationality is acquired by filiation (*jus sanguinis*).¹⁴⁵ For those not born to a mother or a father who has Swiss citizenship, it can also be acquired through naturalisation. This is a three-step procedure conducted at the federal, cantonal and communal level. The Federal Constitution sets out the relevant principles and powers (Art. 37 and 38 Cst). The Federal Act of 29 September 1952 on the Acquisition and Loss of Swiss Citizenship (Swiss Citizenship Act SCA, SR 141.0) and cantonal and communal legislation flesh out these provisions within the limits of their respective powers.

Following a great deal of controversy, the Federal Assembly adopted a fully revised Citizenship Act on 20 June 2014. As of 1 January 2018, anyone with a permanent residence permit (C permit) who has lived in Switzerland for at least 10 years and is successfully integrated can apply for naturalisation. In calculating the length of residence, the period that the applicant has lived in Switzerland between the ages of 5 and 15 counts as double; if they have been temporarily admitted, half of the period of residence is credited. The cantons may provide for a minimum length of residence of between two and five years. Applicants are considered integrated if they are able to communicate in a national language, show respect for public security and order and the values enshrined in the Federal Constitution, participate in economic life or in acquiring an education, and encourage and support the integration of their family. In addition, they must be familiar with the Swiss way of life and not pose a threat to the country's internal or external security. In the run-up to the final vote on the draft revision, the Federal Commission on Migration (FCM) criticised the fact that the revision created additional barriers to integration for young people and young adults, third country nationals and those admitted temporarily.¹⁴⁶

Alongside this standard, or 'ordinary', naturalisation procedure, there is a 'simplified' procedure available to the spouses of Swiss citizens, for example. The federal authorities are responsible for this fast-track procedure, but the cantons may express an opinion on individual candidates. The Swiss people also approved the simplified naturalisation procedure for third-generation immigrants on 12 February 2017 with a 60.4% majority.¹⁴⁷ As a result, standardised criteria now apply throughout the country, lowering the obstacles for young people under 25 whose grandparents first came to Switzerland as immigrants.

Protection against arbitrary conduct and discrimination, the right to privacy and to have one's case heard by a judicial authority, all of which are enshrined in the Federal Constitution, are key to establishing a uniform and fair naturalisation procedure at the cantonal level. To date, most of the cases in which the Federal Supreme Court has ruled that applications for naturalisation were rejected for reasons of ethnic-cultural or racial discrimination have concerned citizens of the former Yugoslavia and Turkey, and people of Muslim faith. A few other cases have involved multiple discrimination (e.g. on grounds of origin and disability).¹⁴⁸

¹⁴⁵ Conversely, some states grant citizenship to anyone born on their territory (*jus soli*).

¹⁴⁶ www.ekm.admin.ch > Aktuell > News > Medienmitteilungen 2013 > *Die Signale der Bürgerrechtsrevision* (press release of 11.03.2013; in DE/FR/IT)

¹⁴⁷ The referendum came about as the result of a parliamentary initiative submitted by Ada Marra entitled "Switzerland must recognise its children".

¹⁴⁸ Naguib, Tarek / Pärli, Kurt et al. *Diskriminierungsrecht. Handbuch für Jurist_innen, Berater_innen und Diversity-Expert_innen*. Bern, 2014, p. 363 f (in DE).

Facts and figures

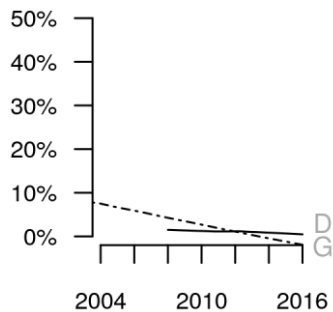


Figure 9: Discrimination during nationalisation procedure

According to Figure 9, the cases of discrimination registered by the advice centres, the Foundation against Racism and Antisemitism (GRA) and the Society for Minorities in Switzerland (GMS) in relation to the nationalisation procedure have remained at a persistently low level or even fallen over time.¹⁴⁹ No cases were recorded in the DoSyRa database in the reporting year and only one (out of 317 cases) in 2015.¹⁵⁰ The survey on diversity and coexistence in Switzerland (VeS) indicates that acceptance of the idea that foreigners born in the country should automatically be naturalised is growing: whereas almost 45% of respondents were in favour of this in the 2010-2014 period, the figure had risen to 57% in 2016 (50% of whom were Swiss and 76% foreign nationals).¹⁵¹ The surveys of the next few years will show whether this is a lasting trend or whether this result is attributable to the different methodology now being used.

Measures to protect against discrimination

One of the actions taken to strengthen protection against discrimination under the CIPs is to raise awareness among the residents' registration and naturalisation authorities and provide them with information. The integration delegates of the canton of Uri organised a well-attended workshop for those responsible for naturalisation at the communal level, which looked at discrimination issues in the context of growing professionalisation. Some cantons held training courses or events for staff members of the administration that tackled racial discrimination without specifically focusing on the naturalisation procedure.

6.2.11 Political participation

Art. 136 of the Federal Constitution states that all Swiss citizens over the age of 18 have the right to vote and be elected.¹⁵² In other words, they have the right to participate in elections to the National Council and in federal popular votes, and launch or sign popular initiatives and requests for referendums in federal matters. Foreign nationals do not enjoy these rights. However, they may take part in referendums at the cantonal and/or communal level if cantonal law allows them to do so.

Facts and figures

Being able to participate in political processes to the extent provided for by law is an important aspect of integration and a sign that someone belongs to the society in which they live. However, differences emerge here between those with and without a migrant background: in 2014, 65.9% of the electorate without a migrant background said they took part in at least 8 out of 10 federal referendums, as opposed to just 56.5% of those with; however, the participation rate for both groups has risen compared with earlier surveys.¹⁵³

¹⁴⁹ The trend lines have been smoothed (LOESS). Sources: DoSyRa monitoring system (D) and "Chronology of racism in Switzerland" compiled by the GRA and GMS (G).

¹⁵⁰ Monitoring report "Rassismussvorfälle aus der Beratungspraxis. Januar bis Dezember 2016". Beratungsnetz für Rassismussopfer, 2017, p. 11.

¹⁵¹ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

¹⁵² Individuals who lack legal capacity due to mental illness or mental incapacity, or who are subject to a general deputyship or represented by a carer as they are permanently incapable of judgement are excluded from voting on matters at the federal level.

¹⁵³ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Politik > Teilnahme an eidgenössischen Abstimmungen (in DE/FR)

The DoSyRa database registered 2 cases of racial discrimination in 2016 under the heading of “Politics/Parties” (out of a total of 245). In 2015, there were also 2 (out of a total of 317) cases in this category.¹⁵⁴ No legal action of this kind was documented in the FCR’s collection of legal cases. This picture is in line with the figures of the preceding years.

The survey on diversity and coexistence in Switzerland (VeS) includes a question on political rights for foreigners. In 2016, 48% of respondents agreed with the statement that foreigners should gain political rights in Switzerland. That figure had stood at around 40% in 2010-2014. 41% of Swiss citizens and 71% of foreign nationals agreed with the statement. The difference between Swiss and foreign respondents was similarly high in the 2010-2014 period, averaging 34 percentage points.¹⁵⁵

In the cantons of Jura and Neuchâtel, foreign citizens have the right to vote and stand for election at the cantonal and communal level under certain conditions; however, they are not allowed to stand for election to the cantonal parliament. The cantons of Fribourg, Geneva and Vaud give foreigners the full right to vote and be elected at the communal level; the communes of Appenzell-Ausserrhoden, Basel-Stadt and Graubünden are free to grant both rights at the communal level if they so wish.¹⁵⁶ Foreign citizens with a C, B or F permit have been able to submit motions to parliament in the city of Bern since November 2016. To be eligible, they must be 18 or over and have lived in Bern for at least three months.¹⁵⁷ A similar law came into effect in the city of Lucerne in 2014.¹⁵⁸ The government of the canton of Basel-Stadt was asked in the spring of 2016 to prepare a legal framework for the introduction of an instrument that would allow foreigners to submit motions to the cantonal parliament (the draft was not yet available at the time of writing this report).¹⁵⁹

The canton of Geneva commissioned a study in 2015 to help it better understand the lower participation of foreigners in cantonal referendums and elections. The Swiss Forum for Migration and Population Studies (SFM), which conducted the analysis, came to the conclusion that age, education and income have a greater influence on the participation rates of those foreigners who are eligible to vote than on their Swiss counterparts. On the other hand, it was unable to detect any differences with regard to electoral behaviour or trust in the electoral system. The fact that non-Swiss respondents in the SFM survey tended to identify more strongly with the commune in which they live and had greater confidence in the communal authorities is noteworthy. The study also revealed that an information campaign conducted in advance of the vote had helped increase participation by the foreign population groups.¹⁶⁰

Measures to encourage participation

The FCM’s *Citoyenneté* programme champions projects that open up new opportunities for participation by foreign nationals. The underlying concept focuses on the active components of citizenship, and especially on how citizens can become involved in decision-shaping processes and the management of

¹⁵⁴ Monitoring report “*Rassismusvorfälle aus der Beratungspraxis. Januar bis Dezember 2016*”. Beratungsnetz für Rassismuspfer, 2017, p. 11.

¹⁵⁵ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

¹⁵⁶ www.bfs.admin.ch > Statistiken finden > Bevölkerung > Migration und Integration > Integrationsindikatoren > Alle Indikatoren > Politik > Gemeinden und Kantone mit Stimm- und Wahlrecht für Ausländer (in DE/FR)

¹⁵⁷ www.bern.ch > Mediocenter > Gemeinderat, Direktionen > *Partizipationsreglement tritt am 1. November 2016 in Kraft* (press release of 15.09.2016; in DE/FR)

¹⁵⁸ www.stadtluern.ch > Systematische Rechtssammlung > Gemeindeordnung der Stadt Luzern > Art. 29a «Bevölkerungsantragsrecht» (in DE)

¹⁵⁹ www.grosserrat.bs.ch > Geschäfte & Dokumente > Datenbank > *Motion betreffend Einführung einer Ausländermotion* (16.5123.01; in DE)

¹⁶⁰ Fibbi Rosita, Ruedin Didier. *La participation des résidents étrangers aux élections municipales d'avril 2015 à Genève*. SFM, Neuchâtel, May 2016 (in FR). See: www.ge.ch > Thèmes > Citoyenneté > Intégration des étrangers > Bureau de l'intégrations des étrangers > Actualités > 2016 > La participation des résidents étrangers aux élections municipales d'avril 2015 (21.08.2016)

civic affairs, regardless of their nationality. Participation begins at the local level, with membership of a community or close ties with the place in which one lives. The projects therefore pay particular attention to opinion-making and free expression of will as well as learning about democratic principles and fundamental rights.¹⁶¹ For example, four communes in the canton of Lucerne – Wolhusen, Willisau, Hochdorf and Lucerne – have come together to launch a project entitled *Teil-haben statt Geteilt-sein* (i.e. 'Be a part, not apart') whose objective is to remove the obstacles to civic and political participation that currently exist. Two sub-projects made it their specific aim to encourage voluntary work and civic and political participation at the local neighbourhood level.¹⁶²

Civil society organisations are also tackling this particular issue. In the autumn of 2016, the newly founded *Mitstimme* association in the canton of Basel-Stadt publicly declared its intention to advocate for political participation by the migrant population, empowered by civic education. It also hosts regular sessions for migrants at which they can discuss political topics at the national and cantonal level while learning more about the Swiss system of direct democracy.¹⁶³

6.2.12 Right-wing extremism

Xenophobia, racism and the refusal to recognise that all human beings are equal are cornerstones of right-wing ideologies. The extreme right in Switzerland has transitioned from a small underground movement at the end of the Second World War into a larger, more differentiated subculture today. New modes of communication such as the internet have permitted extremist right-wing ideologies and structures to spread and become international and global.¹⁶⁴ However, in Switzerland this trend has been accompanied by a tendency among right-wing groups to operate under the public radar.¹⁶⁵

Facts and figures

The Federal Act on Measures to Safeguard Internal Security (ISA; SR 120) places the responsibility for observing violent extremism on the federal and cantonal security agencies. The latter record all types of violent extremism regardless of whether it is politically or ideologically motivated. As in previous years, the Federal Intelligence Service reports for 2016 and 2017 conclude that right-wing extremism in Switzerland does not pose a threat to the state and that the current situation is generally calm.¹⁶⁶

The Foundation against Racism and Antisemitism (GRA) and the Society for Minorities in Switzerland (GMS) noted during this same period that the neo-Nazi scene was increasingly active on the internet, which it uses for propaganda purposes.¹⁶⁷ In the real world, isolated incidents provoked widespread public reaction. A concert held in Unterwasser (in the canton of St Gallen) in October 2016, at which several bands from the far-right scene performed, attracted more than 5,000 extremists from all over Europe. The GRA subsequently filed a criminal complaint against the bands and the concert organisers for violation of the anti-racism penal provision (Art. 261^{bis} SCC).¹⁶⁸ The Federal Commission against Racism (FCR) published a press release in which it called upon the Swiss authorities to be more

¹⁶¹ www.ekm.admin.ch > Projekte > Citoyenneté (in DE/FR/IT)

¹⁶² www.ekm.admin.ch > Projekte > Citoyenneté > Abgeschlossene Projekte (in DE/FR/IT)

¹⁶³ www.mitstimme.ch (in DE)

¹⁶⁴ See: Skenderovic, Damir. *Strategien gegen Rechtsextremismus in der Schweiz: Akteure, Massnahmen und Debatten*. SCRA (Ed.), Bern, 2010 (in DE/FR).

¹⁶⁵ *Switzerland's Security*. Situation Report 2017 of the Federal Intelligence Service. Federal Department of Defence, Civil Protection and Sport, p.59.

¹⁶⁶ *Ibid.*, p. 57.

¹⁶⁷ www.rassismus.ch > Einschätzungen > 2015 > Rassismus in der Schweiz 2015 (in DE/FR)

¹⁶⁸ www.rassismus.ch > Einschätzungen > 2016 > Einschätzung: Rassismus in der Schweiz 2016 (in DE/FR)

thorough in the checks they conduct prior to granting permission for such events to go ahead. It also highlighted the importance of the authorities' ability to verify compliance with anti-racism standards at public events and take steps to report violations of the law to the judicial authorities if necessary. According to the FCR, Switzerland must not become a place where extremist groups that promote racist attitudes and incite hatred feel welcome.¹⁶⁹

Following the Unterwasser concert and other gatherings of far-right extremists in Switzerland, the GRA and GMS published a focus article entitled "Right-wing extremism in Switzerland", in which they estimate that the existing rightist groups have become more active in 2016 and that certain groups in the French- and Italian-speaking parts of the country have been able to recruit new members. Moreover, the rising popularity of right-wing extremist groups on Facebook is a new phenomenon that allows them to spread their propaganda even more widely in the virtual sphere.¹⁷⁰

Reports of crimes in the categories of "racial discrimination" and "extremism" received by the Federal Office of Police (fedpol) rose temporarily in July 2014. The reason was mainly to be found in the discussions being held on the social networks on the asylum issue and Israeli intervention in the Gaza Strip.¹⁷¹ Many of these reports concerned websites that were hosted abroad, had no connection whatsoever with Switzerland and, therefore, could not be held to account under criminal law. As fedpol aggregated the reports on Art. 261^{bis} SCC (racial discrimination) and Art. 259 SCC (public incitement to crime or violence) in 2015, the case numbers are not displayed here.¹⁷²

In 2016, the DoSyRa database recorded 2 cases of right-wing populism and 8 cases of right-wing extremism (from a total of 245); in 2015, it had been 2 cases of right-wing populism involving racial discrimination and 10 cases of right-wing extremism (from a total of 317).¹⁷³ According to the FCR's collection of legal cases, the number of judgments handed down in connection with right-wing extremism varies considerably from year to year. Two cases are listed for 2016 and there was one case in 2015 (the highest figure of 31 cases was recorded in 2007).¹⁷⁴ The "Chronology of racism in Switzerland" compiled by the GRA and GMS includes 43 cases each in 2016 and 2015. In 2016, 6 cases fell into the category of "Right-wing extremism, parades, appearances, gatherings".¹⁷⁵

Measures to combat it

Overall, it can be stated that violent extremism does not pose a threat to Switzerland's internal security. It may, however, disturb public peace and order at the local level on occasion. What is more, a social climate that has been poisoned by right-wing, xenophobic rhetoric is more likely to engender racist attitudes, activities and criminal acts. It is therefore important for tendencies of this kind to be identified at an early stage and immediate action taken.

The FIS and fedpol are bound by law to take security precautions to this effect (Art. 5 para. 3 ISA). The analyses produced by these two agencies enable the competent federal and cantonal authorities to step

¹⁶⁹ www.ekr.admin.ch > Dokumentation > Medienmitteilungen > *Die Schweiz darf der rechtsextremen Propaganda keinen Empfang bieten* (press release of 25.10.2016; in DE/FR/IT)

¹⁷⁰ www.rassismus.ch > Einschätzungen > 2016 > *Fokusbericht: Rechtsextremismus in der Schweiz* (in DE/FR)

¹⁷¹ The fedpol annual reports can be consulted at: www.fedpol.admin.ch > Publications & services > Publications > Reports

¹⁷² The figures will be recorded separately again as of 2017.

¹⁷³ Monitoring report "*Rassismusevorfälle aus der Beratungspraxis. Januar bis Dezember 2016*". Beratungsnetz für Rassismusepfer, 2017, p. 14.

¹⁷⁴ www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Ideologie (in DE/FR/IT)

¹⁷⁵ The chronology of "Racism in Switzerland" is available for download (in French and German) at: <http://chronologie.gra.ch>. Compiled and commented on by the GRA and GMS, it constitutes a form of media monitoring as it only records cases that are documented by the media. However, the number of racist incidents in 2016 not brought to public attention is likely to have been high, see www.rassismus.ch > Einschätzungen > 2016 > Einschätzung: Rassismus in der Schweiz 2016

in and take legal action in good time (Art. 2 para. 1 ISA). The measures already referred to in connection with the armed forces (see chapter 6.2.9) also fall into this category.

Racism and extremism flourish whenever people look for simple solutions to complex social problems (e.g. in the form of conspiracy theories or scapegoats). Diversity and its contradictions are part and parcel of democratic processes the world over. Individual citizens will be better able to handle this situation if they are raised to be confident, with a sense of their own worth. Measures taken in a formal educational setting can help here too. The federal government, cantons and communes provide financial support to educational projects on human rights that are intended to boost the self-responsibility of children and young people and encourage them to actively participate in society (see chap. 6.2.2). The SCRA also funds other projects that seek to prevent right-wing extremism. One example is the information platform operated by a number of institutions and subject-matter experts which publishes information and contact details for anyone with an interest in the subject, whether or not they are directly affected by it.¹⁷⁶

6.3 Specific topics

As in many other European countries, certain sections of the population in Switzerland are particularly vulnerable to racial discrimination or racist behaviour. The trends revealed by the survey on diversity and coexistence in Switzerland (VeS) show that hostility towards Jews and Muslims exists alongside racist attitudes towards people of a different colour. For example, 6% of respondents said that they were made to feel uncomfortable in everyday life by the presence of someone whose skin colour was different. Approximately 11% felt disturbed by people of a different faith and around 21% by the presence of people with a non-sedentary lifestyle.¹⁷⁷ We will now take a more in-depth look at the situation of these population groups.

One point should be noted in advance with regard to action in this area: projects targeted at specific groups generally run the risk of stigmatising those groups. For that reason, efforts to combat discrimination must focus on problems (rather than people) and form part of an overall strategy, like those set out in the cantonal integration programmes (CIPs). The financial assistance provided by the SCRA is also primarily intended for projects aimed at all potential victims of racial discrimination, regardless of which section of the population they come from. Nevertheless, it can sometimes make sense to complement these measures by adopting a group-specific approach. Individual projects of this kind are also referred to below.

6.3.1 Coexistence of religious communities

In addition to the established confessions (Roman Catholic, Christian Catholic, Swiss Reformed, free church and Judaism), labour migration and refugee movements have brought many members of other religious communities (especially Christian-Orthodox, Muslim, Hindu and Buddhist) to Switzerland since the 1970s.¹⁷⁸ Whereas debates on immigration in the 1960s tended to emphasise the nationality of the newcomers, the focus shifted in the early 21st century to their (mostly Muslim) faith.¹⁷⁹ As a result,

¹⁷⁶ www.rechtsextremismus.ch (in DE)

¹⁷⁷ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

¹⁷⁸ 37.3% of the permanent resident population aged 15 and over affirm their allegiance to the Roman Catholic faith and 24.9% are members of the Reformed Evangelical Church; 23.9% describe themselves as having no religious affiliation. 5.8% are members of other Christian faiths, 5.1% belong to the Muslim and 0.2% to the Jewish religious community. The remaining 1.4% are members of other confessions. See also bfs.admin.ch > Look for statistics > Population > Language, religion and culture survey

¹⁷⁹ See for example FCM, Terra Cognita 28/2016, Religionisierung der Migrationsdebatte, Interview mit Michele Galizia: www.ekm.admin.ch > Publikationen > terra cognita > Religion (terra cognita 28/2016; in DE/FR/IT)

social cohesion and eliminating prejudice, discrimination and conflicts between religious groups have once again become topical issues.

In matters of religion, the state's actions are guided by the principle that, rather than protecting religions or religious communities per se, Switzerland protects people who experience discrimination or racism on grounds of their actual or supposed religious affiliation.

Box: In legal terms, Switzerland's policy on religion is based on the following pillars:

- *Freedom of religion and conscience* as a constitutionally guaranteed fundamental right for people of all faiths (Art. 15 Cst) and the concomitant *religious and denominational neutrality of the state*. As a corollary to freedom of religion, the principle applies that criticism of religions as such may be tolerated, but individuals must be accorded the right not to be discriminated against because of their religious beliefs.
- *Federalist nature of the relationship between church and state* (Art. 72 para. 1 Cst): Responsibility for regulating the relationship between religious communities and the state lies with the cantons, which have the power to recognise individual religious communities publicly or under public law.
- *Joint responsibility of the federal government and cantons for preserving public peace* (Art. 72 para. 2 Cst): This provision authorises the federal government and cantons to take measures to preserve public peace between the members of different religious communities.
- *Criminal law penalties for attacks on the freedom of religion and freedom to worship* (Art. 261 SCC): This statutory provision protects individuals and groups against discrimination motivated by their religion.
- *Anti-racism penal provision* (Art. 261^{bis} SCC): Religion is included in this provision as one of the unlawful grounds for discrimination.

At the national level, a number of Christian, Jewish and, increasingly, Muslim communities are engaged in efforts to improve understanding between the religions (interfaith dialogue) and raise the profile of religion as a whole. Thus for example, the Union of Albanian Imams and the Swiss Albanian Muslim Federation signed a charter in March 2017 in which they acknowledged that Swiss law takes precedence over all religious rules. In doing so, the two associations confirm their commitment towards ensuring that their religion is not misused for political or extremist purposes.

The Swiss Council of Religions, which was originally set up as a platform for dialogue between Christian, Jewish and Muslim religious communities, celebrated its 10th anniversary in May 2016. The Council has engaged in a regular exchange of views with federal government representatives since 2006.

The House of Religions in Bern opened its doors in 2014, providing a space in which the followers of eight faiths (Alevi, Baha'i, Buddhists, Christians, Hindus, Jews, Muslims and Sikhs) can practise their religion and/or hold public events in a spirit of mutual exchange. More than 500 public events have been held since the opening, including guided tours that have boosted the knowledge and understanding of school classes, public officials and companies, as well as building trust between the members of the various religions. The 14th Dalai Lama visited the House of Religions on 12 October 2016, when he discussed matters touching on intercultural and interfaith coexistence with members of the various religious communities.¹⁸⁰

Most cantons and cities maintain an active dialogue with the religious communities through commissions, round tables and other such vehicles. This allows both sides to raise matters of concern

¹⁸⁰ www.haus-der-religionen.ch > News > Besuch des 14. Dalai Lama (in DE/FR)

at an early stage, thus nipping potential conflicts in the bud. These forums may also give birth to information projects aimed at a wider audience.

The Week of Religions, featuring a programme of nationwide events, is held every year in the first week of November and organised by IRAS COTIS, an interfaith working group. In 2016, to mark its 10th anniversary, the week-long programme entitled *Begegne mir – entdecke mich! Religionen gemeinsam für eine vielfältige Schweiz* was dedicated to discovering religious diversity in Switzerland through personal encounters and featured guest appearances by former President of the Federal Supreme Court Giuseppe Nay and President of the National Council Christa Markwalder at the House of Religions in Bern. IRAS COTIS organised some 150 events throughout Switzerland in the period under review with the above aim in mind.¹⁸¹ It also ran a week-long campaign in the summer of 2017 that explored coexistence between religions in today's society: *Dialogue en Route* was aimed at young people from different faiths, school classes and the general public.¹⁸²

The Zurich Institute for Interreligious Dialogue (ZIID; previously the *Zürcher Lehrhaus*) was officially inaugurated on 27 September 2016. As an educational establishment, it promotes dialogue between Christianity, Judaism and Islam. The ZIID is co-directed by three experts: one from each of the three communities in question. Its five key focus areas are imparting knowledge, educational work, advice and support, publications and international networking.¹⁸³

In the years under review, 2016 and 2015, the SCRA provided 10 projects promoting the peaceful coexistence of Switzerland's religious communities with around CHF 60,000 in financial support. Some of these were aimed at children and young adults. The 2016 *Respect Camp Linthgebiet-Uznach*, for example, gave around 800 children and young people the opportunity to engage with the diversity of religions and cultures in Switzerland, while also learning about respect and non-violence. Other projects target a wider audience. For instance, the canton of Neuchâtel held a range of events exploring religion, identity and secularism over three months at *NeuchâToi 2016*.

Radicalisation and jihadism were two issues that came to the fore in the reporting period. The fact that most jihadists showed little interest in religion prior to their radicalisation demonstrates that there is not necessarily a link between religiosity and an interpretation of Islam that advocates violence. However, violent events abroad and fears of fanaticism and violence stoke prejudices and a general hatred of everything seen as 'Islamic'. In order to safeguard peaceful coexistence and social cohesion in Switzerland, prevention and awareness-raising campaigns must be launched and run in cooperation with Muslim organisations and individuals. In addition, in September 2016 the political platform of the Swiss Security Network (SSN) asked its delegate to draw up a national action plan to prevent and counter radicalisation and violent extremism by the second half of 2017, involving the federal government, cantons, cities and communes in the process.¹⁸⁴

6.3.2 Anti-Muslimism and measures to combat it

At the end of 2015, just under 352,000 members of the permanent resident population aged 15 and over described themselves as Muslim (5.1% of the population).¹⁸⁵ The traditions in their country and region

¹⁸¹ www.iras-cotis.ch > Woche der Religionen (in DE/FR/IT)

¹⁸² www.iras-cotis.ch > En Route (in DE/FR/IT)

¹⁸³ www.ziid.ch (in DE)

¹⁸⁴ www.ejpd.admin.ch > Aktuell > News > 2016 > *Nationaler Aktionsplan: Bekämpfung von Radikalisierung und gewalttätigem Extremismus* (press release of 12.09.2016; in DE/FR/IT). The action plan is based on the report entitled "Measures to prevent radicalisation – the current situation in Switzerland" published on 4 July 2016. See: www.svs.admin.ch > Medieninformationen > Medienmitteilungen > *Präventionsmassnahmen zur Verhinderung von Radikalisierung* (press release of 04.07.2016; in DE)

¹⁸⁵ www.bfs.admin.ch > Look for statistics > Population > Language and religion If children under 15 are included in the statistics, this boosts the number of Muslims in Switzerland to somewhere between 450,000 and 500,000.

of origin and their social class are the two main factors that determine how they live their faith. Some 15% are practising Muslims – a figure that roughly matches those of the other major religions.¹⁸⁶ Only a small number of Muslims are members of an Islamic organisation; in other words, the combined membership of all the associations, federations and institutions represents only a very small part of the religious community. At present, the Islamic centres and mosques are organised along national lines, primarily reflecting the country of origin of the believers. There is no national association that represents all Muslims. However, there are two umbrella organisations: the Federation of Islamic Organisations of Switzerland (FIOS) and the smaller Coordination of Islamic Organisations of Switzerland (KIOS).

The DoSyRa database registered 31 cases of Muslims seeking advice after experiencing hostility (from a total of 245) in 2016 and 53 cases (from a total of 313) in 2015. Anti-Muslim incidents have thus risen strongly compared with previous years.¹⁸⁷ The FCR's collection of legal cases cites 6 convictions in this context in 2016. An all-time high of 8 decisions had been handed down in 2015, all of which concerned statements made on the internet (social media, comments sections).¹⁸⁸

Additional data can be found in the FSO's 2016 survey on diversity and coexistence in Switzerland (VeS).¹⁸⁹ Just under one-third of the 12% of respondents claiming to have experienced discrimination on account of their religion in the last five years were Muslims. Conversely, 10-12% of all respondents said they felt a sense of unease – either in their everyday lives, in their neighbourhood or at work – prompted by the presence of people from a different faith. However, this figure covers all religions and does not allow us to draw any conclusions about the prevalence of hostility towards Muslims.

The FSO survey investigates specifically anti-Muslim attitudes through a series of standardised questions. The negative opinions ('Switzerland would be better off without any Muslims'; 'ban them from practising their religion'; 'halt immigration') were combined to form an index so that only consolidated attitudes were recorded. In the 2016 survey, 14% of respondents agreed with these negative statements. Due to changes in the methodology, this figure is not directly comparable with the higher results returned by the gfs pilot survey (2014: 18%; 2012: 18%; 2010: 13%).

16.8% of respondents agreed systematically with all the negative stereotypes ascribed to Muslims ('fanatical', 'aggressive', 'oppress women' and 'disrespect human rights'). However, 91% of those who took part in the survey also believed that Muslims have their 'good and bad points like everyone else', and 5% rejected the negative stereotypes altogether. The majority of the population therefore refuses to subscribe to prejudices or preconceived ideas about Muslims. Nevertheless, like the pilot surveys that preceded it, the 2016 VeS survey confirms that agreement with negative opinions and stereotypes is

¹⁸⁶ Federal Statistical Office (FSO). *Religiöse und spirituelle Praktiken und Glaubensformen in der Schweiz. Erste Ergebnisse der Erhebung zur Sprache, Religion und Kultur 2014*. Neuchâtel 2016. 11% of Muslims visit a mosque at least once a week and 12% pray several times a day, while 17% pray daily or almost every day.

¹⁸⁷ Monitoring report "*Rassismussvorfälle aus der Beratungspraxis. Januar bis Dezember 2016*". Beratungsnetz für Rassismussopfer, 2017, p. 14.

¹⁸⁸ www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Ideologie (in DE/FR/IT)

¹⁸⁹ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

highest with regard to Muslims. These results cannot be analysed in any greater detail until 2020, when the data from the first three FSO surveys becomes available.¹⁹⁰

Parliament also takes a very keen interest in the relationship between Islam and society: various parliamentary procedural requests were submitted during the period under review concerning action to combat hostility towards Muslims, stop radicalisation and jihadism, improve social cohesion and uphold Christian values in Switzerland.

The Federal Commission against Racism (FCR) will hold a conference on 11 September 2017 in conjunction with the universities of Fribourg and Lausanne, turning the spotlight on anti-Muslimism in society, the media and politics. Presentations will include the latest findings on media coverage of Muslims in Switzerland.¹⁹¹ The study examines a wide range of print media and TV programmes from all of the country's linguistic regions, in an attempt to uncover the dynamics that inform reporting on the subject and establish the degree to which generalisations are employed. In addition to the media, the role of politics and its impact on the way Muslims are perceived by society will be discussed.

The question of what place religion and religious precepts should occupy in schools resurfaced during the period under review. In 2014, the administrative court of St Gallen overturned the ban on the wearing of Muslim headscarves at schools in the commune of St Margrethen in response to a complaint filed by a Muslim family.¹⁹² The Federal Supreme Court upheld that decision in December 2015, when it found that a hijab ban was not in keeping with the constitutional right to freedom of religion and conscience.¹⁹³

The limits of this fundamental right were put to the test at a school in the canton of Basel-Landschaft in the spring of 2016, when two Muslim schoolboys refused to shake the hand of their female teacher on religious grounds, while also rejecting the compromise put forward by the school board that they no longer shake hands with their male teachers either. The school subsequently took disciplinary action against the pupils in question, who promptly submitted a complaint. An analysis of the legal situation conducted by the canton's Department of Education, Culture and Sport (BKSD) and the appeal decision reached by the cantonal government both came to the conclusion that there was a legal basis for the practice of handshaking in schools and that the public interest outweighed the private interests of the pupils in this case. In doing so, both authorities placed gender equality, integration and a well-organised school system above the right of individual pupils to respect their religious principles. They also found that any intrusion into the fundamental rights of the pupils caused by forcing them to shake hands was

¹⁹⁰ A number of studies elsewhere in Europe are also concerned with religious diversity and attitudes towards it. The Bertelsmann Stiftung's Religion Monitor project questions people across the continent about their personal attitude to religion and the relationship between religion and society. The surveys have been conducted three times to date (2007, 2013 and 2016). The most recent study looked at how successfully Muslims are integrated in a number of European countries and whether this is reflected in attitudes to Muslims. Switzerland fares well compared with the other countries involved in the survey: Muslims are very well integrated here, with 83% working either full- or part-time. Swiss Muslims also have more frequent regular contact with people of other religions in their leisure time. More than 98% of Muslims in Switzerland report feeling close ties with the country. These figures stand in contrast to the 17% of non-Muslim respondents in Switzerland who said they did not want Muslims as neighbours and the almost 35% of Muslims who reported having experienced some form of discrimination. Although these figures seem relatively high, especially considering the degree to which Muslims are successfully integrated within Swiss society, they are nevertheless at the lower end of the European scale. The complete study is available for download at: [www.bertelsmann-stiftung.de/en/> Our projects > Religion Monitor > Publications > Muslims in Europe – Integrated, but not accepted?](http://www.bertelsmann-stiftung.de/en/>Our%20projects%20>Religion%20Monitor%20>Publications%20>Muslims%20in%20Europe%20-%20Integrated,%20but%20not%20accepted?)

¹⁹¹ Updated study: Ettinger, Patrik / Imhof, Kurt. *Ethnisierung des Politischen und Problematisierung religiöser Differenz. Schlussbericht.* fög – Research Institute for the Public Sphere and Society. University of Zurich, 2011. Available for download at www.nfp58.ch (in German)

¹⁹² www.gerichte.sg.ch > Dienstleistungen > Rechtsprechung > Verwaltungsgericht > Entscheide 2014 > B 2014/51 (in DE)

¹⁹³ www.bger.ch > Presse/Aktuelles > Medienmitteilungen > Archiv der Pressemitteilungen > Urteil vom 11. Dezember 2015 (2C_121/2015; in DE)

proportionate. The only aspect of the appeal which was upheld, was the manner in which the school had officially handled the taking of disciplinary action.¹⁹⁴

A procedural request was then submitted to the Federal Assembly, calling for the obligatory handshake requirement to be put on a legal footing. The motion had not yet been dealt with at the time of writing this report. However, in its statement in response to the motion, the Federal Council points out that the cantons are responsible for the system of school education and for it to curtail their autonomy in this area would be inappropriate¹⁹⁵.

Ten Swiss cantons (Bern, Basel-Landschaft, Basel-Stadt, Geneva, Glarus, Lucerne, Neuchatel, St Gallen, Ticino and Zurich) permit burials in accordance with Muslim customs. Furthermore, permission was granted in the reporting period for the creation of Muslim burial grounds in Baden, northern Glarus and Lausanne.

The Swiss Centre for Islam and Society (SZIG) began its work at the University of Fribourg on 1 January 2015 and was officially inaugurated on 13 June 2016. A popular initiative opposing the centre, launched by the local Swiss People's Party (SVP) in 2014, failed after it was ruled unconstitutional by the cantonal parliament. The Federal Supreme Court upheld this decision in December 2016, declaring the initiative invalid.¹⁹⁶ As part of a project entitled "Muslim organisations as social actors", which received funding from the SEM and the SCRA, the SZIG held workshops from June 2016 onwards on topics as varied as working with young people, communicating with the media and prevention. These were carried out in cooperation with Muslim umbrella associations and other partners. The project's main aim is to provide continuing education and training opportunities that meet the target group's needs, and are designed and delivered in a spirit of partnership. By strengthening dialogue and networking in this way, the workshops should also enhance the skills of Muslim associations and other actors.¹⁹⁷

The start of July 2016 saw the launch of a one-year pilot project in Zurich to expand Muslim pastoral care into state-run asylum centres. The project was developed by the SEM together with two of the country's national churches (Swiss Reformed and Catholic) and the Swiss Federation of Jewish Communities (SIG), and the Association of Islamic Organisations in Zurich (VIOZ) is responsible for its implementation. The SZIG will assess the progress made at the end of the year. The aim is to establish whether it is possible to introduce a Muslim chaplaincy service at all the federal asylum centres and what benefits this would bring.¹⁹⁸

The Zurich University of Applied Sciences (ZHAW) published a report entitled "Background to jihadist radicalisation in Switzerland – An exploratory study with recommendations for prevention and intervention" in 2015. The SEM, Directorate of International Law (DIL) and SCRA contributed to the funding of the project, whose aim was to analyse the phenomenon of jihadist radicalisation and the processes by which young people are drawn to it in a Swiss context, in order to draw up recommendations for prevention and intervention. The study demonstrated that jihadists are so heterogeneous in terms of their social background, education and socio-economic status, that it is impossible to construct a 'typical profile'. However, the important role played by the internet in

¹⁹⁴ www.baselland.ch > Politik und Behörden > Regierungsrat > Medienmitteilungen > *Handschlag: Beschwerdeentscheid des Regierungsrates im Disziplinarmassnahmeverfahren* (press release of 18.05.2017; in DE)

¹⁹⁵ Motion entitled "*Gesetzliche Grundlage für den Handschlag*" (Mo. 16.3392) submitted by Sandra Sollberger on 7 June 2016 (in DE/FR/IT).

¹⁹⁶ www.bger.ch > Presse/Aktuelles > Medienmitteilungen > Archiv der Pressemitteilungen > Urteil vom 14. Dezember 2016 (1C_225/2016; in DE)

¹⁹⁷ www.unifr.ch > Interfakultär > Schweizerisches Zentrum für Islam und Gesellschaft > Weiterbildung > Muslimische Organisationen als gesellschaftliche Akteure (in DE/FR)

¹⁹⁸ www.sem.admin.ch > Aktuell > News > News 2016 > *Pilotprojekt für muslimische Seelsorge in den Bundesasylzentren* (press release, SEM, 04.07.2016, in DE/FR/IT)

radicalisation became clear. The study set out goals at a number of prevention levels, which then served as input when preparing the action plan referred to above (see chapter 6.3.1).¹⁹⁹

The SCRA provided a total of CHF 61,000 in financial support in the period under review to four projects aimed at preventing hostility towards Muslims. The National Coalition Building Institute (NCBI) launched a project in 2016 that explored ways of eliminating prejudice at times of tension through participatory methods. The 20 events held in the German- and French-speaking parts of the country sought to dispel prejudices about Muslims – against the backdrop of current fears about terrorism, radicalised youths coming to Switzerland or returning from abroad and the increasing number of Muslim refugees.

6.3.3 Anti-black racism and measures to combat it

The rejection of black people, based on the negative traits and behaviours that are ascribed to them, can be traced back to the racist ideologies of the 18th and 19th centuries, which served as justification for colonialism and slavery. In Switzerland today, a number of very different population groups are affected by hostile attitudes of this kind: several generations of immigrants from Africa (and, since the 1990s, especially from sub-Saharan Africa), South Asia, North and South America, and neighbouring European countries. Many of the victims are Swiss citizens. However, as Switzerland does not gather data by ethnic origin and physical appearance, we do not have a complete picture of which sections of the population as a whole are particularly vulnerable to this type of racism. In 2015, the *Carrefour de réflexion et d'action contre le racisme anti-Noirs* (CRAN) estimated that Switzerland was home to some 100,000 to 150,000 black people, 62,000 of whom originally came from sub-Saharan Africa. A further 40,000 to 50,000 Swiss citizens have roots in Africa or in the African diaspora from other countries, specifically on the American continent.²⁰⁰

According to the 2016 annual report of the *Beratungsnetzwerk für Opfer von rassistischer Diskriminierung*, black people mainly experience racism in the workplace, in public places and in connection with the police. The DoSyRa database recorded 70 cases of anti-black racism in 2016 (from a total of 245). In 2015, there were 60 (of a total of 313) cases in this category.²⁰¹ The network's evaluation of the cases encountered by the advice centres in 2016 reveals that anti-black racism is the most common form of racism after general xenophobia.²⁰² The survey conducted by the National Centre of Competence in Research (NCCR) that year for the first time comes to a similar conclusion, although it focuses exclusively on the situation of the migrant population: 52% of respondents from West Africa said they had experienced discrimination in the preceding 24 months, compared with 42% of those from Portugal and South America. The other groups included in the study returned far lower figures. The percentage of respondents from West Africa who attributed the discrimination they experienced to their status as migrants, their origin or nationality came to 53%, compared with 62% of respondents from Portugal and 78% from South America.²⁰³

The FCR's collection of legal cases documented 7 convictions for anti-black racism in 2016 and 2 in 2015.²⁰⁴

¹⁹⁹ See: www.zhaw.ch > Select school > Social work > Research > Background to jihadist radicalisation in Switzerland

²⁰⁰ Carrefour de Réflexion et d'Action contre le Racisme Anti-Noir. *Rapport sur le Racisme anti-Noir en Suisse, 2002–2014*. Bern, 2015, p. 7 (in FR).

²⁰¹ Monitoring report "*Rassismusvorfälle aus der Beratungspraxis. Januar bis Dezember 2016*". Beratungsnetz für Rassismusopfer, 2017, p. 14.

²⁰² *ibid.* p. 7.

²⁰³ Please note that these figures do not refer to the overall sample, but merely to those respondents that had experienced discrimination in the past 24 months. See: www.nccr-onthemove.ch > Research > Migration-Mobility Survey

²⁰⁴ www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Ideologie (in DE/FR/IT)

Additional data can be found in the FSO's 2016 survey on diversity and coexistence in Switzerland (VeS).²⁰⁵ More than 12% of those who took part said they had been discriminated against in the preceding 5 years on account of their colour or physical appearance. Conversely, 3-6% of respondents said they felt a sense of unease – either in their everyday lives, in their neighbourhood or at work – prompted by the presence of people of a different colour.

The FSO survey also gathered information for the first time on the general public's attitude to anti-black racism by posing a series of standardised questions. This part of the survey is similar in design to the sections concerning anti-Muslimism and antisemitism, i.e. the respondents are asked to indicate to what extent they agree or disagree with a range of stereotypes and positive or negative statements. A further question allows respondents to reject a general categorisation of blacks as a group (by agreeing with the opinion that black people 'have their good and bad points like everyone else'). As the questions in this part of the survey had not featured in any previous studies conducted in Switzerland, the statements put forward for agreement were largely inspired by long-standing surveys in other countries. Additional questions were based on research outcomes, especially from studies on post-colonialism and critical race theory.

However, it became apparent that the questions did not sufficiently reflect the situation and trends in Switzerland (see the following explanations regarding the negative stereotypes). This prompted the first interim module of the VeS survey to enquire into the subject of anti-black racism. Conducted in the spring of 2017, this ad-hoc survey also provided the opportunity to test potential improvements to the main questionnaire. The results are scheduled for presentation in early 2018.

Given the fact that the module on anti-black racism was being run for the first time, the results of the 2016 VeS survey are not very meaningful in this context and cannot be interpreted as part of a time series. However, as with the other blocks of questions on specific groups, it was possible to construct an index of negative opinions ('there are too many blacks in Switzerland'; 'the presence of black people in Switzerland contributes to rising crime'; 'it is not good for society if there are too many mixed marriages'; 'black people can't really be trusted'; 'black people who don't adapt to our way of life should be sent back where they came from'; 'you only have to look at their countries of origin to see that black people are not capable of taking responsibility for themselves and cannot get by without outside assistance'). In the 2016 survey, 10% of respondents agreed with these negative statements.

3.9% also agreed systematically with the negative stereotypes (black people are 'work-shy', 'violent by nature', 'have difficulty in respecting rules' and are 'only out to get what they can for themselves'). However, the comparatively low level of agreement here suggests that the chosen stereotypes are rooted in an explicit form of racism that has become outdated and no longer reflects the current situation in Switzerland, thus causing respondents to give socially desirable responses – more so than for the other groups.

96% of respondents believed that black people have their 'good and bad points like everyone else' (a higher score than for Muslims and Jews), while 11% rejected the negative stereotypes put forward by the survey completely. In other words, the majority of the population is opposed to preconceived judgements and opinions about black people. It will not be possible to fully analyse and interpret these results until 2020, when the data from the first three FSO surveys becomes available.

None of these surveys and figures would exist without actual experiences of anti-black racism and the expertise of organisations involved in the fight against it. Early in 2016, the SCRA asked a group of researchers led by the Swiss Forum for Migration and Population Studies (SFM) to collate all this information and prepare it for use in the opinion polls conducted by the FSO. Four focus group discussions (one male and one female group in both the German- and French-speaking parts of the

²⁰⁵ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

country) and eight one-to-one interviews with representatives of organisations from all over Switzerland served to record a broad spectrum of experiences and perspectives.²⁰⁶ The CRAN report was analysed in advance and used to design the interview questions and structure.²⁰⁷ For feasibility reasons, the study chose to focus primarily on the experiences of people of African descent.

The SFM report shows that everyone who took part in the study had experienced racist behaviour and discriminatory situations because of their descent or phenotypical (i.e. physical) characteristics. Although openly racist attacks and insults that make explicit reference to 'race' do exist, they tend to be rare and to occur in emotionally heated situations. Remarks, gestures and what are meant to be jokes – some of which are openly disparaging about presumed cultural differences – are far more common. One victim said that he is often spoken to as if he were "stupid or hard of hearing". Others report that strangers try to touch their hair in the street, despite the otherwise general avoidance of physical contact in Switzerland.²⁰⁸ Derogatory remarks about black people are often made in their presence. It is easy to play down these vague forms of everyday racism, and difficult to propose what can actually be done to combat them. As a result, outsiders do not (want to) understand how hurtful and disconcerting remarks and behaviour of this kind can be for those who are confronted with it on a day-to-day basis.

According to those interviewed, institutional discrimination is most frequently encountered in the form of police checks or in school. Recurring everyday situations, such as being ignored in a shop or served reluctantly, can also be interpreted as expressions of structural discrimination. The experts taking part in the interviews pointed out that the regularity with which racist behaviour of this kind occurs, and the fact that it is prevalent in all social classes and milieus, indicates that there is a structural dimension to anti-black racism, built on long-held stereotypes that were originally established to justify colonialism and the slave trade, but which continue to shape relations between blacks and non-blacks today, even in countries with no direct colonial policy. Seen from this perspective, anti-black racism is not simply an individual, interpersonal or institutional phenomenon, but rather the result and expression of a world view and social order that continues to assign a subordinate status to black people. A discourse founded on critical race theory and post-colonial studies is relatively new to Switzerland. Unlike other countries, it is only in the last few years that these theories have moved beyond academic circles to gain a foothold among the wider public.

Given the complex nature of the subject matter, the SFM's exploratory qualitative study is unable to reach any definitive conclusions. However, it does suggest possible avenues of future research, such as the gender-specific aspects of anti-black racism, the potential differences between urban and rural areas or between the different parts of the country, and the complex interconnections between anti-black racism and the migration debate. In addition to support for initiatives launched by victims and organisations, everyone who took part in the study would like to see more use being made of their experiences and expertise when it comes to designing and implementing measures to combat anti-black racism.

In parallel with the SCRA study, which focuses on how Switzerland's black population sees the situation, the Federal Commission against Racism (FCR) asked the Centre for Social Law at the Zurich University of Applied Sciences (ZHAW) to investigate specific dimensions of anti-black racism from a legal standpoint. Here, the population groups variously affected and the areas of life involved, together with the specific forms of discrimination to which this gives rise, are examined from a legal viewpoint with reference to human rights and anti-discrimination legislation as well as labour and social security law.

²⁰⁶ Denise Efonayi et al. *Le racisme anti-Noir en Suisse*. SFM, Neuchâtel, 2017. Available for download at: www.frb.admin.ch > Monitoring und Berichterstattung > Vorstudien und Beiträge (in DE/FR/IT)

²⁰⁷ Pétrémont Mélanie, Michel Noémi. *Analyse du rapport CRAN de juin 2015*. Bern, October 2017 (in FR).

²⁰⁸ Denise Efonayi et al., 2017, p. 15 and 19.

The two studies were designed to complement one another, thus enabling them to build up a comprehensive picture of anti-black racism in Switzerland today. The FCR will issue a set of recommendations when it publishes its study in November 2017. These will address topics (such as 'racial profiling') that affect the whole of society and therefore require a broad-based approach to ensure that the outcomes benefit all of the groups currently faced with discrimination. They will also propose measures specifically designed to combat anti-black discrimination. The FCR's recommendations are intended to draw greater attention to the phenomenon of anti-black racism and show what action can be taken to improve the situation.

In the two years covered by this report, the SCRA financed five projects seeking to prevent anti-black racism. As with all prevention efforts, to be eligible for financing, projects must involve the relevant actors, be conducted in an everyday setting and explicitly address the issue of racism and discrimination.

The African Diaspora Council of Switzerland held a congress on migration policy in 2016. In its final declaration, the Congress recalls the role of diaspora organisations in combating racism, discrimination and xenophobia. That same year, CRAN organised a European Conference on Anti-Black Racism in Geneva at which it turned the spotlight on international cooperation in this area. Plans to establish a system for more effectively monitoring cases of racial profiling directed at black people were also discussed.

A new movement – *A qui le Tour?* – came into being in the wake of two police interventions in French-speaking Switzerland. In November 2016, it organised a demonstration against the racial profiling of black people and criticised the lack of willingness to tackle the problem on the part of the judicial and other authorities. The movement maintains close links with the Alliance against Racial Profiling, which was also set up in 2016 (see chap. 6.2.8). Both movements reflect a gathering momentum within civil society to engage more closely with issues related to racism and steer the public debate on specific aspects of anti-black racism.

Unlike negative attitudes and behaviour towards other people on grounds of their (actual or supposed) religion or culture, this type of racism is based on characteristics that are both visible and immutable. Outward appearance is the decisive factor, regardless of whether the individual in question is a Swiss citizen or immigrant. The SFM study on experiences of racism and the legal assessment of the situation commissioned by the FCR both demonstrate that anti-black racism has its own history and own momentum; these should be given greater consideration in prevention efforts.

6.3.4 Antisemitism and measures to combat it

Almost 18,000 Jews live in Switzerland (roughly 0.2% of the resident population over 15), with just over half of them residing in the canton of Zurich and in western Switzerland.²⁰⁹ The Jewish communities are officially recognised under public law in six cantons (Basel-Stadt, Bern, Fribourg, St Gallen, Zurich and Vaud), although they have retained their status as associations under private law in Zurich and Vaud. In all the other cantons, they are organised as private associations or foundations.²¹⁰ Since its ratification of the Council of Europe's Framework Convention for the Protection of National Minorities in 1988, Switzerland has recognised its Jewish population as a national minority alongside the Yenish and

²⁰⁹ In the 2015 census, 17,250 members of the permanent resident population aged 15 and over indicated that they belonged to the Jewish religious community. A large number of followers of the Jewish faith live in the cities of Zurich (around 4,000), Geneva (around 2,000) and Basel (around 1,000). www.bfs.admin.ch > Statistiken finden > Bevölkerung > Sprachen und Religionen > Religionen

²¹⁰ This means the communities are granted certain rights, such the right to levy taxes or to teach religious education in state schools. It does not imply recognition as a state religion.

Sinti.²¹¹ The country's Jewish communities have come together to form two umbrella organisations: the Swiss Federation of Jewish Communities (SIG) and the Platform of Liberal Jews in Switzerland (PLJS).

The DoSyRa database registered 6 antisemitic incidents in 2016 (from a total of 245), compared with 12 (from a total of 313) in 2015.²¹² These generally low figures can partly be explained by the fact that some cases are never recorded, as victims do not always confide in an advice centre that is part of the reporting network. The FCR's collection of legal cases also shows that fewer legal rulings had been delivered on matters of antisemitism in recent years (1 to 4 decisions in the 2010-2014 period); however, these rose to 10 in 2016 and 36 in 2015. Most of these concerned incidents occurring on social media.²¹³ The report on antisemitism compiled by the SIG and the Foundation against Racism and Antisemitism (GRA) documents 25 antisemitic acts in German-speaking Switzerland in 2016 and 16 in 2015 – a noticeable decline on the 66 incidents reported in 2014. This can be explained by the fact that the conflict in the Gaza Strip prompted an upsurge in antisemitic sentiment that year.²¹⁴ The report compiled by *Coordination Intercommunautaire Contre l'Antisémitisme et la Diffamation* (CICAD), an NGO based in western Switzerland that fights antisemitism and defamation, disclosed 153 incidents in French-speaking Switzerland in 2016 and 164 in 2015 (following a peak of 271 cases in 2014).²¹⁵

Additional data can be found in the FSO's 2016 survey on diversity and coexistence in Switzerland (VeS).²¹⁶ Of the 12% of respondents stating they had been discriminated against in the preceding 5 years because of their religion, 5% were Jewish. The VeS survey also measures hostile attitudes directed specifically towards Jews through a series of standardised questions. Negative opinions of Jewish people ('jointly responsible for their persecution', 'too much influence on world events', 'exploitation of the Holocaust', 'loyalty first and foremost to Israel', 'too much influence on Switzerland', 'all Jews should go to Israel') were combined to form an index. In the 2016 survey, 8% of respondents agreed with the negative statements with which they were presented. 12% also agreed with the suggested negative stereotypes (Jews are greedy for money, successful in business, hungry for power and politically radical). Because of the different methodology applied, these figures cannot be compared directly with those from the gfs pilot surveys.

On the other hand, 95% of those questioned agreed with the statement that Jewish people 'have good and bad points like everyone else' and 15% rejected the negative stereotypes. This outcome is consistent with the 2010-2014 pilot surveys, which found that the vast majority of the population claimed to have no preconceived opinions about Jews. These results cannot be analysed in any greater detail until 2020, when the data from the first three FSO surveys becomes available.

The SCRA began documenting the action taken by the competent government agencies to combat antisemitism in November 2016. The report provides a comprehensive overview of the prevention and

²¹¹ The Jewish community meets the requirements for recognition as a national minority set by Switzerland when it ratified the convention, i.e. it has long-standing, firm and lasting ties with Switzerland and a common identity which it safeguards through its culture, traditions, religion or language.

²¹² Monitoring report "*Rassismusvorfälle aus der Beratungspraxis. Januar bis Dezember 2016*". Beratungsnetz für Rassismuskritiker, 2017, p. 14.

²¹³ www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Ideologie (in DE/FR/IT)

²¹⁴ Swiss Federation of Jewish Communities (SIG) / Foundation against Racism and Antisemitism (GRA). Antisemitism report 2016, www.antisemitismus.ch > Analyse > Analyse 2016 > Management Summary (EN). As well as reported acts, the antisemitism report also features incidents covered by the media; those occurring on social networks only receive a mention if they are picked up by the media (i.e. they are not identified and recorded as a category in their own right).

²¹⁵ Coordination intercommunautaire contre l'antisémitisme et la diffamation (CICAD). *Antisémitisme en Suisse romande. Rapport 2016*. Geneva, 2017, p. 12. The CICAD report (in French) covers the findings for French-speaking Switzerland. It adopts a wider approach than the SIG/GRA report on antisemitism in the German-speaking part of the country by also including cases actively identified by CICAD's own research on the internet.

²¹⁶ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

awareness-raising measures taken, the applicable law and the situation regarding the protection of Jewish people and institutions in Switzerland.²¹⁷ It underlines the Federal Council's firm and methodical commitment to combating all forms of racism and antisemitism, which is considered a permanent obligation of the Confederation. The numerous activities conducted by the various federal offices, as well as the cantonal and communal authorities, help create an awareness-raising and prevention policy that is implemented systematically. Moreover, the federal government and cantons have a positive duty to protect the Jewish community and Jewish individuals or institutions if there are serious indications that they could become the target of violent attacks. The publication of the report prompted an in-depth discussion on antisemitism and responsibility for ensuring the safety and security of Jewish people and other religious and ideological minorities in Switzerland. The Federal Council subsequently asked the Delegate of the Swiss Security Network (SVS) to draw up a concept for improving the coordination of efforts to protect particularly threatened minorities, involving the federal government, cantons and stakeholders in the process.

In March 2017, Switzerland took over the chairmanship of the International Holocaust Remembrance Alliance (IHRA), which gave it the opportunity to step up its efforts to combat all forms of antisemitism during that 12-month period.²¹⁸ Switzerland has been a member of the IHRA since 2004. The organisation aims to promote research and education about the Holocaust and other genocides and to preserve the memory of victims through commemorations and memorials, especially in its 31 member countries. To mark the beginning of the Swiss chairmanship, the Gamaraal Foundation created an exhibition entitled "The Last Swiss Holocaust Survivors" with the support of the Federal Department of Foreign Affairs (FDFA) and the SCRA. The exhibition attempted to put a personal face on the story by presenting portraits and video testimonies of the last 150 Holocaust survivors now living in Switzerland. In addition, the 15th and final volume of the "Memoirs of Holocaust Survivors" project was published in 2015 with FDFA and EDK support. This series of books recounts the stories of Holocaust survivors who live in Switzerland. All 15 volumes are scheduled for translation into French by 2017, partly by school classes and partly by the General Secretariat of the Federal Department of Home Affairs (GS-FDHA); the FDHA is financing their publication.²¹⁹

The SCRA provided a total of CHF 97,500 in financial support in the period under review to four projects aimed at preventing antisemitism. For example, the SIG expanded its established "Likrat – Encounters with Judaism" project to include French-speaking Switzerland. This outreach scheme sees Jewish youngsters invited into schools to speak about what it means to be Jewish in order to get classes talking about antisemitism, racism and discrimination. Encounters of this kind encourage both sides to open up and confront current and often controversial topics.²²⁰

At the cantonal level, projects to combat antisemitism are mainly conducted by schools, such as those to commemorate "Holocaust Remembrance Day" on 27 January. The universities of teacher education tackle the subject of antisemitism in the form of workshops and special theme days. The University of Teacher Education Lucerne also held a conference and learning workshop on the Holocaust and National Socialism in 2016. The International Research Conference on Education about the Holocaust, the final event of the IHRA's research project on teaching and learning about the Holocaust, was partly

²¹⁷ www.edi.admin.ch > Monitoring and reporting

²¹⁸ www.eda.admin.ch > News > Dossiers > Archives > *Switzerland to chair the International Holocaust Remembrance Alliance in 2017* (press release of 05.11.2015)

²¹⁹ www.admin.ch > Documentation > Media releases > *FDFA: Stories and Faces of Holocaust Survivors* (press release of 02.06.2015)

²²⁰ www.likrat.ch > For Schools

financed by Switzerland. Elsewhere, Jewish and non-denominational civil society organisations are heavily involved in this area.

6.3.5 The situation of the Yenish and Sinti, both sedentary and itinerant, in Switzerland

The Yenish minority in Switzerland are a people with nomadic origins, most of whom have become sedentary, often under threat of force or to avoid persecution. Nevertheless, they continue to view an itinerant way of life as a core element of their identity. Some 30,000 Yenish are estimated to live in Switzerland; of these, 3,000 to 5,000 are semi-nomadic. There are also a small number of Swiss Sinti (who call themselves Manouches in the French-speaking part of the country) who lead a semi-nomadic existence. In summer, they travel in small family groups, pursuing a variety of itinerant trades, for which they require “short-stay areas”; these are sites made available by the authorities for stays of 1-4 weeks. They spend the winter season in caravans, wooden chalets or containers at a “stopping place”, during which time the children attend the local school. They are registered with the authorities at the place of their winter encampment and pay their taxes there. Switzerland has recognised the Yenish and Sinti/Manouches, whether sedentary or itinerant, as a minority within the meaning of the Council of Europe’s Framework Convention for the Protection of National Minorities. The federal government, cantons and communes have a particular duty to protect them in addition to enabling and promoting the travelling lifestyle.²²¹

The names given to the different groups remain inconsistent in use and are ultimately a political issue. While the federal government has undertaken to refer to the Yenish and Sinti/Manouche by the names they bestow on themselves and only to mention their itinerant way of life when appropriate, general use of the term (Swiss) travellers is still widespread. This, however, refers only to the nomadic lifestyle and fails to take account of each group’s cultural identity. The Yenish and Sinti/Manouches are not to be confused with the sedentary Roma living in Switzerland or the travelling Roma who visit during the summer months. They too are often lumped together under the blanket term “travellers” (or the discriminatory term “gypsies”).

No cases of ‘hostility towards Yenish, Sinti and Roma’ were recorded in the DoSyRa database in 2016 (from a total of 245), compared with 5 in 2015 (from a total of 313).²²² However, it can be assumed that those affected do not always seek assistance from an advice centre that is part of the reporting network, preferring instead to confide in an individual or organisation they trust, which means the cases in question are never recorded. The FCR’s collection of legal cases has featured only 3 convictions for antigypsyism since 1995, the most recent of which dates back to 2006.²²³

However, the *Radgenossenschaft der Landstrasse*, the umbrella association of the Swiss Yenish and Sinti/Manouches, which receives financial support from the federal government, recorded numerous cases of ‘institutional racism’ in 2016, by which it means acts of discrimination by the authorities at various levels. It cites four representative examples:

- A Yenish family was driven out of its chalet on the edge of a gravel quarry following 28 years on the site. While the commune stated that it needed the space for a woodyard, the Radgenossenschaft suspects the eviction was motivated by racism.
- A Yenish inmate who had been sentenced to two years’ imprisonment for acts of violence and additionally placed under a care and treatment order, as he was presumed to represent a danger to

²²¹ See Federal Supreme Court ruling of 28 March 2003: www.polyreg.ch > Information > Federal Court Decisions > Published decisions since 1954 > BGE 129 II 321 (in FR)

²²² Monitoring report “*Rassismusevorfälle aus der Beratungspraxis. Januar bis Dezember 2016*”. Beratungsnetz für Rassismuspfer, 2017, p. 14.

²²³ www.ekr.admin.ch > Dienstleistungen > Sammlung Rechtsfälle > Statistischer Überblick > Ideologie (in DE/FR/IT)

the public, had been detained since 1999. A further application for parole was rejected in mid-2016 due to his rebellious behaviour. The Radgenossenschaft takes the view that his rebellion against the institutions basically stems from his negative experiences as a member of the Yenish people.

- During a consultation process on amending the Ordinance on Itinerant Trade, several cantons expressed their wish to exclude construction and construction-related work from the fields of activities authorised by law. Such a move would have considerably restricted the employment opportunities open to those Yenish and Sinti/Manouche who exercise itinerant trades.
- In a number of cases, farmers wishing to lease private land to travelling Yenish, Sinti/Manouche or Roma were prevented from doing so by the communal authorities. It was noted that communes seeking to prevent the leasing of private land to these groups generally cite (e.g. environmental) regulations as the reason.

The FSO conducted its first survey on language, religion and culture in 2014 and published its initial findings in 2016.²²⁴ The results show that approximately 60% of the population believe that ‘Swiss travellers’ (the term used in the actual survey) should continue to lead their nomadic way of life, while around 10% are opposed to the idea. The survey further shows that more than half of respondents are in favour of transit sites for ‘Swiss travellers’. Just under half did not know whether short-stay areas were available in the commune in which they live, but said they would not be disturbed by the prospect of such a site being created.

According to the FSO’s 2016 survey on diversity and coexistence in Switzerland (VeS), 21% of respondents are made uneasy in their everyday lives by the presence of people with an itinerant lifestyle, 12% by people who speak a different language, 10% by people with a different religion and 6% by people of a different colour or nationality.²²⁵ At first sight, the high figure for those with an itinerant lifestyle in comparison with the other groups may appear surprising. However, similar findings have been presented in Germany and other European countries – although these do not actually refer to the travelling way of life per se, but rather to certain sections of the population such as the Sinti or Roma (only some of whom pursue a semi-nomadic lifestyle and some of whom are even sedentary).²²⁶ The FSO’s interim VeS survey in 2019 will explore attitudes towards an itinerant way of life, the Yenish, Sinti/Manouches and Roma in greater detail.

The negative image of members of the ‘traveller’ community that tends to be portrayed in the media is directly linked to the shortage of sites for them and the issues this raises. According to the 2015 status report of the *Stiftung Zukunft für Schweizer Fahrende*, a foundation that acts to secure a future for Swiss ‘travellers’, the number of stopping places has increased by just one in the last five years (from 14 in 2010 to 15 in 2015). The number of short-stay areas, on the other hand, has fallen over the same period (from 42 in 2010 to 31 in 2015). This is not enough to cover needs: the foundation estimates that at least 42 stopping places and 80 short-stay areas would be necessary to meet demand.²²⁷

Several cantons and communes actively sought to resolve the situation during the period under review. Two short-stay areas in the canton of Aargau (at Würenlos and Zofingen) reopened in 2015 following renovation work, to which the *Stiftung Zukunft für Schweizer Fahrende* made a financial contribution. The canton of Bern continued its awareness-raising campaign in 2015 and the cantonal parliament

²²⁴ The survey on language, religion and culture gathers statistical information on practices in these areas and is conducted as part of the new population census system. It was held for the first time in 2014 and is to be repeated every five years. See: www.bfs.admin.ch > Look for statistics > Population > Language, religion and culture survey.

²²⁵ www.bfs.admin.ch > Look for statistics > Population > Migration and integration > Diversity and Coexistence in Switzerland

²²⁶ Federal Anti-Discrimination Agency. Between indifference and rejection. Population’s attitudes towards Sinti and Roma. Berlin, September 2014. Appendix 4 of the study provides an overview (in German) of existing surveys in Germany and Europe.

²²⁷ www.stiftung-fahrende.ch > Geschichte-Gegenwart > News und Veranstaltungen > Archiv > Fahrende und Raumplanung: Standbericht 2015 (in DE)

overwhelmingly approved a framework credit to develop new sites for Swiss “travellers” in Erlach, Herzogenbuchsee and Muri. A short-stay area was relocated in Thun/Allmendingen, allowing a dozen new pitches to be created. Meanwhile, in Gossau in the canton of St Gallen, the city parliament refused to rezone a plot of land in 2015, thereby preventing the creation of a short-stay area. A provisional short-stay area opened in Altstetten in the canton of Zurich, although the search for a suitable location for a permanent short-stay site continues. The canton of Basel-Stadt created a temporary short-stay area to bridge the gap until a new stopping place becomes permanently available in early 2018. In Sâles in the canton of Fribourg, the Joux-des-Ponts rest area for heavy goods vehicles has served as a short-stay area from March to October since the end of 2016.²²⁸

In 2014, the Yenish and Sinti/Manouches brought their demands for sufficient stopping places and short-stay areas to public attention, thus inspiring three parliamentary procedural requests to be submitted at the federal level. These efforts culminated in the creation of a working group at the Federal Office of Culture (FOC) on “improving conditions for the nomadic way of life and promoting the culture of the Yenish, Sinti and Roma in Switzerland”. Given that most people tend to associate the Roma with the Yenish and Sinti/Manouches and in light of the group’s own demands to protect its culture, representatives of the Roma community were also invited to take part. The working group drew up recommendations on how to enable the minorities in question to lead a way of life which satisfies their wishes. In its interim report, the working group pinpointed five areas in which there is a need for action: *sites, education, culture and identity, social insurance and repositioning the Stiftung Zukunft für Schweizer Fahrende*.²²⁹

The “Feckerchilbi,” a traditional gathering of the nomadic Yenish community which is accompanied by a programme of cultural events, gives the general population an insight into the life of the Yenish and Sinti/Manouches thus helping to dispel fears and prejudices, which in turn encourages mutual tolerance and understanding. The fair was held in Bern for the first time in September 2016 to highlight the importance of the country’s capital city to these groups. In addition, it gave the *Radgenossenschaft der Landstrasse* the opportunity to celebrate its 40th anniversary at the place it was founded, the Bierhübeli restaurant in Bern.²³⁰ For the first time ever, the address officially opening the Feckerchilbi was given by a member of the Federal Council on 15 September 2016. Federal Councillor Alain Berset paid tribute to the contribution made by the culture and language of the Yenish and Sinti/Manouche to the diversity that makes up current day Switzerland and recalled both the devastating history of persecution experienced by these communities and the suffering of the victims. Having assured the audience that Switzerland is committed to promoting the culture of the Yenish and Sinti/Manouche and enabling them to live a nomadic way of life, he concluded by explicitly acknowledging that the generic term “travellers” was unsuitable and promised that the Yenish and Sinti/Manouche would henceforth be referred to by the names they bestow upon themselves.²³¹

Two more events took place in Zurich during the reporting period: as in previous years, the wide-ranging programme of the “*Zigeunkulturtage*” gave the public the chance to learn more about the culture and

²²⁸ Comments of the Swiss Government on the Third Opinion of the Advisory Committee: www.coe.int > Human Rights > National Minorities > Monitoring > Country-specific monitoring > Switzerland > Third Cycle (15.11.2013) > Advisory Committee on the Framework Convention for the Protection of National Minorities

²²⁹ The working group published its first interim report on 21 December 2016. Working group’s report and action plan “Verbesserung der Bedingungen für die fahrende Lebensweise und zur Förderung der Kultur von Jenischen, Sinti und Roma”. See: www.bak.admin.ch > Kulturschaffen > Jenische und Sinti als nationale Minderheit (in DE/FR/IT)

²³⁰ www.feckerchilbi.ch > Feckerchilbi 2016 (in DE)

²³¹ www.edi.admin.ch > Dokumentation > Reden > Jenische und Sinti bereichern die Schweiz (speech given on 15.09.2016; in DE)

lifestyle of the Yenish, Sinti/Manouches and Roma. Events, which received financial support from the SCRA, included panel discussions, concerts, guided tours and a food and craft market.

By ratifying the Council of Europe's Framework Convention for the Protection of National Minorities (FCNM) in 1988 and recognising the Yenish and Sinti/Manouches as national minorities, Switzerland has given an undertaking to create appropriate conditions that will enable them to preserve and develop their culture. The FOC allocated annual funding of some CHF 40,000 each to the *Radgenossenschaft der Landstrasse* umbrella organisation and *Stiftung Zukunft für Schweizer Fahrende* foundation during the 2012-2015 period under Art. 17 of the Culture Promotion Act (CuPA). The Dispatch on the Promotion of Culture for the 2016-2020 period ("Dispatch on Culture") states that the credit in support of "travellers" should be increased by CHF 300,000 per annum during that period to allow the *Stiftung Zukunft für Schweizer Fahrende* foundation to play an active part in creating stopping places and short-stay areas.

In 2014, the School of Education at the University of Applied Sciences and Arts Northwestern Switzerland (FHNW School of Education) developed online teaching material on the Roma, Sinti/Manouches and Yenish for use in history lessons at secondary school level in order to raise awareness of their way of life among young members of the majority population. The modules discuss the forms, causes and effects of discrimination and exclusion with the aid of different sources while developing a basic knowledge of history. The project hopes to promote respect for the equal standing and rights of national minorities in Switzerland.²³² Initial assessments of the teaching modules show that pupils generally have little knowledge of the groups in question. However, they appear to show an interest in the subject, and the success of the respective modules helps eradicate prejudices while at the same time encouraging pupils to take a more critical view of what they read in the media.

The Lucerne School of Social Work published the proceedings of a week-long workshop exploring the topic of "Roma, Sinti, Yenish – Europe and the 'Gypsies'" in 2015. Alongside articles by the School's students and lecturers, the journal also includes contributions from NGOs such as the Roma Foundation, *Schäft Qwant* and the FCR that look at the history of these minorities and the discrimination they face²³³.

Persons such as the Yenish and Sinti/Manouches who led an itinerant life were subject to compulsory social measures until the early 1980s. The Federal Council issued an official apology to them in 1986. The new Federal Act on Compulsory Social Measures and Placements prior to 1981 (CSMPA; SR 211.223.13), which came into force on 1 April 2017, is intended as an acknowledgement of the injustice suffered by the victims and seeks to provide redress for the compulsory measures and forced fostering they underwent. Furthermore, a call for proposals was launched in 2017 for a National Research Programme (NFP 76) with the aim of analysing the characteristics, mechanisms and effects of Swiss welfare policy and practices in their various contexts, identify possible causes of welfare practices that had an impact on the integrity of the persons concerned and explore how they were affected by these practices. In addition, the Federal Council takes the view that accepting responsibility for past mistakes is part and parcel of the fight to overcome the structural and cultural stigmatisation of the Yenish, and is therefore willing to consider lending its support to a third-party initiative to erect a memorial to the victims of the *Hilfswerk Kinder der Landstrasse* (as the scheme was known).²³⁴

²³² <https://web.fhnw.ch/ph/ife/historyhelpline> > Neu: HH Spezialthemen SI und II – Roma Sinti und Jenische im Geschichtsunterricht (in DE)

²³³ Lucerne University of Applied Sciences and Arts. Werkstattheft. Roma, Sinti, Jenische – Europa und die "Zigeuner". Lucerne, 2015 (in DE).

²³⁴ Statement of the Federal Council in reply to Interpellation 16.3370 submitted by Barbara Gysi. A total of five procedural requests were submitted to Parliament in relation to the Yenish, Sinti/Manouches and Roma in 2015 and 2016.

6.3.6 The situation of the Roma in Switzerland

The 40,000 to 80,000 Roma living in Switzerland, most of whom came here from South-Eastern and Eastern Europe in the last 20 to 30 years, were never a travelling people. They are now integrated and not immediately recognisable as Roma; some are even Swiss nationals.²³⁵

Although their situation cannot be compared with that of the Yenish and Sinti/Manouches, let alone with people who lead an itinerant lifestyle, they nevertheless find themselves exposed to prejudice and discrimination. For this reason, the Federal Council decided to appoint a representative of the Roma community as a member of the Federal Commission against Racism (FCR), to sit alongside representatives of the Yenish and Sinti/Manouches.

A distinction must be made between the sedentary Swiss Roma and the groups of Roma who travel across Switzerland in the summer months as itinerant traders or labourers. In contrast to the Swiss Yenish and Sinti/Manouches, they tend to travel in larger groups with many caravans. Due to the lack of suitable transit sites, this causes problems, which often attract great media attention.²³⁶

All 26 cantons have central contact points for issues related to the 'travelling' lifestyle, which are variously assigned to different departments. The cantons of Bern and Aargau have specialist services in place. Training mediators and conducting awareness-raising campaigns aimed at the police and authorities can help defuse conflicts involving landowners, groups of Roma and other parties. Measures of this kind are currently being implemented in the cantons of Vaud, Ticino and Geneva.

A multi-year study being conducted by the Roma Foundation is intended to gather quantitative data about Switzerland's Roma population – covering origin, Roma groups, languages, age, gender, marital status, children, education and work. This will be supplemented by a qualitative study written from an ethnological perspective. The aim of this project, which receives support from the SCRA, is to put together a more realistic of this particular section of the Swiss population and thus help eliminate some of the prejudices that exist.

The Society for Threatened Peoples (STP) launched a project in January 2017, with SCRA backing, to facilitate the sharing of experience and expertise in mediation processes and encourage networking and mutual support. The long-term aim is to improve relations between travelling Roma groups and the Swiss people. In 2015, the Geneva branch of Caritas teamed up with the HETS School of Social Work to embark on a two-year project looking at the future of the Roma community in the city and canton of Geneva entitled "*Roms à Genève – Comment se projeter dans le futur?*". The project, which receives financial support from the SCRA, seeks to involve the victims of anti-Roma discrimination in drawing attention to their situation, make the authorities and institutions more aware of the issue and draw up suitable measures for improving mutual understanding.

Two Swiss Roma organisations submitted a request for recognition of the country's Roma as a national minority within the meaning of the Council of Europe's Framework Convention in April 2015 and for recognition of Romanes as a non-territorial minority language within the meaning of the European Charter for Regional or Minority Languages. That request is currently under consideration by the competent authorities under the leadership of the Directorate of International Law (DIL) and the FOC.

Various minority organisations came together on 30 September 2016 to form the *Collectif Européen des Minorités Discriminées* (CEMD) with the aim of strengthening the voice of the Yenish, Sinti/Manouches

²³⁵ The exact number of Roma living in Switzerland is not known. Expert estimates vary in magnitude from 40,000 to 80,000. The reason for these unreliable statistics lies in the migration movements of the Roma, who have made their way to Switzerland from many different countries of origin, fleeing persecution and discrimination. Many are still reluctant to identify themselves as such.

²³⁶ For an explanation of the ethnic designations and their interactions with the itinerant way of life, see: Galizia, Michele. *Stigmatisierende Etiketten: Die Unschärfe als Gefahrenquelle*. Tangram 30, 12/2012. Bern, 2012, p. 20–28 (in DE/FR/IT).

and Roma throughout Europe and acting on behalf of all Europe's "travellers" and sedentary Roma. The Swiss Radgenossenschaft has two representatives on the CEMD, which it also chairs.

7 Conclusion

Social cohesion functions well in Switzerland, with people of different language, religion, colour and origin living peaceably side by side. Nevertheless, members of certain sections of the population experience racial discrimination in their everyday lives. Incidents of this kind not only violate their dignity as human beings, they also threaten the cohesiveness of society. Authorities at every level of state, politicians, the media and civil society organisations must play a part in protecting the fundamental rights of all, as posited in the preamble to the Federal Constitution and set forth in detail in Art. 8. They must do so through continuous awareness-raising and prevention measures – even resorting to repression if necessary. But above all, each and every individual is called upon to recognise discriminatory attitudes and behaviours – in themselves and others – and to react accordingly when encountering these in their day-to-day lives.

Convictions for racial discrimination have increased steadily since the provision on racism was introduced to the Criminal Code. There has been an upsurge in racist incidents on the internet, especially on social media and in blogs and the online comments sections of newspapers. On average, the number of complaints of experienced discrimination seems to have flattened out in recent years, although a number of sources indicate otherwise. The majority of sources show that the perpetrators tend to be young, Swiss and male.

In the reporting period, the cantonal integration programmes (CIPs) established and embedded goals for developing and implementing anti-discrimination measures that are geared towards needs at the local level. Protection against discrimination has now become an integral part of the measures taken to promote integration in every canton. The first programme phase will be completed in 2017. The evaluation to date clearly shows that there is a direct correlation between awareness-raising work and the public's willingness to seek advice: when racism is a taboo subject, people have greater inhibitions about making use of advisory services. This means sufficient resources must be allocated during the second programme phase (2018–2021) if protection against discrimination is to be strengthened successfully in the long term. Reducing them to the extent that the provision of locally adapted services becomes jeopardised would also threaten the implementation of protection against discrimination as a whole – one of the programme's key goals.

Following a successful pilot phase, the Federal Council decided in the spring of 2015 to launch an instrument that would regularly survey the attitudes, opinions and perceptions of Switzerland's resident population regarding various forms of racism and issues related to coexistence and integration. The data on attitudes rounds out the available data on cases of racial discrimination. The FSO survey on diversity and coexistence in Switzerland (VeS) has been carried out every two years since 2016. A shorter survey is conducted in the intervening years; this looks at specific areas ('sub-topics') in greater detail or explores new issues. It will not be possible to make reliable statements about trends until three VeS surveys have been conducted. The results will then enable potential problems in the different areas of life to be flagged up at an early stage and targeted action to be taken to maintain social harmony in Switzerland.

8 Opinion of the Federal Commission against Racism

The Federal Commission against Racism (FCR) was set up 20 years ago and has served as an independent, extra-parliamentary body ever since. It is tasked with keeping a critical eye on the interaction between the actors involved at every level, highlighting positive socio-political trends and identifying any shortcomings and discrepancies that might exist.

The FCR operates independently of the SCRA, in a complementary role, but wishes to commend the work done by the latter and the quality of the projects it supports.

During the course of 2016, the FCR noted that racism and racial discrimination remains a pressing topic that is all too prevalent in daily life. This is reflected in the social networks and on media and private blogs, where certain taboos are being broken and freedom of expression sometimes crosses over into outright hate speech. Not everything that is said and done is punishable as a criminal offence under Art. 261^{bis} of the Swiss Criminal Code. Therefore, there is a need to be vigilant and step up prevention measures. Incidentally, the FCR's strategic plans for the 2016-2019 period provide for the efforts that formed part of the 2015 "*Bunte Schweiz*" (We are Swiss) campaign to be continued.

Certain sections of the population are more exposed to racial discrimination than others. Moreover, certain constellations can give rise to serious cases of multiple discrimination – depending on a person's ethnicity, colour, cultural background and social status etc. The FCR addressed some of these issues more closely in 2016. Its main focus lay on combating anti-black racism, which – as this report demonstrates – is in need of greater attention. There are major gaps in the research currently taking place in this area, especially with regard to the population groups that are variously affected and the areas of life involved. From a legal point of view, the resulting specific forms of discrimination are covered by human rights and anti-discrimination legislation as well as labour and social security law. In parallel with the SCRA study, which focuses on how Switzerland's black population sees the situation, the FCR asked the Centre for Social Law at the Zurich University of Applied Sciences (ZHAW) to investigate specific dimensions of anti-black racism from a legal standpoint. Following their publication in November 2017, the results of that study will serve the FCR as a basis for issuing recommendations on preventing and combating stereotypes. This work is being closely coordinated with that of the SCRA to ensure that any action subsequently taken is precisely defined.

The FCR devoted the December 2016 issue of its TANGRAM bulletin to the topic of access to justice. It noted that the individuals who are most susceptible to discrimination tend not to be aware of their rights and experience great difficulty in taking legal action when called for. The FCR had previously campaigned in 2010 for the introduction of legal provisions that would make it easier to fight everyday racial discrimination. As the number of cases being dealt with by the advice centres shows, problems of this nature occur in everyday life, particularly with regard to housing and employment. The FCR wishes to emphasise that racial discrimination is prohibited under the Federal Constitution and that taking action to combat and prevent it is more necessary than ever. Mediation is a valuable tool, but it is not always sufficient.

Sadly, racism remains a problem in our society – despite the many, varied projects and measures to combat it referred to in this report. The fact that racism is gradually coming to be seen as a problem by the majority of the population, as revealed by the FSO's 2016 survey on diversity and coexistence in Switzerland, is a first step in the right direction. Only when mainstream society becomes aware of the situation can a substantive debate take place – one that allows specific cases of racial discrimination to be dealt with in a more conscious and nuanced manner. It is greatly to be hoped that this clear realisation that racism sits *at the heart of* society will have an impact on the fight to prevent and eliminate racism, elevating its status in the eyes of both the authorities and civil society. The effectiveness and sustainability of the chosen measures are more crucial than the often modest financial resources

allocated from the public purse. Ultimately, every member of society benefits from strong social cohesion and faith in a common future.

How can the state intervene here and what support can it offer to ensure that areas of everyday life such as work, housing, education and training remain as free of discrimination as possible? One of the keys lies in making low-threshold advice services available to victims. Assuring the quality of these services is an area in which the FCR will remain involved in future. It will also continue to contribute its expertise in legal matters, as it did during the development of the SCRA's online legal guide.

The FCR welcomes the expansion over the past two years of the cantonal advice services run under the CIPs. Although far from complete, this is a definite step in the right direction as the advice centres and the services they offer are open to all sections of the population who feel they are being discriminated against and all potential victims of racial discrimination. The FCR would like to stress once more that integration is a core aspect of the battle to wipe out discrimination, and society as a whole must join the policymakers in consistently striving to promote it.

Martine Brunschwig Graf

President of the FCR

9 Opinion of the Federal Commission on Migration

The Federal Commission on Migration (FCM) is mandated by law to address social, economic, cultural, political, demographic and legal issues arising from the presence of the foreign resident population in Switzerland. It addresses topics ranging from protecting refugees to labour migration and social cohesion to transnational issues. In the following statement, the FCM restricts itself to those areas that especially affect migrants and touch on coexistence within a migration society.

People from a migrant background most affected by discrimination

According to this report, discrimination against foreign nationals and people from a migrant background not only remains high, it is actually trending upwards. Although the available sources appear to show that negative attitudes have changed little over time, the fact that even a slight increase can be detected over the last few years gives cause for concern.

The FCM therefore recommends redoubling all efforts to combat discrimination – for example, within the scope of the cantonal integration programmes (CIPs). In this context, protecting against discrimination does not mean simply providing support to individual victims: above all, it means intensifying the awareness-raising measures aimed at the authorities and the general public. As discrimination is primarily encountered in the workplace, where it also affects precarious residents, such as those who have been admitted to the country only temporarily, special attention must be given to encouraging employers to establish a corporate culture that is free of prejudice. In other words, it is essential that the resources allocated to anti-discrimination measures under the CIPs are not reduced in any way; instead, they should be seen as an inherent and effective part of promoting integration.

Use of the legal term “integration”

Both the new Citizenship Act (SCA) and the partly revised Act on Foreign Nationals and Integration (FNA) state that a person's degree of integration shall henceforth decide whether they can be naturalised or granted permanent resident status.

The SCA stipulates that as of 1 January 2018 applicants must hold a permanent residence permit to be eligible for naturalisation. This means that a large number of people who have lived in Switzerland for the stipulated length of time but who only have an F permit (temporarily admitted), for example, will be forced to work their way through every step of the integration process before they are able to submit an application for naturalisation.

The partial revision of the FNA adopted by Parliament contains a number of severe restrictions:

In future, to receive a permanent residence permit (C permit), foreigners must be successfully integrated, i.e. they must show respect for public security and order and the values enshrined in the Federal Constitution, participate in economic life or in acquiring an education, and possess the necessary language skills. The authorities now have the power to revoke a C permit or replace it with a B residence permit if the integration criteria are not met. The person in question must then wait for at least five years before reapplying for a C permit. Lastly, the cantonal authorities are supposed to take integration into consideration when deciding whether or not to grant a B residence permit. In special cases, they may make the granting of a permit conditional on measures set out in an integration agreement.

Verifying the extent to which someone is integrated will present the authorities with a major challenge, whether in the context of naturalisation or the granting or revocation of a residence permit. The FCM has already shown in an earlier study entitled *Gestaltungsräume im Föderalismus: Die Migrationspolitik in den Kantonen*²³⁷ that each of the cantonal authorities tends to interpret the legal requirements in a

²³⁷ www.ekm.admin.ch > Publikationen > Materialien zur Migrationspolitik (in DE/FR/IT)

very different manner. Consequently, the risk of inequality before the law is high and a sense of proportion is called for, especially when verifying the integration of applicants – a process that will almost certainly prove difficult to define.

The FCM recommends involving integration experts in assessing the criteria, raising awareness of integration processes among the competent authorities and ensuring that immigrants receive transparent and comprehensive information and advice. In addition, a monitoring system should be set up that will keep a close eye on the practices for verifying integration within the cantons (and within the communes, in the case of naturalisation).

Coexistence within a migration society

The ambivalence towards the presence of foreigners uncovered by the survey on diversity and coexistence in Switzerland has repercussions for social cohesion in general. That is why opportunities must be created for migrants to meet with members of the local community and exchange views if stereotypes are to be eliminated.

The FCM therefore recommends doing more to promote and support social integration within the scope of the Cantonal Integration Programmes. Moreover, the indigenous population must become involved in encouraging migrants to participate in everyday social and political life through actions that allow the latter to leverage their potential not just on the labour market but in other areas as well. An approach of this kind is the best way to highlight the benefits they bring society as a whole.

Walter Leimgruber
President of the FCM

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11 List of abbreviations

ARE	Federal Office for Spatial Development
ArmA	Federal Act of 3 February 1995 on the Armed Forces and the Military Administration (SR 510.10)
ASEO	Ordinance of 24 October 2007 on Admission, Period of Stay and Employment (SR 142.201)
BKSD	Department of Education, Culture and Sport of the canton of Basel-Landschaft
CCG	Conference of the Cantonal Governments of Switzerland
CEMD	Collectif Européen des Minorités Discriminées
CERD	International Convention of 21 December 1961 on the Elimination of all Forms of Racial Discrimination (SR 0.104)
CICAD	Coordination intercommunautaire contre l'antisémitisme et la diffamation
CIP	Cantonal integration programme
CMSO	Ordinance of 19 November 2003 on the Compulsory Military Service (SR 512.21)
COS	Statistics on criminal convictions
CRAN	Carrefour de Réflexion et d'Action contre le Racisme Anti-Noir
CSMPA	Federal Act of 30 September 2016 on Compulsory Social Measures and Placements prior to 1981 (SR 211.223.13)
Cst	Federal Constitution of the Swiss Confederation of 18 April 1999 (SR 101)
CuPA	Federal Act of 11 December 2009 on Culture Promotion (SR 442.1)
DDPS	Federal Department of Defence, Civil Protection and Sport
DIL	Directorate of International Law
DoSyRa	Racism documentation and monitoring system run by the <i>Beratungsnetz für Rassismusopfer</i>
ECHR	Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms (SR 0.101)
ECRI	European Commission against Racism and Intolerance
ECtHR	European Court of Human Rights
EDK	Swiss Conference of Cantonal Ministers of Education
EFTA	European Free Trade Association
ESRK	Federal Statistical Office (FSO) survey on language, religion and culture
ESS	European Social Survey
EU	European Union
FABIA	Competence Centre for Advising and Integrating Foreigners
FBED	Federal Bureau for the Equality of People with Disabilities
FCCY	Federal Commission for Child and Youth Affairs
FCM	Federal Commission on Migration
FCR	Federal Commission against Racism
FCWI	Federal Commission for Women's Issues
FDFA	Federal Department of Foreign Affairs
FDHA	Federal Department of Home Affairs

FDJP	Federal Department of Justice and Police
fedpol	Federal Office of Police
FIOS	Federation of Islamic Organisations in Switzerland
FIS	Federal Intelligence Service
FOC	Federal Office of Culture
FOGE	Federal Office for Gender Equality
FOPH	Federal Office of Public Health
FOSPO	Federal Office of Sport
FS EX A	Service for Combating Extremism in the Armed Forces
FSIO	Federal Social Insurance Office
FSO	Federal Statistical Office
GMS	Society for Minorities in Switzerland
GRA	Foundation against Racism and Antisemitism
GS-FDHA	General Secretariat of the Federal Department of Home Affairs
HEKS	Aid organization of the Swiss Protestant Churches
HETS	School of Social Work
ICA	Independent Complaints Authority for Radio and Television
IHRA	International Holocaust Remembrance Alliance
ILO	International Labour Organization
ISA	Federal Act of 21 March 1997 on Measures to Safeguard Internal Security (SR 120)
KID	Swiss Conference of Communal, Regional and Cantonal Integration Delegates
KIOS	Coordinated Islamic Organisations in Switzerland
KMR	Commission for the Integration of Migrants and Prevention of Racism of the canton of Fribourg
NCBI	National Coalition Building Institute
NCCR	National Center of Competence in Research
NGOs	Non-governmental organisations
NRP	National Research Programme
NYCS	National Youth Council of Switzerland
OSCE	Organisation for Security and Co-operation in Europe
PCS	Police crime statistics
PLJS	Platform of Liberal Jews in Switzerland
SAF	Swiss African Forum
SAV	Swiss Employers Confederation
SCA	Federal Act of 29 September 1952 on the Acquisition and Loss of Swiss Citizenship (SR 141.0)
SCC	Swiss Criminal Code of 21 December 1937 (SR 311.0)
SCHR	Swiss Centre of Expertise in Human Rights

SCRA	Service for Combating Racism
SDBB	Swiss Service Centre for Vocational Education and Training
SEM	State Secretariat for Migration (until 1 January 2015: Federal Office for Migration FOM)
SERI	State Secretariat for Education, Research and Innovation
SFL	Swiss Football League
SFM	Swiss Forum for Migration and Population Studies
SFV	Swiss Football Association
SIG	Swiss Federation of Jewish Communities
SKOS	Swiss Association of Welfare Organisations
SR	Classified Compilation of Federal Legislation
SSN	Swiss Security Network
STP	Society for Threatened Peoples
SVP	Swiss People's Party
SZIG	Swiss Centre for Islam and Society
TAK	Tripartite Agglomeration Conference
UN	United Nations Organization (United Nations)
VeS	Survey on diversity and coexistence in Switzerland
VIOZ	Association of Islamic Organisations in Zurich
VPOD	Swiss public services Union
ZHAW	Zurich University of Applied Sciences

12 Appendix

Appendix 1 to chapter 5 Overview of data sources

Source, brief description, since when the source exists or has been taken into consideration, number of cases (annual average in brackets) and remarks

Source	Brief description	Since	No. (ave. p.a.)	Remarks
CICAD	Collection of cases of antisemitism in French-speaking Switzerland	2004	1,523 (117)	
COS	Statistics on criminal convictions under Art. 261 ^{bis} SCC	1995	731 (35)	
DoSyRa	Collection of advisory cases in which the expert came to the conclusion that racism was involved	2008	1,658 (184)	
ESS	Representative survey of the population containing questions on attitudes to migrants	2001	Around 1,500 p.a.	
FCR	Collection of legal cases under Art. 261 ^{bis} SCC; convictions and acquittals recorded separately	1995	423 (19)	
fedpol	Reports submitted to fedpol by the general population in the category of “racial discrimination”	2003	675 (61)	Most reports concern pornography
FIS	Cases of right-wing extremism in Switzerland	1999	835 (70)	1999-2008 recorded by fedpol, since 2009 by FIS
FSO survey on diversity and coexistence in Switzerland	Comprehensive, representative population survey	2010	approx. 1,700 for 2010 to 2014; approx. 3,000 since 2016	Pilot phase 2010, 2012, 2014
GRA	Collection of cases motivated by racism and right-wing extremism	1992	2,456 (98)	
ICA	Media articles with content that violates the prohibition of discrimination and offends human dignity	1992	65 (3)	
MOSAiCH/ISSP	Representative population survey featuring questions on	2011	Around 1,000 p.a.	

	equal opportunities for foreign nationals				
PCS	Police crime statistics, reports and offences under Art. 261 ^{bis} SCC	2009	1,555 (194)		
SELECTS	Swiss Electoral Study; representative survey of the population containing questions on attitudes to foreigners	2003	Around 3,200 p.a.	Questions vary from year to year	
SHP	Swiss Household Panel; representative population survey featuring questions on equal opportunities for foreign nationals	1999	Around 5,000 p.a.	Nos. vary greatly due to people leaving the panel and additional samples	
SIG antisemitism report	Collection of cases of antisemitism in Switzerland	2008	251 (31)	No figures for German-speaking Switzerland in 2008	
SILC	Question on equal opportunities for foreign nationals added in 2014	2014	Approx. 17,000		
Swiss Press Council	Media articles with content that violates the prohibition of discrimination and offends human dignity	1991	135 (8)		
VOXIT/Voto	Representative population survey featuring questions on equal opportunities for foreign nationals	1993	Around 1,500 p.a.	After every referendum	