

NGO Shadow Report Switzerland

On the 3rd Country Report on the implementation of CEDAW

Oral Statement 7-20-2009

I'm pleased to have the opportunity to present the Swiss shadow report to you, on which over 25 NGO's have participated, many of them representing various organisations. The four of us are thus here for the NGO-Coordination post Beijing Switzerland: My name is **Vivian Fankhauser-Feitknecht**, and the other speaker is **Alicia Gamboa**. Also present are **Nicole Ganttenbein** and **Patrizia Mordini**.

A lot of the problems women in Switzerland face are interdependent. Swiss girls are still strongly influenced by gender-specific patterns and social norms. The typical female occupations usually are paid less than typical male occupations. Missing childcare places make reconciliation of family and work life difficult. As the women earn less than their partners, they are the ones staying at home with the children. So they end up without a job or with insecure job situations, depend financially on their men and have poor pensions later on.

Stereotypical attitudes and behaviours that discriminate against women are still widespread in Swiss society. This shows for example in the access to decision-making positions, their study and professional choices. In the media women and men are often depicted in a stereotyped manner.

The delegates of the NGO-Coordination regard following points have highest priority:

Measures to combat discrimination in legislation and practice (Art. 2 CEDAW)

Various gender equality bodies are being downscaled, both at national and cantonal level. Cut-backs endanger the progress.

- ***Financial and human resources and authority for gender equality must be allocated or increased at all levels and in all institutions.***
- ***Existing directives need to be effectively implemented and gender equality needs to be included as a measurable target in management methods and budgetary and staffing policies.***

Against the backdrop of omnipresent cost-saving measures, public spending and budgets at all political levels must be broken down gender-specifically. We don't share the opinion of the President of the Swiss confederation who explained in parliament last August, that **gender budgeting** wouldn't work on federal level.

- ***Switzerland and the Cantons must introduce a gender-budgeting approach encompassing all ministries and requiring each of them to carry out a gender equality assessment of its specialized budget area and report thereon in its budget proposals.***

Temporary special measures (Art. 4 CEDAW)

The application of temporary special measures is part of a necessary strategy towards the accelerated achievement of substantive gender equality, with special emphasis in the areas of employment, in both the public and private spheres, and participation in public life.

- ***The Swiss courts need to consciously apply the CEDAW as a legal instrument and in particular base their judgements on temporary special measures on article 4 paragraph 1 CEDAW.***

Combating stereotyped roles, education (Art. 5, 10 CEDAW)

Stereotypical attitudes and behaviours that discriminate against women and perpetuate inequality are still widespread in Swiss society. Equal sharing of domestic and family tasks is still difficult. In the media women and men are often depicted in a stereotyped manner.

- ***Gender equality needs to be systematically included in the education system at policy and implementation level.***
- ***Schools need to clearly promote alternative role models and actively combat stereotyped roles.***
- ***Equality must be enshrined in the Educational Acts of all 26 Cantons, and financial resources need to be given by the Confederation and Cantons for the realisation of education against (gender) stereotyped roles. The realised efforts must be assessed and evaluated.***
- ***Practically, gender mainstreaming should be achieved on every educational level through mentoring or coaching for gender-atypical jobs, research, education and training programmes on gender equality.***

Eradicating discrimination in political and public life (Art. 7 CEDAW)

Women continue to be underrepresented in the government and parliament at all levels.

- ***In order to allow both parents to combine professional and family life and to enable women to get involved in politics and top management positions, promote the reconciliation of family and work and expand child care services.***
- ***To ensure equal participation of women and men in politics, enact a minimal quota for men and women for the lists of candidates for elections and establish a quota attributing a certain percentage of seats in parliament to women.***

Education (Art. 10 CEDAW)

Women in academia still face the „glass ceiling“.

- ***In order to continue promoting women on an academic level, financial resources to prolongue the “Swiss Federal Equal Opportunity at Universities Programme” another four years are needed.***
- ***The government must also support and push Women and Gender Studies, as the research done in this area has an impact on combating stereotypes and provides necessary knowledge on gender issues in our society.***

Professional life (Art. 11 CEDAW)

In the world of work women still face wide-ranging discrimination. One serious point is **equity of pay**. Furthermore, over 50 % of women work part-time which results in multiple discrimination (in terms of social insurance, further training and job promotion, overtime pay etc.). **Reconciliation of family and work** life is very difficult in Switzerland. Big problems are

missing childcare places and public pressure that the mothers should stay at home with their children. Another big problem is the current taxation of married couples.

- **To counter inequality of pay, authorities must have investigative powers, arbitration bodies must be strengthened, pay transparency promoted and sanctions made possible.**
- **Adherence to pay equality must be actively checked when public contracts are awarded and non-adherence must be prosecuted with tougher sanctions.**
- **The labour law must be adapted to realities such as part-time work and insecure work situations to protect employees.**
- **The taxation system has to be changed so people pay taxes according to their economic performance and it doesn't disadvantage married couples living partnership-based and egalitarian roles (splitting, consideration of costs for child minding by third parties).**

We regard it as doubtful that a lot of minorities get their rights in Switzerland, but the women – a majority – don't get it de facto.

Migrant women (Art. 2, 10, 11 CEDAW)

Migrant women are particularly affected by structural discrimination, whether in access to education, in working life, or in social security. Foreign women often work in under-qualified jobs and their foreign diplomas are rarely recognised. The insecure residency right of women migrants is a big problem. They often are the victims of domestic violence and their residency depends on staying with their violent husband.

- **Uniform and clear criteria, not depending on their husbands, must be established for the stipulation of residency for migrant women.**
- **Clear, standardised rules must be established for recognition procedures for foreign diplomas and supportive measures for entry into working life at a level which matches the qualifications and skills of the person in question.**

The protection of female victims of trafficking (Art. 6 CEDAW) is to date very inadequate. Legal certainty as residency is still subject to cooperation with the authorities. The penalties faced by perpetrators are relatively small by comparison.

- **Uniform standards have to be implemented in all Cantons regarding effective protection and the grant of residency permits for victims of trafficking, independently of their willingness to cooperate with the authorities for criminal investigation.**

Violence against women still remains an acute problem in Swiss society. For example, setting up and financing women's shelters is still not considered the responsibility of the state and it is not regulated by law at federal or cantonal level. The provision of victim support varies from canton to canton.

- **The existing rules and stipulations must be systematically and uniformly applied in all areas related to violence against women as a minimum standard.**
- **Women's and girls's shelters need to be financed by the state, as the support of victims must be recognised as the responsibility of the state.**
- **The enforcement of the Protection Against Violence Acts mustn't depend on the degree of awareness amongst respected by public authorities but needs the resources available to back it.**

Questions for the Swiss government

- *Does the federal government have the primary responsibility for ensuring the implementation of the Convention at all levels and providing leadership to the cantons and municipal governments?*
- *How does the state ensure that uniformity of results in the implementation of the Convention is achieved throughout the state party's territory?*
- *Does the federal government regard the application of temporary special measures as part of a necessary strategy?*
- *Does the federal government take responsibility to introduce a taxation system that doesn't disadvantage married couples living partnership-based and egalitarian roles?*
- *Why does the federal government not implement an independent residency permit for migrant women, after 20 years of demanding this?*

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