

land of ILO Conventions Nos. 98 and 174; failure of Parliament to recognize the right to maternity benefits; that *de facto* discrimination against women and ethnic minorities continues to exist; the relatively high proportion of women in lower paid jobs and among part-time and "on-call" workers, and also the comparatively low proportion of women in higher education; the high incidence of domestic violence against women; and that the available statistical data on violence against women and child abuse, including paedophilia, have not been analysed or used to formulate measures to address these problems.

Concern was also expressed over: the lack of information in the report on the mental health of the population as a whole and on the health of patients with mental disorders in particular; the silence of the report on abortion and the incidence of diseases particular to women; that the ongoing reform of the social security system may have adverse consequences for the underprivileged sectors of society; and the high costs of health services that are administered by private companies.

The Committee recommended that the government, *inter alia*:

- ♦ take appropriate steps to give full legal effect to the Covenant, so that the rights covered by it may be fully integrated into the legal system; further harmonize the cantonal system to ensure due respect for the provisions of the Covenant, particularly with regard to fundamental rights such as the right to work, education and culture;
- ♦ adopt, as soon as possible, the draft legislation concerning the right of civil servants to strike; formulate any modification to the Statute on civil servants in such a way as to safeguard the acquired rights of civil servants, as guaranteed in the Covenant;
- ♦ ratify ILO conventions 98 and 174;
- ♦ provide adequate social security protection to pregnant women and recent mothers; take all possible measures, in particular at the social infrastructure level, to make it easier for women who wish to work outside the home to do so; intensify efforts to guarantee women and men equal access to employment and equal wages for work of equal value;
- ♦ play a more active role in the promotion of equal access to higher education by women, immigrants and ethnic minorities;
- ♦ update, in the next report, information on measures taken to combat the phenomena of domestic violence and of paedophilia;
- ♦ include information in the next report on the mental health of the population and, in particular, patients with mental disorders and on progress achieved in this field; and
- ♦ review its system of health care to prevent high costs from having a negative effect on the standard of living of families.

Committee on the Elimination of Racial Discrimination

Switzerland's initial report (CERD/C/270/Add.1, January 1997) was considered by the Committee at its March 1998 session. The report prepared by the government states that Switzerland does not have ethnic minorities in the strict sense, and that the only group that might be classified in that category is the nomads or "people of the road" who regard themselves as being of "Jenisch" stock, although some are related to the Roma or the Sinti. The report contains demographic and statistical data, as well as information on, *inter alia*: constitutional protections and prohibitions; laws and measures at the federal and cantonal levels; the Federal Commission on Racism, the Federal Commission on Foreigners, the Federal Commission for Refugees; linguistic minorities and the "Jenisch" minority; migration issues and immigration policy; the admission and quota and integration policies; the attitudes of police towards foreigners; provisions in the Penal Code related to racist ideas, incitement and propaganda, and Switzerland's reservation to article 4 of the Convention; equality before the law; the rights to liberty and security of person, to elect and be elected; the political rights of foreigners; freedom of movement and residence, the rights to nationality and to own property, inheritance rights; freedom of thought, conscience, religion, opinion and expression, limits on expression; provisions in the Code of Obligations related to employment and workers' rights, trade unions; housing, health, social assistance and social security; education, teaching, culture and information; the Conference of Cantonal Directors of Education and activities to combat and prevent racism; and activities of the Pro Helvetia Foundation.

The Committee's concluding observations and comments (CERD/C/304/Add.44) welcomed the establishment of the Federal Commission against Racism and the Commission's initiatives in the sphere of education and information, as well as amendments to the Criminal Code to give effect to articles 4 (prohibition of racist ideas and organizations) and 5 (f) (right of access to public places) of the Convention.

The principal subjects of concern identified by the Committee included, *inter alia*: the lack of comprehensive legislation to combat discrimination based on race, colour, descent, or national or ethnic origin, noting that such legislation should include measures to combat racial discrimination in labour relations and housing and, more generally, racial discrimination by any person, group or organization; pending revision, the current immigration policy which classifies foreigners on the basis of their national origin; the extensive system of police control of foreigners, as well as the naturalization policies and procedures, which are too protracted and selective; serious incidents of police brutality in dealings with persons of foreign ethnic or national origin; restrictions on freedom of movement imposed on the Jenisch population and on the Sinti and Roma minorities, as well as tendencies to discredit them; incidents of xenophobia, anti-Semitism, racial discrimination and racial violence; and failure to implement fully article 4 (b) of the Con-