



Switzerland



Various law- and policy-making bodies debated issues linked to sexual orientation and gender identity in 2014. The federal government continued working to amend the Civil Code to allow registered partners to adopt children, a discussion which continued into 2015. Some cantons (regions) moved forward on hate crimes and anti-discrimination legislation, and courts considered how to transcribe the birth certificate of a child born abroad to two fathers.

Asylum

- A man who fled Nigeria fearing persecution because he was gay applied for refugee status. His case was turned down; he was arrested and imprisoned for three months for staying in Switzerland illegally. This sparked a solidarity campaign, as well as media interest. He was freed in June. By the end of the year, no decision regarding his asylum status had been made.

Bias-motivated speech

- In the debate on amending the Civil Code to allow registered partners to adopt (see **Family**), federal MP Toni Bortoluzzi (Swiss People's Party, SVP/UDC, nationalist/populist) asserted that gay people behaved unnaturally, and had "a brain lobe working the wrong way". His remark was widely condemned.

Bias-motivated violence

- In November, 22 MPs from several groups in the cantonal parliament of Berne requested that the police start recording crimes with homophobic motives. The cantonal government hadn't responded by the end of the year.

Data collection

- In September, the Parliament of the City of Zurich supported a proposal to include "relevant" questions on sexual orientation and gender identity in anonymous public surveys. The executive has 24 months to respond to the proposal.

Education

- The Federal Technical University (ETH Zurich) became the second university (after the University of Lucerne) to adopt internal guidelines to allow trans individuals to change their name and gender marker, regardless of legal gender recognition.

Employment

- The Federal Office for Gender Equality (FOGE) granted funding for a project led by the NGO Transgender Network Switzerland (TGNS) to study the situation of trans

people in the field of employment. Preliminary work has begun and the second stage of the project will continue in 2015. This is the first time that a project affecting trans people has been funded by the FOGE.

Equality and non-discrimination

- In January, the federal parliament started examining identical proposal from the green group, the green liberal group, the civic democratic group (Bürgerlich Demokratischen) and the socialist group, which sought to put registered partners on a par with married couples in the context of naturalisation requests. Decision whether this initiative will be brought forward was still open at the end of the year.

- A trans woman appealed the army's decision to classify her as unfit for military service, and was eventually accepted in the army.

- In July, the Council of States (the federal parliament's upper chamber) rejected a 2013 proposal by the canton of Geneva which sought to add sexual orientation as a protected ground in the Constitution and the Criminal Code. However, the preparatory committee of the National Council (the federal parliament's lower chamber) supported the proposal, as well as a similar private member's initiative.

Family

- In November, the Federal Department of Justice and Police published a summary of the public consultation on a draft law on adoption, launched in 2013. In its conclusions, the department suggested amending the Civil Code to allow individual adoption, as well as second-parent adoption for registered partners. The proposal will go to the federal parliament in 2015.

- In July, the St Gallen Administrative Court recognised the birth certificate of a boy born to two fathers via surrogacy in the United States. Although the certificate mentioned the two men as fathers, Swiss law usually considers the surrogate mother the parent. Supported by their local registry office, the two men petitioned the national registry office to see their case recognised. The Federal Office of Justice (FOJ) opposed

the request, and transmitted the case to the St Gallen Administrative Court. Judges ruled that, in the best interest of the child, the two men should be legally considered his parents. The court added that the Swiss birth certificate should nevertheless mention the biological parents. The FOJ appealed the ruling before the Federal Court. The Zug Administrative Court started examining a similar case, but chose to wait for the final outcome in the St Gallen case.

- The City of Zurich launched a campaign to recruit foster parents, targeting same-sex couples as potential foster families.
- In 2014, the National Council started discussions of amendments to tax legislation, including proposals which would change the definition of marriage to a union between a man and a woman. The attempt to get rid of the narrowing of the definition of marriage via an alternative amendment focusing solely on the changes regarding taxation failed. A referendum will most likely take place in 2015.

Health

- A group of experts published a set of recommendations for transition-related care for trans individuals. The recommendations were published in the academic journal *Swiss Medical Forum*.

Human rights defenders

- The free legal advice service run by Transgender Network Switzerland received the award for equality from Zurich City Council. This was the first time this award was given to an LGBTI organisation.

Participation in public, cultural and political life

- An acclaimed movie, *Der Kreis* ('The Circle'), came out in October retracing the early days of Switzerland's so-named first LGBT organisation, in the 1950s.
- The International Short Film Festival, based in Switzerland, excluded Egyptian journalist Mona Iraqi from its board in December. Ms Iraqi had orchestrated the filming, and later the television broadcasting, of police

arresting 26 men in a sauna in Cairo, who later stood trial for their presumed homosexuality.