



## **Organization for Security and Co-operation in Europe**

### **Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings**

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#### **Foreword**

On 19-21 October 2022, my predecessor the then OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings Valiant Richey conducted Country Visit to Switzerland to hold consultations with high-level government officials, law-enforcement, and the judiciary as well as representatives of civil society.

The objectives of the visit were to identify promising practices for combating trafficking in human beings (THB) as well as to promote the full implementation of OSCE commitments in the field of anti-trafficking, notably holistic and comprehensive actions aiming to better prevent and respond to human trafficking and to protect and support its victims.

The Report from the visit was finalized and presented to Switzerland on 4 October 2024. The Government submitted its final comments on 25 November, which are annexed to the report.

Switzerland has advanced its efforts to prevent and combat human trafficking by undertaking a number of initiatives including adopting its third National Anti-Trafficking Action Plan. I am particularly pleased to note that the initiative launched with Switzerland's Money Laundering Reporting Office (MROS) following the visit has achieved outstanding results through implementation of the Project Financial Intelligence Against Human Trafficking (FIAHT). The adoption of the document "Non-Punishment Principle Regarding Victims of Human Trafficking, Explanations – Model Instruction for Implementation for Cantons" is a significant step towards guaranteeing correct identification of victims of trafficking who have been targeted for exploitation in criminal activities. Nonetheless, the report contains a list of recommendations to further strengthen anti-trafficking efforts in Switzerland.

By encouraging relevant authorities to implement the comprehensive set of recommendations made in this report, I look forward to deepening our established collaboration and to furthering our future co-operation in the best interests of the most vulnerable and disadvantaged members of society.

Yours sincerely,

A handwritten signature in blue ink that reads "Kari Johnstone".

Dr. Kari Johnstone

OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings



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### **Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings**

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#### **Report by the then OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Valiant Richey following the country visit to Switzerland 19-21 October 2022<sup>1</sup>**

#### **Summary:**

The then OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Valiant Richey, conducted an official visit to Switzerland from 19 to 21 October 2022 to assess the country's anti-trafficking laws, policies and practices. During the visit, special attention was paid to national efforts to coordinate anti-trafficking measures, prevent human trafficking, protect the rights of and provide assistance to trafficked persons, and prosecute perpetrators in line with OSCE commitments and relevant international standards.

The then Special Representative positively noted Switzerland's establishment of dedicated cantonal anti-trafficking roundtables that operate in 20 cantons across the country. These roundtables are useful platforms for effective multi-disciplinary coordination system given the devolved structure of the country. The engagement with and, in some cantons, the leading roles entrusted to, civil society organizations serves as a promising example in the OSCE region. The then Special Representative commended the Money Laundering Reporting Office (MROS) – the Financial Intelligence Unit of Switzerland – for its initiative and commitment that launched the project “Financial Intelligence against Human Trafficking” (FIAHT) jointly with the OSR/CTHB. This project enhances the country's anti-trafficking profile by following financial flows related to human trafficking through fostering multi-stakeholder partnerships, facilitating data sharing and providing specific guidance to the financial services industry. The recently adopted National Anti-Trafficking Action Plan envisages renewed strategic guidance for consolidated and robust action by Switzerland to prevent and combat human trafficking, with a particular focus on tackling labour trafficking. The addition of a specific target to improve assistance to all victims of trafficking is a welcome step towards genuinely victim-centered anti-trafficking work.

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<sup>1</sup> The Report was finalized on 4 October 2024

The then Special Representative also noted several key opportunities and concerns with regard to specific actions and challenges in the country's anti-trafficking response. The legal definition as provided under Criminal Law Article 182 creates challenges to effective qualification and prosecution of human trafficking cases. This concern is further exacerbated by the existence of several legal provisions with similar descriptions, thus leading to the incorrect qualification of trafficking cases as less serious offences, such as pimping, as provided under Article 195. While cantonal roundtables are promising examples, their operation and effectiveness are not consistent, with some of them more active than the other. The number and diverse nature of relevant policies and structures in the anti-trafficking arena, coupled with the evolving nature of the trafficking crime, requires a more active, robust and higher-level coordination mechanism across the entire Government. The appointment of an independent National Rapporteur to assess and evaluate anti-trafficking action in the country would also resolve the country's continuous challenges in collecting and maintaining trafficking related data. In addition, it would address the gap in monitoring and evaluation of the efficacy of anti-trafficking policies and practices in the country and support in qualitative research. In sum, these aspects reflect a need for substantively enhanced political will and attention to ensure that anti-trafficking efforts remain high on the country's agenda.

While acknowledging the increasing attention on tackling trafficking for forced labour, including the stronger emphasis envisaged in the newly adopted National Action Plan, trafficking for sexual exploitation remains largely unaddressed. The authorities acknowledge that much work also remains to be done in terms of identifying various forms of trafficking, particularly for sexual exploitation and trafficking in children, which are increasingly facilitated through technology.

Below, the then Special Representative made several concrete recommendations to enhance Switzerland's response, including amending the human trafficking definition in the criminal code, upgrading the position of the National Anti-Trafficking Co-ordinator, establishing an independent National Rapporteur; developing Terms of Reference for cantonal roundtables to ensure a consistent approach to anti-trafficking policies and practices; improving identification of victims of all forms of trafficking; tackling the demand that fosters all forms of trafficking; and proactively investigating and prosecuting all forms of trafficking.

## **I. Introduction**

1. This Report presents the central findings and recommendations of the then OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Valiant Richey, (hereinafter referred to as the then Special Representative) following his country visit to Switzerland on 19-21 October 2022.<sup>2</sup>
2. The purpose of the visit was to hold consultations with government officials and experts from state institutions and civil society to learn of promising practices as well as to support and advance ongoing efforts to prevent trafficking, assist trafficked

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<sup>2</sup> The Special Representative was accompanied by the Senior Advisor, Tetiana Rudenko and Programme Officer, Tarana Baghirova

persons and protect their rights, and bring perpetrators to justice in line with OSCE commitments and relevant international standards.

3. In the course of the visit, the then Special Representative engaged in direct consultations with government officials in Bern, Geneva and Zurich. In Geneva he met with the members of the multi-stakeholder roundtable of Geneva canton; the president of the State Council of Geneva Mauro Poggia; the Amiables Compositeurs; and the NGO End Demand Switzerland (EDS). In Bern, the then Special Representative met with the National Anti-Trafficking Co-ordinator under the Federal Office of Police (Fedpol) and the Swiss Security Network; the State Secretariat for Economic Affairs (SECO) of the Federal Department of Economic Affairs, Education and Research (EAER); the State Secretariat for Migration (SEM) of the Federal Department of Justice and Police (FDJP); the Peace and Human Rights Division (PHRD) of the Federal Department of Foreign Affairs (FDFA); the Delegation to the Parliamentary Assembly to the OSCE; and the International Organization of Migration (IOM Bern). He also led a thematic roundtable discussion with criminal justice agencies on technology facilitated trafficking. In Zurich, the then Special Representative met with the members of the multi-stakeholder roundtable in Zurich canton organized by FIZ.

The then Special Representative also held online consultations with anti-trafficking NGOs, such as ACT212, International Social Service, Astree, CPS and FIZ.

4. The then Special Representative thanked the Swiss authorities, and in particular, the Peace and Human Rights Division (PHRD) of the Federal Department of Foreign Affairs and the National Anti-Trafficking Co-ordinator Boris Mesaric for the co-operation and assistance in organizing and facilitating the visit. He also wished to thank all interlocutors, including civil society organizations in Switzerland, for their willingness to share their knowledge and insights.
5. Consultations during the visit focused on the situation of trafficking in human beings (THB) in the country and the ongoing policy, legislative, and operational responses to it. More specifically, discussions focused on co-ordination, monitoring and evaluation of anti-trafficking measures given the structure of the country; the identification of, and provision of assistance to, victims of all forms of trafficking, particularly child victims of trafficking; the protection of victims' rights, including of migrant workers and asylum seekers; efforts in the area of prevention and countering the demand that fosters sexual and labour exploitation; co-operation with civil society and partnerships with public and private entities; and prosecutions and convictions of perpetrators.
6. Over the course of the visit, the then Special Representative noted with appreciation that government officials and civil society representatives demonstrated significant awareness and understanding of human trafficking as a serious crime, knowledge of new human trafficking trends in the country, and a readiness to tackle new threats.
7. The then Special Representative stressed the importance of ensuring the high political profile of the anti-trafficking agenda, of continuing to keep the prevention of THB as a key government priority, and of the need to maintain vigilance on issues of domestic exploitation. He noted that a decline in high-level attention to the problem could jeopardize the important results already achieved.

## II. Legal framework

8. The then Special Representative commended Switzerland for being a party to major international instruments in the fight against trafficking in human beings, such as the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (“Palermo Protocol”), ratified on 27 October 2006, and the Council of Europe Convention on Action against Trafficking in Human Beings, ratified on 17 December 2012.

The country has also ratified a number of Conventions addressing slavery and forced labour such as the ILO Forced Labour Convention No.29 and its Protocol of 2014 ratified in 1940 and 2017, respectively; the ILO Convention on the Abolition of Forced Labour No.105, ratified in 1957; the ILO Convention on Worst Forms of Child Labour No.182, ratified in 2000; the ILO Domestic Workers Convention No. 189 in 2014; and the UN Convention on the Elimination of All Forms of Discrimination against Women in 1997.

Switzerland ratified the UN Convention on the Rights of the Child in 1997. The Optional Protocol on the involvement of children in armed conflict and on the Sale of Children, Child Prostitution and Child Pornography, were ratified in 2002 and in 2006, respectively.

9. The then Special Representative recommended that Switzerland sign and ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families. The Convention sets minimum standards for migrant workers and members of their families with a focus on eliminating the exploitation of workers in the migration process. The ratification of this Convention is particularly important for Switzerland, given its focus on enhancing prevention of labour exploitation and protection of victims who are often migrant workers.
10. As a participating State to the OSCE, Switzerland has also pledged to implement the commitments it has undertaken in the OSCE framework, in particular the recommendations contained in the 2003 Action Plan to Combat Trafficking in Human Beings, as well as its 2005<sup>3</sup> and 2013<sup>4</sup> Addendums.
11. Domestically, human trafficking is defined in Article 182 of the Swiss Criminal Code (CC) as “any person who as a supplier, intermediary or customer engages in the trafficking of a human being for the purpose of sexual exploitation, exploitation of his or her labour or for the purpose of removing an organ shall be liable to a custodial sentence or to a monetary penalty. The soliciting of a person for these purposes is equivalent to trafficking”. The aggravating circumstances include when the victim is a minor or if the offender acts for commercial gain. The definition provides for a “blanket reference” for setting out the constituent elements of the criminal offence in general referring to the crime itself rather than to its “act” element. The definition also precludes the “means” element necessary for qualification of the crime committed

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<sup>3</sup> OSCE Permanent Council Decision No. 685 [Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing the Special needs of Child Victim of Trafficking for Protection and Assistance](#), PC.DEC/685

<sup>4</sup> No.1107 [Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later](#), PC.DEC/1107/Corr.11

against an adult. And finally, the “purpose” element of the crime is restricted to exploitation in sex, labour and organ removal dismissing other exploitative purposes listed in a number of international and regional instruments.

12. Other CC provisions of relevance include Article 157 (profiteering), which criminalizes the exploitation of a position of need, dependence, weakness of mind or character, inexperience, or the foolishness of another person committed with the interest of his own or another’s financial gain or the promise of such gain to obtain a payment or service. Article 187 (sexual acts with children) criminalizes sexual acts with a child under 16 years of age, and anyone who incites a child to commit such an activity or involves a child in a sexual act, with a custodial sentence not exceeding five years or to monetary penalty. A custodial sentence not exceeding three years is prescribed to the offender who acts under the misconception that the child is 16 years of age or older, but he would not have made this error had he exercised due care. Sexual acts with a minor against payment is criminalized through Article 196, which prescribes a prison sentence not exceeding three years or a monetary penalty.

Pursuant to CC Article 195 encouraging prostitution is criminalized by a prison sentence not exceeding ten years or by a monetary penalty. The offence includes “inducing or encouraging a minor into prostitution with the intention of securing financial advantage”, “inducing a person into prostitution by exploiting his or her dependence or a financial advantage” and/or “restricting the freedom to act of a person in prostitution by supervising the person in the course of her/his activities or by exercising control over the location, time, volume and other aspects of the work” and “making a person to remain in prostitution against his/her will”.

13. The Swiss law does not include an explicit reference to the *irrelevance of consent* of the victim to the intended exploitation. The issue of consent has come up in several discussions particularly related to cases of trafficking for exploitation in labour and in criminal activities. While the absence of this principle in the law does not seem to create significant issues, its relationship to the application of the non-punishment principle - particularly the timing of the consent and its significance for criminal liability and to the means used for its vitiation - are important aspects to be taken into account both by law enforcement agencies and the judiciary. To this end, it is recommended that Swiss authorities include an explicit reference to the irrelevance of a victim’s consent to the intended exploitation in the legal framework, in line with international instruments, and develop targeted capacity-building activities for all criminal justice professionals and all agencies that have the mandate to identify trafficking victims.
14. Victim assistance, recovery and reflection period, residency, assisted return and reintegration are regulated by various primary and secondary legal acts such as Victim Support Act (VSA; LAVI; SR 312.5), Foreign Nationals and Integration Act (FNIA; SR 142.20) and Ordinance on Admission, Stay and Employment (ASEO; SR 142.201). The scope of the implementation of these acts are further discussed in identification and assistance sections of the present report.
15. Overall, there is an opportunity to further advance the legal framework and its practical implementation on the following key issues. As noted in para 11, the human trafficking definition lacks clarity and is not in line with the internationally adopted definition of

the crime, referring to the crime itself within the definition and omitting the important element of “means”. Moreover, the exploitative purposes also require a broader scope to include trafficking purposes, such as slavery, servitude and exploitation in criminal activities. As noted in the OSCE’s Survey Report<sup>5</sup>, the latter form of exploitation is rapidly increasing across the OSCE region and is present in Switzerland. Some of the elements of the offences prescribed under Article 195, such as the presence of financial advantage or making the person remain a prostitute against his or her will, are the same as that of human trafficking under Article 182, whereas “pimping” is purely financial relations and interests and hence other elements are not valid. During discussions on the application of the criminal code provisions, the then Special Representative noted pimping is used frequently as an alternative to the trafficking statute, even if the elements of trafficking may be present. There are several negative consequences of failing to properly classify human trafficking cases, including that the legal focus will be on the financial aspects of third-party facilitation rather than the element of exploitation. In all of the cases of re-qualifications, victims may not gain rightful access to services or compensation. In this regard a legal clarity is required to understand why trafficking provision is not applicable in cases investigated under Article 195. Similarly, the scope of Article 157 (profiteering) tackles similar criminal means and purpose as in Article 182 and requires closer examination.

As noted earlier in the present report, victim identification and assistance including reflection and recovery period, and residency permits are regulated under LAVI. In this regard, given the absence of unified procedures of victim identification and assistance coupled with significant challenges in defining the crime of human trafficking, a dedicated anti-trafficking law at the federal level that would encompass all anti-trafficking action from prevention to prosecution is essential to harmonize and obligate a mandatory implementation of actions by all cantons.

### **III. Policy and institutional framework**

16. With regard to the policy framework, a key document for OSCE participating States is the national anti-trafficking action plan, which helps coalesce political will on the topic, lay out strategies and activities for combating trafficking, and identify responsible agencies and mobilize resources. On 16 December 2022, Switzerland adopted its third National Action Plan to Combat Human Trafficking (NAP)<sup>6</sup> for the period of 2023-2027, which is based on the evaluation<sup>7</sup> of its 2017-2020 NAP conducted by the Federal Office of Police (fedpol) from December 2020 to mid-June 2021. The approval of the new NAP by the Federal Council for the first time serves as a milestone in the anti-trafficking profile in Switzerland providing higher-level political support to anti-trafficking action, consistent with one of the key findings of the 2021 NAP evaluation to increase its binding nature. The new NAP includes 26 measures grouped under seven strategic goals: (1) the cantons create the conditions necessary for combating human trafficking effectively and take appropriate measures in emergency situations; (2) the parties involved in combating human trafficking in

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<sup>5</sup> [Survey Report 2021 of Efforts to Implement OSCE Commitments and Recommended Actions to Combat Trafficking in Human Beings | OSCE](#)

<sup>6</sup> [National Action Plan to Combat Human Trafficking 2023–2027 \(admin.ch\)](#)

<sup>7</sup> Evaluation des Nationalen Aktionsplans (NAP) gegen Menschenhandel 2017-2020, 6 August 2021

Switzerland are trained to identify instances of human trafficking and take appropriate measures; and the public and the business community are aware of human trafficking; (3) Switzerland's anti-human trafficking response is grounded in situation reports and knowledge-based findings; (4) Switzerland takes effective action against human trafficking for the purpose of labour exploitation; (5) All human trafficking victims in Switzerland receive the protection and support they are entitled to; (6) Minors who are victims of human trafficking are identified and receive help and protection based on the child's best interests; and (7) Switzerland contributes to reducing the causes of human trafficking and to effective and result-oriented cooperation at international level.

The adoption of the NAP is a positive development, which also provides a solid list of activities envisaged to be implemented in the next four years term to advance Switzerland's anti-trafficking measures. The document is also improved from previous versions notably through its customised assessment of anti-trafficking situation, risks and vulnerabilities, including taking stock of the findings of the international reports released to date. Nonetheless, this key document could be further advanced with following considerations: firstly, given the extended timeline of this key strategic document, it is advisable that the Swiss authorities conduct a mid-term review and critical assessment of the plan to ensure the tasks envisaged are relevant and addresses the evolving nature of the crime in the country. Secondly, the review would also allow to consider including new tasks related to technology-facilitated trafficking, legal and policy measures on due diligence for businesses to prevent labour exploitation in supply chains, use of financial investigations into human trafficking and finally, expanding the stakeholders of the NAP by adding FIU MROS as a member to the NAP, prevention of trafficking for the purpose of sexual exploitation by focusing on the demand that fuels human trafficking, including through sex education in the schools beyond producing public-awareness films, and examining the scale and extent of prostitution to fill the data gap, developing exit strategies for persons in prostitution, and expanding the focus on labour exploitation beyond domestic work to encompass all risk sectors.

17. Another crucial policy document in the context of Switzerland is the Private Household Employees Ordinance (PHEO)<sup>8</sup> adopted in 2011 by the Swiss Federal Council. This ordinance sets out the conditions of entry into Switzerland, of residence and of working conditions for private domestic workers employed by members of the staff of diplomatic missions, of permanent missions, of consular posts and of international organisations. This ordinance entered into force on 1 July 2011 and replaced the Directive of the Federal Department of Foreign Affairs (FDFA) of 1 May 2006 on the hiring of private workers.
18. The institutional anti-trafficking framework in Switzerland is diverse, as the responsibility for combating human trafficking, including victim identification and assistance and prosecution of perpetrators, is devolved to 26 cantons while federal authority is mandated with supporting the work of the cantons through an operational coordination unit for inter-cantonal and international human trafficking investigations led by the Federal Office of Police (fedpol). Of those 26, 20 cantons have dedicated anti-trafficking roundtables, the members of which include law enforcement agencies,

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<sup>8</sup> [Manual: Private employees - Private Household Employees Ordinance of 6 June 2011 \(admin.ch\)](#)



prosecution, migration authorities in all cantons, victim welfare organizations and labour inspectors in majority of cantons. Several cantons had established thematic roundtables to discuss pertinent topics such as labour exploitation and victim identification.

19. The Unit against Trafficking in Persons and Smuggling of Migrants (FSMM), which is under fedpol's Crime Prevention Division, acts as the country's quasi-National Co-ordination body and ensures co-ordination between stakeholders across the government since 2020, when it replaced the Swiss Co-ordination Unit against Trafficking in Persons and Smuggling of Migrants (KSMM). The National Group of Experts on Action against Trafficking in Human Beings (NEGEM) was established in July 2022 and headed by fedpol to facilitate inter-agency co-ordination with its members including experts from government agencies, the International Organization for Migration (IOM), civil society, academia and social partners. In the past few years several working groups were established to improve training, victim identification and assistance and to work on the NAP. At the cantonal level, several platforms facilitate inter-cantonal co-operation, such as the Working Group on Human Trafficking and Migrant Smuggling (WGTS), which focus on coordination and exchange of information among various cantonal police investigators. Similarly specialized public prosecutors from all cantons also meet on a yearly basis to coordinate the work at judicial level. Finally, heads of cantonal roundtables gather annually at a meeting to discuss strategic issues where fedpol also shares information and data on national and international trafficking patterns.
20. Additionally, with the adoption of the new NAP, the Swiss Security Network (SSN) was added in the anti-trafficking infrastructure as a new stakeholder. SSN is tasked with leading the anti-trafficking actions in cases when the crime is committed also has a security concern to confederations and cantons. The SSN's political platform will be used as an opportunity to discuss and coordinate strategic matters related to human trafficking. The findings of the visit concluded that the current placement of the anti-trafficking coordination role is not optimally positioned to establish a necessarily robust co-ordination across the country. Given the devolved role of the cantons, the number of various institutions and public agencies involved in anti-trafficking work, strategic alignment across the entire government is crucial to ensure that the anti-trafficking efforts are effectively co-ordinated and remain high on the political agenda. The practices of some OSCE participating States showed strong advancement in anti-trafficking efforts by placing leadership of anti-trafficking initiatives in an elevated, centralized location such as the Prime Minister's Office.
21. Given the prevalence of trafficking victims in asylum procedures and the mandate vested to State Secretariat for Migration (SEM) to grant victim recovery and reflection period and residency permit to this cohort of victims, the Working Group on Asylum and Human Trafficking was established as part of the first NAP (2012-2014), reshaped in 2019 and led by SEM to look into processes of identifying human trafficking victims in asylum procedures, creating structures to support the victims and examine the necessity of further measures. The Working Group included representatives of the Specialist Office for Human Trafficking and Human Smuggling (FSMM), the Association of Cantonal and Municipal Migration Authorities (VKM), the Specialist Office for Women Trafficking and Women's Migration (FIZ), the Child and Adult Protection Authority (KESB) Emmental, the Centre social protestant Geneva (CSP),

the Swiss Refugee Council (SFH) and the International Organization for Migration (IOM) who met around 20 times since its inception. The new NAP also includes a concrete action (5.1.2) that tasks SEM to develop a screening system in federal asylum centres and designate a single point of contact in federal asylum centres to ensure the flow of information and the implementation of safety/support measures for all people with special needs to be implemented in the course of 2024.

22. Switzerland has yet to appoint a National Anti-Trafficking Rapporteur who would provide independent monitoring and assessment of anti-trafficking action in the country. The establishment of a National Rapporteur or equivalent mechanism would support Switzerland towards comprehensive qualitative and quantitative data collection, as well as research and analysis of the trafficking situation by looking beyond what is identified and recorded into what remains latent and unaddressed. The Rapporteur would also contribute to systematic analysis of the effectiveness of policies and measures undertaken to combat trafficking in human beings as implemented by various agencies and institutions and co-ordinated by a National Coordinator. In many OSCE participating States, such a role is being entrusted to the Human Rights Commissioners/Ombudspersons who often have sufficient independence and authority to request and access comprehensive information and data including on individual cases from all necessary sources at the national level.<sup>9</sup>
23. Being a host for a large number of diplomatic organizations and agencies, Switzerland was one of the first OSCE participating States to take proactive action to prevent and address human trafficking for the purpose of exploitation in diplomatic household. The Geneva Government established the Office of Amiable Compositeur (BAC) in 1995 in co-operation with the Swiss Confederation (FDFA) with the task to seek amiable settlements in disputes concerning labour relations and working conditions of domestic staff of employers with diplomatic status.
24. Finally, the role and the vigorous work done by anti-trafficking NGOs in Switzerland in outreach, identification, assistance including providing shelters for and reintegration and rehabilitation of trafficked persons and potential victims of trafficking, and raising awareness is crucial. Some of the NGOs were also part of the consultations to develop policy documents such as NAP, which is in line with the recommendations set out in the OSCE report “the Critical Role of Civil Society in Combating Trafficking in Human Beings”<sup>10</sup>, necessary to advance the country’s victim outreach and support and allow for the sustainability and effectiveness of organizations’ operations.
25. In conclusion, the then Special Representative reiterated the benefit of the coordination mechanism that includes a higher-level, multi-agency commission with a designated chair and specified mandate, as well as a centrally-placed, designated coordinator with support capacity. To ensure a consistent approach to anti-trafficking policies and practices across Switzerland, it is recommended that a Terms of Reference for cantonal roundtables are developed to aid the unanimity of anti-trafficking action.

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<sup>9</sup> [Issue Brief - The role of independent National Rapporteurs or equivalent mechanisms in enhancing States’ anti-trafficking responses | OSCE](#)

<sup>10</sup> [The Critical Role of Civil Society in Combating Trafficking in Human Beings | OSCE](#)

#### IV. Identification, referral and assistance for victims of trafficking

26. The noticeable gaps in the country's data collection, sharing and retention have been a constraint to understanding the true scale and scope of human trafficking in Switzerland. The total number of victims identified annually is unknown amid varying statistics shared by civil society organizations and government agencies consulted during the visit. For example, while the number of non-governmental organizations identified victims varied between 375<sup>11</sup>, 177<sup>12</sup> and 492 in 2022, the statistics provided by Federal Office Statistics show a significant difference such as 37 victims identified in 2022 and 60 in 2023. Information collected during the visit showed that sex trafficking was the most prevalent form of trafficking followed by labour trafficking and exploitation in criminal activities.
27. According to FIZ 2022 Annual Report, a total 375 victims of human trafficking received assistance with the vast majority of victims subjected to sexual exploitation (195) followed by exploitation in domestic servitude (28), labour exploitation (15) and soliciting prostitution (4). The report also indicates 55 unconfirmed cases, which includes cases where contacts with victims were not possible due to their repatriation, disappearance or cause of trauma. Zurich (45) and Bern (14) are the two main cantons of destination of exploitation followed by the cantons of Aargau (5), Lucerne (5), Basel-Stadt (4) and Thurgau (3). The majority of victims (23) were from Hungary, followed by Afghanistan (15), Ukraine (13), Romania (9) and Switzerland (9). The data provided by the Swiss Platform against Human Trafficking reveal that the vast majority of victims originate from African countries (36%), followed by European countries (32%), Latin American countries (16%) and Asian countries (16%).
28. The State Secretariat for Migration (SEM)'s statistics of trafficking victims identified in asylum procedures show a steep increase in identification efforts, with increase from 80 victims in 2019 to 181 victims in 2023. Such an increase is also a testament to the attention given to trafficking victims in asylum procedures through advanced work done by SEM in co-operation with the fedpol.
29. With regards to sexual exploitation, consultations conducted with civil society organizations point to three major groups whom traffickers targeting Switzerland: Nigerian girls and women, who are often trafficked to Italy first then transferred to Switzerland (primarily Lausanne) for exploitation in street prostitution; indoor prostitution involving the lover-boy technique where perceived partners traffic women and girls into prostitution; and trafficking of French-African decent for sexual exploitation in private apartments.

According to stakeholders consulted during the visit, traffickers vastly employ the "lover boy" technique to lure girls and young women into sex trafficking, the trend of which has been on the rise across the OSCE region. Emerging technologies present traffickers with myriad opportunities particularly through the use of social media, technological tools such as livestreaming and webcams. The then Special Representative expressed his concern over these reports involving exploitation of children, particularly via the Internet. According to civil society organizations

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<sup>11</sup> [2022 FIZ Jahresbericht digital.pdf \(fiz-info.ch\)](#)

<sup>12</sup> [Statistics on victims of trafficking 2022 - Trafficking Platform \(plateforme-traite.ch\)](#)

consulted during the visit, while almost all trafficking victims identified to date have been migrants, Swiss nationals comprise large numbers as target groups for perpetrators committing the “lover-boy” method of recruitment. Since 2017, ACT 212’s National Hotline has received 51 calls with suspected lover-boy exploitation. Nevertheless, despite the recognition of the problem, during the visit, little evidence of proactive efforts to identify victims online was reported. It is therefore important that Swiss authorities adapt their modes of identification from the offline environment to the online environment to prevent and combat this form of exploitation against children. Moreover, there is an urgent need to collect data disaggregated by gender and age, of the means of recruitment and form of sexual exploitation of children. As noted by the 2022 Concluding Observation of the Committee on the Rights of Children<sup>13</sup>, there is no centralised system of disaggregated data collection or data on certain groups of children in disadvantaged situations, and analysis of data across cantons is fragmented and inconsistent. Particular concern remains around the lack of data on violence against children including on the Internet, missing children, children in alternative care, with disabilities, asylum-seeking, refugee and migrant children and children without a regular residence status in Switzerland. While acknowledging that the Swiss authorities are acutely conscious of this rising form of violence against children and young persons, a comprehensive and unified dataset on persons affected by this phenomenon would better inform policy responses and assist the government in developing effective preventive and protective mechanisms.

30. While sex trafficking prevails in numbers, the past few years also showed an increase in the cases of labour trafficking particularly occurring in the context of domestic households, hotel and hospitality industry, nail salons, restaurants, construction and agriculture sectors. Despite increasing recognition voiced by various interlocutors during the visit, reportedly to prove labour trafficking victims are required to show the evidence of being subjected to the use of means such as force or deception and that their consent was obtained as a result of the abuse of their vulnerable situation during their trafficking situation. This pattern has led to practitioners’ calling for the inclusion of an explicit definition of labour trafficking in the legislation.
31. Both vulnerable adults and children are subjected to exploitation for criminal activities including in committing drug-related offences. According to civil society organizations, while this form of trafficking is being observed, victims are not identified as such and often prosecuted for committing various criminal offences. The then Special Representative was presented several cases of victims penalized for illegal entry and due to dismissal of “irrelevance of consent” by the judiciary.
32. Persons in private households, particularly in diplomatic households, are at high risk of exploitation in OSCE participating States, including Switzerland. According to BAC, since its establishment, 1690 such cases were treated and CHF 3,6 million were paid by employers. BAC had 425 preventive consultations with domestic workers and the rate has been increasing. The vast majority of cases concern unfulfilled obligations,

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[docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhskw6ZHISjLETdRqI6Pfo3d1NvnK5THZx5bbTxKcdb7sjL6kit5QJmBhUpnMjamtc1x031v6TrBe86Csb6K%2FdS%2B%2FMviEckBz%2FABlvhpvr8Z5Q](https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhskw6ZHISjLETdRqI6Pfo3d1NvnK5THZx5bbTxKcdb7sjL6kit5QJmBhUpnMjamtc1x031v6TrBe86Csb6K%2FdS%2B%2FMviEckBz%2FABlvhpvr8Z5Q)

i.e., holiday pay compliance, 30% of cases are related to contractual obligations, i.e., salary, overtime, insurance, and 6-10% of cases are related to abuse by employers.

33. Regarding the system for identification and assistance, there is no unified or centralised process for formal identification of victims in Switzerland. As noted in para 18, in Switzerland, victim identification and assistance, including financing of assistance services, are the responsibility of cantons. Any member of the cantonal roundtable may identify and refer the victim to the competent cantonal authorities for formal identification. Yet, the absence of cantonal roundtables in several cantons resulted in a fragmented approach to identification. To guide the competent authorities in the identification of victims, a list of indicators was developed and later updated. Additionally, to improve identification of victims among asylum seekers, SEM, together with a working group led by the Federal Agency for Combating Human Trafficking and Smuggling (FSMM fedpol), has drawn up a new list of indicators for the identification of potential victims.
34. Identification of trafficking among persons seeking asylum, refugees, and particularly unaccompanied minors was one of the points discussed during the visit. In Switzerland, in 2022, persons from Afghanistan comprised the largest group of applicants, which increased by 64% compared to 2021, followed by persons from Turkiye, Eritrea, Algeria and Syria and others.<sup>14</sup> While male asylum seekers comprised the largest shares (74%), children accounted for 39% of applications, and 10% of applicants were unaccompanied minors (10.82% in 2023). Amid an increasing number of unaccompanied minors arriving in Switzerland, all cantons now include a reception structure with assistance available for traumatised asylum seekers. However, gaps remain in the availability of specialised services and shelters for asylum seekers who are victims of trafficking or domestic violence.
35. Victim assistance is regulated by the Federal Law on Assistance to Victims of Crimes (LAVI). Pursuant to article 3 of the LAVI, victim assistance is granted only when the offence was committed in Switzerland, thus excluding those victims who were exploited before they arrived in Switzerland. Many of these victims are often in asylum procedures and are assisted by NGOs. Nonetheless, consistent with numerous recommendations proposed under international reports on Switzerland, the new NAP now includes a specific target (5.2) to address this concern through establishing a concept for a national case management for persons trafficked abroad.

Article 9 of the LAVI requires that each canton establishes private or public consultation centres to provide services to victims taking into account the particular needs of different categories of victims. In the cantons where NGOs are entrusted with assisting victims, a cooperation agreement is signed to ensure also funding for the assistance work provided. According to statistics provided under LAVI, in 2023 a total of 261 trafficking victims received various forms of support with the vast majority of victims in the age group of 30-64. Of these, 4 victims were aged up to 10 and 9 were between 10-17. As to the support, data disaggregated by cantons, Zurich (45), Geneva (42), Basel (39), St. Gallen and Appenzell (34), Vaud (21) and Neuchatel (22) provided support to the largest share of victims with other cantonal assistance ranging between

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<sup>14</sup> [Statistics - Asylum Information Database | European Council on Refugees and Exiles \(asylumineurope.org\)](https://www.asylumineurope.org/)

3-16. Female victims comprised the largest numbers (216) followed by male victims (45).

36. In Switzerland, a recovery and reflection period is granted on the basis of Article 35 of the Federal Council Order on Admission, Stay and Exercise of Gainful Activities (OASA; RS 142.201). Cantonal migration authorities are mandated to grant a reflection period of at least 30 days for a victim to recover and decide whether or not to co-operate with the authorities; however, this duration varies across cantons, where victims are also granted 90 days to recover and reflect. Following the recommendations of the Working Group on Asylum and Trafficking in Human Beings, SEM has taken over the issuance of the reflection and recovery period for victims in asylum procedures. According to consultations conducted with SEM during the visit, SEM had been observing two main trends and victim profiles in asylum procedures: (1) young Nigerian women trafficked in Italy then claimed asylum in Switzerland and (2) Eritrean workers trafficked in Kuwait or Saudi Arabia and entered Switzerland to ask for asylum. The total number of potential victims identified in asylum procedure were 19 male and 61 female in 2019; 30 male and 60 female in 2020; 26 male and 53 female in 2021; and 33 male and 38 female in 2022. 94 percent of victims were adults whereas 6 percent were minors. In 2022, almost 50 percent of applications related to labour trafficking and forced criminality, and in 2021 two cases were on trafficking for organ removal. A total of 168 persons were granted a reflection and recovery period between 2018-2021.
37. With regards to residency and work permits for trafficking victims, upon expiry of the reflection period and if the person decides to cooperate in criminal proceedings, the cantonal authorities may grant the person with a short-term residency permit (L-permit) for a period of one year, which can be extended on the decision of judicial authorities. Long-term residency permit (B-permit) can be granted only if the person has a personal situation such as the risk of retaliation by traffickers or health reasons. According to statistics provided by SEM, during the period of 2018-2021, 299 victims were granted L-permits and 70 victims were granted B-permits. Nevertheless, according to civil society organizations consulted during the visit, while the “L” permit is relatively functional, the period after is a significant problem for victims as their status of victim does not entitle them to stay in the country. Even when the perpetrator is convicted the victim’s further stay is difficult. Moreover, the residency permit does not give the right to work in Switzerland. In the absence of any long-term assistance and access to employment, the overall assistance scheme is not effective. To this end, while positively noting the work of the SEM in anti-trafficking agenda, the then Special Representative called on the Swiss authorities to examine the efficacy of residency permits for trafficking victims and ensure that trafficking victims have the right to access employment to prevent their re-victimization and stop the cycle of exploitation. Additionally, the authorities are recommended to support and facilitate job-seeking processes for victims through evaluating existing workforce development programs for survivors of trafficking and to establish partnerships with diverse work sectors.
38. Another major concern is related to the absence of specialized shelters for trafficking victims across Switzerland except those accommodations run by NGOs, such as FIZ in Zurich, Astree in Vaud and Trafficking.eu in Bern. The lack of specialized accommodation has led to victims being housed temporarily in hotels, which often

resulted in the victim leaving the assistance scheme and not co-operating with authorities. Finally, given the number of stakeholders involved in providing assistance, such as NGOs, LAVI centres, cantonal social authorities, and the inconsistent quality of assistance services across the country, standardization of the assistance measures and improved coordination of these measures is necessary. The latter could be done through establishing a dedicated inter-cantonal working group with the task to develop standard operating procedures for victim identification and assistance to be applied across Switzerland. In conclusion, the then Special Representative observed that while victims are generally served, and the legal obligation to provide assistance to victims is complied with, the efficacy of identification efforts and quality of the assistance should be improved across the cantons.

## **V. Investigation and prosecution of human trafficking**

39. Switzerland's criminal justice response to various forms of trafficking is characterised by modest efforts particularly concentrated in selected cantons such as Basel, Geneva Zurich, Bern, and Luzern followed by a few investigations in Fribourg, St. Gallen, Aargau, Vaud and Neuchatel. While there is a practice of coordination and information exchange between prosecutors through working groups, reportedly the focus is on specific cases only rather than on strategic vision. Despite the existence of several cantonal specialized police units, Switzerland's prosecution and conviction rate remains low. The existence of specialized anti-trafficking police in the canton of Zurich is an example of good practice and should be replicated in other cantons.

The statistical data of criminal offences registered by the police shows a steep decline in criminal investigations in some cantons and a slight increase in others since 2018: in Zurich it decreased from 15 in 2018 to 5 both in 2022 and 2023 and in Basel from 18 in 2018 to 5 in 2023; in Bern, Aargau and Vaud the figure fluctuated between 4-5 investigations in 2022-23. The statistics show a number of investigations were resolved in 2022 (4) and 2023 (11) in Luzern; and there was an increase in efforts in Neuchatel from 2 in 2018 to 7 in 2023. This overall data indicates a gradual decline in prosecutions and convictions of trafficking cases, which is inconsistent with the growing scale of reported cases of trafficking across the OSCE region. The discussions during the visit also indicated the need for increased efforts to boost criminal investigations that are supported by special investigative techniques, financial investigations and closer attention to the online landscape of criminal activities.

40. As mentioned in earlier paragraphs, the Internet is increasingly used by traffickers to recruit, exploit and control victims for various purposes. This challenge was referenced by various interlocutors in regard to the vastly employed "lover-boy" technique and the rapidly increasing pattern of recruitment and exploitation of vulnerable adults and minors for sexual exploitation online. During the visit, criminal justice practitioners expressed the urgent need for specialized staff to map, monitor and investigate the online landscape and more robust co-ordination between cantons on this specific phenomenon. To keep pace with the increasing misuse of technology for trafficking purposes and also with the opportunities that new technologies present for combating THB, and taking into account the shift of commercial sex online, the then Special Representative recommended that law enforcement and prosecutors be supported with more human and financial resources to make use of online investigations and

specialized technology tools to scale up the fight against technology-facilitated human trafficking, including the necessary software, hardware and consistent training.<sup>15</sup> Moreover, he recommended that at the cantonal level the coordination and data exchange is diverted to more intelligence-based cooperation, in order to build the understanding of the scale and scope of the problem beyond discussing single cases.

41. The then Special Representative noted the heavy reliance on victim and witness testimony within criminal proceedings and noted that this was a contributing factor to the low rate of prosecution of THB cases across the OSCE.<sup>16</sup> All these challenges, coupled with the lack of sufficient resources and the lengthy period required for investigations, result in too few human trafficking cases or requalification to other crimes, such as pimping under Article 195 or in the case of labour trafficking cases qualified as labour grievances or dropped. The consequences are impunity for traffickers and a failure of justice for victims.

The then Special Representative underscored the existence of a plethora of interventions that can improve the situation. These include measures to incentivize victim co-operation by providing them with effective victim protection and assistance including adequate housing, mental health services, residency permits and other trauma-informed care. An important element for the criminal justice response is the use of strategies and tactics that emphasize the collection of corroborating evidence or, in the ideal scenario, develop “victim-less” investigations and prosecutions through under-cover operations, stings or alternative sources of evidence, such as financial evidence. To this end, recalling the conclusions of the 20<sup>th</sup> Alliance against Trafficking in Persons Conference<sup>17</sup>, the then Special Representative recommended several actions for criminal justice practitioners. Firstly, prosecutors and investigators should pursue all available avenues for early cooperation and collaboration between their departments on combating various forms of human trafficking, including by discussing more intelligence-based strategies. Secondly, authorities should enhance their efforts to effectively investigate and prosecute perpetrators of human trafficking by considering other sources of evidence, in addition to victim testimony, as well as improve victim assistance and protection schemes to secure victim co-operation in criminal proceedings, including by ensuring non-conditional residence permits for victims/witnesses. Finally, he strongly recommended that criminal justice practitioners and prosecutors receive additional training on conducting investigations and prosecutions in the absence of a co-operative victim to enhance the ability of authorities to hold traffickers accountable.

42. With regard to financial intelligence and investigations into the proceeds of human trafficking, the Money Laundering Reporting Office of Switzerland (MROS) is placed under fedpol and is mandated to receive and analyse suspicious activity reports and disclose to law-enforcement agencies for follow-up actions. According to the representatives of the Financial Intelligence Unit met during the visit, the agency has acquired expertise on cases of exploitation in commercial sex and have increased the quantity and quality of STRs and corresponding analysis. Nevertheless, despite being placed under the fedpol, the FIU does not have access to policy data, which limits its access to tactical information and effective intelligence analysis.

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<sup>15</sup> [Leveraging innovation to fight trafficking in human beings: a comprehensive analysis of technology tools | OSCE](#), 2020

<sup>16</sup> [Ending Impunity Delivering Justice through Prosecuting Trafficking in Human Beings | OSCE](#), 2020

<sup>17</sup> [Ending Impunity Delivering Justice through Prosecuting Trafficking in Human Beings | OSCE](#)



According to MROS' 2022 Annual Report, establishing public-private partnerships (PPP) for the exchange of financial information is one of the strategic objectives of the agency, which shall also aid in fulfilling its legal mandate in conducting strategic analysis and raising awareness of financial intermediaries to effectively detect and report money laundering and financing of terrorism and associated predicate offences. To understand the needs and demands for establishing such PPPs, in March 2023, MROS released its first report<sup>18</sup> analysing the landscape for different models of PPPs, which confirmed the needs and demands of both the public and private sectors for establishing efficient information-sharing mechanisms.

Because human trafficking is a financially motivated crime, financial investigations conducted in parallel to criminal investigations are an increasingly important tool in disrupting the business model of traffickers and in enhancing the use of corroborating evidence in prosecutions. Financial investigations can be used both as a punitive measure against traffickers, as well as a protective measure for victims, helping to deliver reparations and compensation for trafficked persons.<sup>19</sup> FIUs play a crucial role in analysing and exchanging information concerning unusual and suspicious transactions that may include finances deriving from trafficking in human beings, and thus they serve as intermediaries between the private sector and law enforcement authorities, including to facilitate the exchange of strategic and tactical data. The then Special Representative noted that the FIU is not party to the anti-trafficking NAP nor included in any of the anti-trafficking co-ordination mechanisms. The then Special Representative positively noted the commitment and interest of the FIU to advance its work on preventing and addressing human trafficking, which is also reflected in its commitment to launch a joint OSCE/MROS project on Finance Against Human Trafficking (FIAHT) that officially commenced in January 2024. To this end, he recommended several action points that would harness the considerable potential of the MROS within the anti-trafficking agenda and increase cooperation between anti-money laundering practitioners and anti-trafficking stakeholders. Firstly, he invited the fedpol to include MROS in the anti-trafficking coordination mechanism to enable information exchange and dialogue. Secondly, he recommended that financial investigations into THB - particularly through partnership with the financial sector - be included as a measure in the new NAP to enable closer engagement of the FIU to share typologies and red-flag indicators with the financial services sector. Thirdly, he recommended that the FIU include human trafficking among the main predicate offences of money laundering in the next National Threat and Risk Assessment.

43. With regard to the adjudication of trafficking crimes, according to data provided during the visit, a total of 31 convictions were served to trafficking perpetrators between 2018-2021. According to the visit findings, small cases are often overlooked and only a few large and the most aggravated cases reach prosecution. Often, victims change their testimonies, which creates challenges particularly during the trial. Lenient penalties and suspended sentences served to perpetrators have been a common practice in the country's adjudication of trafficking cases. The then Special Representative noted the difficulties with correct interpretation of the constituent elements of the crime in the

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<sup>18</sup> [Public Private Partnership \(PPP\) zum Informationsaustausch für die Bekämpfung von Terrorismusfinanzierung und Geldwäscherei \(admin.ch\)](#)

<sup>19</sup> [Joint Statement on the Critical Role of the Financial Sector in Combating Trafficking in Human Beings and Modern-day Slavery | OSCE](#)

presence of several conflating criminal law provisions. This reinforces the need to not only provide clarity on the national legislation but also an urgent need for enhanced awareness of criminal justice practitioners and the judiciary on the nuances of trafficking crimes, as well as victim-centred and trauma-informed criminal proceedings. The then Special Representative was not provided with information on the number or amount of compensation granted to trafficking victims. However, he noted the findings of civil society and international reports on the need to better utilize legislation on freezing and confiscation of assets to pay compensation for trafficking victims. He encouraged authorities to collect data on compensations claimed and granted to trafficking victims to better inform policy making.

44. The non-punishment principle in regard to trafficking victims is not enshrined in national law in Switzerland. The situation of legitimate and mitigatory self-defence (Articles 15-16), legitimate act in a situation of necessity and mitigatory act in a situation of necessity (Articles 17 -18) provide for the discretionary right to prosecution to consider their application if the trafficking victim is found in committal of an offence. In the view of the then Special Representative, this standard was too narrow and it is difficult to prove the presence of immediate and/or avertable danger. While the Swiss authorities met during the visit largely agreed on the need for further legal clarity, it is important to note that understanding of the application of the international principle of non-punishment is limited to a number of legal practitioners, whereas frontline officers are not always aware of the international instruments and are guided by national legislation.

The presence of the non-punishment principle is particularly relevant in cases of persons exploited in criminal activities, a phenomenon on the rise in the OSCE region. The then Special Representative believed that clear and specific legislation or policy guidance is necessary to support the full and effective implementation of the non-punishment principle in relation to all forms of trafficking and recommended that Swiss authorities include specific reference to the non-punishment principle in national policies, including by developing guidance in the policy documents and conducting specific training on the topic to guide criminal justice practitioners and the judiciary as planned in the new NAP.

## **VI. Prevention of human trafficking**

45. The then Special Representative noted the efforts of Switzerland to advance constructive and multi-stakeholder measures to prevent trafficking in human beings, particularly for forced labour. These efforts include awareness-raising campaigns conducted by the State Secretariat for Economic Affairs, SECO in co-operation with ACT212 targeting medical personnel and labour inspection. The adoption of two National Action Plans on Business and Human Rights since 2016 and the Federal Council's Action Plan on corporate social and environmental responsibility and its support for the work of the Alliance 8.7 are among noteworthy prevention efforts. The Business and Human Rights NAP (2020-2023)<sup>20</sup> includes specific measures that focus on promoting efforts to end all forms of child exploitation in supply chains (Measure 27) and developing public-private partnerships to promote respect for human rights in

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<sup>20</sup> [Switzerland - National Action Plans on Business and Human Rights \(globalnaps.org\)](https://www.globalnaps.org/)

the value chain (Measure 29). Additionally, several key sectors are also covered by the NAP, such as fisheries and aquaculture, garment, textile and footwear, tourism and trade sectors. The drafting of the fourth NAP on Business and Human Rights has been in progress and would cover the period 2024-2027 and will reportedly follow some of the recommendations proposed by the evaluation conducted by the University of Zurich and consultancy firms Good Rechtsanwälte and Engageability that examined “the extent to which knowledge of the NAP 2020-2023 had reached the businesses concerned.”

Nevertheless, a group of civil society organizations have criticized the NAP on Business and Human Rights for lacking objectives and precise indicators; stressed the need for clear and mandatory due diligence requirements for government-linked companies; and noted the lack of access to legal remedies.<sup>21</sup> One of the key concerns was also related to balance between voluntary and binding due diligence measures and the limited scope of the NAP both thematically (child labour) and sectoral (conflict minerals). In the meantime, the adoption of the EU Directive on Corporate Sustainability Due Diligence in April 2024 highlights the urgency for Switzerland to take urgent action to ensure its national legislation aligns with the requirements of the Directive, particularly given its significant position in the import and export of gold and other commodities.

46. In Switzerland, prostitution is legal and its regulation is in the remit of cantons, which *inter alia* issue regulations to combat violence or improve hygiene and improving the legal status of persons in prostitution. Amid the dearth of data on prostitution in Switzerland, in its 2015 report “Prostitution and human trafficking for the purpose of sexual exploitation”<sup>22</sup>, the Federal Council set several goals seeking to improve data on prostitution and human trafficking for sexual exploitation; minimize the risks of violence and/or crime; reduce or at least discourage prostitution through strengthened legal protection and examine concrete measures to combat abuses and human trafficking. Nevertheless, in its Concluding Observations, the Committee on the Elimination of Discrimination against Women expressed concern about the high incidence of exploitation of women in prostitution in Switzerland, approximately 85-95 percent of whom are migrant women, often without legal migration status. The report further highlighted estimates indicating that the majority of women in prostitution were trafficked and were regularly subjected to psychological and physical gender-based violence. Furthermore, in her report to the Human Rights Council, the UN Special Rapporteur on Violence against Women and Girls, its causes and consequences noted that in Switzerland the annual revenue generated by the commercial sex industry is estimated to be 3.2 billion CHF. She expressed serious concern that this approach has resulted in a significant increase in foreign women in prostitution from economically challenged European countries and the from the Global South. She further noted that courts may treat situations of violence in prostitution as “work incidents”, and the rape of prostituted women by sex buyers as “theft of services”.<sup>23</sup> According to Victim of Crime Statistics 2023, 112 persons in prostitution received assistance, of which the vast majority (109) were female from European countries (47) and Swiss nationals (22) and other or unknown ((43) with the largest

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<sup>21</sup> [Microsoft Word - ENG - Swiss NAPstudy.docx \(globalnaps.org\)](#)

<sup>22</sup> [Prostitution und Menschenhandel – Bundesrat legt Bericht vor \(admin.ch\)](#)

<sup>23</sup> Human Rights Council, Fifty-six session, Report of the Special Rapporteur on violence against women and girls, and its causes and consequences, Reem Alsalem (A/HRC/56/48)

numbers concentrated in Zurich (30) followed by Basel (13) and Geneva and Vaud (11 each).<sup>24</sup>

Although sexual exploitation is still a predominant form of identified human trafficking cases in the criminal justice system, policy and operational attention to online platforms, which are currently serving as facilitators and accelerators of exploitation through perpetuating the increasingly employed by traffickers the “lover boy” method, is nascent. The then Special Representative recalled numerous legally and politically binding commitments at the international level that direct States to take action to address the demand that fosters all forms of trafficking. These include Article 9 of the Palermo Protocol and Article 6 of the Council of Europe Convention, which require State Parties to adopt legislative or other measures including educational, social and cultural measures to discourage demand; Article 18 of the EU Directive 2011/36/EU, which tasks Member States to discourage and reduce the demand; and the OSCE Action Plan for Combating Trafficking in Human Beings, which urges countries of destination to take measures to effectively address demand as a key element in their strategies. During the visit Switzerland presented some measures it has taken to discourage demand, such as a website that was set up to inform the sex buyers of signs of human trafficking and how to react. Nevertheless, there still remains an acute need for developing targeted public awareness campaigns on understanding the THB risks associated with the commercial sex industry, and prostitution in particular, that are geared towards achieving scale and thus seen by as many potential sex buyers as possible.

Moreover, educational measures to address the demand that fosters trafficking for the purposes of sexual exploitation are also a strong means of prevention, which can be designed to target young persons as well as actual buyers and users of sexual services and have the potential to deter future demand. To this end, the then Special Representative recommended that Switzerland incorporate efforts to discourage demand into the new NAP, making it a strategic priority with adequate funding and resources and accounting for diverse tactics, including disruption and deterrence. He further recommended that the new NAP take into account the gender dynamics of demand and include encouraging partnerships between national authorities, CSOs, victim/survivor organizations and the private sector to take advantage of their individual expertise and experiences.

47. Since February 2022, Switzerland recorded 65,615 refugees from Ukraine and received 100,860 applicants for asylum, temporary protection and similar national protection scheme. On 11 March 2022, Swiss authorities activated a specific protection status, the so-called temporary Protection “Status S”, which allows refugees from Ukraine to obtain a one-year right of residence in Switzerland (renewable), without having to go through the standard asylum procedure. The then Special Representative positively noted the numerous prevention and protection activities and campaigns conducted by SEM, which has been raising awareness on the risks of human trafficking both among its staff and distributing information material in the federal asylum centres. To mitigate these risks, authorities launched an information campaign (“Protect yourself! Human trafficking and other forms of abuse”)– in Ukrainian, Russian, English, French, Italian and German. The Swiss Refugee Council arranges

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<sup>24</sup> [Assistance to victims | Federal Statistical Office \(admin.ch\)](#)

accommodation for Ukrainian refugees. Nevertheless, as the war persists and Europe faces economic challenges, the vulnerability of Ukrainian refugees is likely to increase. Particular concern remains in relation to a toxic demand for sexual access to Ukrainian women: an exponential increase of online searches for Ukrainian women across Europe will provide a strong incentive to recruit girls and women into prostitution. It is recommended that Swiss authorities conduct systematic monitoring of workplaces and online platforms to detect and prevent trafficking for various exploitative purposes against this vulnerable group.

48. In conclusion, while positively noting the commitment and numerous steps taken in the prevention and countering of trafficking by the Government of Switzerland, particularly through strong policy adoption, the then Special Representative encouraged authorities to continue their efforts and invited them to consider the following recommendations to enhance the implementation of OSCE anti-trafficking commitments, in particular the OSCE Action Plan to Combat Trafficking in Human Beings and its Addenda<sup>25</sup>. The Office of the Special Representative stands ready to provide technical assistance, if requested, to national and local authorities, as well as civil society, and welcomes further dialogue and co-operation to promote appropriate follow-up to these recommendations.

## **VII. Recommendations**

### **1. Enhance legal, policy and institutional framework by:**

- Amending Article 182 of the Criminal Code to ensure it is compliant with the definition provided under international law, namely, amending the “act” element of the human trafficking by removing “trafficking” to define the act and including the use of “means” for committal of the offence.
- Repealing Article 195 of the Criminal Code or revising it significantly to ensure legal certainty and avoid conflation of pimping vs human trafficking.
- Considering adoption of an overarching comprehensive anti-trafficking law that follows the 4Ps (prevention, protection, prosecution and partnership) approach and encompasses uniform victim identification and assistance mechanism, which should be mandatorily applicable in all cantons across the country.
- Upgrading the position of the National Anti-Trafficking Co-ordinator to allow for more effective, strategic co-ordination across the entire government and to ensure anti-trafficking remains high on the political agenda of the government.

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<sup>25</sup> OSCE Permanent Council, Decision No. 557/Rev.1 *OSCE Action Plan to Combat Trafficking in Human Beings* (Vienna, 7 July 2005); OSCE Permanent Council, Decision No. 1107 *Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later* (Vienna, 6 December 2013).

- Establishing an independent, adequately resourced National Rapporteur to collect and maintain data, monitor and assess the overall anti-trafficking response, laws and policies.
- Conducting a mid-term review/assessment of the newly adopted National Action Plan to ensure the tasks envisaged are effectively implemented. The review would also allow Switzerland to consider including new tasks related to technology-facilitated trafficking, legal and policy measures on due diligence for businesses to prevent labour exploitation in supply chains, use of financial investigations into human trafficking, prevention of trafficking for the purpose of sexual exploitation including by focusing on the demand that fuels human trafficking and expanding the focus on labour exploitation beyond domestic work, to encompass all risk sectors and enhanced focus on exploitation in criminal activities.
- Developing a model Terms of Reference for cantonal roundtables (RTs) as guidance to ensure their consistency and uniformity across the country. Each RT should also include a clear and tailored work-plan to strategize the discussion geared towards reaching objectives. The meetings of the cantonal roundtables should be frequent and regular and include all relevant agencies and state institutions including labour inspectors, trade unions and financial intelligence unit (FIU).
- Revising the work of the steering group to ensure the decisions taken by the group are based on comprehensive discussions and in agreement with all its members.
- Developing and maintaining a unified data collection system disaggregated to forms and types of exploitation, number, gender and age of victims identified, assisted, and sheltered, including those granted residence and asylum. The data on the number of launched and completed investigations, prosecutions, convictions and range of sentences, disaggregated by type of human trafficking, should be included in the system.
- Enhancing practical multi-agency collaboration and results-oriented partnerships with civil society by developing and implementing interactive capacity building solutions, for example national and cantonal simulation-based exercises on combating trafficking in human beings. Developing partnerships with training institutions to sustain the tool.
- Ratifying the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families of 2003

## **2. Enhance victim identification, assistance and protection by:**

- Developing a uniform victim identification and assistance mechanism applicable for all cantonal roundtables, which mandates social service providers to conduct proactive identification of presumed and actual victims of all forms of trafficking for assistance purposes irrespective of the victim's willingness or ability to co-operate with law enforcement.
- Ensuring that assistance to presumed and actual victims of trafficking is provided by a multi-disciplinary group of specialists based on individual needs assessments.
- Adopting standards for services for trafficking victims to ensure uniformity and consistency in victim assistance provided across the country.
- Amending legal provisions to ensure that the victim identification and assistance mechanism is applicable to all victims of trafficking independent of their place of exploitation and that victims exploited outside of Switzerland can also benefit from the assistance services.
- Developing guidance for implementation of risk assessment and the *non-refoulement* principle for foreign victims of trafficking, as well as developing measures to ensure the provision of long-term residence permits and integration support to such victims.
- Developing and implementing mandate-specific training on identification and referral of victims of all forms of trafficking for relevant authorities, especially front-line stakeholders who may be the first ones in contact with a presumed victim of trafficking, including law enforcement, labour inspectors, social workers, teachers, health care providers, and staff of child welfare institutions.
- Enhancing measures to identify trafficking victims among persons in asylum processes and in detention facilities for irregular migrants, including by implementing screening tools to assist immigration and asylum officers in reviewing the process.
- Developing strategies for better proactive outreach and identification of victims of all forms of trafficking in Switzerland, such as mapping high-risk areas and sectors prone to exploitation, including areas where prostitution is practiced and allowed. This also includes developing a strategy to combat trafficking of children and adults for sexual exploitation online, including through building partnerships with online platforms.
- Ensuring specialized shelters for child and male victims of trafficking.

### **3. Enhance the criminal justice response to all forms of human trafficking by:**

- Enhancing efforts to effectively prosecute and convict more trafficking offenders including by applying proactive approach to investigation and prosecution. This includes but not limited to increasing cyber capabilities in law enforcement and prosecutors to investigate human trafficking facilitated through the internet, including through continuous multi-department/agency training and capacity-building activities to benefit from specialized technology tools, which could scale up the fight against human trafficking.
- Addressing online platforms that ignore risks or facilitate exploitation on their platforms through policy action requiring implementation of safety measures; risk assessments; due diligence and monitoring for illicit content; reporting to authorities; and enhanced transparency. Policies should also provide for enforcement by authorities and liability for harms occurring on or through the platforms.
- Establishing police-prosecutor collaboration at early stages of investigations of all trafficking cases.
- Stepping up proactive identification of all forms of trafficking by conducting proactive intelligence and investigations in sectors prone to exploitation, including sex trafficking and for criminal activity. This also includes improving investigations to identify and collect sources of evidence in addition to victim testimony including by making use of special investigative tools, like wiretapping, surveillance and undercover operations, financial investigations in all trafficking cases and by developing tailored and sustainable capacity-building activities for investigators and prosecutors to advance “victimless” investigations and prosecutions.
- Amending the legislation and/or policy guidance to include a specific reference to the non-punishment principle for victims of trafficking and training relevant officials to ensure full and effective implementation of the international principles.
- Including Financial Intelligence Unit (MROS) in the national steering group to enable information exchange and dialogue, and incorporating a measure in the new NAP to enable closer engagement of the Financial Intelligence Unit in the anti-trafficking agenda and facilitate exchange of information and data - such as typologies and red-flag indicators - with the financial services sector.
- Improving utilization of the legislation on freezing and confiscation of assets to pay compensation for trafficking victims and collect data on compensations claimed and granted to trafficking victims to better inform policy making.



#### **4. Scale up prevention of human trafficking by:**

- Increasing and supporting prevention efforts by focusing on the demand that fosters all forms of trafficking, including by reviewing the legislation to address the use of services of trafficked persons and effective application of criminal law provisions that ban the purchase of sex from minors.
- Amid the current discussions of mandatory due diligence measures for businesses, developing targeted and strategic prevention concepts and policies on due diligence to prevent labour exploitation and promote human rights in businesses supply chains.
- Enhancing the measures to prevent and identify labour exploitation through increasing outreach activities and unscheduled inspections to industries prone to exploitation, such as agriculture, textile, tourism and hospitality and domestic work.
- Conducting research and periodic review of the situation pertinent to less visible forms of exploitation (in criminal activities, organ removal and others), including with the involvement of front-line practitioners (for example, patrol and juvenile police, medical and transplant community) to enhance prevention and ensure early identification and response to emerging trends.



## **Response by Switzerland to the OSCE report on combating human trafficking of 4 October 2024**

### *General comments*

Switzerland thanks the OSCE for the country report, which it has noted with interest. Combating human trafficking is challenging and complex and involves a large number of government agencies at the federal and cantonal levels, as well as non-governmental organisations. The exchange with the OSCE on combating human trafficking in Switzerland is beneficial and provides an external view of government action.

Fighting human trafficking is a high priority for the Federal Council and the cantonal governments. The adoption of the National Action Plan to Combat Human Trafficking 2023-27 by the Federal Council, the Conference of Cantonal Justice and Police Directors (CCJPD) and the Conference of Cantonal Social Services Directors (SODK) is an expression of the will to step up the fight against this form of crime and human rights violation. Fighting human trafficking is a priority for the Federal Department of Justice and Police (FDJP), which ensures that all partners work together so that victims receive the best possible protection and perpetrators are brought to justice.

Switzerland is a federal state made up of 26 cantons that have extensive sovereignty. They differ in size, geography and population, as well as in linguistic, cultural, economic and institutional terms. The relationship between the Confederation and the cantons, as well as among the cantons themselves, is governed by the Federal Constitution. The federal government is responsible for national legislation in the areas where it is granted jurisdiction under the Federal Constitution, while the cantons are responsible for implementing it, whereby they have considerable scope in how it is implemented. In the context of human trafficking, implementation primarily concerns operational law enforcement, victim support and accommodating victims of human trafficking. The Federal Supreme Court ensures in the last instance that federal laws are applied uniformly.

Federalism poses a challenge in the fight against human trafficking, but it also offers significant advantages. The cantons are most familiar with local circumstances and can tailor solutions to their individual situation and organisational capacity. In a federalist system, standardised procedures, responsibilities, institutions and processes for identifying victims and assisting victims that apply equally to all cantons are neither useful nor desirable. The task of national strategic coordination in the field of human trafficking is rather to ensure that minimum standards are observed in all cantons. Cantonal anti-trafficking round tables are important national coordination instruments. They determine how operational law enforcement, victim protection, migration and other aspects in the fight against human trafficking should work together in the individual cantons. These round tables are not responsible for identifying victims or providing victim support. Rather, they establish rules and procedures for identifying and protecting victims and thus act as a referral mechanism in the respective canton. The rules are laid down in cooperation agreements, which regulate the responsibilities, tasks and interfaces of the agencies involved and are an important working tool for operational staff. In addition to strategic coordination, the federal government is responsible for the central task of coordinating and channelling the flow of information.

The OSCE report is based on the 2022 official visit of the then OSCE Special Representative for Combating Trafficking in Human Beings. Since then, Switzerland has intensified its anti-human trafficking efforts and made further progress. These efforts focus on implementing the measures set out in the NAP to Combat Human Trafficking. Where, for specific reasons, certain topics and measures were intentionally not included in the NAP, valuable results have nonetheless been achieved. These include identifying victims on digital prostitution platforms and analysing trafficking-related financial flows (see below). While the fight against trafficking in human beings is an important concern for all national stakeholders, development of the NAP and consideration of the recommendations from the evaluations must take into account political, budgetary, resource and legal factors, as well as other challenges and expectations in the field of crime prevention. The goal in developing the NAP was to ensure the measures adopted could be effectively and realistically implemented.

Combating human trafficking is a priority for Switzerland, both at national and international level. Based on its constitutional mandate to promote human rights in foreign policy, the FDFA is committed to preventing and combating human trafficking as a serious violation of human rights. It works in multilateral and regional bodies to develop standards and, through specific projects, strengthens the capacity of international organisations and state and civil society actors abroad who are committed to a human rights-based approach to combating human trafficking.

*Remarks concerning recommendation '1. Enhance legal, policy and institutional framework':*

- The National Council rejected motion 19.4589 'National Rapporteur on Combating Human Trafficking' on 30 September 2021. Switzerland maintains its view that the position of a rapporteur is not necessary. This is because it is a small country in which all actors – state and non-state – involved in combating human trafficking are networked in cooperation bodies and duly exchange information. In addition, there are sufficient international evaluations, reports and national publications on progress and deficits in this area. Switzerland is aware of where additional action is needed and which measures are effective.
- In accordance with UN requirements and domestic political demands, the Swiss Human Rights Institution (SHRI) was created in May 2023. Its tasks include information gathering and documentation, research, providing advice and education on human rights, awareness raising and promoting the international dialogue on human rights protection. The SHRI fulfils its tasks as an independent body and makes its own decisions on the use of its resources. It should be instrumental in promoting and protecting human rights in Switzerland. As an independent institution, it will be up to the SHRI to decide whether and to what extent it will also address human trafficking as a serious violation of human rights (<https://www.eda.admin.ch/eda/en/fdfa/foreign-policy/human-rights/human-rights-policy/nationale-menschenrechtsinstitution-schweiz.html>).
- Implementing the third NAP (2023-27) is a matter of great importance to Switzerland. Between 2024 and 2026, two surveys will be conducted among the competent bodies on the status of implementation of the individual measures, and two monitoring reports will be prepared on the results. In addition, an external evaluation of the implementation of the current NAP is planned for 2026 and the results will be presented in a report which will serve as the basis for a new NAP in 2027.
- The Federal Statistical Office publishes extensive data on human trafficking every year. The statistics are compiled from the police crime, victim assistance and convicted persons statistics. In addition, data from the police crime statistics are broken down and published according to type of exploitation (<https://www.bfs.admin.ch/bfs/de/home/statistiken/kriminalitaet-strafrecht/polizei/straftaten.assetdetail.30887586.html>).
- Switzerland has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. However, it works actively to promote equality and protection for foreign workers. The Federal Act on Foreign Nationals

and Integration provides for various measures to protect foreign workers and ensure that working conditions and wages are respected.

*Remarks concerning recommendation '2. Enhance victim identification, assistance and protection'*

- Switzerland aims to formulate guidelines and standards for the cantons through a 'victim protection programme'. They are to be implemented by the round tables, taking into account the individual circumstances of each canton. This procedure should ensure a certain degree of harmonisation and compliance with standards in identifying, caring for and protecting victims in all cantons. The measure is described in Measure 5.4.1 of the NAP and is currently being implemented. A similar approach is planned for child victims of human trafficking in accordance with Measure 6.1.1 of the NAP.

*Remarks concerning recommendation '3. Enhance the criminal justice response to all forms of human trafficking'*

- Switzerland is seeking to make use of digitalisation to detect human trafficking, for example by using appropriate tools on prostitution platforms to assist in law enforcement. Based on work carried out by the German and Austrian Federal Criminal Police Offices and on cooperation in EUROPOL's joint investigation platform, EMPACT THB, as well as on the result of a project involving fedpol, the Zurich cantonal police and a foreign software company, a technical solution has been developed to filter information relevant to human trafficking proceedings (OSINT) among the high volume of data. The focus is on identifying potential victims of human trafficking and forced prostitution. The tool offers structured data management, which enables efficient identification and investigation work.

fedpol presented the tool to the cantonal police forces at a national conference on human trafficking in the digital world and has since made it available on request to the cantons for investigations until the end of the project phase. The overwhelmingly positive response to date has led to eight cantons entering into contract negotiations with the software company for independent use of the tool. Other cantons are expected to follow.

Combating serious crime requires information on suspicious activities that also take place beyond cantonal and national borders. It is therefore essential that this information be centralised in a shared information system. To this end, fedpol replaced the JANUS database with the KasewareCH case management system in 2023. Access is restricted to those who conduct judicial investigations or process national and international police data. The system stores investigation data on cases, people suspected or accused of a crime, and on objects that may have been used to commit an offence, including vehicles, telephone numbers and bank accounts. KasewareCH is used to support investigations and exchange intelligence.

- In 2019, an expert group was set up at MROS to deal with the processing of human trafficking reports and to optimise cooperation between MROS, the financial sector and the authorities. The expert group regularly participates in training courses, seminars and conferences and makes its expertise available to third parties. Statistics show a significant increase in the official exchange of financial information between MROS and the police authorities between 2020 and 2023. In addition, since 2021 MROS has been regularly participating in Europol's Joint Action Days, which are coordinated in Switzerland by the Federal Criminal Police. MROS is also planning to organise a regular exchange with law enforcement authorities at the strategic level as part of the FIAHT (Financial Intelligence Against Human Trafficking) project, which was launched jointly with the OSCE. The issue of human trafficking is also to be addressed as part of the public-private partnership between MROS and the financial sector, which is to be launched in November 2024.
- MROS has been seeking to raise awareness in the financial sector since 2020 through publishing articles in its annual reports. Among other things, it has highlighted best

practices for submitting suspicious activity reports on human trafficking and outlined the concept of human trafficking indicators. The FIAHT project aims to mobilise the financial sector on a broad scale. The FIAHT Compass, published in November 2024, contains a detailed list of human trafficking indicators and their practical application, as well as other information relevant to the financial sector.

- MROS gives human trafficking a high priority. Suspicious activity reports involving this type of predicate offence are prioritised, even those that only involve small amounts of money.
- At the end of 2023, the Conference of Swiss Public Prosecutors adopted a document entitled *Non-Punishment-Prinzip betreffend Opfer von Menschenhandel, Erläuterungen und Empfehlungen, Musteranweisung zur Umsetzung für die Kantone* [Non-Punishment Principle Regarding Victims of Human Trafficking, Explanations and Recommendations, Model Instruction for Implementation for the Cantons]. The document is aimed at the cantonal public prosecutors' offices and explains the principle of non-punishment in Swiss criminal law and how it should be applied by the cantonal law enforcement authorities.
- Since 2007, specialised training has been provided annually for law enforcement authorities. Each course trains around 30 to 35 new law enforcement specialists in the cantons. The courses are attended by police officers and public prosecutors, who are taught the fundamentals of human trafficking and best practices in investigating human trafficking cases involving all forms of exploitation. Key topics include interviewing victims and dealing with vulnerable individuals, practical case management, the use of undercover investigation methods, tracing and confiscating assets, the use of IT forensics and the importance of digitalisation in investigations. The courses also cover international cooperation in criminal matters at the police and judicial level and multidisciplinary cooperation at the cantonal and national level. Case presentations are very informative and transmit practical experience to colleagues. Specialisation courses are also offered at regular intervals.

Early and close cooperation between the police and public prosecutors is prescribed by law and a matter of course in Switzerland.

National exchange platforms for police and public prosecutors foster the ever-deepening exchange of information and expertise. Nearly all of the cantons have specialised police officers for investigating human trafficking cases, and many cantons have set up special investigation teams to handle such cases. In addition, cooperation between the cantons takes place within the framework of cantonal police agreements, and fedpol also supports the cantons in the exchange of information at national and international level.

Even though the prosecution of human trafficking is challenging, Switzerland has taken appropriate criminal justice measures.

#### *Remarks concerning recommendation '4. Scale up prevention of human trafficking'*

- Switzerland points out that efforts to combat human trafficking for the purpose of exploiting labour have increased significantly recently. Regional awareness-raising events are being held for the labour inspectorate and labour market control authorities, members of the labour inspectorate are being included in the cantonal round tables, greater attention is being paid to labour exploitation during inspections, and criminal investigations are being conducted into labour exploitation, resulting in convictions. Efforts to combat this form of exploitation are being continued and intensified.
- In 2022, Switzerland published two reports: *Ausbeutung Minderjähriger in der Schweiz im Kontext von Menschenhandel* [Exploitation of Minors in Switzerland in the Context of Human Trafficking] and *Bericht über die Bekämpfung von Menschenhandel im kantonalen Kontext* [Report on Combating Human Trafficking in the Cantons]. The reports were commissioned by fedpol and produced by universities. They provide an insight into particular aspects of human trafficking in Switzerland and the country's response. They will form

the basis for a discussion on further measures. According to the NAP, further reports will follow in the coming years.

- Switzerland is currently updating its National Action Plan on Business and Human Rights for the 2024-27 period, which will provide guidance to the private sector on the current due diligence regulations in Switzerland and at the European level and on the UN Guiding Principles on Business and Human Rights.