



# SWITZERLAND

## ASYLUM

In November, the European Court of Human Rights (ECtHR) condemned Switzerland, ruling that the country must re-examine the asylum application of a gay Iranian asylum seeker. The 34-year-old man had fled to Switzerland in 2019, citing mistreatment in Iran due to his sexual orientation, including insults and physical abuse from his family. Despite this, Swiss authorities rejected his asylum claim, arguing that being gay in Iran, where same-sex relationships are criminalised, was not sufficient grounds for persecution. The ECtHR disagreed, stating that the risk of the man's sexual orientation being discovered in Iran, potentially leading to persecution, was significant. The judgment is not yet final, as Switzerland has three months to refer the case to the Grand Chamber of the ECtHR.

## BIAS-MOTIVATED SPEECH

In April, the Swiss Federal Court upheld the conviction of right-wing extremist Alain Soral for homophobic hate speech. In its ruling, the Court confirmed that Soral's anti-LGBTI statements violated the anti-discrimination provisions of the Swiss Criminal Code (Article 261bis).

In September, the regional court Baden confirmed a penalty order against an employee of a bar who refused service to a lesbian couple (under Art. 261bis Criminal Code).

In October, the Council of States Law Commission voted against including "sex" into the anti-discrimination provision of the Swiss Criminal Code (Article 261bis). However, in December, the Council of States supported the parliamentary initiatives. With this decision, both chambers supported the initiatives and a legislative proposal will be presented.

In October, the Council of States' law commission supported a parliamentary initiative demanding the mandatory expulsion of foreign nationals from Switzerland if they are convicted of discrimination, including hate speech, in the sense of Article 261bis Criminal Code (Article 66a Criminal Code).

## BIAS-MOTIVATED VIOLENCE

In response to the increase in reported hate crimes against LGBTI people, the LGBTI helpline launched the "305 Votes Against Hatred" campaign. The campaign, featuring 305 mobile phones arranged in Bern's Bundesplatz and ringing simultaneously, seeks to represent a wake-up call to the Federal Council and policymakers.

In September, the public prosecutor of Zürich-Sihl issued six summary penalty orders to members of the group "Junge Tat" in relation to their attacks on a Drag Queen Storytelling event and a

Pride worship service in 2022. The summary penalty orders are not final.

The LGBTIQ helpline, in collaboration with LOS, Pink Cross, and TGNS, released a report revealing a rise in hate crimes directed towards LGBTI people. The report underscored that the number of reported incidents has more than doubled compared to last year, emphasising the need for enhanced protective measures and a more robust response to these crimes.

## EDUCATION

In June, political proposals to ensure modern and comprehensive sex education were officially submitted in nine cantons by Pink Cross, the Lesbian Organisation Switzerland, and Transgender Network Switzerland, in collaboration with parliamentarians. These initiatives also aim to protect queer teachers and students from discrimination, highlighting the need for inclusive and respectful educational environments across Switzerland.

A study conducted by the University of Bern, alongside the University of Zurich, revealed concerning insights about the school climate for LGBTI students. The study stressed that over 90% of respondents reported homophobic and transphobic remarks from their classmates. Among the respondents, more than half faced exclusion from their peers due to bullying related to their sexual orientation or gender identity, and nearly two-thirds of trans and non-binary students experienced verbal harassment.

In May, the Canton of Valais introduced directions on the accompaniment of trans and non-binary pupils in obligatory and post-obligatory schools.

In November, the Canton of Basel-Stadt also introduced guidelines for schools to support them in accompanying trans pupils in an appreciating and non-discriminatory way. On CitizenGO, a petition against these guidelines was launched.

## EMPLOYMENT

In April, a group of parents from Pfäffikon utilised the pretext of criticising a school's sex education programme to advance unfounded accusations against a gay teacher. The involved individual was subsequently dismissed from his position by the school's administration.

## EQUALITY AND NON-DISCRIMINATION

In January, the Grand Council of Basel-Stadt passed a revision of the Cantonal Equality Act. Although the revision was a highly-debated topic and sparked intense anti-trans rhetoric, no requests for referendums were lodged to halt the process and the revision was therefore enforced.

In September, the first LGBTI project leader started their position within the Basel-Stadt equality office. With the approval, Basel-Stadt became the first canton in German-speaking Switzerland to explicitly enshrine the equality of the LGBTI community in its legislation through the Basel-Stadt Equality Act, which ensures protections for all genders and sexual orientations.

Although similar gestures of support, such as raising the rainbow flag on public buildings during Pride Month, were accepted in other cities like Zurich and Winterthur, the city of Brugg in the canton of Aargau declined a request to do so. To justify the refusal, the city cited a policy to treat all interest groups equally and questioned the relevance of the rainbow flag to Brugg's local context.

In May, the National Synod of the Christian Catholic Church in Aarau elected its first openly-gay bishop.

Zurich's 30th Pride Anniversary drew tens of thousands of participants despite the presence of agitators who displayed anti-LGBTI banners and the arrest of two teenagers who were planning violent attacks against the event.

In November, the city of Biel/Bienne published two language guides: one on non-binary inclusive language and one on simple language, designed to make texts more accessible for people with reading or comprehension difficulties.

In November, voters from the city of Zürich upheld the city council's language guide on non-binary inclusive language by a majority of 57%. The public vote was provoked by the popular initiative "Tschüss Genderstern" from the SVP party.

In September, the Federal Council announced that amendments to the Therapeutic Products Act regarding blood donation, adopted by Parliament, will come into force on January 1, 2025. These changes will enshrine the constitutionally guaranteed principles of non-remuneration and non-discrimination in blood donation law. Individuals will no longer be excluded from donating blood based on their sexual orientation. Instead, exclusion criteria will be based on individual risk behavior and scientific evidence.

## HEALTH

In January, SRF Investigativ aired a movie on health care for trans youth suggesting that professionals prescribe treatment too quickly, without careful diagnostics, and therefore many regret the treatment undergone. Several experts, as well as TGNS, protested against the movie and denounced its alleged biases.

In November, the National Advisory Commission on Biomedical Ethics published an opinion on medical treatment of minors with gender dysphoria.

The Swiss National Science Foundation launched a National Research Programme on Gender Medicine and Health, leading to 19 funded research projects, including some on trans medicine and health.

## BODILY INTEGRITY

In February, the National Council supported a motion by the Legal Affairs Committee of the Council of States, calling for the swift development of medical-ethical guidelines by the Swiss Academy of Medical Sciences (SAMS) on the diagnostics and treatment of children born with variations in sex characteristics. Organisations representing intersex persons are to be actively included in this process.

In April, reports from the Zurich Tages-Anzeiger revealed allegations of abuse of power at the Sozialwerk.LGBTI social centre. The allegations were linked to a series of incidents involving two individuals who were accused of engaging in inappropriate sexual relationships with queer adolescents in their care. The investigation into these allegations remains open.

In August, the parliament of the Zürich Canton voted - with a one-vote difference - against the demand for a report on full financial coverage of the support for intersex children and their parents. The report should have focused on psychosocial and psychotherapeutic support, self-support groups, and shared-decision making at hospitals in order to strengthen human-rights compatible alternatives to surgeries.

In November, following the approval of a ban on conversion therapies in the canton of Neuchâtel, the Valais Grand Council also approved a ban on conversion therapies as part of a partial revision of the Health Act.

## DATA COLLECTION

The Swiss army's specialist unit "Women in the army and diversity" launched a short survey amongst non-binary members of the army in order to better understand their reality, experiences, and needs. The results will be published in 2025. Following the launch, the survey and the specialist unit's work on diversity were questioned by a member of parliament from the Group of the Democratic Union of the Centre (UDC) in an interpellation.

In October, the Swiss army published the results of a survey conducted in 2023 on discrimination and sexual violence based on sex/gender and/or sexual orientation in the army, including measures to be taken to strengthen prevention and protection. The survey showed that minorities, i.e. women, and LGBT members of the army, experience more discrimination and sexualised violence and that these are not individual cases but a result of the organisation's culture.

A [study](#) by the research institute gfs.bern, on behalf of Amnesty International and several LGBTI organisations, showed a more positive attitude towards gay, lesbian, and bisexual persons, and stronger prejudices as well as less sympathy towards trans and intersex people. In comparison to a similar survey conducted in the EU, LGBT people in Switzerland reported experiencing violence and discrimination more frequently.

## INSTITUTIONAL SUPPORT

In April, the first two officers responsible for LGBTI equality at the Federal Office for Gender Equality took office.

## LEGAL GENDER RECOGNITION

In May, close to 18'000 people supported an [open letter](#) "Break the code! For the recognition of non-binary people".

In July, the Federal Office of Justice invited non-binary people to a meeting to learn about their challenges and demands. Federal Counsellor Beat Jans joined the event after having met with Nemo, a non-binary artist, already in June.

In November, the [Federal Court](#) decided on an appeal by the parents of a trans minor who refused to issue the child's identity documents to the child's guardian in order to prevent legal gender recognition. The case involved a couple and their child, who sought to change their gender and first name at the civil registry office in line with Article 30b of the Swiss Civil Code (CC), which allows individuals from the age of 16 who are capable of judgment to make such changes independently.

The parents had challenged their duty to provide the child's identity documents and by this their child's decision, arguing that the assessment of a minor's capacity should be left to a psychiatrist, not a civil servant. The Court [confirmed](#) that as the child is over 16 and capable of judgment, according to Article 30b Civil Code, parental consent is not required for legal gender recognition. The Court stated also that no medical certificate about the capacity of judgment is required unless the civil register officer has doubts and therefore requires such a certificate.

## PARTICIPATION IN PUBLIC, CULTURAL, AND POLITICAL LIFE

In October, it was [announced](#) that starting in 2026, the city of Bern will implement a FINTA (Women, Intersex, Non-binary, and Trans People) quota for leadership positions in the city parliament, replacing the current women's quota. This change was proposed by the Young Socialists. While the legal framework for the new quota is still being developed, the initiative marks a significant step towards more inclusive representation in local government.

## PUBLIC OPINION

In May, Nemo, a non-binary Swiss singer, won the Eurovision Song Contest, creating intense visibility for non-binary people and their lack of legal recognition. In a [poll](#) by YouGov, 75% of respondents thought this win would have a positive impact on the queer community. [Polls](#) before and after Nemo's win, by the Gottlieb Duttweiler Institut, showed an increase in positive attitudes towards non-binary people and a decrease in negative attitudes.

In November, following a referendum, the Canton of Basel-Stadt held a public vote on the expenditure for hosting the Eurovision Song Contest 2025. Opponents' arguments included anti-non-binary rhetoric but the expenditure was supported by a [majority of 67% of voters](#).



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