

# EDS Submission: Report of the UN Special Rapporteur on violence against women and girls (Emerging Issues)

## Abbreviations:

EDS:	End Demand Switzerland
HTfSE:	Human trafficking for sexual exploitation
s-bvawg:	sex-based violence against women and girls
SwissGov:	Swiss Government

## A. Manifestations of s-bvawg (1-5)

### Prominent forms of violence

These include:

- Domestic violence: The most reported form of violence
- Sexual violence: Including prostitution and HTfSE, rape, sexual assault, harassment.
- Online (sexual) violence: pornography, cyber harassment
- Femicides: 2023: 0.63 rate per 100,000 population.<sup>1</sup>
- Workplace Harassment: Sexual harassment in the workplace remains a significant issue, with many cases going unreported due to fear of retaliation.<sup>2</sup>

In Switzerland, cases of domestic violence disproportionately affecting women, are generally high with 19,918 cases recorded by the police in 2023 alone. Almost every other week in Switzerland, a woman dies as a result of domestic violence.<sup>3</sup>

The high number of (reported) cases have stagnated during the last 4 years, despite many efforts to bring numbers down.<sup>4</sup>

In 2023 a total of 367 rape offences were registered by the police, an increase compared to the previous years (2022: 301 cases, 2021: 242 cases).<sup>5 6</sup>

The dark numbers are high, a Geneva-based advisory centre for women specialized in rape cases, reported that only a small fraction, about 10%, of women wish to report incidents of rape.<sup>7</sup>

### Consequences

Consequences of the high levels of s-bvawg often include deterioration of mental and physical health among victims and frequently also impacts their children's well-being.

A continued rise in the numbers of victims leads to an increased need for remedies and secured budgetary funding.

In June 2024, it was reported that the majority of shelters were fully occupied and the umbrella organisation of Swiss shelters appealed to the Government to increase funding. They stated that only 0.24 family rooms per 10,000 inhabitants are provided for. Thus, Switzerland falls short of the Council of Europe recommendation of one family room per 10,000 inhabitants.<sup>8 9</sup>

Money spent on helping victims is perceived as 'help to women' per se. These measures are important and necessary; however, they are also *re-active* and reflect a *failure* in efficiently addressing root causes.

### Emerging and Evolving Dynamics

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<sup>1</sup> <https://dataunodc.un.org/dp-intentional-homicide-victims> While UNODC Reports show that rates of femicides in Switzerland are high the comparison of prevalence among comparable countries proves difficult due to different definitions of 'femicide'

<sup>2</sup> <https://www.ebg.admin.ch/de/nsb?id=103407>

<sup>3</sup> <https://www.bfs.admin.ch/bfs/de/home/statistiken/kriminalitaet-strafrecht/polizei/haeusliche-gewalt.html>

<sup>4</sup> <https://www.swissinfo.ch/eng/business/domestic-violence-in-switzerland-the-suffering-behind-the-stats/49000468>, accessed 18.1.2025)

<sup>5</sup> <https://www.bfs.admin.ch/bfs/de/home/statistiken/kriminalitaet-strafrecht/polizei/haeusliche-gewalt.html> (scroll down to Tables, it is the 4<sup>th</sup>)

<sup>6</sup> <https://www.rts.ch/info/regions/geneve/2024/article/triste-record-de-viol-sauvages-a-geneve-28434149.html>

<sup>7</sup> Viol-seours telcon of 21Jan2025

<sup>8</sup> [https://www.frauenhaeuser.ch/sites/default/files/2024-06/240627\\_Medienmitteilung\\_DAO\\_de.pdf](https://www.frauenhaeuser.ch/sites/default/files/2024-06/240627_Medienmitteilung_DAO_de.pdf)

<sup>9</sup> Annual Report 2023 of the umbrella organisation of women's shelters in Switzerland and Liechtenstein, <https://www.frauenhaeuser.ch/en/annual-reports>

Examples:

- Surrogacy
- Stealthing
- Deepfakes
- Influencers/Social Media
- Young women's self-objectification

**Surrogacy**, is forbidden in Switzerland. This prohibition applies regardless of whether the surrogate receives compensation or not. Swiss citizens/residents who engage in surrogacy abroad, the Swiss authorities might refuse to recognize the surrogate as the legal parent. The legal parentage is typically assigned to the biological parents (if they are Swiss citizens), but the process often involves legal hurdles and additional documentation.<sup>10</sup>

**Stealthing**, a form of s-bvawg, is widespread in prostitution. 70% of women in prostitution reported they experienced stealthing.<sup>11</sup> Since July 2024 stealthing is a criminal offence under Swiss law.

**Deepfakes** A political initiative in 2023 with an emphasis on prevention of harmful deepfakes was rejected by SwissGov arguing inter alia that there was no gap in legislation.<sup>12</sup> This is regrettable because the swift introduction of specific regulations on deep fakes would have helped to prevent harm.

Andrew Tate's rise to prominence as **influencer** on social media platforms like TikTok and X raises concerns about the impact his misogynistic views are having on boys and young men. Reportedly, his account on X has grown to approximately 9.9 million followers.<sup>13 14</sup> The risk that Tate's ideology potentially translates into s-bvawg, acted out by his followers is real. Recently, also female "adult content creators" have attracted (social) media attention by competing to perform extreme, painful and dangerous sexual acts<sup>15</sup>. This mediatization of sexual abuse framed as empowerment, pleasure and a fast route to wealth is alarming and likely to have impact men and boys as well as women and girls.

A deeper understanding and official acknowledgement that the above phenomena add to root causes for s-bvawg is imperative.

Young women's **self-objectification** may not be new but is increasingly used as a way to gain attention and validation. Social media and advertising frequently sexualize women, adding to the normalizing of self-objectification<sup>16</sup>. Many women do not recognize the implications of self-objectification or perceive it as harmful. Algorithms prioritize visually appealing content. Although not necessarily resulting in s-bvawg, this trend further fosters women's objectification.

## Underrecognized and underreported

Importantly, the statistics show that – among the different forms of violence – it is *sexual* violence against women and girls that has *increased significantly* during the past years.<sup>17 18</sup>

To address root causes, an analysis of the breeding-ground for and factors that lead to perpetrators' acts of violence, is necessary. While various factors are relevant when identifying the causes of sexual violence against women and girls, one important reason is the way men perceive women, their value, role, and position of power in society and in relationships. Here, the State plays a significant role as legislator in setting norms in society, which in turn impact behaviour.

Early exposure to **pornography**<sup>19</sup> is well known but the potential harms are insufficiently recognized. Swiss research on the potential impact in this field is limited. One study found that 33% of children (11-12 years), who had watched violent

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<sup>10</sup> Article 119 of the Swiss Federal Constitution and the Reproductive Medicine Act (Fortpflanzungsmedizingesetz, FMedG) explicitly outlaw surrogacy. These provisions aim to prevent the commercialization of reproduction and protect the welfare of children and surrogate mothers.

<sup>11</sup> an explorative study from November 2024 based on 24 women <https://procure-info.ch/unsere-publikationen/>

<sup>12</sup> <https://www.parlament.ch/fr/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20233563>

<sup>13</sup> [https://en.wikipedia.org/wiki/Andrew\\_Tate?utm\\_source=chatgpt.com](https://en.wikipedia.org/wiki/Andrew_Tate?utm_source=chatgpt.com) accessed on 24.1.25

<sup>14</sup> Two British studies from 2023 examined attitudes towards Tate and his opinions on women, masculinity and work. Overall, 54% of children aged 6-15 have heard of Tate, for boys aged 13-15 that figure increases to 84%.

<sup>15</sup> 17% of 6-15 year-old boys have a positive opinion of Andrew Tate <https://yougov.co.uk/society/articles/47419-one-in-six-boys-aged-6-15-have-a-positive-view-of-andrew-tate>

<sup>16</sup> [https://www.youtube.com/watch?v=GJ1S4ecCjbc&ab\\_channel=GettingThere](https://www.youtube.com/watch?v=GJ1S4ecCjbc&ab_channel=GettingThere).

<sup>17</sup> see also Sandra Konrad: Das beherrschte Geschlecht, Warum sie will was er will. Piper, 2018

<sup>18</sup> <https://www.rts.ch/info/regions/geneve/2024/article/triste-record-de-viol-sauvages-a-geneve-28434149.html>

<sup>19</sup> <https://www.swissinfo.ch/eng/life-aging/rising-crime-in-switzerland-expert-insights-solutions/74351793#:~:text=de.to%20commit%20serious%2C%20violent%20offences>.

<sup>19</sup> according to Unicef Some 80% of children in 25 countries report feeling in danger of sexual abuse or exploitation online: <https://www.unicef.org/protection/violence-against-children-online>

pornography either did not want to say if they saw it intentionally, or stated they came across it unintentionally.<sup>20</sup> The fact that pornography-related offenses involving minors have increased twelvefold in ten years should be understood in the context of early porn consumption.<sup>21</sup> Unmonitored (often unwanted) online pornography negatively impacts children's understanding of sexuality and conveys the idea of men's entitlement to sexual access to women. In 2020, political initiatives have been proposed to remedy the situation. Although adopted, it remains uncertain when these will take effect.<sup>22</sup>

The understanding that pornography in itself constitutes s-bvawg is un(der)recognized and left unaddressed in Switzerland.

Deep-seated beliefs about women that foster s-bvawg continue to exist and state policies play a fundamental role in reinforcing these beliefs.

Switzerland's liberal **prostitution policies** are at the root of some of the most severe forms of s-bvawg. Switzerland ignores its international legal obligations to discourage demand for prostitution while it is precisely this demand that encourages exploitation that in turn leads to trafficking.<sup>23</sup>

This failure is underrecognized and underreported.

Prostitution is officially considered 'work'. However, authentic sexual consent is circumvented by the payment of money. The idea that sexual consent can be purchased, undermines the underlying principles of sexual consent conveyed in schools. When women's sexual consent is commodified, it impacts men's view on women generally.

SwissGov downplays the connection between prostitution and HTfSE and repeatedly refuses calls for a sex purchase ban arguing the Equality Model "would not be suitable for Switzerland to strengthen the protection of women in the erotic industry".<sup>24</sup>

SwissGov claims the existing laws to combat HTfSE are sufficient and considers its policy effective. EDS has estimated the likelihood for a victim of trafficking to be identified and arrives at an approximate 0,51 % chance for a victim of HTfSE to be discovered.<sup>25</sup> This is mirrored by only 8 convictions of HTfSE in 2023.<sup>26 27</sup>

This shows the failure in the combat against HTfSE, one of the most severe forms of s-bvawg. It is important to acknowledge that this is not a failure of law enforcement but rather a consequence of liberal prostitution policies, which have created ideal conditions for the exploitation of women in prostitution, provided excellent opportunities for pimps and traffickers, and simultaneously made it nearly impossible for police to combat HTfSE effectively. It is obvious that only reduction in demand for prostitution can fundamentally improve this situation. Only the Equality Model, which focuses on reducing demand, can effectively reduce the number of victims. In a recent public hearing in Germany, Dierselhuus, a former prosecutor and the current Chief of Police in Duisburg, Germany, explains in detail why prostitution policies must focus on demand reduction for the police to effectively combat HTfSE.<sup>28</sup>

SwissGov continues to ignore the inherent violence in prostitution despite continuous reports evidencing the s-bvawg.<sup>29</sup>

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<sup>20</sup> Hermida, Martin (2019): EU Kids Online Schweiz. Schweizer Kinder und Jugendliche im Internet: Risiken und Chancen. Pädagogische Hochschule Schwyz, Goldau

<sup>21</sup> <https://www.swissinfo.ch/eng/life-aging/pornography-offenses-soar-among-minors-in-switzerland/74807097>

<sup>22</sup> <https://www.parlament.ch/fr/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20203374> The changes will be part of a revision of the Law on Telecommunications (LTC; RS 784.10), which is currently being drafted. Unfortunately, it is uncertain when this law will come into force, probably the consultation draft of the LTC will be finalised by the end of 2025. Past campaigns to tackle youth porn use are not only inadequate but also place the responsibility on the victim: <https://www.swissinfo.ch/eng/business/swiss-campaign-aims-to-tackle-youth-porn-use/48465800> See also: The Council of Europe Parliamentary Assembly Resolution 2547 (2024)

<sup>23</sup> Discouraging the Demand that fosters trafficking for the purpose of sexual exploitation. Occasional Paper no. 11 OSCE (2021) p. 11 and p. 29

<sup>24</sup> <https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaefte?AffairId=20237688>

<sup>25</sup> In 2023, police statistics only listed 41 identified HTfSE victims out of a total of 60 HTfSE victims

To put this into perspective: Based on old (conservative) estimates, there are 20.000 women in prostitution in Switzerland and of these, an average of 40% are considered by the police in Bern to be in forced prostitution, we arrive at an estimate of 8.000 women who are likely to be victims of HTfSE (Interview with Police in Bern Akzente 03 2021, <https://www.evpev.ch/aktuell/mitgliedermagazin-akzente>) 41 victims of HTfSE out of an estimated 8.000 women who – according to police estimates – are in forced prostitution means that there is an approximate 0,51 % chance for a victim of HTfSE to be discovered. In this rough estimate we assume that those women who are likely to be coerced into prostitution, can be deemed victims of trafficking. This may not always be the case stricto sensu. However, this inaccuracy may be mitigated by the updated number of women in prostitution which would most likely be higher than the old estimates of 20.000 women. The darkfield of HTfSE cases would thereby be proportionally larger and consequently also the rate of undetected cases of HTfSE.

<sup>26</sup> <https://www.bfs.admin.ch/bfs/de/home/statistiken/kriminalitaet-straftrecht/strafjustiz/verurteilte-erwachsene.assetdetail.31666776.html>.

<sup>27</sup> The fact that prostitution is moving from the public (brothels, clubs, etc.) to the private sphere means that the police will find it even harder to discover victims. <https://www.srf.ch/news/schweiz/unsichtbare-prostitution-bordelle-an-privatadressen-boomen-polizei-ist-besorgt>

<sup>28</sup> [https://www.bundestag.de/ausschuesse/a13\\_familie/Anhörungen/1014382-1014382](https://www.bundestag.de/ausschuesse/a13_familie/Anhörungen/1014382-1014382)

<sup>29</sup> <https://www.tagesanzeiger.ch/prostitution-studie-was-sexarbeiterinnen-in-der-schweiz-erleben-929539423567>

<https://www.tagesanzeiger.ch/zwangsprostitution-von-chinesischen-frauen-in-bern-aufgedeckt-899433790172>

<sup>31</sup> <https://www.tagesanzeiger.ch/prostitution-in-zuerich-gewalt-in-der-sex-hauptstadt-europas-nimmt-zu-447051991049>

<https://emea01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsearch.app%2Fy3uVkeKDT7z33Lyy5&data=05%7C02%7C%7C550d0e6ce5e74f15112c08dd37b7dfdf%7C84df9e7fe9f640fb435aaaaaaaaaaaaaa%7C1%7C0%7C638727985049448918%7CUnknown%7CTWFPbGZsb3d8eyJFbXB0eU%1thGckIOnRydWUsIlwOiYlwlJaUdMAdMcIslIAiOjXaW4zMislskFOljoitWFbpbClslldUIjoyf%3D%3D%3D%7C0%7C%7C%7Csdatsat>

## **B. Fundamental freedoms (6-8)**

### **Challenges and opportunities**

In relation to prostitution, the data gap is large. Despite a state-policy of regulation and registration, *publicly available* data relating to women in prostitution is scarce. While this suits the profiteers of the sex industry this is a challenge for researchers and human rights defenders.

High amounts of Federal, Cantonal and private funding are granted to women organisations that support the view that prostitution is work, thereby confirming patriarchal structures and validating women's objectification.

The opportunity may lie in the circumstance that the violence in prostitution and failure to combat HTfSE will become so evident that the media and thereby the public can no longer ignore them. This may increase the pressure on political decision makers to change course.<sup>42</sup>

## **C. National frameworks to prevent and respond to s-bvawg (9-12)**

Switzerland has significant potential to effectively combat and prevent s-bvawg. Federal and Cantonal authorities possess considerable expertise, institutional frameworks, and resources that enable them to reduce s-bvawg successfully. However, efforts are hindered by the lack of a thorough, unbiased, and transparent analysis of the underlying causes of s-bvawg. Regarding prostitution, such an analysis must consider the harm to women in prostitution and acknowledge that without demand for prostitution, there would be neither exploitation of women nor HTfSE. It should critically evaluate the impact of normalizing prostitution on boys and young men and its implications for advancing equality between men and women.

## **D. Recommendations (13-14)**

Recognize prostitution violence against women

Implement the Equality Model with its four pillars

- Decriminalisation of prostituted persons,
- establishment and expansion of nationwide and comprehensive exit assistance, protection and support for those affected,
- anti-sexist education in schools as integral part of the curriculum education and prevention work about the system of prostitution and roll-out of wide-spread awareness campaigns about the connection between demand for prostitution and HTfSE
- criminalisation of profiteers such as buyers of sexual acts, pimps, brothel operators and traffickers

Create of the position of a Swiss independent national rapporteur for combatting HT.

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<sup>42</sup> <https://www.parlament.ch/fr/ratsbetrieb/suche-curia-vista/geschaefft?AffairId=20244361>