



# For Peace, Human Rights and Security

Switzerland's commitment to the world



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Federal Department of Foreign Affairs FDFA



# In the interests of Switzerland and the world



According to the Swiss Federal Constitution, responsibility for safeguarding Switzerland's interests and promoting its values is the task of foreign policy. This includes a commitment to peace, respect for human rights, and protection of displaced people and refugees. Such involvement ultimately serves Switzerland's own interests. Conflicts and social unrest can rapidly spread around the world and affect our country as the wars in the Balkans and uprisings in the Arab world have shown. Whether our energy sources are at risk, refugees come here to find shelter, or migrants arrive in search of a secure and dignified life, if Switzerland can help such people live safely in their home countries with the means to feed their families, there is no doubt that all parties concerned stand to benefit.

Terror groups are an incalculable danger to global security. Often they base themselves in failed states where they plan their attacks. By assisting fragile states to establish state structures or to make knowledge and expertise available to young democracies, Switzerland helps these countries find stability and contributes at the same time to creating a safer world. This demands perseverance and patience, but we should remember that Switzerland's democracy was not built in a day.

The economy can also benefit if Switzerland actively promotes peace, respect for human rights, and security. International stability ensures the uninterrupted

supply of energy and raw materials and encourages foreign investments that create jobs and open up new markets. We should not forget that our economy earns every second franc abroad and has always been dependent on lively trade with other countries. During the last 10 years, Switzerland's commitment to human security has strengthened, and, as a result, it has earned a good reputation. As a neutral country without a colonial past, Switzerland is much appreciated as a mediator in conflict situations and as a partner in the fields of human rights, humanitarian policy, and migration. Switzerland often works together with other countries, both big and small, which helps us build up valuable contacts that can benefit us in other fields.

Our commitment to human rights is only possible because every four years the Swiss Federal Parliament makes the necessary financial resources available to the Federal Department of Foreign Affairs. For me, this is both a statement of confidence and an assignment. It is a challenge that I am happy to take up.

A stylized, handwritten signature in black ink, consisting of a large, flowing 'D' followed by a horizontal line that tapers to the right.

Federal Councillor Didier Burkhalter  
Head of the Swiss Federal Department of  
Foreign Affairs FDFA

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# Human security

The concept of human security focuses on the security of individuals and their protection from political violence, war, and despotism. It acknowledges that peace policy, human rights, migration, and humanitarian policy are closely linked.

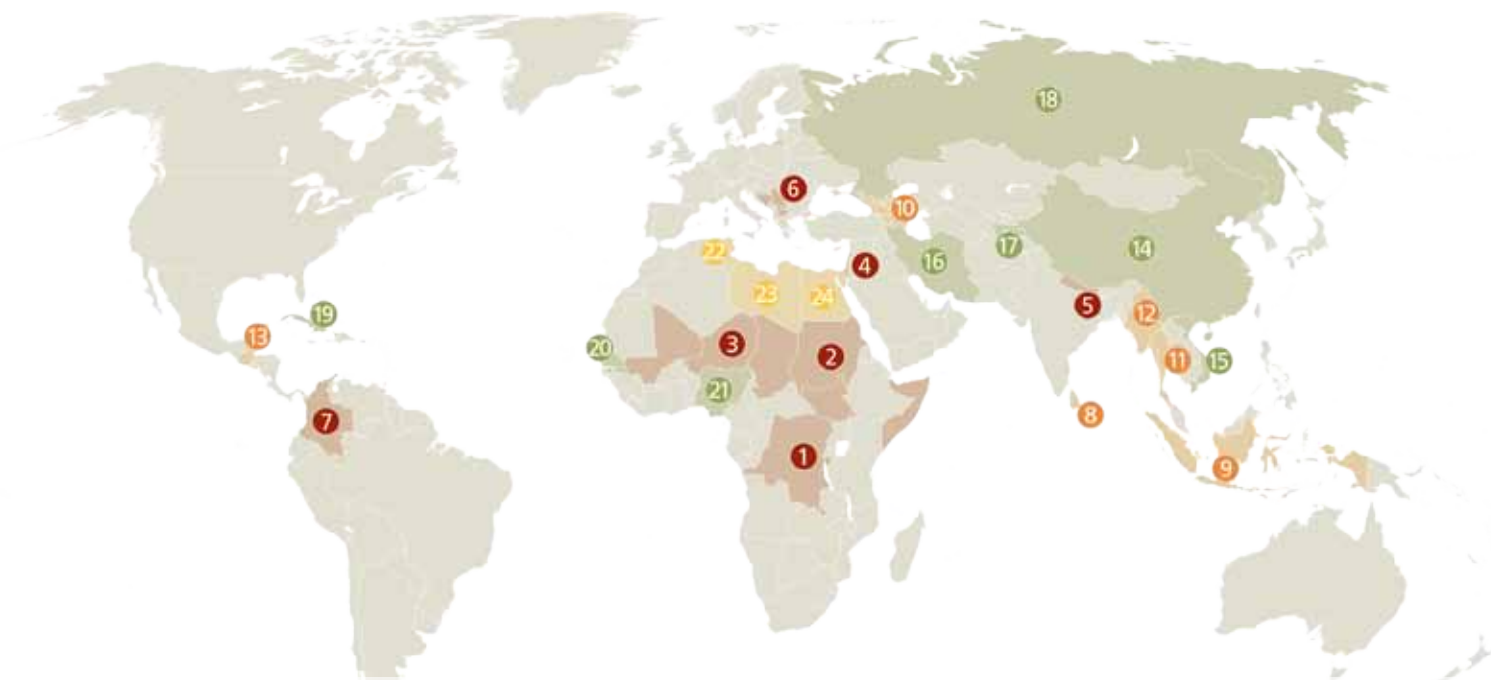
Promotion of peace and human rights is embodied in the Swiss Constitution as an objective of Swiss foreign policy and is thus accorded high priority. For Switzerland, this demonstrates that it intends to make high-profile contributions with an international impact in these areas.

The Federal Parliament passed an act in 2004 outlining specific measures for civil peacebuilding and strengthening human rights. It granted a line of credit which must be renewed every four years and

approved by Parliament. Last time, the credit was renewed at CHF 310 million for the 2012–2016 period.

The Human Security Division (HSD) of the Federal Department of Foreign Affairs (FDFA) is mainly responsible for implementing measures which serve to promote human security around the world. It is the competence centre for peace, human rights and humanitarian policy, and for Switzerland's migration foreign policy.

## Geographical Focus



### CIVILIAN PEACEBUILDING

#### PROGRAMMES

1. Burundi and Democratic Republic of Congo
2. Sudan, South Sudan and Horn of Africa
3. West Africa and Sahel
4. Middle East
5. Nepal
6. South Eastern Europe
7. Colombia

### CIVILIAN PEACEBUILDING

#### SPECIFIC INTERVENTIONS

8. Sri Lanka
9. Indonesia
10. Caucasus
11. Thailand
12. Myanmar
13. Guatemala

### HUMAN RIGHTS

#### INSTITUTIONALIZED DIALOGUES AND CONSULTATIONS

14. China
15. Vietnam
16. Iran
17. Tajikistan
18. Russia
19. Cuba
20. Senegal
21. Nigeria

### HUMAN SECURITY

#### SPECIAL PROGRAMME NORTH AFRICA

22. Tunisia
23. Libya
24. Egypt

# “We will continue to play a pioneering role”

Ambassador Claude Wild, head of the Human Security Division (HSD), sees North Africa, mediation, climate change and migration as priority areas. He also aims to work more closely with private companies and to strengthen his division’s ability to respond more rapidly and flexibly to both crises and opportunities.



**Claude Wild, in 2010 the Human Security Division celebrated its 10th birthday. In these ten years the budget has been continually increased. Why should Switzerland invest so much money in promoting human security?**

Claude Wild: Switzerland can afford to do much more for peace and human rights. The fact that our commitment to human security is right, and at the same time is in the interests of Switzerland has also been recognised by a large majority in parliament. Since HSD was founded, its funding has risen from 12 million francs a year to its current budget of 77 million francs. The success of our work made expansion necessary – with some 70 employees today, it’s a relatively large unit within the Department. Other countries are also coming to realise the increasing importance of this area of foreign policy. US Secretary of State Hillary Clinton has pushed through reforms in the US State Department in order to free up funds and enable it to tackle human security issues more efficiently. The EU is also considering establishing a European Institute for Peace. Incidentally, Switzerland has been approached for advice on setting up this institute.

**What specific expertise can Switzerland offer?**

Firstly, Switzerland has at its fingertips the know-how to design peace-policy processes. Thanks to the range of tools we’ve developed, we can make a contribution in all phases of a peace process. Secondly, we can also call on many years of experience working in the field. Our successes in recent times have enhanced Switzerland’s good reputation – for instance, our mediation between Georgia and Russia in connection with Russia’s admission to the WTO. Switzerland’s services are also in demand because it has no colonial past, is not pursuing any hidden geostrategic agendas of its own, and has a long and credible tradition of peacebuilding and human rights. As well as being the depositary of the Geneva Conventions, Switzerland hosts the headquarters of both the ICRC and the UN Human Rights Council.

**You have now been head of HSD since 2010. What events stand out in your mind during this time?**

Soon after I took up the post, the Arab spring happened. Looking back, I think we can say that 2011 was the year in which human rights were rediscovered. I’ve learned an important lesson from these events. Over recent decades the West has pursued a one-sided policy of stability in relation to the countries of the Maghreb and their authoritarian regimes. This was designed to serve three interests: securing access to energy sources, keeping Islamic extremists in check, and stemming migratory flows. The human dimension, the concerns of the local population, respect for human rights and compliance with democratic rules were deemed to be of secondary importance. The time has now come to heed the legitimate interests of civil society. All people have the right to choose their own government – whether we like it or not. However, governments must respect the rights of citizens.

I’m campaigning for human rights and associated diplomatic efforts to be accorded the same weight as the pursuit of economic interests. The economic development and stability of states and societies will remain illusory as long as human rights are not respected. Experience has shown that this transition cannot happen without some setbacks along the

way – you only have to think of the French Revolution to realise that. The former opposition forces will now attempt to play their political cards, including ones with a religious agenda. However, it's crucial that the rights of citizens are respected.

The FDFA grasped relatively early on the far-reaching implications of the events unfolding in Egypt and Tunisia and recognised that there was no going back. While other countries in the West were still hesitant, the Federal Council adopted an interdepartmental strategy to support transition in the countries of North Africa and the Middle East. Parliament approved an increase of 70 million francs in HSD's credit line for 2012–2016. Of this, 50 million francs are earmarked for a special programme in North Africa and the Middle East to run over four years. In comparison to the budget for other HSD programmes, that's a lot of money.

#### **And what will this special programme do?**

First, we will help countries run fair and proper elections. This also requires some educational work. Secondly, we will help to reform the security system, i.e. the police, the judiciary and the military that previously served the repressive regime. The attitudes in these bodies need to change: they now need to serve society, not work against it. The third key element is strengthening civil society and its capacity to organise freely, be it in trade unions, campaigns for women's rights, or in support of a free and independent media. We are supporting platforms for dialogue which the various societal and political stakeholders can use as the basis for agreeing the 'rules of the game' for the political process.

#### **How is Switzerland actually in touch with these countries?**

Our interventions are demand-driven. We respond to the needs of the country and its society. In Egypt, Libya and Tunisia we each have an advisor for human security who reports to the respective ambassador. The advisors devise projects with local partners on the basis of their needs and communicate these to Bern. However, we also receive spontaneous requests from international organisations looking for a partner to carry out a specific programme. The diaspora in Switzerland also communicates its concerns.

#### **What other priorities do you see for your division?**

One priority is creating the flexibility to enable us to grasp opportunities when they arise. To a certain extent our activities are externally driven. For example, the Federal Council decided that Switzerland would, as requested, assume the chairmanship of the Organization for Security and Co-operation in Europe (OSCE) in 2014. A large number of activities of the OSCE overlap with HSD's programmes, so we can provide a lot of input here. The 'hot spots' in which the OSCE is active are the Balkans, Transnistria, the Caucasus, Central Asia and Belarus. Naturally enough, these regions then become more important

for us as well. Completely independently of this we had already planned to step up our efforts in the Southern Caucasus and Central Asia.

#### **What human security issues does Switzerland consider paramount?**

We have acquired internationally recognised expertise in the issues surrounding dealing with the past. This expertise is in great demand all over the world by countries that have realised that combating impunity and rehabilitating victims after an armed conflict are vital for reconciliation and lasting peace (see page 17). Other priority areas are mediation and facilitation (see page 10). This is also closely related to our work with religiously motivated political actors, where Switzerland has built up an excellent network (see page 15). We will also strengthen our support for electoral processes in order to counteract the potential for conflict that can flare up at such times. Our Expert Pool also enjoys an excellent reputation and is in great demand from international organisations (see page 21).

« This humanitarian commitment is extremely important in order to protect people effectively from violence, repression and despotism. Switzerland is making a significant contribution to this work. »

**Christa Markwalder**, National Councillor RDP.The Liberals.

#### **You've also been gathering personal experiences since 2010. Have there been any surprises?**

In general I was surprised by the dynamism in the division. Hardly a week goes by without some flare-up somewhere in the world. We continually receive requests for assistance from abroad. This is both a challenge and at the same time highly fascinating. As our resources are limited, we also have to turn down requests. The variety of areas we are involved in is also fascinating. For instance, these days more people fall victim to armed violence than to armed conflicts. In 2006, Switzerland launched a diplomatic initiative on "Armed violence and development", which in the meantime more than 100 states have signed. This is a very topical issue (see page 19). This also illustrates what's so special about our division: the whole process of promoting human security – from prevention to the transformation of a conflict right through to political recommendations and implementation in practice – is designed in the Human Security Division in collaboration with other agencies both within and outside the FDFA. This enables us to tackle the problems in a systemic, holistic way. At the same time we also advocate human security within the framework of traditional bilateral and multilateral diplomacy, for example in the UN Human Rights Council (see page 28).

#### **Have you ever experienced moments of disappointment, or run into a brick wall perhaps?**

Every rejection of a promising project is frustrating. However, to preserve our flexibility and our ability to

act, unfortunately we sometimes also have to say no and be able to withdraw from some things where we're already involved. I see a great deal of potential to combine human security with other political issues. I'm thinking of the combination of business and human rights, or development and security, for example. And where the peacekeeping activities of our army are concerned, thanks to the Security Report and the Armed Forces Report, there is scope to double our deployments abroad. Peace policy is an investment in security policy, migration policy, economic policy, raw materials policy, humanitarian policy and development policy.

« Twenty years ago, no-one would have thought that Switzerland would one day run its own extremely active foreign policy department for the promotion of peace and human rights. »

**Peter Niggli**, CEO of Alliance Sud

### What human security challenges do you think we will face in the future?

Climate change will keep us busy, either because of the risk of wars to secure access to water or due to increased migratory flows. This is a multidimensional problem. Another issue is the behaviour of trading companies in the commodities and energy sectors. Our country is currently a hub for this sector. If companies run their business without respecting human rights in other countries, not only do they cause damage in these countries, they also harm the reputation of Switzerland. Today, in the 21<sup>st</sup> century, non-state actors are also called upon to accept responsibility for human security. In specific terms we are working – in collaboration with companies and civil society – towards creating a national dialogue around the issue of corporate social responsibility based on UN guidelines (see page 30).

### How do you see the world developing in terms of peace and respect for human rights?

The frames of reference have changed. Previously, we had the Cold War and the battle lines were clearly marked out. Nowadays there are countless forms of violence that threaten the security of millions of people. I'm confident that, with the aid of new technologies, and consequently new phenomena such as the Arab spring, we will be able to denounce human rights abuses much more quickly and effectively – wherever they are perpetrated in the world. As far as our division is concerned, it will continue to play a pioneering role by being active in niche areas in which we can achieve a lot with relatively little money. We will continue to identify areas that are receiving too little attention. And we will seek to engage in dialogue with those who have as yet had little or no say. Above all, however, we must remain credible. That is to say, we must promote peace and respect for human rights in all areas of foreign policy.

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### CLAUDE WILD

Claude Wild was born in Lausanne in 1964. After studying political science and international relations at the Graduate Institute of International and Development Studies (IUHEI) in Geneva, he went on to complete postgraduate studies in security policy. From 1989 to 1990, and again in 1991–1992, he was a member of the Swiss contingent of the United Nations' peacekeeping forces in Namibia and the Western Sahara. From 1990 to 1991 he worked as an assistant on the security policy programme of the IUHEI. He joined the diplomatic service in 1992. Following assignments with the Swiss Agency for Development and Cooperation (SDC), the Swiss embassy in Nigeria and the Austrian Ministry of Defence, he became deputy head of the Peace Policy Section of FDFA. In 1997, he became first secretary and subsequently counsellor at the Swiss Embassy in Moscow. In 2000, he was placed in charge of the Policy and Institutions Section of the Integration Office in Bern. In 2004, he became deputy head of the Swiss Embassy in Canada, and from 2007 he served as deputy head of the Swiss Permanent Mission to the European Union in Brussels. He was appointed ambassador and head of the FDFA's Human Security Division (HSD) in August 2010.

« The HSD has specifically promoted cooperation of the state, academia and non-governmental organisations (NGOs) and has carried out valuable preparatory work. Continuation of the commitment to civilian peacebuilding and the protection of human rights is in Switzerland's interests. »

**Andreas Wenger**, Professor and Head of the ETH Center for Security Studies





# PEACE POLICY

Gone are the days when the global threats to peace and security were primarily military in nature. Nowadays, it is internal conflicts, organised crime, international terrorism, poverty, the lack of vital resources, and the consequences of climate change that pose the biggest threats to the peaceful coexistence of humankind. In our globalised world, these threats can have a reach far beyond the countries directly affected.

The “peaceful coexistence of nations” is one of the five objectives of Swiss foreign policy as defined in the Federal Constitution. Switzerland therefore strives to prevent violent conflicts and to create a stable framework for peaceful resolution of disputes. To engage as effectively as possible, it systematically coordinates peace policy with its foreign, security, and economic policies, cooperating with like-minded countries and international organisations.

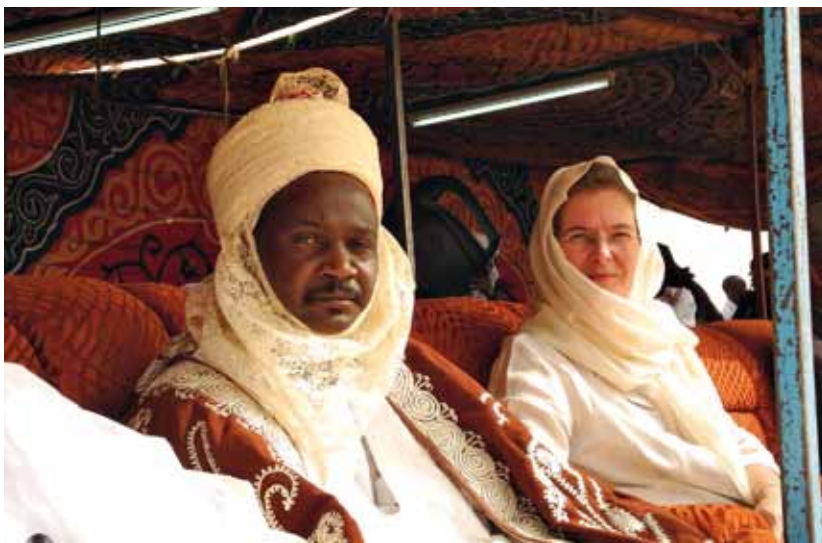
Nowadays most conflicts are resolved through negotiation. As a neutral country, Switzerland is well placed to offer its expertise and good offices as a mediator. Mediators can help the parties in a conflict negotiate a settlement. Swiss experts assist with preparing and running free and fair elections. They can also help a country in its efforts to deal with the past. If differing value systems clash, Switzerland can help broker understanding and consequently help to prevent or resolve conflicts peacefully by making diplomats and specialists from its pool of experts available for international peace missions. It is also involved in specific initiatives in international organisations concerned with drawing up global peace-policy guidelines.

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# Mediation in peace processes

The demand for mediation has never been higher. Mediation in peace processes is one of Switzerland's foreign policy priorities and plays a vital role in ending armed conflicts and major political crises around the world. A UN resolution adopted in 2011 recognised and strengthened the role of mediation in all phases of a peace process. Switzerland was instrumental in drafting this resolution.

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*Carole Mottet on mission as a human security advisor in West Africa*

International mediation services are increasingly in demand. Mediators are being used ever more frequently as intermediaries between adversaries in conflict situations and peace processes. Wherever armed conflict exists, there is usually very little understanding to be found.

Mediators act as impartial intermediaries between the warring parties. They help them to communicate and to acknowledge the other party's interests, and to find substantive solutions that are acceptable to all sides. Mediators do not judge, but rather start from the position that all parties can and should contribute to the solution. They organise and structure meetings, support constructive communication, and help disputants define the core problems and work out solutions.

The less likely the prospects of a military victory for the warring parties, the more unaffordable the costs of continuing the conflict become, and the more pressure the international community brings to bear, the greater the chances of success.

In recent years Switzerland has been involved in mediation in upwards of thirty peace processes in over

twenty countries. As well as conducting mediations in its own right, it has supported mediation by the UN and other international bodies and non-governmental organisations (NGOs) with expertise, personnel and financial assistance.

It has mediated independently for, among others, disputes between Armenia and Turkey, Georgia and Russia, in Indonesia, Columbia, Macedonia, Nepal, Sudan, Sri Lanka and Mali. A precondition of Switzerland's participation is the consent of all parties to the dispute. Many of these mediations lasted several years or in some cases are still ongoing. The services of Switzerland are either requested by the parties themselves, or are voluntarily offered. In Mali for example, where Switzerland has been actively supporting a school for peacebuilding for a number of years, it was approached by the Tuareg rebels to mediate in

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## **MEDIATIONS CONDUCTED BY SWITZERLAND**

At the request of the two states, Switzerland mediated directly between Turkey and Armenia. The protocols were signed by the two foreign ministers in Zurich in October 2009. Among other things, they agreed on the resumption of diplomatic relations between the two states, the opening of their borders and a commission of historians to investigate the events of 1915. To date the protocols have not been ratified by the respective parliaments, in part due to the unresolved conflict surrounding Nagorno-Karabakh.

Switzerland represents the interests of Russia and Georgia in the respective other state. In this context Switzerland was asked to mediate in the negotiations for Russia's entry to the World Trade Organization, which Georgia opposed. Thanks to Switzerland's efforts, in which various Swiss ambassadors and the Secretary of State were involved, it was possible to reach an agreement which stipulated strict controls over the flow of goods between the Georgian secessionist territories of Abkhazia and South Ossetia. Switzerland will also assist in the implementation of the agreement.

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the conflict between the rebels and the government. In many countries Switzerland was already engaged in development cooperation or humanitarian aid prior to mediation. As a result it was already familiar with the situation and enjoyed the trust of the parties concerned, as in the case of Nepal (see page 16) or Sudan for instance. Trust is an essential prerequisite for successful mediation. Only if the parties are convinced that the mediators are non-partisan and are not pursuing any hidden political agenda will they be willing to participate in the negotiation process.

Switzerland often tries to conduct mediation not only by bringing together the leaders of the parties concerned, but also by influencing the peace process on a number of different levels, for example by supporting civil society, cooperating with NGOs or implementing confidence-building measures.

Switzerland always seeks to establish dialogue with every party to the conflict. If solutions are imposed which were not arrived at through negotiation, any peace will remain fragile. Neither can there be lasting peace if past atrocities remain unpunished and the victims are not rehabilitated (see page 17). To mediate successfully in such circumstances is a major challenge that requires a great deal of patience.



*Ambassador Jean-Daniel Biéler working as a mediator in West Africa*

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### PROFESSIONALISATION OF MEDIATION

As a provider of “good offices”, mediation in conflict situations has a long tradition in Switzerland. The rising demand for mediation by Swiss experts has prompted Switzerland to intensify its engagement in certain areas and professionalise its competencies. This necessitates a clear strategic focus, a targeted approach, the development of capacity in terms of personnel, and a broad consensus among the population as to the purpose of Swiss mediation activities.

Swiss mediators currently undergo training alongside experts from other countries and the UN. They are instructed in subjects such as conflict analysis, conflict resolution, mediation and conflictual issues. Mediators should possess social skills and have an interest in the particular cultural characteristics of the parties.

Over the years, Switzerland has established a solid reputation as a skilled and experienced mediator. As a consequence it is increasingly being approached to provide mediation locally or to train the opposing parties in techniques for negotiating peace. In Darfur (Sudan), for example, the factions were interested in learning from Swiss experts how federalism works in practice.

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### UN RESOLUTION ON MEDIATION

In addition to direct mediation, Switzerland also supports other actors such as the UN with expertise and financial assistance. In 2011 the UN General Assembly passed a resolution on mediation for the first time. Switzerland was actively involved in the preliminary negotiations. The resolution acknowledges the increasing importance of mediation as a diplomatic tool for the prevention and peaceful resolution of conflicts. The objective is to improve this area within the UN institutions.

A willingness to act as a mediator is often not enough. Expertise and the support of a team are also needed. The resolution calls on UN member states to optimise the use of mediation. Countries that offer mediation should cooperate better and should coordinate their activities. In order to be able to respond to needs in a more coherent and systematic manner in future, and above all more rapidly, it is recommended that states train personnel in their own country and professionalise the services offered. The resolution also states that it is important to include women in the process, including in leading roles.



*Ambassador Günther Baechler made an essential contribution to the conclusion of the peace agreement in Nepal.*

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# “Throw your prejudices over board and listen”

Mediator Julian Hottinger has accompanied major peacebuilding missions worldwide. His experience and reputation as an expert in the field have taken him to places such as Sudan, Uganda, Burundi, Liberia and Indonesia on behalf of Switzerland. Hottinger, a constitutional lawyer and son of the Middle East expert Arnold Hottinger, is a member of the Swiss Expert Pool for Civilian Peacebuilding of the FDFA.

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## **Mr. Hottinger, why is mediation so successful in peace policy?**

Let me start by saying that nowadays people think that mediation is a magic wand that can solve any conflict. Mediation can indeed be a suitable tool, but only in certain situations. Firstly, the time has to be right. The parties must be “ripe” for negotiations. This usually means that the conflict has existed for a long time and has entered a phase of major escalation. The parties realise that violence won’t get them any further, or that they don’t have the necessary resources. My golden rule is not to start mediation unless the risk of causing harm is minimal.

## **Can mediation actually cause harm then?**

Oh yes, if the parties use the negotiation period to obtain arms and to regroup so that by the time the negotiations have finished they are more dangerous than they were before, then it’s usually the civilian population that suffers. It’s not easy to identify this danger right at the start of the mediation process. The parties play their cards close to their chests – quite apart from the fact that they often don’t know themselves whether they actually want to negotiate or keep on fighting. You mustn’t forget that the mediation process makes big demands on them. They

generally start by arguing, shouting and threatening each other because that’s the world they’re familiar with.

## **What’s your approach at the start of the mediation process?**

The key to any mediation that you want to succeed is empathy. If neither party is capable of developing empathy for the other party at the negotiating table then mediation will fail because there is no will to negotiate. The opponents sit there and argue – and nothing happens. This is what we call “sitting ducks”. This tends to happen in particular if they don’t have the authority or legitimacy of their party to negotiate with any degree of freedom. The most important thing is to listen. It’s not a good idea to put the parties under time pressure or give the impression that you know all there is to know about the conflict. Insisting that they formulate an agreement is also counterproductive. The primary function of a mediator is to create common ground. We move in circles, and as the discussions progress we move closer to the centre and thus to the nub of the problem until common ground emerges that enables us to think about a solution. This is where our task ends, because it’s then up to the parties to come up with the content of an agreement. It takes just one minute for a conflict to flare up – and years to bring it under control again. Sudan is a good example. The West sometimes finds it difficult to be patient.

## **What do you look for during the mediation process?**

A mediator must make sure that the central reason for the conflict is not avoided. The negotiating parties tend to skirt around the really delicate points such as ways to deal with human rights violations. Another technique used in international mediation is to show the parties that similar conflicts have been at least partially resolved in other countries. This helps to deflect their fixation on their own conflict and consequently believe in the power of negotiation and that the problem can be solved. If in the course of the peace process we manage to get the parties to sit down together at the table, to develop

a common vision, and above all to stop the violence, then mediation was successful. Only history will tell whether it was a lasting success.

**How would you describe the “ideal” mediator?**

Oh, someone very different from me (laughs)! That’s a difficult question to answer. I went to a pretty tough mediation school in Canada. Later I realised that training is only one aspect of good mediation. You also need patience, the ability to empathise and to listen. Above all, though, a mediator needs to be sufficiently creative to suggest solutions that might seem odd at first glance, but which can help to solve the problem, or at least to approach it. It’s also important to be experienced and knowledgeable in working with multicultural societies. And last but not least, always respect the people you’re working with and don’t do anything to them that you wouldn’t want somebody to do to you. But the most important thing of all is not to make moral judgements. I’ve been heavily criticised for sitting down at a table with some of the most heinous criminals. But my job is to achieve peace. Mediation means talking to the devil, but the devil will be held to account later for what he has done. It’s up to society to decide what form reconciliation should take. It is then incumbent on the judicial authorities to demonstrate their legitimacy by not allowing crimes to go unpunished. If, during this process, society gains the impression that justice has not been done in a way that fits with its concept of atonement and forgiveness, there is a great risk that the peace will not last.

**How has your work changed over time?**

The first few years after I had completed my training were challenging. I stuck closely to the theory until I realised how much of a gap there is between theory and practice. I learned something new each time. Ultimately it’s experience that pays dividends – and the instinct you develop for correctly interpreting people’s behaviour and their verbal and non-verbal signals.

**Can you recall any particularly satisfying moments?**

I fundamentally distrust any signs of a breakthrough. You really never know right up until the last moment whether or not the parties are going to sign an agreement. You see the hands holding the pens trembling, and you think, oh my God, anything could happen now! At moments like that you’re also fully aware that signing is one thing, implementing the agreement is something else entirely. By this time I’m normally very tired, I usually become ill and I worry about all the things that could still happen. You should negotiate with your head and not with your heart. Once the agreement has been signed, the mediator should exit quickly because by then the parties can’t stand the sight of him. He has seen them at their best, but also at their worst. There are other people who are responsible for implementing the agreement.

**What was your most important “learning experience”?**

Don’t judge, throw your prejudices over board and listen. That’s particularly true of negotiations in Africa. Africans love debating, preferably informally, at the market or under a tree. The most stupid thing a mediator can do is ask at the end of the day, “Do you agree or not?” Then the discussions start all over again. It’s practically impossible to achieve concrete results. There is a whole list of mistakes from which I’ve learned. The most annoying one happened during a mediation process when it was obvious right from day one that the delegates didn’t like me – and I didn’t like them either. Maybe my English was too European and theirs was too Asian. I thought it would get better, though my instincts told me that I should just get out. I waited six weeks before I went to the senior mediator and said, “Look, I’m the wrong person in the wrong place at the wrong time.” I was replaced by a colleague who went on to do an excellent job. But the time wasn’t wasted entirely, as the delegation was so happy to have somebody else that they cooperated fully afterwards.

**To what extent does the fact that you’re working on behalf of Switzerland play a role in your job?**

Switzerland is a small, neutral country that doesn’t have a colonial past and, above all, doesn’t have any hidden agenda. That’s definitely an advantage in peace processes. As the mediation process unfolds, the mediator’s nationality becomes less and less of an issue and the individual becomes increasingly important. I go from being “Swiss” to being “Julian”. Switzerland is held in very high esteem. Yet we still have a tendency to underestimate ourselves. On the other hand, though, it’s precisely this modesty that makes us such highly regarded partners.

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**JULIAN HOTTINGER**

Julian Thomas Hottinger is deployed as mediation and facilitation expert on assignment for the Federal Department of Foreign Affairs (FDFA). Julian Hottinger studied Social and Political Science at the University of Lausanne, and pursued his studies at the Graduate Institute of International and Development Studies (IUHEI) in Geneva. He subsequently attended the Canadian International Institute of Applied Negotiation (CIAN), specializing in International Conflict Mediation. Up until 2003, he held the post of research assistant at the University of Fribourg’s Institute of Federalism. In the past years, he has been engaged in peace processes, for instance, in Afghanistan, Northern Ireland, Burundi, Liberia, Sierra Leone, Somalia, Sudan, and Aceh in Indonesia. In addition, he participated in the ceasefire negotiations for the Nuba Mountains in central Sudan that culminated in the signing of an agreement at the Bürgenstock near Lucerne. Furthermore, he was involved in the negotiations between the northern and southern parts of Sudan that paved the way to a Comprehensive Peace Agreement (CPA).

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# Switzerland supports the changes sweeping across North Africa

What began at the end of 2010 as the «Jasmine revolution» in Tunisia, metamorphosed into the «Arab spring». In Tunisia, Egypt and Libya, the people mobilised en masse, rose up and toppled longstanding regimes. Switzerland responded swiftly to the upheavals in North Africa and the Middle East, stepping up its support for the countries affected in their transition to democracy and the rule of law.

Following the uprising in Tunisia, the Arab spring swept across country after country. In the name of freedom, justice and human dignity, the people rose up against despotic rulers, repression and corruption, against poverty, unemployment and rising food prices. The Arab spring of 2011 is a historic turning point which will have far-reaching political, economic and geostrategic consequences, the full extent of which is as yet unclear.

Switzerland quickly recognised that this process taking place in North Africa and the Middle East is irreversible. This region has therefore been designated a new priority for the work of the Human Security Division (HSD). During the first half of 2011, the Federal Council already adopted a strategy aimed at assisting individual countries during their transition. Five federal agencies in three departments have been tasked with implementation. To strengthen the effectiveness of the individual programmes and projects, the

various agencies coordinate their actions (“whole of government approach”).

The assistance provided concentrates on three areas. Firstly, Switzerland is supporting the transition to democratic government and the strengthening of human rights, especially the protection of particularly vulnerable groups. Secondly, it is promoting economic development and the creation of jobs. Thirdly, it is entering into “migration partnerships” with these countries. These partnerships serve both the interests of the respective countries and those of Switzerland.

A country ruled by an authoritarian regime for decades lacks adequate constitutional structures. But without the separation of powers and protection of fundamental rights, there can be no democracy. This is where the HSD’s programme comes in. Experts advise the relevant bodies in a country



*Early demonstrations in Benghazi, Libya in 2011*

on how to conduct elections transparently without discriminating against any section of society. At the same time, citizens are made more aware of their new political rights. In Tunisia, for example, Switzerland helped non-governmental organisations (NGOs) produce election leaflets and distribute them to the whole population. It financed the ballot boxes for the first free elections in October 2011. Swiss experts also served as election observers. In addition, Switzerland encourages cooperation between NGOs and the constituent assembly.

A second key element is reform of the security sector: the army, police force and security services. As these institutions had previously propped up the repressive regime, they need to regain the trust of the population. In particular, the personnel in these institutions need to change their way of thinking. Through the Geneva Centre for the Democratic Control of Armed Forces (DCAF), an internationally recognised organisation with an extensive range of expertise at its disposal, Switzerland is supporting these processes in some countries, especially Morocco and Tunisia. In Tunisia, Switzerland is advising the Ministry of the Interior on its efforts to canvass the population's views on reforms in the security sector, and consequently increase their trust. The DCAF has created a special database containing legislation relevant to the security sector. By making this accessible to all, it has helped stimulate public debate about the role – and oversight – of the secret services.

The foundation of every democracy is a strong civil society which is able to organise freely and stand up for its rights. Switzerland helps to strengthen civil society, for example by encouraging women to participate in the political process. A surprisingly large number of women took part in the protests that

led to the overthrow of several regimes. Yet for the large part they remained excluded from power after the elections. Switzerland is encouraging women to set aside their religious and political differences and work together to gain empowerment in the political process. Bridges should also be built between political parties. In informal dialogues, experience is shared and the common rules of the political process are discussed.

To strengthen a democratic state following a period of authoritarian rule and human rights violations, it is necessary to deal with the past. This is an area where Switzerland can offer its internationally recognised expertise. The background and circumstances which enabled a dictatorial regime to become established, usually over a period of many years, should be analysed. Switzerland has developed a strategy to help countries deal with the past. This focuses on uncovering the truth and sets out to find the answers to the following questions: What happened? Who is responsible? Who are the victims? Where are the people who disappeared? To gain the trust of the population, the perpetrators must be brought to justice and the victims rehabilitated and compensated for the injustice they have suffered. The ultimate goal is to bring about social and institutional reforms in the country so that there can be no recurrence of human rights violations.

Switzerland's assistance in dealing with the past is delivered in collaboration with local actors. In Tunisia it supports a project to safeguard archives that document human rights violations. At a later date, when the conditions are right, these archives will then help the population work through the process of reconciliation.

Prior to the Arab spring, Switzerland was one of the few countries that had publicly addressed the human rights situation in the region and sought dialogue with all religious groups and civil society actors. As a result, it now enjoys a high level of credibility in its efforts to foster values such as individual freedoms and respect for human rights.

The social upheavals in North Africa and the Middle East have also triggered a policy shift in western countries. For many years the latter had supported strong, stable states which protected access to energy sources, curbed migration, and held extremist groups in check. Human rights were subordinated to these interests. The Arab spring has clearly shown that there can be no long-term stability if the rights of people to live in freedom and security are not respected.

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## THE INFLUENCE OF RELIGIONS AND WORLD VIEWS ON CONFLICTS

Since the mid-1980s, a strengthening of religious movements all over the world can be observed. In many countries, religion is an integral part of social and political life. Many of the current conflicts within and between countries have a religious dimension, as demonstrated by the examples of Afghanistan, Sri Lanka and the Middle East.

Peacebuilding efforts must take this into account. Switzerland takes a pragmatic approach by promoting projects that enable parties with differing world views to meet and work together. It has brokered dialogue between rival factions in a number of different countries. Isolation encourages extremism, and for this reason religious fundamentalists are also included in the process. Following the war in Tajikistan in the 1990s, for instance, Switzerland helped establish dialogue between representatives of the government and religious elites. The subsequently agreed package of confidence-building measures for coexistence included, for example, the undertaking to develop a curriculum for private religious schools that also incorporates secular and civil elements.

In Sri Lanka, Egypt and Lebanon too, Switzerland is encouraging dialogue between sections of society with differing world views. In cooperation with the United Nations Alliance of Civilizations, it is facilitating communication between Muslim and non-Muslim actors in countries such as Afghanistan, Somalia and Sudan. The "Montreux Initiative" launched by Switzerland in 2005 calls for the recognition of Islamic charity organisations which fell into disrepute following the terrorist attacks of 11 September 2001.

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# The long road to peace in Nepal

A comprehensive peace agreement was signed in Kathmandu in 2006, bringing an end to the decade-long civil war in Nepal that cost over 16,000 lives. Switzerland's long-term commitment to peace, human rights, and development cooperation played a vital role in this process and continues to do so. There are still many obstacles to be overcome on the road to lasting peace.



## NEPAL

Nepal is home to almost 30 million people. This landlocked Asian country is one of the poorest in the world and has borders with China and India, the world's two most densely populated states. Its population comprises many different ethnic groups. The former Hindu Kingdom of Nepal became a republic in 2008.

In May 2005 the FDFA despatched a peace adviser to Kathmandu with the task of establishing contact with all parties to the conflict and exploring the possibility of a negotiated solution to the conflict between Maoists and the government. A decisive factor for the talks' ultimate outcome was that the peace adviser involved the democratic parties as third parties in the dialogue.

After a phase of informal separate discussions with the warring parties, an official decision was taken to sit at the negotiating table for the first time in late 2005. The armed conflict ended in 2006 with a peace agreement and appointment of a government that included the Maoists. A human-rights initiative by Switzerland in the spring of 2005 had a major effect: subsequently, the largest field mission of the Office of the UN High Commissioner for Human Rights (OHCHR) was set up, and elections to a constituent assembly were held in April 2008. A month later, victory of the democratic forces led to abolition of the monarchy.

After the peace agreement was signed, Switzerland remained in the country to help it on its difficult path to lasting peace. This also included supporting the establishment of democratic structures. During 2007–2008, members of the Nepalese constituent assembly had the opportunity to discuss the op-

portunities and challenges of federalism with Swiss officials. In addition, the FDFA provided the services of a constitutional expert for a four-year period. The FDFA also invited high-ranking party representatives to Steckborn, in Switzerland, for negotiations, which gave fresh impetus to the peace process. This "Steckborn Group" significantly contributed to reaching an agreement in 2012 regarding integration and rehabilitation of former Maoist fighters. Another focus of Switzerland's involvement is protection of human rights.

In addition, Switzerland, together with other countries, makes a financial contribution to the peace fund established by the Nepalese government, sent election observers, and supported both the UN mission in Nepal (UNMIN) and the OHCHR field mission.

Setbacks are unfortunately a recurring feature of the process, and both the UNMIN and the OHCHR field mission had to leave the country in 2011. However, a much greater disappointment was that the constituent assembly was disbanded on 27 May 2012. It had not succeeded in agreeing on a new constitution, despite its mandate having been extended from two to four years. A new constituent assembly will have to finish the work started, and the people of Nepal will have to wait even longer for a constitution and the socio-economic recovery they hope it will bring.

*Martin Stürzinger (third from left), human security advisor in Nepal together with high-ranking party representatives*



Switzerland will continue to support Nepal in the future. It has extended its commitment until 2017. The effort is recognised and valued by both the Nepalese themselves and the international community. The Swiss strategy combines conflict-sensitive management of development cooperation projects with peacebuilding. It focuses on Nepal agreeing to a new constitution, establishing federal structures, elections at all federal levels, and strengthening human rights.



# No lasting peace without reconciliation

Violent conflicts, dictatorships, and repressive regimes leave deep scars. Systematically working through the events of the past helps people come to terms with human rights abuses that have been committed and consequently helps to establish a lasting peace. Switzerland has gained an international reputation for its work on dealing with the past and can make its expertise in this field available to other governments on request.



*Archiving documents, as here in Guatemala, is an important aspect of dealing with the past.*

Dictatorships and repressive regimes are almost always linked to large-scale human rights violations, crimes against humanity, massacres, and sometimes even genocide. Victims are traumatised, while perpetrators often go unpunished. The transition from totalitarian rule to democracy, or from armed violence to peace, confronts societies with the problem of dealing with the legacy of the past. If human rights violations are ignored or addressed only superficially, conflicts can continue to fester even after a peace agreement has been signed and can consequently erupt again at any time. Victims cannot be rehabilitated if serious crimes go unpunished. In young democracies, truth-seeking, prosecuting and punishing perpetrators of crimes, reparation programmes, and root-and-branch institutional reforms are crucial to the process. If these aspects are addressed

and implemented, they have a deterrent effect and strengthen confidence in the rule of law and democracy. Without them, the peace process will remain fragile.

Switzerland has acquired internationally recognised expertise in dealing with the past. It advises democratic governments and civil society organisations in their endeavours to shed light on and address past abuses. It also advises mediators involved in negotiations between factions seeking to reach a peace settlement.

The concept of dealing with the past stems from the "Principles to combat impunity" adopted by the UN Commission on Human Rights in 1997. The principles formulated by Louis Joinet set out the rights

of victims and obligations of states to prevent impunity following serious violations of human rights and international humanitarian law. The principles specify a range of measures to combat impunity which set out the rights and obligations in the following areas: the right to know, the right to justice, the right to reparation, and the guarantee of non-recurrence.

Switzerland's services have been called upon, among other places, in Colombia, Guatemala, South-Eastern Europe, the Caucasus, French-speaking Africa, and in countries around the African Great Lakes.

Colombia has been suffering the consequences of armed conflict for decades. All combatants – the security services, guerilla groups, and paramilitaries – are responsible for serious human rights abuses and violations of international humanitarian law. At approximately 3 million, the number of internally displaced persons is extremely high. Switzerland has played a key role in efforts to deal with the past in Colombia: for example, by establishing and developing the 'Grupo de Memoria Historica' (Commission of Historical Memory) and by helping to draft national legislation for victims and restoration of land rights.

The process of dealing with the past begins with recording the testimony of victims in order to reconstruct what actually happened. Victims should be compensated for past injustices. If this process is to be successful, it is vital that the victims have trust in those questioning them. They must be sure that their testimony will not be ignored or even be used against them.

Activities in dealing with the past in Colombia present a particular challenge, because conflicts are continuing, and it is impossible to guarantee the full protection of the population. In some cases armed groups live in the midst of communities; perpetrators and victims could be neighbours. Therefore, the past is always present. As part of the reconciliation process, perpetrators are brought to justice or – in the case of less serious offences – are helped to reintegrate into society.

In Burundi, in the African Great Lakes region, Switzerland is supporting efforts to establish a Truth Commission. Swiss experts are helping the government conduct a dialogue with civil society. The fundamental prerequisite for successfully dealing with the past is the willingness of the state to tackle the matter truthfully. Where states are still fragile, there is also the problem that the judiciary and armed forces fail to operate as well as they should, and there is a lack of democratic oversight.

Owing to the many requests it has received to provide assistance in dealing with the past, the FDFA has set up an interdepartmental task force. The task

force supervises Switzerland's work in the field and develops multilateral initiatives for dealing with the past and preventing atrocities.

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#### SUCCESSES IN INTERNATIONAL ORGANISATIONS

With its expertise and many years of experience, Switzerland has played a key role in putting the whole subject of dealing with the past on the agenda of international organisations. The UN Human Rights Council passed a resolution in 2011 to appoint a special rapporteur on truth, justice, reparations, and guarantees of non-recurrence. This resolution is to be attributed to a Swiss initiative; Switzerland hopes that this new mandate will enable states to fulfil their obligations better. It is also intended to give victims a voice and ensure that their rights are respected.

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# Combating the illicit trade in small arms

Today, small arms and light weapons are among the most serious threats to human security. Switzerland is involved in diplomatic initiatives calling for tough international standards to combat the illicit trade in small arms.

The majority of the estimated half a billion small arms are in the hands of the authorities. However, if they get into the hands of terrorists and criminals, the consequences are catastrophic. According to estimates by the Geneva-based Small Arms Survey, over 700,000 people die each year as a result of being shot with pistols, machine guns or automatic rifles. Small arms are easily acquired, are usually cheap, and are easy to use. Moreover, the illegal arms trade is a profitable one.

Since the end of the East-West conflict, the problem of illegal arms trading has been on the multilateral diplomacy agenda. Switzerland is at the forefront of international efforts to prevent, combat and eradicate the illicit trade in and the misuse of small arms and light weapons. At the UN Small Arms Conference in 2001, over 150 countries approved the UN programme of action to prevent, combat and eradicate the illegal arms trade. Switzerland actively helped to develop an instrument for identifying and tracing illicit small arms. Since this was adopted by the UN General Assembly, small arms have had to be marked – a first step on the way to revealing trade flows and clandestine arms deals. In addition, the Assembly agreed on a definition of “small arms” and “light weapons”, which laid an important foundation for all future negotiations.

It was not possible to make the documents legally binding, however. The process only got as far as po-

litical declarations of intent (“soft law”). This hampers implementation somewhat. During subsequent meetings, it proved difficult to reconcile conflicting national interests and to find consensus among the UN member states.

In 2006, Switzerland joined forces with the UN Development Programme (UNDP) to organise a ministerial conference on armed violence and development. With the subsequent signing of the “Geneva Declaration on Armed Violence and Development”, Switzerland achieved an important objective: raising international awareness of the fact that the misuse of small arms and light weapons – and consequently the level of violence in a society – has a negative impact on economic and social development. The signatory states undertook to implement specific measures to mitigate the grievous impact of violence on development. The aim is to achieve a measurable reduction in armed violence by 2015.

Over 100 governments have now signed up to the Geneva Declaration. Switzerland led the core group that steered the implementation of the Declaration. In both 2008 and again in 2011, it also hosted the Review Conferences for the Geneva Declaration. The outcome documents adopted at these conferences further strengthened the previous commitments and set out further action programmes.

In 2001, the UN General Assembly also approved a Protocol against the Illicit Manufacturing of and Trafficking in Firearms as a supplement to the legally binding Convention against Transnational Organized Crime which had been signed the year before. By agreeing minimum standards, a certain degree of harmonisation between the legal systems in individual countries has been achieved, enabling the illegal manufacturing of and trade in arms to be effectively tackled.

*A park bench in Mozambique made out of small-calibre weapons*



# Promoting peace in Burundi

Switzerland played a significant role in helping the warring parties in Burundi's civil war reach a ceasefire agreement. It was consequently awarded an important UN function. It currently holds the so-called Burundi configuration chair of the UN Peacebuilding Commission for the second time. Switzerland's involvement is therefore helping to bring about lasting peace in the country.



## BURUNDI

The East African state of Burundi is one of the continent's smallest, poorest and, with 8.6 million inhabitants, most densely populated countries in Africa.

Almost half of all peace processes fail in the first five years after a ceasefire. Long-term peacebuilding requires a continuing commitment even after the violence has ended. During this critical period after an agreement has been signed, the Peacebuilding Commission has the task of mobilising the attention of the international community and proposing suitable strategies for reconstruction and securing the peace after a conflict.

In Burundi, polarisation between the country's ethnic groups, the Hutus and Tutsis, led to violent clashes. The civil war is estimated to have cost over 300,000 lives. Peace talks between the factions began in 1998 and resulted in a peace agreement (Arusha Peace and Reconciliation Agreement) in 2000. Switzerland contributed to the Arusha process by providing the services of a mediator and constitutional lawyer. It then teamed up with the non-governmental organisation Initiatives of Change to build up a dialogue with the Hutu rebel organisation Forces Nationales de Libération (FNL) and involve it in the peace process. It succeeded in persuading the rebels to lay down their arms. It was only the involvement of the FNL that made comprehensive peace possible.

Switzerland assisted in transforming the rebel movement into a political party. However, the opposition parties boycotted the elections in 2010 and accused the re-elected government of manipulating the election process and committing human rights abuses. The lack of faith in the democratic process and unwillingness of the political elite to compromise show that democracy means more than simply holding elections. Therefore, Switzerland continues to encourage dialogue between the political parties and is calling for war crimes to be prosecuted in order to further the reconciliation process between the differing sections of the population. It advocates controls over small arms and light weapons and has helped Burundi become mine-free as defined under the Ottawa Convention on the prohibition of anti-personnel mines. Switzerland's local representatives also include a human security advisor.

The peace in Burundi is not yet fully consolidated. Substantial shortcomings in governance and respect for human rights, combined with criminal behaviour, impunity, and corruption, remain serious problems for the country. Switzerland is working to ensure compliance with human rights standards and rule of law principles. For instance, in addition to the National Independent Human Rights Commission established in 2011, it also supports civil society organisations that call attention to abuses and offer constructive solutions to the government.

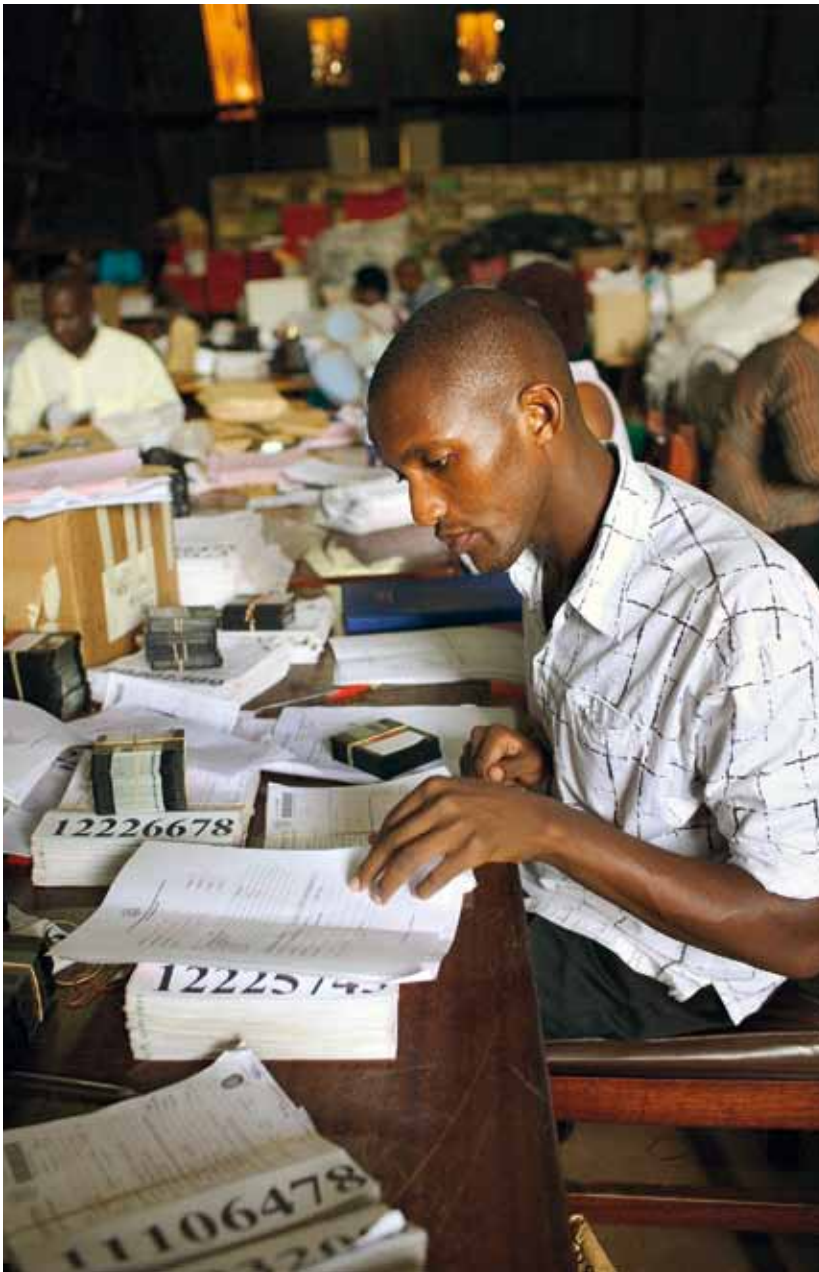
Switzerland chairs the Burundi configuration of the UN Peacebuilding Commission. This body provides a platform for dialogue with the Burundian government and keeps the UN Security Council informed of progress. Besides supporting the rule of law and respect for human rights, it promotes economic and social reintegration of former fighters and their families.



*The war has changed the lives of many people in Bujumbura, Burundi.*

# Swiss Expert Pool for Civilian Peacebuilding

Helping to establish the rule of law in Kosovo, monitoring elections in Russia, and providing expertise to the Liberian police force: these are just three of the many areas in which Swiss experts are putting their know-how in civilian peacebuilding and human rights promotion at the disposal of the international community.



*In Kampala, Uganda, a man registers voters for the coming elections.*

Switzerland set up its Expert Pool in 2000 in response to a growing international need for civilian expertise in peacebuilding and promoting human rights. Following the end of the Cold War and the conflict in the Balkans, it became clear that civilian expertise was essential to help secure lasting peace and aid reconstruction in countries ravaged by war.

Since then the demand for experts has increased steadily. They advise authorities, help local institutions establish state structures, support international peace missions and elections, and generally aid the efforts of the international community to promote peace and human rights.

The United Nations (UN), the European Union (EU), and the Organization for Security and Cooperation in Europe (OSCE) are the most important partners of the Expert Pool. Following recruitment by the Pool, experts are posted by these organisations to their headquarters or are deployed in the field. For instance they could be sent on a UN mission to an African country or to the Balkans on behalf of the EU. Ambassador Heidi Tagliavini led the OSCE election observation missions during the 2011 parliamentary elections and 2012 presidential elections in Russia (see page 24).

The services of these experts are also called upon by organisations such as the International Commission against Impunity in Guatemala (CICIG) and the Temporary International Presence in the City of Hebron (TIPH). For the latter, Swiss experts and representatives from five other countries monitor the situation of the Palestinian population of Hebron on behalf of the Palestinian and Israeli authorities.

Experts also help to foster bilateral relations and are attached to various Swiss embassies as human security advisors.

## EXPERT POOL FACTS & FIGURES

Every year around 200 civilian experts offering expertise in a wide range of fields work on short- or long-term assignments in over 30 countries. About half of these serve as election observers. On average 90 are deployed at any given time. Women account for 40 percent. The deployments focus on Switzerland's various geographical and thematic priorities in the area of human security. These include mediation and facilitation with respect to peace accords, state building and the rule of law, human rights, international humanitarian law, elections, and dealing with the past.

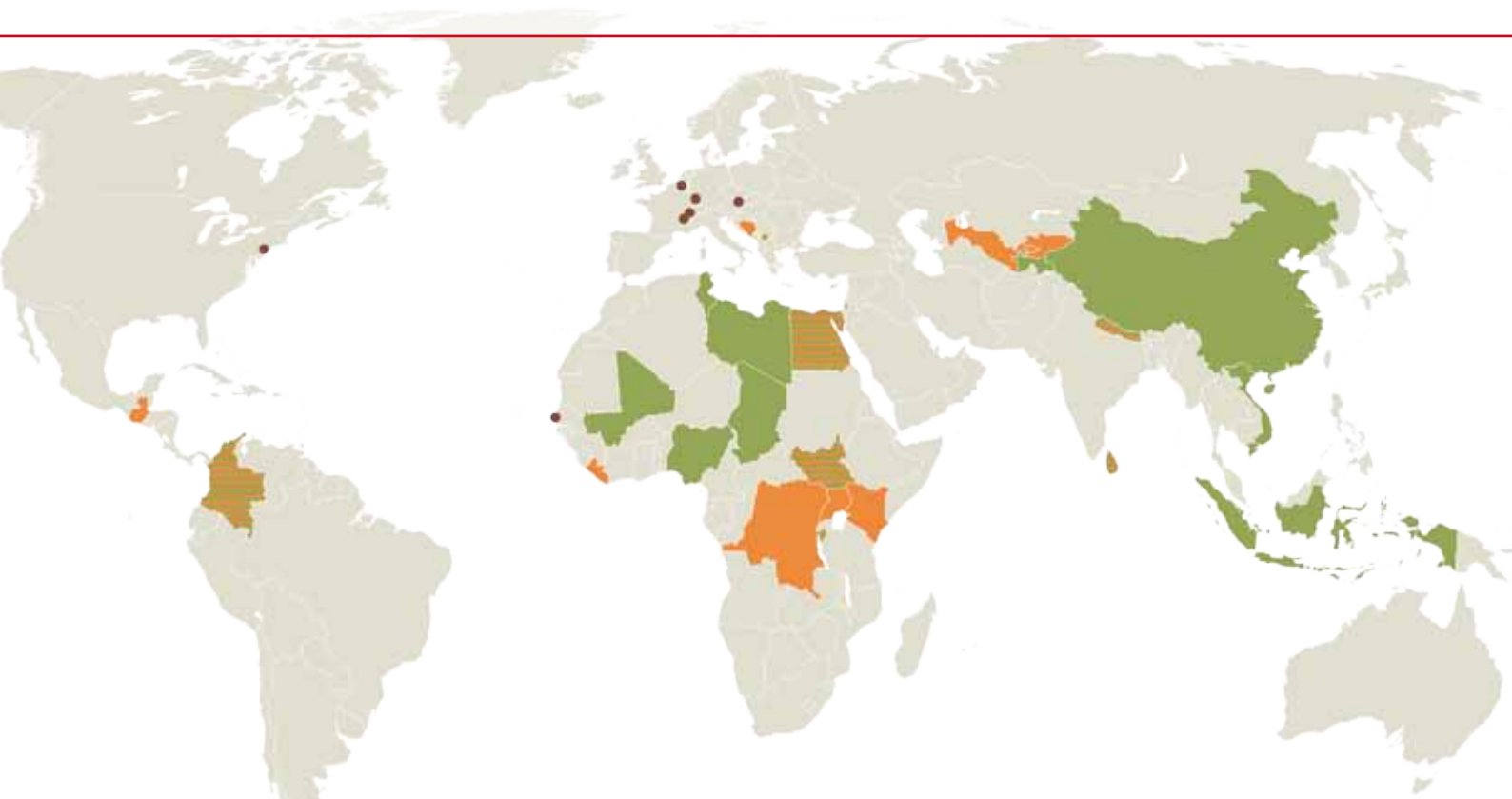
## BASIC AND FURTHER TRAINING

How should I act at a checkpoint? What tools does the UN have in its peacebuilding tool kit? How can I minimise the risk of mines while working in the field? In collaboration with external partners, the Human Security Division offers basic and advanced training courses. In a two-week basic course, new experts are introduced to peacebuilding and human rights work. Advanced courses cover, for example, mediation, dealing with the past, and mission management.

Every year the Expert Pool finances a number of placements at the UN for graduates or people who have gained some brief international work experience. In addition, Switzerland supports the training of local experts from crisis areas, for example, in Africa at the Ecole de Maintien de la Paix in Mali (EMP) and at the International Peace Support Training Centre (IPSTC) in Kenya.

### For further information see:

[www.eda.admin.ch/eda/en/home/topics/peasec/peac/confre/sep.html](http://www.eda.admin.ch/eda/en/home/topics/peasec/peac/confre/sep.html)  
[www.civpol.ch/civpol/en/home.html](http://www.civpol.ch/civpol/en/home.html)



### DEPLOYMENTS TO HEAD-QUARTERS OF INTERNATIONAL ORGANISATIONS

New York (UN)  
 Dakar (UNOWA/UNOHCHR)  
 Lyon (INTERPOL)  
 Brussels (EU)  
 Geneva (UNOHCHR/JRR)  
 Strasbourg (CoE)  
 Vienna (UNODC/OSCE)

### DEPLOYMENTS TO MISSIONS OF INTERNATIONAL ORGANISATIONS

Guatemala (CICIG)	Egypt (UNDP)
Colombia (UNOHCHR)	South Sudan (UNMISS)
Liberia (UNMIL)	Burundi (BNUB)
Bosnia & Herzegovina (State Court)	Uganda (UNOHCHR)
Kosovo (UNDP/EULEX/ICO)	Kenya (UNPOS)
DRC (MONUSCO)	Uzbekistan (UNODC)
Occupied Palestinian Territory (TIPH)	Kyrgyzstan (OSCE)
	Nepal (UNHCR)
	Sri Lanka (UNDP)

### DEPLOYMENTS FOR BILATERAL PROGRAMMES

Mali	Burundi
Nigeria	Occupied Palestinian Territory
Tunisia	Tajikistan
Colombia	China
Libya	Nepal
Chad	Sri Lanka
Kosovo	Indonesia
Egypt	Vietnam
South Sudan	

### ABBREVIATIONS

BNUB: UN Office in Burundi  
 CICIG: International Commission against impunity in Guatemala  
 CoE: Council of Europe  
 EULEX: European Union Rule of Law Mission  
 ICO: International Civilian Office  
 INTERPOL: Organisation Internationale de Police Criminelle/International Criminal Police Organization

JRR: Justice Rapid Response  
 MONUSCO: UN Organisation Stabilization Mission in the DR Congo  
 NATO: North Atlantic Treaty Organization  
 OSCE: Organisation for Security and Co-operation in Europe  
 TIPH: Temporary International Presence in the City of Hebron  
 UNDP: UN Development Programme  
 UNHCR: UN High Commissioner for Refugees

UNMIL: UN Mission in Liberia  
 UNMISS: UN Mission in South Sudan  
 UNODC: UN Office on Drugs and Crime  
 UNOHCHR: UN Office of the High Commissioner for Human Rights  
 UNPOS: UN Political Office for Somalia  
 UNOWA: UN Office West Africa

## Working for peace and security

Around 90 experts are currently working in a wide variety of roles and countries on behalf of the FDFA's Expert Pool for Civilian Peacebuilding. Three of them tell us something about their work here.



**PATRICIA PFISTER, 38, sociologist, advisor from Oron-la-Ville**

I began working in January 2012 on a one-year assignment with the "Temporary International Presence in Hebron" (TIPH) on the West Bank, where I'm responsible for the Research, Analysis, and Information (RAI) Department. Among other things the RAI drafts reports and recommendations which are regularly presented to the Israeli government, the Palestinian Authority, and the six member states of the TIPH. The reports are keys for analysing the situation of the Palestinian people in Hebron and enabling dialogue between the parties involved. However, it's really important to remain impartial and objective when writing these reports. I believe that my experience and Switzerland's good reputation are helpful here.

My days are filled with meetings. These can be about day-to-day matters, documents, management and organisation of the mission, as well as meetings with local and international partners.

The experiences that I'm gathering here are highly enriching. I'm learning something new every day: about the Israeli-Palestinian conflict, personnel management, diplomatic skills, and also living in a sort of "closed universe" with people from different cultures who have different working methods and different motivations.

I'd like to continue working in the area of human security, as it fits in with my own personal goals, my training, and my professional experience in numerous contexts.



**DAVID ROSSET, 38, policeman, police advisor from Lausanne:**

I've been working for the UNMISS mission (United Nations Mission in the Republic of South Sudan) since January 2012, and I'm helping the leadership of the South Sudan Police Service (SSPS) reform and reorganise the police force here. I'm in close contact with all the relevant actors (UNMISS, UN country team, donors) and assist them during the various project phases.

The SSPS is still in a process of transition and internal reform. It's extremely important that the South Sudanese government is given help to ensure better law enforcement, stem crime and violence, and protect the civilian population. So when the opportunity arose to travel to South Sudan as a Swiss civilian police advisor, I jumped at the chance. Before I came out here, I went on various Expert Pool training courses: UN Police Commander, police development projects, decentralised government, and conflict prevention.

South Sudan faces many problems, and it's a major challenge working in this new country, especially because of the lack of basic amenities and the risk that conflict might flare up again at any time. The police force is sometimes unable to deliver a high-quality service. The lack of infrastructure, poor training, a high level of illiteracy, and non-functioning police stations are a major problem. In addition, the system here presents countless bureaucratic hurdles which prevent efficient implementation of operational priorities. Despite all that, I'm finding it extremely rewarding to work in close cooperation with my international and national colleagues to help strengthen the capacities of this institution.



**ROMAN HUNGER, 41, lawyer, military advisor from Küsnacht, Switzerland**

The UN General Assembly in New York is one of the six principal organs of the United Nations. As an advisor for disarmament and peacebuilding in the office of the President of the General Assembly, my work is very exciting and demanding. Its (global) political substance makes it very fast moving, and it enables wide-ranging political and procedural activities in and around the workings of the General Assembly.

Having a representative in the office of the President is very useful, as it enables us to quickly identify the activities of the UN General Assembly that are also important for Switzerland, as well as to influence and utilise the presidential priorities. Exchanging information with Swiss colleagues in the system is consequently very intensive, with a continuous flow of information and knowledge.

This is my second assignment as a member of the Swiss Expert Pool. My first posting took me to Nepal for three years, where I worked as Special Coordinator and Deputy Director for the UN Regional Centre for Peace and Disarmament in Asia and the Pacific. Prior to that I worked at the Swiss Permanent Mission to the UN with responsibility for disarmament and peacebuilding.

# “Humour and humanity are key”

Working on behalf of the Swiss government for the past 30 years, Ambassador Heidi Tagliavini has earned an outstanding reputation as a conflict mediator and head of election observation missions around the world. The experienced expert on the Caucasus region from Basel has been appointed by international organisations to lead sensitive missions.



**Heidi Tagliavini, international election observation has become increasingly important in the wake of the democratic transformation at the end of the 1980s. What is the impact of these missions in the countries concerned?**

A great deal of experience has been gained from observing more than 250 elections. Following the break-up of the Soviet Union, such missions were primarily carried out in the former East Bloc countries and the Balkans. Nowadays, they are also increasingly undertaken in Western countries, even if the election process has not been questioned by the population. Switzerland too has recently been subject to the scrutiny of an international election observation mission and was advised to disclose party financing and other things. The international observation teams do their best to uncover foul play and shortcomings in the electoral process, thus

boosting confidence in democratisation. This is why they are so important.

**What has been your experience of these missions?**

A mission usually lasts two to three months, depending on whether there is a second round of elections. The ODIHR (see box) comprises a group of people – including lawyers, election experts, political experts, media specialists, and statisticians – from a range of OSCE countries who observe the election procedure. There are also up to 60 long-term observers who follow and analyse the election process at various locations in the host country. The mission investigates election laws, the political situation, and the election campaigns in the media. It establishes whether all candidates and parties are treated equally and whether freedom of assembly and freedom of the press are guaranteed, etc. Operation of the election administration is also observed nationwide. What is important in all elections is to cooperate with election commissions at all levels. The findings are published in a preliminary statement prior to the elections.

The short-term observers come into play just before election day, closely monitoring the voting procedure at the polling stations. They check whether a suitable covered room is available, ballot papers are ready, the elections as a whole are held in accordance with established standards, and whether there are any irregularities. The findings of the international election observation mission are based on reports from these teams. On the day after the election, the mission publishes a provisional report on the progress of the elections. Two months later, recommendations are submitted in the final report.

**During which phase of the election procedure do the most serious irregularities occur?**

Cheating can arise in all phases. However, the most serious instances usually occur once the polling stations have closed, when the counting begins, and the records are forwarded to the next higher commission. Despite the cameras and the presence of election observers, the counting system in some



elections is poor, even very poor. This can result from a lack of professionalism or deliberate falsification – often based on fear that the result will not meet the expectations of powerful candidates. The entire election process should be transparent. However, election observers are not granted access to all areas. Another rule requires the election commission to remain fully independent of the authorities at all levels.

**You have led election observation missions in Russia and Ukraine. Do you see progress in democratisation in these countries?**

The Soviet Union was only dissolved 20 years ago. A true democracy cannot be established overnight. The necessary change in mentality takes time and is far from painless. However, it's interesting that politicians in these countries want election observers to be present in order to demonstrate the legitimacy of their elections. Ukraine is one such example. Five years after being denied "victory" in 2005 due to extensive vote-rigging, Viktor Yanukovich wanted to prove that he could come to power legitimately. Thus election observations have a big impact, as every country is under pressure to hold elections in an acceptable way. Although politicians may speak of "fair and democratic" elections, this is not the terminology used by the ODIHR. What is meant by "free and fair"? The mission only states which international standards were fulfilled in accordance with the Copenhagen Agreement.

**In 1995, you were sent to war-torn Chechnya for a year as the only woman in a six-person OSCE assistance group. What were your experiences on this mission?**

The fact that a society which has lived together peacefully for many years despite a tragic history going back centuries could suddenly find itself back at war came as a shock to me. Witnessing people dying all around you and experiencing complete destruction causes exceptional emotional stress. Your life is under constant threat. We were once lured into a village to work with the inhabitants. Shortly after we arrived, every single house was set alight, and we were trapped right in the middle. Before the Duma elections (parliamentary elections in Russia) in December 1995, I was standing right next to the government building in Grozny when a bomb went off, killing 60 people. This attack was clearly intended to intimidate the population. Experiencing events such as these makes you very thin-skinned. I avoided Swiss National Day celebrations for a long time. Even now, I find it difficult to be around fireworks.

**What did you learn about negotiation tactics during this time?**

I found out how difficult it is to lead negotiations between conflict parties that are extremely hostile to one another, but also how to overcome difficulties. We generally have to wrestle over every single word. When it came to the wording of agreements, I always looked for solutions in formulations that

were deemed acceptable by all parties. For example, I banned use of terms such as "terrorists" because of the inevitable legal consequences. Using the term "refugees" instead of "internally displaced persons" has the potential to bring all negotiations to a standstill. Secondly, mediators should never aim to please just one party unless the other party is solely responsible for imposing great suffering on the population. The parties often behave like children with a cake – they insist on equal treatment and deliver ultimatums: independence or nothing at all! Thirdly, a set of rules must be established. The parties must not drag each other through the mud. Duration of the discussion must be limited, and certain words are taboo. The negotiating climate should allow everyone to defend their own interests and express their frustrations, while always showing respect for the other party. The mediator must be entirely impartial and objective, entering into negotiations with an open mind while maintaining a clear focus on the objective. Negotiations often centre around broken cease-fires, terrible massacres, and destruction. In such cases, mediators should already have drafted a possible agreement with binding obligations, but at the same time remain flexible. However, the most difficult part is getting the parties concerned to the negotiating table in the first place. Goodwill can only be fostered through trust, going back and forth between the parties and demonstrating a willingness to listen.

**What personal qualities have helped you to assert yourself in negotiations?**

I communicate with the parties in their language. They appreciate you making the effort to understand their country, their culture, and their history. I always make eye contact – this lets them know that you are emotionally committed. I try to restrain myself, while not letting anyone tread on my toes. I've often had to put up a considerable fight. Women may well have more patience and understanding, but we must also be able to fight our corner. And I laugh with them. Humour and humanity are key. Even the most senior of bosses who has committed an offence has usually also experienced trauma in his life and wants to be treated as a human being. Mediators must seek to engage with all conflict parties if they wish to achieve progress. There is no chance of a "modus vivendi" if those who are significantly involved in the conflict are not included in the negotiations. Integ-

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**COPENHAGEN CRITERIA**

Election observation is an extensive topic and has a far-reaching impact. The tasks are broadly determined by methodology: the Copenhagen Criteria, which were signed by all member countries of the OSCE (Organisation for Security and Co-operation in Europe) in the 1990s, form the basis. In the case of presidential elections, the countries are obliged to invite a delegation from the Office for Democratic Institutions and Human Rights (ODIHR) to monitor the elections.

Information on the ODIHR: [www.osce.org/odihr](http://www.osce.org/odihr).

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rity, credibility, flexibility, and perseverance are essential. And the list goes on. Finally, mediators must also accept the possibility of failure.

**Looking back on past decades, do you see an improvement in human security?**

We have come a very long way in recent decades in terms of international law. Perpetrators of war crimes now face prosecution and conviction. The war crimes tribunal and the International Criminal Court in The Hague are moving in the right direction, sending out a signal that nobody can incite war, commit massacres, or abuse children by using them as soldiers with impunity. Human security is a broad topic, however, and the question is how we can ensure it in the long term.

**How do you perceive the role played by the international communities and organisations?**

The suffering of the population caused by war and violence is so severe that any effort to resolve conflicts peacefully is justified, even if the intervention is not ideal. Local commitment to relieving such suffering is crucial. The International Committee of the Red Cross (ICRC), with its special rules and discreet practices, is playing an increasingly important role in this regard. While internationally outlawed government leaders often prevent aid workers from other countries or international organisations from entering their country, they will accept ICRC aid campaigns as it operates on the basis of complete confidentiality.

**In your 30-year career as a diplomat, which events particularly stand out in your mind?**

The break-up of the Soviet Union, which I experienced first hand, would definitely be one such event. The Tinguely exhibition in Moscow in April 1990 also made an impression – right in the middle of the tran-

sition period. I was responsible for organising the exhibition in Moscow, and Jean Tinguely and his team were staying with me. I have never forgotten his undisguised opinion of the regime.

Establishment of diplomatic relations with the new countries in Central Asia and the Caucasus was also incredibly exciting. I visited a total of 10 new independent countries during the course of this mission. Following the memorable experience in Chechnya and a posting in Bosnia as Swiss ambassador, I was selected to head a UN military observer mission in Georgia with over 400 staff. I had to lead the mission and revive the peace process under precarious security conditions. It was extremely challenging, but I learnt a great deal.

Possibly the most difficult assignment of my career was the reconciliation work for the war in Georgia, which I undertook on behalf of the EU. We had to assess whether an attack was justified under certain circumstances and whether the international recognition of the independence declared by Abkhazia and South Ossetia was correct under international law. Material sources were few and far between, the nine-month period was tight, and the parties piled on the pressure. This kind of assignment should only be taken on if you know the situation well and can thus gauge what might be right or wrong. The final report was more than 1,000 pages long. I went to great lengths to ensure that there were as few errors as possible, as parties delight in finding inaccuracies and can undo months of work. I carefully read through the report three times, including the annexed translations. The fact that it was accepted by both Russia and Georgia heralded it a success.

**What advice do you give to your younger colleagues who will serve as mediators in the future?**

I look back on all efforts to resolve conflicts with great respect. It is important to have a very good understanding of the background and the facts, and to be able to assess a situation. It then takes many months to be recognised and accepted as an authority. Only when my friends and family asked me about my motives for working as a mediator in difficult environments did I realise that I had a moral duty to fulfil any assignment to the best of my ability and therefore help improve the living conditions of those affected. It is difficult to witness people living in misery or losing their lives as a result of violence. Why them and not us? This still turns my stomach even now. You should not take on this kind of work without a moral conviction.

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### **30 YEARS OF SERVICE TO SWITZERLAND**

Heidi Tagliavini studied philology in Geneva and Moscow. She joined the FDFA diplomatic service in 1982. Following postings in Bern, Peru, Moscow, The Hague, and as Swiss ambassador in Sarajevo, she took on difficult assignments in the Caucasus on behalf of the OSCE and the UN, working in Chechnya in 1995 and as deputy-head of the UN observer mission in Georgia in 1998. In 1999, she was appointed ambassador and head of Political Affairs Division IV of the FDFA. In 2000, she was personal representative of the Austrian OSCE chairperson-in-office for missions in the Caucasus. From 2002–2006, she led the UN observer mission in Georgia as the special representative of the UN Secretary-General and head of the UN Mission. In 2008, the EU appointed her to lead the fact-finding commission on the war in South Ossetia between Georgia and Russia. In January 2010, she led the OSCE/ODIHR observer mission to monitor the presidential elections in Ukraine and the observation mission for the Duma elections and presidential elections in Russia in 2011 and 2012.

Heidi Tagliavini speaks eight languages and has published numerous articles and books. In 2010, she was awarded honorary doctorates by the universities of Basel and Bern for her services as an internationally renowned crisis diplomat for peace keeping and conflict resolution in the Caucasus region. As stated in the University of Basel's honorific speech, "she combines excellent negotiating skills with courage, commitment, and a sense of duty".

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# HUMAN RIGHTS POLICY

Switzerland attaches great importance to advancing and promoting respect for human rights. Large-scale human rights violations jeopardise international stability and security, also damaging the development and economic well-being of countries.

Human rights issues always feature on the agenda of all political consultations Switzerland conducts. Human rights policy is an overarching concern in Swiss policymaking. There must be no “human rights-free zones” in its foreign or security policies or in any other policy area for that matter. Human rights begin at home: Switzerland subjects itself to the monitoring mechanisms used by the international community to verify that states uphold human rights.

If other countries are willing to improve their human rights situations, Switzerland offers advisory services and organises exchange projects in areas such as prison conditions, protection of minorities, violence against women, and freedom of expression. With

initiatives, interventions, and public statements in international bodies such as the UN Human Rights Council, it works to establish legal frameworks designed to combat and prevent human rights abuses. For instance, it has achieved some success in its campaign against the death penalty and in encouraging private companies to accept their responsibilities with respect to human rights. It has also contributed to international knowledge in this field through expert missions, seminars, and publications.

Where it is not possible to protect the rights and basic freedoms of people, international pressure must be brought to bear. However, human rights policy based on dialogue and cooperation remains the cornerstone of preventive diplomacy.

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# Commitment to human rights at multilateral level

Promoting human rights is one of Switzerland's key foreign policy goals. In collaboration with other states and organisations, as well as through its own diplomatic initiatives, Switzerland is actively working to establish globally applicable rules for the protection of victims and particularly vulnerable groups.

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*People demanding their legitimate rights in Cairo, Egypt, as in many other parts of the world.*

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## OSCE

The OSCE defines security not simply from a narrow military or police perspective, but includes other dimensions such as human rights, the rule of law and democracy, as well as economic and environmental aspects. Its members include all European countries, the successor states to the Soviet Union, the USA and Canada. Among other things, the OSCE can appoint mediators, and it helps to improve cooperation with neighbouring regions in Asia, the Middle East and North Africa, as well as with civil society.

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The objective of Switzerland's human rights policy is to prevent human rights violations and to create the conditions worldwide where repression, despotism and exploitation cannot prevail. It pursues these aims in regular and close cooperation with international organisations such as the United Nations, the Council of Europe, and the Organization for Security and Cooperation in Europe (OSCE).

As it will assume the chairmanship of the OSCE in 2014, Switzerland will now focus even more closely on the work of this organisation. This mandate sits well with one of Switzerland's strategic foreign policy priorities, namely to work for stability and peace in Europe and the neighbouring regions. Under its chairmanship, among other things Switzerland will seek to reform the OSCE institutions: virtually all its member states are calling for the renewal and revival of the OSCE as the principal security and dialogue forum for Europe, America and Asia.

Switzerland's initiatives are also making a significant impact within the United Nations, including in the Human Rights Council. The resolutions adopted by the Council seek to promote and strengthen protection for human rights. They lay down fundamental principles that civil society can also draw on when fostering human rights.

At the instigation of Switzerland and other countries, the Council established a mandate on transitional justice. This is of great importance for protecting victims and human rights defenders all over the world, especially in countries undergoing transition. Switzerland also supports the work of various special rapporteurs who report on violations, such as torture, inhumane treatment and punishment, or the disregard of the freedom of assembly. The rights to which these mandates relate are inseparably linked to respect for human dignity and the entitlement of citizens to participate in political life.

Along with its commitment to protecting and promoting human rights in these bodies, Switzerland is also constantly pushing for institutional reforms that will strengthen the effectiveness of international organisations.

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## UN HUMAN RIGHTS COUNCIL

Founded in 2006 and headquartered in Geneva, the Human Rights Council represents a significant achievement of Swiss foreign policy. The Council reports directly to the UN General Assembly. Special sessions can be convened in the event of urgent cases of human rights violations. The Council comprises 47 members, appointed for a term of three years, and is mandated to assess the human rights situation in all countries. In the Universal Periodic Review (UPR), all states present the progress of human rights in their own country and receive recommendations for improvement from other countries. The Universal Human Rights Index database developed by Switzerland has proved to be extremely valuable in assisting this process. In addition, Switzerland is endeavouring to conduct dialogue along non-bloc lines, and is cooperating with non-governmental organisations and think tanks.

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# Bilateral human rights dialogue

Switzerland employs a variety of strategies to advocate human rights. This topic is now a regular agenda item for most bilateral or multilateral political discussions. Switzerland also holds specific talks with some states on the human rights situation in their country and arranges expert exchanges and joint projects.

Human rights are universal and indivisible. They apply to every individual human being, but they do so in a twofold manner: every person has the right to human dignity and to be protected from arbitrary acts of state power, but at the same time people themselves have a duty to recognise the ethical, moral and legal validity of human rights. It is states, however, that bear the primary responsibility for upholding and enforcing human rights.

For many years Switzerland has pursued bilateral and multilateral initiatives aimed at promoting respect for and observance of human rights. This is anchored in its constitution, as is the cultivation of contacts for the purposes of maintaining foreign policy and trade relations. In so doing, human rights should always be taken into consideration, which is why it also forms an integral part of dialogue at all levels.

Discussions on human rights – also referred to as human rights dialogue or consultation – are one element of Swiss human rights policy which is employed, along with other instruments, when partner states are interested and willing to talk about such issues and are receptive to advice. This willingness is usually most evident in tandem with political reforms. The aim of such discussions and joint projects is to improve the situation of citizens with regard to their rights. This process often requires much patience. By

virtue of its longstanding humanitarian tradition and commitment to human rights, Switzerland enjoys a high level of credibility, for instance within the UN Human Rights Council.

Switzerland has been engaged in regular dialogue with Vietnam since 1997, to name just one example. Questions of international human rights policy, criminal justice, religious freedom, and the rights of minorities and women are discussed. Deficits, for example in relation to freedom of expression and freedom of assembly, are mentioned too. Switzerland is also raising awareness of issues surrounding the death penalty in Vietnam, and has proposed that it take steps towards establishing a moratorium and eventual abolition.

Discussions are accompanied by specific projects supported by Switzerland. One major issue in many countries is prison conditions and the lack of protection from police violence. Switzerland sends out experts to advise countries and provide training. Nigeria, for instance, is one country that is aware of problems and has asked the international community for assistance.

However, improving human rights is a long, drawn-out process. Even where the will exists, a state often lacks the resources necessary to implement measures effectively. Nevertheless, there are discernible signs of progress. In Tajikistan, for example, death sentences are no longer carried out and the abolition of the death penalty is being considered. Conditions in Vietnam's prisons have also seen noticeable improvements, including with respect to the use of torture.

Alongside these in-depth discussions with a few countries, Switzerland also addresses human rights within the framework of political consultations conducted with a large number of states.

*Conditions of detention such as here in Nigeria are the subject of bilateral discussions on human rights.*



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# Human rights and multinational companies

Switzerland is home to some of the most important multinational commodity and energy companies in the world. They, too, have a responsibility to respect human rights and the environment. Switzerland is working to ensure that companies accept this responsibility and that they observe international standards of corporate governance.

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Around one-quarter of the global trade in raw materials is handled by firms based in Switzerland. Every state is obliged to respect and protect human rights within its territory, and this also includes ensuring that third parties such as companies do not infringe human rights. Some multinational companies are increasingly operating in regions with weak and repressive governments that are sometimes unwilling or unable to prevent companies violating human rights. As a consequence, companies and their subsidiaries involved in human rights offences are often not called to account.

Where the rule of law is concerned, Switzerland has high standards and is committed to the advancement of human rights all over the world. As a signatory to numerous human rights conventions, it has

undertaken to protect human rights in the context of its own economic activities, while also ensuring that human rights are not disregarded by the activities of private companies. This includes a responsibility as regards the activities of Swiss firms operating in a global market. The activities of such multinationals should not undermine our commitment to human rights. At the same time, it is also in Switzerland's interests to maintain its reputation as a business location. It is therefore involved in a number of international initiatives which seek to ensure that private companies respect human rights and environmental standards.

The initiatives supported by Switzerland at the international level focus on corporate self-regulation and voluntary mechanisms. The concept of Corporate Social Responsibility (CSR) holds that companies must monitor all social and environmental impacts of their operations and take steps to remedy any damage caused. Some companies have recognised that simply maximising short-term profits is not the way to achieve long-term business success and generate shareholder value. Rather they must build social responsibility into their market-oriented activities. Many companies have realised that structuring their activities in such a way as to promote growth and competitiveness while protecting the environment

« Our well-established, highly constructive dialogue with the HSD provides us with a valuable insight into the changing debate regarding business and human rights. This helps us in implementing the UBS declaration on human rights. »

**Christian Leitz**, Head of Corporate Responsibility Management, UBS

**Liselotte Arni**, Head of Environmental & Social Risk, UBS

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## SWITZERLAND PROMOTES INTERNATIONAL STANDARDS

Following six years of consultation with governments, businesses and non-governmental organisations around the world, Professor John Ruggie presented his final report on corporate human rights responsibilities to the UN Human Rights Council in 2011. Switzerland played a key role in supporting his work. The report has advanced the debate on human rights abuses by private companies and identified shortfalls in current legislation. In general his report criticises the lack of coherence between human rights promotion, as expressed in countries' foreign policies, and their trade policies.

The UN's guidelines are based on three pillars. Firstly, states have a duty to actively ensure that companies do not violate human rights («state duty to protect»). Secondly, companies should embed respect for human rights in their corporate culture. Thirdly, the report calls for easier access to justice for victims of human rights abuse by companies.

Along with the guidelines approved by the UN Human Rights Council, Switzerland also supported a number of initiatives relating to business and human rights. Among other things, it financed an informal exchange between states as well as a study on corporate responsibility in high-risk countries. It is also involved in the

“Voluntary Principles on Security and Human Rights”. These principles address oil, gas and mining companies: firms operating in this sector undertake to observe human rights and make suitable security arrangements. Among other things, companies should provide appropriate training for personnel and improve cooperation with the local population.

The Swiss Centre of Expertise in Human Rights founded in 2010 under the auspices of the University of Bern has formed six different thematic clusters, including one relating to human rights and business.

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Workers in a gold mine in South Africa that has been re-opened due to the increase in demand for gold.

and practising social responsibility will help to ensure sustainable development.

In particular Switzerland has lent its support in the form of both personnel and finance to the work of the UN Special Representative on business and human rights. In 2011, the Human Rights Council endorsed his proposals, drafted with the participation of states along with representatives of business and civil society, for new guidelines on corporate human rights responsibilities (“Guiding Principles on Business and Human Rights”). These guidelines provide a reference framework for the duty of states to ensure that their companies do not violate human rights, also when operating abroad. The guidelines set out a state’s duty to protect and corporations’ responsibility to respect human rights, and call for easier access to justice for victims.

Several units within the Federal Administration are concerned with human security, foreign policy and foreign trade. In order to achieve consensus and define coherent measures, the Human Security Division (HSD) is endeavouring to conduct dialogue with all the parties involved. The principle of self-regulation is not uncontested. One of the central questions in the coming years will be whether and how governments can influence the global activities of companies based in their territory, either through legislation or by means of incentives. In Switzerland the debate has only just begun, focusing on the duty of care that Swiss corporations must exercise both with regard

« I have greatly appreciated the HDS’s pioneering role in the area of business and human rights, and hope that the division will continue to commit itself to this field in a practical way in the future. »

**Christian Frutiger**, Public Affairs Manager, Nestlé S.A.

« Switzerland’s increasing involvement with state and non-governmental organisations through the HDS is very welcome and is crucial to making progress in human rights issues. »

**Ron Popper**, Head of Corporate Responsibility, ABB

to their own activities and those of their subsidiaries and suppliers. It is also concerned with how victims of human rights abuse and environmental crimes can gain access to justice.

#### PRIVATE SECURITY FIRMS AND CODE OF CONDUCT

Increasingly, private companies are being entrusted with security tasks, especially in crisis areas and conflict zones. Private companies and their employees are subject to international humanitarian law and are therefore required to respect human rights. At the initiative of Switzerland, over 300 security firms have now signed a code of conduct that obliges them to respect human rights and incorporate these standards in their business policies.

For example, the code of conduct stipulates the following: employees may only use weapons to defend themselves and others in life-threatening situations or to prevent a crime that would result in a high death toll; there is an absolute prohibition of torture, discrimination and human trafficking. The code expressly rejects active participation in military operations.

The management of these companies must recruit personnel in accordance with defined criteria, provide them with suitable training and supervise their work. Governments, non-governmental organisations and the signatory companies have undertaken to set up a monitoring system in the form of an ombudsman’s office. Also in the pipeline is an accreditation system for private security companies in order to verify that the quality standards stipulated in the code of conduct are being maintained.

The “Montreux Document”, which Switzerland had drafted two years before the code of conduct, addresses the obligations of states. States must guarantee that they will also observe the Geneva Convention – encompassing the protection of people and other standards of international humanitarian law – even when working with private military and security companies.

# Working to abolish the death penalty

Switzerland is actively campaigning to create a world where human dignity is respected and where the death penalty is banned. The right to life is the most fundamental of human rights. Switzerland is working for the unconditional abolition of the death penalty – that is to say, in all circumstances and in every region of the world.

Although more and more states are moving away from the death penalty, in 2011 alone over 700 people were executed (not counting victims in China). Switzerland emphatically rejects the stance that it is permissible to kill human beings in the name of justice. The death penalty does not right wrongs. Nor is it a deterrent that makes society any safer. It is itself a violation of fundamental human rights.

Switzerland takes the view that use of the death penalty constitutes an unacceptable impediment to full protection of human rights and that such punishment has no place in today's world. Campaigning against the death penalty is therefore one of Switzerland's foreign policy priorities in the area of human rights. To date, two-thirds of all countries have legally or de facto abolished the death penalty. Although democratic states such as the USA and Japan continue to execute people, it is mainly authoritarian regimes that impose the death penalty.

In 2010, Switzerland was official host to the 4<sup>th</sup> World Congress against the Death Penalty in Geneva. In the same year, together with Spain and other countries, it helped to found the independent "International Commission against the Death Penalty", which is now headquartered in Geneva. This underlines Switzerland's commitment to continue campaigning for

abolition of the death penalty and ensures it is represented in the group of states that supports this organisation. The Commission is seeking to persuade all countries that continue to carry out executions to establish a complete moratorium by 2015. It is also urgently calling on these states to observe the minimum standards of international law – namely prohibition of the execution of minors or people suffering from mental illness.

Switzerland also speaks out against capital punishment in other international organisations such as the UN Human Rights Council and the Organization for Security and Cooperation in Europe (OSCE). In 2010 the General Assembly of the United Nations adopted its third resolution calling for a worldwide moratorium on execution of the death penalty. Switzerland is a co-author of this resolution. Further resolutions seek to step up the pressure on countries that have not yet agreed to the moratorium. Establishing a moratorium is a first step towards abolishing the death penalty entirely and imposing prison sentences instead.

If a country abolishes the death penalty or no longer carries out death sentences, there is still a risk that populist governments may be tempted to reintroduce capital punishment as a supposedly tried and tested remedy for crime. It is therefore necessary to highlight this risk in order to prevent it arising. Switzerland also addresses this subject in its bilateral discussions on human rights policy. In states such as the USA that have not yet abolished capital punishment, Switzerland also regularly makes its views known, for example by supporting pleas for clemency or voicing its regret when a person is executed. In other situations Switzerland gives financial assistance to non-governmental organisations working to abolish the death penalty in individual countries or worldwide.

*Guatemala: The death penalty violates the most fundamental human right: the right to life.*





# “You need a lot of patience”

Sascha Müller is a member of the Swiss Expert Pool for Civilian Peacebuilding in FDFA's Human Security Division (HSD). A lawyer by profession, she spent four years in Sri Lanka as a human security advisor and now works in Hanoi, helping to facilitate consultations between Vietnam and Switzerland.



## **Sascha Müller, what does your work in Hanoi entail?**

Switzerland conducts consultations with Vietnam on human rights. These talks with government representatives take place once a year. There are also various human rights projects where we collaborate with civil society organisations, as well as with government bodies.

## **What form does this cooperation take on the ground?**

We have various contacts within government. For example, we organise an exchange on prison management and prison staff training with the Ministry of Public Security. As part of this project a Vietnamese delegation visits Swiss prisons to see our arrangements for the detention of prisoners awaiting trial as well as open prisons. At the same time, the Swiss training centre for prison officers is working with its counterpart in Vietnam. This exchange is a long-term commitment and represents an important element of cooperation between Vietnam and Switzerland that complements the consultation process.

## **What did your work in Sri Lanka involve?**

I was working in collaboration with other Swiss agencies such as the Swiss Agency for Development and Cooperation (SDC) and the Embassy as part of the “whole-of-government approach”. As an advisor on human rights and peacebuilding, I advised the Federal Department of Foreign Affairs (FDFA) on Switzerland's policy in Sri Lanka in relation to these issues and I also advised SDC on humanitarian aid. Back in 2008 and 2009, the main concern was internally displaced persons. Many people had fled their homes during the war, and after it ended in 2009 the government put 300,000 people into closed camps. Switzerland provided emergency aid and helped these people return to their home region and rebuild their houses. My job was to gather information and gain an overview of the problems. I was then able to advise the FDFA as to what action was necessary and beneficial with respect to human rights, and to recommend that the SDC demand certain minimum standards when working in these camps in order to avoid becoming complicit with the system – internally displaced persons were being unlawfully detained at that time.

## **Looking back, what impact would you say Switzerland's work in Sri Lanka had?**

It's difficult to say exactly what action had which particular effect. However, after five months the government began returning internally displaced persons from the closed camps back to their villages. Donors definitely played a role here. But you need a lot of patience, and it's often one step forward, two steps back. However, things can definitely be achieved in individual instances. Switzerland can play its part in a coordinated response from major organisations working there.

## **Among other things, the HSD is also campaigning to improve the rights of the internally displaced. Do these people receive enough international attention?**

The governments concerned tend to pay too little attention to this problem and are not always willing to provide the necessary resources. The question is then whether it is the role of the international com-

munity to take this on in emerging countries such as Sri Lanka. This is the dilemma of all aid-giving: on the one hand you want to help people in need, but on the other hand you don't want to simply let the government off the hook when it comes to exercising its responsibilities.

**What sort of reputation does Switzerland have in the places where it provides assistance and among the international community generally?**

Switzerland enjoys a high degree of credibility because it's a small country without any hidden agendas, and because it doesn't have a colonial past. Any offers of help from ex-colonial powers can easily provoke a knee-jerk reaction to "meddling" and "neo-colonialism". What's important is that Switzerland finds its own particular niche where it can make a contribution – for example by providing expertise, coordinating aid, or supporting projects to strengthen civil society. We're trying to raise awareness of human rights – in Sri Lanka for instance with regard to the issues surrounding internally displaced people or dealing with the past. If we encounter an unlawful situation, we take it up locally with the government or bring it to the attention of the UN Human Rights Council.

**How do you see things developing around the world as a whole? Is any progress being made where respect for human rights is concerned?**

You need to draw a distinction between social and economic rights on the one hand, and civil and political rights on the other. Certainly there are always setbacks with the latter, but from a global point of view the situation is greatly improving – not least thanks to social media such as Twitter and Facebook. Monitoring by the world's public has improved, and with it our ability to respond to humanitarian crises. No emergency in which millions of people starve to death or are killed in wars goes unnoticed or without a response of some kind. Now that the International Criminal Court has been set up, progress has also been made in ensuring perpetrators cannot escape with impunity. Of course, that doesn't mean that serious violations no longer occur. The challenge in promoting respect for human rights is to raise awareness of the issues and get individuals to "take

ownership". This is often interpreted by regimes as meddling in a country's internal affairs. However, if people are confronted directly with the principles of human rights, they usually speak out against torture and discrimination. The problem is that human rights work can be used for political ends by regimes and can be manipulated to serve a nationalist rhetoric. However, if the regime in a country changes, if there is sufficient political will, and if the government has the power to enforce legislation, then the human rights situation may rapidly improve.

**What local peacebuilding initiatives have proved particularly effective?**

It makes sense to support local actors that have the same goals – interested government agencies, political parties, journalists and non-governmental organisations. Although we can exert pressure and offer help, in the end the change must take place in these countries themselves. Promoting peace and human rights is however often very difficult to "sell" in the recipient countries because the whole subject is so diplomatically sensitive.

**Have you ever been in situations where you yourself were in danger?**

There were one or two moments during uprisings – for example at the time of the "People's Movement" in Nepal in 2006 which ultimately forced the king to relinquish power. I was acting as an observer among the demonstrators on the street and had no idea whether violence was going to break out. The biggest risk, however, is undoubtedly the traffic. I've been in situations there where I've thought my end was nigh. Disease is also a worry, dengue fever for example.

**Will you accept any further assignments overseas?**

Certainly, I find field work very stimulating. You have a lot of responsibility, and for the most part you can direct and influence the work yourself. It's also interesting to get to know new countries and different attitudes. And you get to experience historic moments first hand – such as in Nepal in 2006 when the king was deposed, or the end of the war in Sri Lanka.

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**SASCHA MÜLLER**

Sascha Müller has been working abroad for more than 10 years, mostly in Asia. Following a degree in law, she "spontaneously" applied to the ICRC. She then went on to take a Masters in Development Cooperation in the UK. She worked for the UN in Nepal, initially as part of a development programme, then for the High Commission for Human Rights. After working for Swisspeace, Sascha Müller was again drawn to work abroad so she applied to the FDFA for a post in Sri Lanka. Since March 2012 she has been working as a human security advisor in Vietnam.

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# HUMANITARIAN POLICY AND MIGRATION

Armed conflict, crises, and disasters engulf people in humanitarian emergencies with which they are unable to cope without outside assistance. Switzerland is campaigning for better protection of civilians during armed conflict, for a migration and refugee policy underpinned by respect for human dignity, and for effective combating of human trafficking.

Promoting human rights and respect for international humanitarian law are central objectives of Swiss foreign policy. The goal of its humanitarian policy is to protect the life, rights and dignity of human beings during and after armed conflicts and crises. As part of its strategy to protect civilian populations, Switzerland advocates their protection in international forums such as the UN as well as in implementa-

tion projects. Particular attention is paid to the most vulnerable sections of the population such as women, children, and internally displaced persons.

An effective and innovative migration foreign policy mitigates the negative aspects of migration while supporting the opportunities it offers. It encompasses bilateral and multilateral diplomatic initiatives to tackle the various aspects of migration. Swiss migration foreign policy respects international obligations and the humanitarian tradition of Switzerland, and it takes account of the legitimate interests of security and social cohesion. Switzerland cooperates closely with the states concerned, *i.e.*, the countries of origin, transit, and destination at a bilateral and multilateral levels.

# Towards an internationally coordinated migration policy

Migration is a transnational phenomenon and one country alone cannot hope to solve the rising number of challenges it poses. But migration also offers opportunities. Switzerland is working to ensure that this issue is discussed at the international level.



*Construction workers from Bangladesh employed by a Korean building company in Tunisia.*

In the wake of globalisation we have witnessed a dramatic increase in international migration: people are leaving their home countries in order to find work and a livelihood elsewhere. However, until a few years ago, the subject of migration was neglected in international politics.

To stimulate international debate, in 2001 Switzerland launched the “Bern Initiative”. In its 2005 final report, a UN expert committee (Global Commission on International Migration, GCIM) chaired by Switzerland and Sweden, stressed that the migration policies of individual countries must be coordinated.

Switzerland aims to bring about a radical shift in the debate on international migration. Migration should not be regarded simply as a problem – especially not just the problem of the destination countries – but rather the associated opportunities it offers for both the countries of origin and destination should also be considered. For example, migrants contribute towards economic growth and social development

in both the host and their home countries. Firstly, money transferred by migrants back to their families is playing an increasingly important economic role in the countries of origin. In Tajikistan, for example, these transfers are estimated to account for as much as 40% of its gross national product, while in the Philippines the figure is around 15%. According to the World Bank, remittances from migrants in developing countries amounted to over 300 billion US dollars in 2011, well above the amount of official development aid provided by the industrialised nations. Secondly, migration contributes to knowledge transfer, as workers acquire knowledge in the destination country that they can later use on their return home. In turn, host countries can fill gaps in their labour forces.

There is however a risk of a ‘brain drain’: if well-qualified people emigrate, the developing country loses vital expertise. In addition, there is little protection for migrants during and after the often very long and arduous journey they make to their destination.

More and more migrants worldwide do not have any regular residence status. As a consequence, these irregular migrants evade legitimate state controls on the one hand and often fall victim to exploitation on the other. Ways of encouraging emigrants to return to their home countries are also discussed, for example providing start-up assistance to make it easier for them to reintegrate into the workforce on their return.

At the 61<sup>st</sup> session of the UN General Assembly in 2006, migration was debated for the first time at ministerial level on the initiative of former UN Secretary-General Kofi Annan (UN High-Level Dialogue on Migration and Development). Thanks in part to Switzerland's efforts, in 2011 the UN held an informal debate on migration and development. This is to be continued at ministerial level.

The first UN dialogue culminated in the establishment of the Global Forum on Migration and Development (GFMD) in 2007. States interested in this subject meet in the forum on an informal basis. The discussions draw on the expertise of international organisations and civil society actors. As a member of the GFMD Steering Group, Switzerland has been actively involved in shaping the discussions from the outset. In 2011 it chaired the forum and made a significant contribution with its unconventional leadership to constructive international dialogue on migration and development.



Under the whole-of-government approach, all relevant agencies of the Swiss federal administration participate in the dialogue on international migration and are represented by the Special Ambassador for International Cooperation in Migration. The FDFA co-ordinates Switzerland's contribution and also decides on priority areas for discussion, in particular areas relating to the protection of migrants and their rights. Switzerland is also increasingly putting the subject of climate change and its impact on global migration on the international agenda – an issue set to become even more urgent in future.

*For many Tajik fathers, a job means saying good-bye. With the money they earn abroad they can support their families.*



*In search of a future: men from Mali on their way through the desert in Algeria to Europe.*

*This woman from Nicaragua is one of many seeking work in neighbouring Costa Rica.*



# Migration partnerships: win-win opportunities

Switzerland uses migration partnerships as a mechanism to discuss the problems and opportunities of migration with the governments in migrants' home countries. Joint action is then taken, with benefits for both parties.

It is estimated that upwards of 200 million people are currently living in a country that is not their home. The fall of the Iron Curtain and the subsequent armed conflicts in the Balkans and in Africa have contributed to an increase in migratory flows. Migrants are usually in search of better job prospects and consequently a better life.

Migration has consequences for both the country of origin and the destination country. In the country of origin, migration can lead to skills shortages, while the destination countries are able to fill gaps in their labour force. On the other hand, the home countries can benefit from the money transferred by migrants to their relatives in the country, and from the knowledge transfer of those who return. Migration can cause citizens in the host countries to feel threatened, however. If migrants enter a country illegally, they are not protected by labour laws and run the risk of being exploited or becoming the victims of human trafficking.

Switzerland considers it useful for representatives of the countries of origin and the destination countries to discuss the opportunities and the challenges of migration. It has therefore developed the innovative approach of establishing migration partnerships which put the emphasis squarely on cooperation and launching joint initiatives. Representatives of Switzerland and a country of origin meet for discussions at

*Nigerian police officers attending a training course at the St Gallen City Police. This training programme is part of the migration partnership between Nigeria and Switzerland.*

least once a year. The dialogue essentially revolves around the following issues: What can be done to encourage the voluntary return and reintegration of migrants in their home country? How can the migration authorities in the country of origin be strengthened? What can be done to prevent irregular migration? How can migrants be better integrated in the host country and how can they be protected from human trafficking? What can both countries do to promote economic development in the country of origin in order to lessen migratory pressures? And finally: how can the destination country help migrants acquire the knowledge and skills that they can use when they return home?

This two-way exchange fosters mutual understanding and opens up new avenues for constructive solutions. Joint projects provide better information in the country of origin on the opportunities and risks of migrating. In addition, reintegration measures for returning migrants are encouraged in the form of help with finding jobs or start-up assistance for setting up in business. The host country can contribute to the education and training of migrants, and procedures for transferring money can be simplified.

Switzerland seeks to establish migration partnerships with those countries from which it receives large numbers of migrants and with those to whose development it wishes to contribute, for example Bosnia and Herzegovina, Serbia, Kosovo and Nigeria. It has also entered into discussions with Tunisia.

Along with the Human Security Division (HSD), the Federal Office for Migration is also involved in these partnerships. The primary focus for the HSD is the protection of migrants.



# Measures to combat human trafficking

Hundreds of thousands of men, women and children who leave their country of origin owing to a lack of prospects end up in the hands of human traffickers. Switzerland is committed to taking effective action to combat human trafficking. Together with representatives of the countries of origin and Swiss experts, the FDFA, as the interface between foreign and domestic policy, is engaged in seeking solutions to this problem.



*A young Cambodian woman who has found refuge after being abducted to Bangkok.*

Each year, millions of people leave their homeland in order to find work and a livelihood elsewhere. They are fleeing poverty, discrimination or violence. The pressure to migrate is particularly acute for single mothers or women living alone in poverty. Often they are recruited by human traffickers in their country of origin and leave home under the illusion that they will be able to make a reasonable living in another country. However, by doing so, they frequently end up in the clutches of criminal organisations who keep them under control by means of violence and threats. Globally, it is estimated that somewhere between 700,000 and 2.5 million people, 80% of them women, become victims of human trafficking each year. Few manage to escape by their own efforts; victims must rely on outside help.

In Switzerland, various government agencies and institutions are tackling human trafficking and its negative repercussions: the police, the courts, the migration authorities and victim support organisations. The FDFA uses its international relationships to foster the exchange of expert knowledge. For instance, it organises round-table conferences which bring together experts from Switzerland and from the victims' countries of origin. Discussions centre on improving cooperation between states, the guaranteed prosecution of crimes, and better protection

of victims. These discussions also help the Swiss authorities take suitable measures to protect the rights of victims.

In 2011, as part of the Swiss migration partnership with Nigeria, a round-table conference was held between representatives of Switzerland, Nigeria and the Netherlands. The discussions focused on the trends in human trafficking of Nigerian nationals in Europe and Switzerland, and on the extent to which Switzerland serves as a transit country for human trafficking from Nigeria. In 2010, discussions were held with Romania and Austria on the subject of child beggars and child trafficking. Romania is the source not only of many victims who are sexually exploited in Switzerland, but also of organised groups of beggars – many of them children who are forced to beg and steal and are often the victims of child trafficking. As experience from other countries shows, it is important that children who are picked up should be properly cared for locally so that they can later travel back to their country of origin safely and under professional supervision.

Switzerland is also campaigning for the further development of international standards and policies to combat human trafficking. Action is needed for instance to improve the protection of domestic workers – usually women – from exploitation. Some progress has been achieved in this area with the adoption of a new International Labour Organization convention in 2011.

In order to apprehend human traffickers, an effective witness protection scheme is required: any women who are prepared to testify against their enslavers in court must be granted police protection, financial assistance and psychological counselling. The 2005 Council of Europe Convention on Action against Trafficking in Human Beings was the first to focus on the protection of victims. Switzerland signed the Convention in 2008.

# Internally displaced persons: refugees in their own country

Recent years have seen a steady rise in the number of people who have become refugees in their own country as a result of conflicts or natural disasters. Switzerland is campaigning for better protection of internally displaced persons (IDPs) and for strengthening their rights, both in the countries concerned and at the international level.



*This Afghan woman shares her story with many others who have found shelter in a camp for internally displaced people in the north of Kabul.*

In 2010, a total of 27 million people worldwide were forced to flee because of violent conflicts, while natural disasters drove a further 42 million to leave their homes. The number of internally displaced persons is therefore more than twice that of refugees. Besides having to leave their homes and all their possessions behind, they lack food, sanitary facilities, medical care, and adequate shelter. Unlike refugees, IDPs have not crossed any national borders and therefore cannot claim a special legal status or specific protection.

Although the UN's Guiding Principles on Internal Displacement drawn up in 1998 provide a normative framework for countries dealing with internally displaced persons, they are not legally binding. The UN Office of the High Commissioner for Refugees was consequently tasked with protecting IDPs. Above all, the states concerned should be required to protect internally displaced persons and grant them rights. Yet not all governments are willing to accept this responsibility.

Therefore, protecting IDPs is one of Switzerland's humanitarian policy priorities. It is calling for internal displacement to be placed on the political agenda of international organisations and treated as an urgent humanitarian problem. Governments of countries with internally displaced persons should be urged, guided, and, where necessary, given the financial and personnel resources to enable them to integrate

the UN Guiding Principles on Internal Displacement within their own national policies and implement them. At the regional level, the Convention on the Protection and Assistance of Internally Displaced Persons (Kampala Convention) adopted by the African Union in 2009 was the first agreement to set out rights and guarantees for IDPs for a whole continent and to make the responsibilities legally binding.

The UN's special rapporteur for IDPs plays a key role in promoting and implementing these rules. Switzerland supports this mandate with both financial and personnel assistance, especially in the context of projects of its partner organisation, the Brookings Institution. Switzerland also participates directly in projects to protect IDPs in various countries. In Nigeria, for instance, it is funding a project of a partner organisation, the Internal Displacement Monitoring Centre (IDMC), which supports ratification and implementation of the Kampala Convention. In Colombia, where Switzerland has been active for many years, it is investigating the role that internally displaced persons play in peace processes. The findings and experience gained can then be incorporated in the framework of the new Colombian Victims' Rights and Land Restitution Law.

Displacement following natural disasters has risen steadily over recent years. Switzerland has therefore made this issue one of its priorities. Among other things, it is funding a database which records all instances and provides the basis for drafting guidelines to protect IDPs following natural disasters.

Switzerland's IDP expertise is set out in a number of handbooks that contain recommendations to governments, judicial authorities, and non-governmental organisations on how to implement the guidelines to protect IDPs.



# Armed non-state groups

Armed non-state groups play a key role in most conflicts nowadays. To secure protection for affected civil populations, Switzerland works to ensure that such groups as well as governments observe international standards. It invites them to participate in peace processes, because it is only possible to find long-term political solutions if all parties are involved.

Although armed non-state groups (rebel movements, militias, etc.) often pose a direct threat to civilian populations, they can also assume a protective role. In public debate they are frequently equated with terrorists and criminals with whom negotiations should never be held. However, this view forgets that isolating these groups weakens the moderate forces and empowers the hardliners. If Switzerland holds talks with armed groups, it does so with the intention of gaining a commitment from them to demonstrate greater respect for international standards. This in no way means that Switzerland tolerates serious violations of international law; quite the opposite: it emphatically condemns acts of violence such as terrorist attacks and has initiated a number of initiatives campaigning for perpetrators of violence during conflicts to be brought to account.

Switzerland has earned a solid international reputation as a mediator between conflicting parties. It endeavours to involve all key parties in a dialogue in order to break the spiral of violence and create a long-term peace process. Successful mediation processes have shown that armed groups will only disband their military structures if assured that they

can pursue their interests without resorting to violence. By supporting them through this process, Switzerland is helping to bring about peace.

Attention in international politics today is increasingly being paid to armed non-state groups and their role. For example, the United Nations called on its members to define and apply specific measures to ensure that such groups observe international law. Since 2009, Switzerland has been working with the “Geneva Academy of International Humanitarian Law and Human Rights” in developing new tools to instruct armed non-state groups on how to observe international standards. A document was published in 2011 showing experts in humanitarian aid and mediation how to increase inclusion of armed non-state groups in order to ensure protection of civilians under threat (“Rules of Engagement: Promoting the Protection of Civilians Through Dialogue with Armed Non-State Actors”).

Switzerland is also working closely with “Geneva Call”, a non-governmental organisation based in Geneva. This agency is working to ensure that armed non-state groups observe international humanitarian standards. So far, for example, more than 40 armed groups worldwide have pledged to stop using, producing, storing, and selling anti-personnel mines.

*A group of rebel fighters in the Central African Republic in 2006. They, too, have to know that there are rules they must respect.*



1 [www.adh-geneva.ch/policy-studies/ongoing/armed-non-state-actors-and-protection-of-civilians](http://www.adh-geneva.ch/policy-studies/ongoing/armed-non-state-actors-and-protection-of-civilians)

# Help must reach the needy in conflict zones

During armed conflicts it is vital for humanitarian workers to gain safe access to civilians in need. Switzerland is working to ensure that humanitarian organisations can reach vulnerable population groups quickly without hindrance and that international law is respected.



*A UN convoy ensures access to a refugee camp in Chad.*

Today, it is mainly internal armed conflicts in which armies and armed non-state groups (rebel movements, militias, etc.) oppose or fight each other. The fronts are blurred in most of these conflicts, and it is not always easy to distinguish between civilians and fighters. In addition, conflicts no longer take place on remote battle fields but often in densely populated areas. As a result, the civil population suffers the terrible consequences of these conflicts more than ever. It is becoming increasingly difficult for the international community to protect civilians. The conflicting parties often prevent or obstruct fast, unrestricted access for aid and protection agencies and disregard the fundamental provisions of international humanitarian law.

Humanitarian actors thus find themselves in a complex environment involving a large number of conflicting parties and humanitarian actors. This also increases demands on logistics and coordination. The safety of aid workers themselves is not always guaranteed, since they operate in a dangerous environment and are often threatened by the conflicting sides.

Switzerland took up this issue in 2008 and organised an international meeting of experts (Processus de Montreux) that aimed to identify the legal, political, and operational challenges of humanitarian access and to propose concrete solutions. Here it emerged that not all parties were fully aware of the legal obligations governing humanitarian access. Nor were there practical tools to enable aid workers to secure humanitarian access. Switzerland has examined these problems and launched the “Humanitarian access in situations of armed conflict” initiative. It has drawn up two handbooks in cooperation with the ICRC and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). The first provides an overview of the current legal framework<sup>1</sup>. The second is a guide with potential solutions for gaining and maintaining fast unrestricted humanitarian access as well as ensuring the safety of humanitarian workers<sup>2</sup>.

1 [www.eda.admin.ch/etc/medialib/downloads/edazen/doc/publi/phumig.Par.0006.File.tmp/FDFA\\_Humanitarian%20Access\\_Handbook.pdf](http://www.eda.admin.ch/etc/medialib/downloads/edazen/doc/publi/phumig.Par.0006.File.tmp/FDFA_Humanitarian%20Access_Handbook.pdf)

2 [www.eda.admin.ch/etc/medialib/downloads/edazen/doc/publi/phumig.Par.0005.File.tmp/FDFA\\_Humanitarian%20Access\\_Field%20Manual.pdf](http://www.eda.admin.ch/etc/medialib/downloads/edazen/doc/publi/phumig.Par.0005.File.tmp/FDFA_Humanitarian%20Access_Field%20Manual.pdf)

## **Imprint**

Editor:  
Federal Department of Foreign Affairs FDFA  
3003 Bern  
[www.eda.admin.ch](http://www.eda.admin.ch)

Layout:  
Visual Communication FDFA, Bern

Print:  
Stämpfli Publications Ltd, Bern

Photographs:  
Panos: Jenny Matthews, Martin Roemers, Ivor Prickett, Dieter Telemans, David Rose, Mikkel Ostergaard, Tim Dirven, Teun Voeten, Leo Erken, Sven Torfinn, Lana Slezic, Jeroen Oerlemans, Karen Robinson, Giacomo Pirozzi  
KEYSTONE: Sergei Chirikov (EPA), Ulises Rodriguez (EPA), Ennio Leanza  
UN Photo: Olivia Grey Pritchard

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This publication is available in German, French and English.  
It can be downloaded from the website [www.eda.admin.ch/publikationen](http://www.eda.admin.ch/publikationen).

Bern, 2012

