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Children of Swiss Mothers

## Waiting for the red passport

For many years Swiss women abroad longed for the revision of the Nationality Act which came into force on 1st July 1985. From that date children of marriages between Swiss women and foreigners automatically become Swiss at birth. This was an important step towards the realization of the principle of equal rights for men and women in all areas of the law.

A transitional provision gave children born before 1st July 1985 three years, that is to say, until the end of June 1988, to apply for recognition as Swiss citizens, always provided that they were not born before 1st January 1953.

Children who have missed that three-year time-limit can apply for facilitated naturalization up to the completion of their 32nd year of age, on condition, however, that they live in Switzerland.

### Those born "too early"

Families with several children, some of whom were born before the fateful date and some after, find it hard to accept that not all their children have been issued with the red passport. Unfortunately, such cases can hardly be prevented when there is a fixed age limit.

Is there nevertheless a way for people born before 1953 to become Swiss? At present the only course open to them is via ordinary naturalization. However, this is in principle conditional upon 12 years' residence in Switzerland, among other things.

Now, the revision of the Nationality Act currently in progress also provides for children over the age of 32 to be given the

chance of facilitated naturalization, on condition that they have been living in Switzerland for a year and have lived here for a total of five years.

This innovation will come into force in mid 1991 at the earliest if it is accepted by Parliament and possibly in a popular ballot.

### 70,000 new Swiss

How many children of Swiss women abroad have become Swiss citizens on the strength of the transitional provision referred to above? The numbers are impressive: in 1985 there were 9,741, in 1986 22,555, in 1987 14,733 and in 1988 14,033. Together with applications not yet processed, this must add up to about 70,000 people. Thus, a large part of the increase in Swiss abroad, from 363,177 at the end of 1983 to 402,785 at the end of 1986, is due to these requests for recognition.

### Waiting period unavoidable

It was obvious from the start that a mass of applications could not be dealt with by return of post, especially as they had to go through lengthy official channels (Swiss Embassy - Federal Office of Civil Status [EAZW] - Canton of Origin - Commune of Origin, and back). In 1985 we were already reckoning with a handling period of possibly more than a year per application. This was pointed out in the "Swiss Review" 3/85 under the headline "Patience will be rewarded".

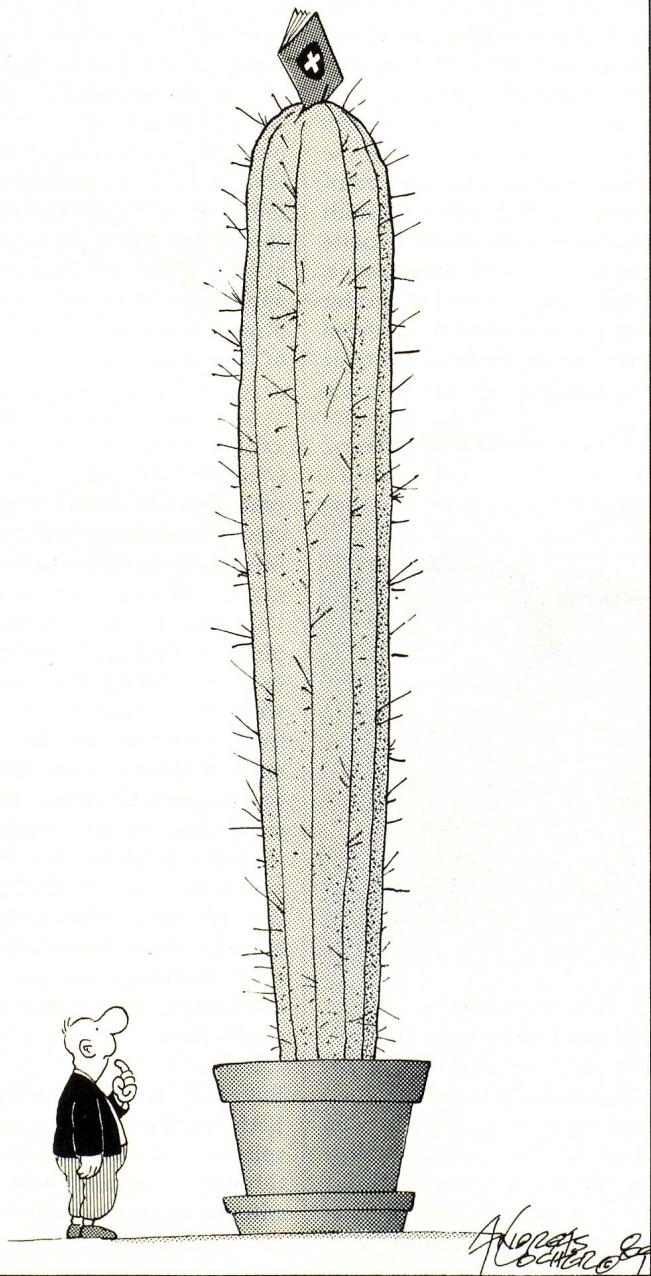
As a result of the personnel freeze in the Federal Administration and quite long periods of sick leave in the EAZW,

the mountain of applications has had to be handled by a reduced skeleton staff. We are allowed to employ only a very limited number of temporary workers and, because of the large turnover, are constantly having to break in new people. In certain cantons, particularly the heavily populated ones like Berne, the situation is similar. The consequence of all this is that even now some applications have still not been dealt

with. It may well take until spring 1990 to clear the mountain of pending cases.

We ask those affected for their understanding in this regrettable situation and urge them to refrain from making any inquiries that are not absolutely essential, since these will only delay the procedure further.

*Federal Office of Civil Status /  
Federal Office of Police*



## Federal Ballots

26th November 1989

- Initiative on the abolition of the Army
- Initiative on speed 130 and 100 (possibly)



Old Swiss Passports:

## Invalid from 1991



The old Swiss passports (left) issued before 1st April 1985 are only valid until the end of 1990. After that it will no longer be possible, either, to use them to enter those countries which at

present allow this with passports up to five years out of date. Caution: the time-limit of the end of 1990 also applies to old passports which – for one reason or another – were issued for a longer period of validity. Anyone asking at a Swiss embassy or consulate for the validity of an old passport to be extended will get an extension to 31st December 1990 at the latest. Swiss abroad who now want to extend their old passports are therefore advised to apply for new passports (right).

*Federal Office of Police*

From 1st January 1990:

## Higher OAI/DI Pensions

The Federal Council has decided to adjust the OAI/DI (Old-Age and Survivors/Disability Insurance) pensions to the movement of wages and prices as from 1st January 1990. The minimum amount of the full single pension is to be raised from 750 francs to 800 francs per month and the maximum from 1,500 to 1,600 francs per month. For married couples the new basic figures will be 1,200 and 2,400 francs. The increase amounts on average to 6.66 per cent.

The Federal Council is also adjusting the minimum contributions to the economic changes from the same date. In the voluntary OAI/DI they will be raised from the present 288 francs to 308 francs per year.

### Filling contribution gaps

Also effective from 1st January 1990 will be an important change which the Federal Council has made to the OAI implementing regulations, and this concerns the DI as well. It makes it easier for additional years to be credited in cases where contribution gaps occurred before 1979. This im-

provement in the calculation of pensions also applies to Swiss abroad. However, only those who have at least 20 full contribution years will be awarded additional years. People with a minimum of 20 full contribution years will be credited with one additional year, those with 27 contribution years and upwards will be credited with two and those with at least 34 contribution years will get three additional years, all free of charge. This represents a sub-

### Will you be 50 this year?

If so, you can still join the voluntary OAI/DI but you must do so within a year of reaching 50. Leave it any later and you will have finally missed the boat. Exceptions are special cases such as naturalization, divorce or separation, widowhood or continuation of the compulsory insurance. For further information you can apply to the competent Swiss embassy or consulate.

stantial improvement for people who for one reason or another have gaps in their OAI contributions.

People who reach pensionable age on or after 1st January 1990, or receive a DI pension from that date, will be credited with any free years automatically. So they will not have to bother about this themselves. On the other hand, Swiss abroad who are already drawing

an OAI/DI pension before the change comes into force must submit to the competent Swiss embassy or consulate a request for their pension to be recalculated, which will be passed on to the Swiss Compensation Office in Geneva; this only applies if they have at least 20 full contribution years and the gaps in their contributions occurred before 1979.

*Federal Social Insurance Office*

### Marriage of a Swiss woman

Swiss women who would like to retain their *Swiss citizenship* after marrying a foreigner must make a declaration to that effect *before the marriage* on a form obtainable from the Swiss embassies and consulates abroad. If they wish to place their *present surname* before their new one they must declare this, too, at the competent Swiss embassy or consulate *before the marriage*. Only the authorities of their country of residence can give binding information on whether this use of their surname will be recognized there. In the case of dual nationals there is at present some legal uncertainty on the Swiss side. It is nevertheless advisable for them to make the declaration as a precaution.

### I want to have a say

*'A year ago I moved to Denmark. I like my new home very much, but that does not mean that what happens in Switzerland leaves me cold. So the "Swiss Review" is not my only source of information. I have taken out a subscription to the foreign edition of the "Tages-*

### QUESTION AND ANSWER

*Anzeiger" and to a Swiss weekly as well. Now, I should also like to continue taking part in Swiss political life. I have heard from friends that this is possible. How do I go about it?'*

P.Z., A.

If all Swiss abroad stocked up with information from Switzerland as thoroughly as you do... But, joking apart: it is indeed true that Swiss abroad have political rights at Federal level, always provided that they go to Switzerland to vote (the so-called visitor's suffrage). This provision has existed since 1977. If you would like to claim this right you must fill up the relevant form at the Swiss embassy or consulate competent for your place of residence. You can also order the form in writing from the embassy or consulate, together with an information sheet entitled "Stimmrecht der Auslandschweizer"/"Droit de vote des Suisses de l'étranger"/"Diritto di voto degli Svizzeri all'estero", which gives full details of the procedure.

Incidentally, in the foreseeable future you will no longer have to go to Switzerland when you want to exercise your political rights. Last year the Federal Council was bound by a motion from National Councillor Stucky to revise the legislation on political rights. When this innovation comes into force you will also be able to vote from abroad by correspondence.

*Editor (Official Communications), Service for the Swiss Abroad, Federal Department of Foreign Affairs.*