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Opinion poll on voting rights

Voting in cantonal elections and referendums

In some cantons, Swiss citizens living abroad are entitled to vote at the cantonal and sometimes even the municipal level. But practice regarding the dispatch of voting documents and the location of the voting register differs from canton to canton.

In 1995 the Service for the Swiss Abroad at the Federal Department of Foreign Affairs conducted an opinion poll on giving Swiss Abroad voting rights at the cantonal and municipal levels. The main points covered by the poll were whether Swiss Abroad should be allowed to vote at all and if so how they should be supplied with their voting documents, whether there should be a central voters' register and whether the votes of Swiss Abroad should be counted separately.

Voting rights in cantons and municipalities

At present Swiss Abroad are entitled to vote at the cantonal level only in Berne, Basle-Rural, Geneva, Jura, Soleure and Ticino. They may take part in municipal votes in only three of these: Basle-Rural, Soleure and (provided they are citizens of a municipality) Ticino.

Dispatch of documents

In just over half the cantons (Aargau, Appenzell Inner-Rhodes, Berne, Basle-City, Geneva, Jura, Lucerne, Upper and Lower Unterwalden, Soleure, Ticino, Uri, Vaud, Zug) election and referendum documents are dispatched by cantonal authorities. In the other cantons municipal authorities are responsible for this.

The way voting documents are sent has very often led to complaints by Swiss Abroad. These concern mainly the facts that some of them are clearly recognisable as official documents and that often they do not include a separate

voting envelope to enable the actual vote to be separated from the entitlement to vote paper – this being necessary to ensure secrecy.

Article 13 of the Ordinance on Political Rights for the Swiss Abroad does make a distinction between the dispatch envelope, the entitlement to vote paper, the voting envelope and the return envelope. But responsibility for the procedure applied to voting by correspondence (including federal votes) lies with the cantons (Article 7 of the Law on Political Rights for the Swiss Abroad and Article 8 of the Federal Law on Political Rights).

Unfortunately, however, only a few cantons ensure voting secrecy by providing a voting envelope separate from the entitlement to vote paper or provide a return envelope which is not recognisable as an official one.

So in cantons which do not supply a separate voting envelope, it is advisable to place the voting paper in a separate, unmarked envelope and enclose this in the official envelope.

A central voting register

Swiss Abroad may choose either their municipality of origin or one in which they have previously lived as their voting municipality. Cantons may if they so wish put the management of Swiss Abroad voting rights and the respective voters' registers under the authority of one or several bigger municipalities.

The point of transferring these functions from the vot-

ing municipality to a central cantonal register is to simplify procedure and relieve municipalities – particularly smaller ones – of work. But the establishment of central registers can raise delicate practical problems particularly if the actual voting rights are the responsibility of the municipalities, e.g. where Swiss Abroad are entitled to vote in municipal elections and where signatures on popular initiatives and referendum demands have to be authenticated. In consequence, decisions on whether to establish such central regis-

ters are left to the cantons.

For the moment the cantons of Appenzell Inner-Rhodes, Basle-City, Geneva, Lucerne and Vaud have taken advantage of this possibility.

Separate counting of votes

In the majority of cantons votes in elections and referendums are not counted on their own. Separate figures are available only in the cantons of Fribourg, Geneva, Lucerne, Zurich and (in some cases) Zug.

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Election and referendum documents

Receive documents in an official language

It often happens that election and referendum documents are not supplied to voters in the desired language, which gives rise to justified complaints. It is established government practice that voters – both at home and abroad – have the right to receive federal voting documents in the official language of their choice. This means, for example, that a German-language municipality must supply a French-speaking Swiss Abroad with documents in French if requested to do so.

The federal government provides each cantonal authority with a certain number of voting documents in official languages other than its own, and they may request more copies if necessary. The documents must then be forwarded to municipal authorities.

The right to receive election and referendum documents in the official language of one's choice is based on the language article of the federal constitution (Art. 116). This states that German, French and Italian are the official languages of the Swiss Confederation. These three languages may be used in communications between citizens and federal government agencies as well as between the agencies themselves. This means that although the federal authorities may be approached only in an official language, each citizen has the right to use his mother tongue in communicating with them provided it has this status.

Voters having approved the new language article of the constitution on March 10, 1996, Romansh is now an official federal language for those whose mother tongue it is. The new Article 116, paragraph 4, is worded as follows: 'German, French and Italian are declared to be the official languages of the Confederation. Romansh is the official language for relations between the Confederation and Romansh-speaking citizens. The details shall be determined by law'. Romansh is still not put on an entirely equal footing with the other three official languages, and the Federal Assembly will have to decide to what extent it will have this status, e.g. for correspondence, provision of election and referendum documents, pronouncements by the Federal Council, etc.

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Swiss Abroad voting rights

Renewal of registration

The Federal Law and the Ordinance on the Political Rights of the Swiss Abroad state that your name will be struck off the voting register of your Swiss voting municipality if you do not renew your registration within four years of your previous registration. With this provision the Federal Council intended to avoid a situation in which Swiss Abroad registered only out of principle, remained on the register for years and never exercised their right to vote. In such event the voting municipality or the respective central cantonal office would be obliged to spend precious time and money sending them voting material indefinitely.

Renewal of registration confirms continued interest in Swiss political life. According to the above-mentioned law, this may be done in the following ways: 1. by informing your voting municipality either in writing or in person; 2. by registering in good time a change of residence at your Swiss diplomatic post (embassy or consulate); 3. by signing an initiative or a referendum demand.

We recommend that you inform your voting municipality within the specified period by means of a brief letter that you wish to continue exercising your voting rights.
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Initiatives in brief

"For a people's value added tax"

The Ticino League is sponsoring a referendum committee in favour of a people's value added tax. This would mandate parliament to include in the Federal Law on Value Added Tax at present being framed a number of tax exemptions and reductions (e.g. for health and social costs, fuel, the export of goods and services, tourism) and other concessions (e.g. deduction of prior tax charges).

At present the value added tax which has been applied since January 1, 1995, is based only on the federal constitution and an ordinance enacted by the Federal Council. A number of modifications are at present being studied by political and economic organisations, and both the National Council and the Council of States are

working on a federal law. The initiative committee aims to give parliament precise instructions in enacting the new law by including its text in the constitution. A number of the demands are already being considered by parliament.

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Current popular initiatives

The following popular initiatives are still open for signature:

Yes to Europe!
until August 21, 1996
Reto Wiesli, P.O. Box 22, CH-3000 Berne 15

No hydroplanes on Swiss lakes!
until October 25, 1996
Franz Weber, Helvetia Nostra Foundation, P.O. Box, CH-1820 Montreux

For a people's value added tax
until January 11, 1997
The Ticino League, Giuliano Bignasca, via Monte Boglia 3, CH-6900 Lugano

Moderation in immigration!
until March 12, 1997
The Swiss Democrats, Bernhard Hess, P.O. Box 8116, CH-3001 Berne

Save on the military and defence in general – for more peace and future-oriented workplaces (redistribution initiative)
until March 26, 1997
Peter Hug, Flurstrasse 1a, CH-3014 Berne

More rights for the people thanks to the referendum with counter-proposal (constructive referendum)
until March 26, 1997
Jürgen Schulz, P.O. Box 7271, CH-3001 Berne

Deregulation initiative: more freedom – fewer laws
until June 5, 1997
Ernst Cincera, Former National Councillor, P.O. Box 8494, CH-8050 Zürich

For financing costly and longlasting infrastructure programmes
until October 16, 1997
Dr. Arnold Schlaepfer, lawyer, 18 Avenue Cardinal-Mermillod, CH-1227 Carouge