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Voting marathon at the end of November

No fewer than four popular initiatives will be put to the vote on 30 November. These concern early retirement, environmental associations' right of appeal, the statute of limitations on sexual offences against children and the decriminalisation of cannabis use. The people will also decide whether to maintain the current policy on drugs. By René Lenzin.

Pension reform has barely made any headway since the people rejected the 11th revision of the old-age and survivors' insurance pension (AHV) in spring 2004 (see "Swiss Review" 3/08). Now the people and states must decide on an initiative put forward by the Swiss Federation of Trade Unions which defeated the 11th revision through the referendum. With their opposition to the revision and their launch of this initiative, the trade unions are essentially addressing the same issue – what can be done to make it easier for people on low incomes to take early retirement? After a parliamentary majority rejected proposals to make the pension revision what the trade unions deemed to be more socially flexible, they are now putting forward their own model.

The initiative would make it possible for anyone with an annual income of less than CHF 120,000 to retire at 62 without a subsequent reduction in pension. It is already possible to retire early, but only with a pension reduction based on actuarial criteria. The initiative would cost AHV an extra CHF 1 billion or so per year. The unions say the AHV system is robust enough to sustain these additional costs. Their aim is to enable people with physically demanding jobs and low pensions from the pension fund to take early retirement. This group also generally has a lower life expectancy than high earners who can already easily afford to take early retirement.

The Federal Council and a majority of parliamentarians believe the initiative is too expensive and sends out the wrong message. In view of our ever-ageing population, they say it is inappropriate to create additional incentives for what is effectively a lowering of the pension age. The National Council has rejected the initiative by 127 votes to 61, as has the Council of States by 32 votes to 7. The initiative is supported by the Social Democrats (SP) and the Greens, but opposed by the Swiss People's Party (SVP), the Free Democrats (FDP) and the Christian Democrats (CVP).

What rights do environmental associations have? Using their associative right of appeal, environmental organisations are constantly objecting to major development plans, such as shopping centres and sports stadiums. The Free Democrats in Zurich say these associations are pursuing a "policy of systematic obstruction". They have therefore launched a popular initiative to significantly curb this right. According to the initiative, the associative right of appeal should not apply if a project has been approved by the people or Parliament. The SVP is joining the FDP in backing the initiative.

It is opposed by the SP, CVP and the Greens. They believe the associative right of appeal has proven its worth. They point to the high success rate of appeals brought before the courts so far. They also argue that Parliament has already amended the associative right of appeal, thereby already accommodating those behind the initiative to a large extent. The National Council has rejected the initiative by 94 votes to 90, the Council of States by 30 votes to 9. The Federal Council initially supported the initiative, but changed its mind after the removal from office of Christoph Blocher.

The Federal Council is also opposed to the popular initiative of the "Marche Blanche" association calling for sexual or pornographic offences against children to be made exempt from the statute of limitations. The current limitation period is 15 years. The national government believes the initiative goes too far. With an indirect counter proposal, it is recommending that the current limitation period be retained but that it should only apply from when the victim comes of age. A clear majority in Parliament has backed this position. The National Council has passed it by 163 votes to 19, as has the Council of States by 41 votes to 0.

DRUGS POLICY UNDER SCRUTINY

The federal government's drugs policy is a work in progress. A revision of the Narcotics Act was defeated in June 2004 due to opposition from the National Council. The reason for the "no vote" was the envisaged decriminalisation of the use of cannabis. After several fresh attempts, Parliament has finally passed a law. It contains the largely uncontroversial parts of the earlier project. This should enshrine in law the policy that the federal government has developed in response to the growing drug problems of the 1990s. It is based on four pillars – prevention, therapy, damage limitation and repression. Dealing in and consuming all illegal narcotic substances remain criminal offences. However, the controlled supply of heroin as well as injection rooms and the provision of syringes to prevent AIDS are laid down in the law. The law also aims to bolster protection for young people.

The National Council has approved the new provisions by 114 votes to 68, the Council of States by 42 votes to 0. But the people must also now vote on the law as a referendum has been called. Opponents of the bill argue that the federal government's drugs policy should be geared towards abstinence and say the state should not be giving out drugs. However, the Federal Council and other advocates want to maintain a pragmatic policy that has proven its worth in practice.

Supporters of the decriminalisation of cannabis use are refusing to accept that this particular issue has been dropped from the law. They have therefore launched the popular initiative "for a sensible policy on cannabis with effective protection for young people". They are calling for the use of cannabis and the possession and cultivation of cannabis plants for personal consumption to be decriminalised. The initiative also foresees the federal government regulating the cultivation and trade of cannabis, and adopting provisions for the protection of young people, such as an advertising ban. The National Council has rejected the initiative by 111 votes to 73, the Council of States by 19 votes to 18. The initiative is supported by the SP, FDP and the Greens, but opposed by the SVP and CVP. RL