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## One defeat and four victories for the Federal Council

The Swiss people voted with the Federal Council and Parliament on four issues. They said "Yes" to the current policy on narcotics, and "No" to a lower pension age, the legalisation of cannabis and fewer rights for environmental associations. However, they approved the non-applicability of statutory limitations for sexual offences against children.

By René Lenzin

You simply cannot help noticing the parallels. In February 2004, the Swiss people and states voted in favour of an initiative calling for the unconditional detention of serious violent and sexual offenders. 52% of the electorate have now backed a popular initiative which enshrines the non-applicability of statutory limitations for sexual offences against children in the constitution. Both initiatives were launched by people affected by the issues. Both were rejected by the Federal Council and Parliament. And both involve sensitive legal issues in terms of implementation. But politicians have to realise that a majority of the people support the victims without reservation in these matters and are not concerned by constitutional considerations.

Aside from this, the electorate backed the recommendations of the government and the majority of parliamentarians on 30 November:

■ 58.6% of voters rejected the AHV initiative which would have allowed people with incomes up to CHF 120,000 to take early retirement from 62 without any reduction in pension.

■ 66% said "No" to a popular initiative on the right of appeal. Environmental associations would no longer have been able to object if a development proposal had been approved by a parliament or the people.

■ 63.2% rejected a popular initiative aiming to decriminalise the consumption, possession and cultivation of cannabis for personal use.

■ 68% approved a revision of the Narcotics Act. This will enshrine the current drugs policy in law. It is based on the four pillars of prevention, therapy, damage limitation and repression.

### Comment:

#### *Common sense prevails*

The offer was an appealing one. At a time when the state is spending CHF 68 billion to rescue the banking giant UBS, it could still have found one to two billion Swiss francs to fund early retirement. But the Swiss people did not succumb to this enticement and rejected the unions' initiative which aimed to reduce the pension age of most people to 62. People on average incomes with a good pension scheme would have been the main beneficiaries of this proposal. However, people on low wages with a modest or even no pension scheme would not have been able to afford to take early retirement even with no reduction in AHV pension.

There can be no doubting the clarity of the result. Eight years ago, the Swiss people rejected an initiative by a tighter margin which aimed to establish a pension age of 62 for all income categories. There seems to be a growing perception that the AHV system faces difficult times ahead despite being on a sound financial footing at present. In view of our society's aging population, a growing majority do not want to experiment with a scheme that would result in increased expenditure on old-age pension provision.

In future, the pension age will have to go up rather than down, as is already the case in several European countries. However, the Federal Council and Parliament must seek solutions which provide individuals with greater flexibility in the transition from employment to retirement. The Swiss people's clear rejection of the 11th AHV revision four years ago showed that an increase in the pension age alone has no chance of success. Models are required that meet individual needs rather than a universal solution like the one offered by the initiative.

Common sense also prevailed with regard to narcotics. The electorate backed the current policy even though, realistically, it does not focus exclusively on the noble objective of abstinence. The only surprise at the ballot box was the approval of the non-applicability of statutory limitations for sexual offences against children. The government and Parliament now have no choice but to implement legislation that they did not favour and which raises complex legal issues.

### FINAL RESULTS ISSUED BY THE FEDERAL CHANCELLERY

#### 1. Initiative for non-applicability of statutory limitations

Yes: 1,206,222 = 51.9 %      No: 1,119,152 = 48.1 %

#### 2. AHV initiative

Yes: 970,490 = 41.4 %      No: 1,374,107 = 58.6 %

#### 3. Associative right of appeal initiative

Yes: 774,018 = 34.0 %      No: 1,501,184 = 66.0 %

#### 4. Cannabis initiative

Yes: 848,470 = 36.8 %      No: 1,456,336 = 63.2 %

#### 5. Narcotics Act

Yes: 1,541,227 = 68.0 %      No: 723,741 = 32.0 %

Electoral turnout: 46.1 %