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**Expulsion of foreign offenders and a fair tax system.** The Swiss people and the cantons will vote on two popular initiatives on 28 November 2010, one put forward by the left and one by the right. The Social Democrats and Greens want to curb tax competition and the conservative parties are proposing a more systematic expulsion of foreign offenders. By René Lenzin

A tougher approach to foreign offenders or immigrants not willing to integrate has long been a key issue for the Swiss People's Party (SVP). Through a popular initiative, it is now calling for the authorities to lose their current discretionary powers on the expulsion of foreigners who break the law. The initiative calls for expulsion to be made mandatory if they "have been convicted in a court of law of wilful homicide, of rape or another serious sexual offence, of another violent crime, such as robbery, of human trafficking, drug trafficking or burglary". Foreign nationals who have "illegally claimed social insurance or welfare benefits" would also be deported.

The Federal Council and the governing parties, the FDP and CVP, support the general aim of the initiative, but believe the wording is unsuitable. The Free Democrats, Liberals and Christian Democrats have therefore agreed on a direct counter-proposal at constitutional level. This does not list specific offences that would result in expulsion, but is instead based on the seriousness of the offence. Persons committing minor offences should not have to leave Switzerland. However, persons convicted in a court of law of an offence where the law provides for a minimum penalty of one year or persons sentenced to imprisonment for at least two years would be deported.

In contrast to the initiative, the counter-proposal calls for international law and the principle of proportionality to be taken into account. It is also supplemented by an integration article obliging federal government and the cantons to make greater efforts and financial commitments to ensuring the integration of foreigners. This article is a concession to the left-wing parties, which would otherwise have rejected the counter-proposal. In this form, it was approved by the National Council by 93 votes to 88 and by the Council of States by 35 votes to 6. However, the SVP believes the integration article and the conditions attached to expulsion dilute its objectives too much and is standing by its

initiative. The people and the cantons must therefore vote on both proposals.

#### **Restricting tax competition?**

In Switzerland, direct taxes are harmonised in theory, but not in practice. Federal government stipulates that the cantons and communes must raise annual taxes on income and assets but leaves them room to manoeuvre with regard to rates. In recent years, the resulting competition has led to lower taxes in most cantons and to vying for good taxpayers. The Social Democrats (SP) now want to curb what they see as a damaging trend. Their initiative for a fair tax system calls for minimum tax rates for high wages and assets. Anyone with taxable income of more than 250,000 Swiss francs should pay tax of at least 22% to the commune and canton. Taxable assets upwards of two million Swiss francs would be taxed at a rate of at least 5 per thousand.

The left deems the current tax competition unfair for two main reasons. Firstly, it is easier for richer people to move to a canton with more favourable taxes than it is for poorer people. Secondly, it is depriving the public authorities of funds required for its most important responsibilities, such as education, healthcare and social affairs. In contrast to their previous position, the SP and Greens no longer want to abolish tax competition, but are instead focusing on restricting it for high incomes and assets. However, the Federal Council and conservative parties still believe this proposal goes too far. They do not want to change the current system, which guarantees citizens moderate taxes and a streamline administration by international comparison. The National Council rejected the initiative by 128 votes to 64 and the Council of States by 29 votes to 11. The cantonal directors of finance have also voiced their opposition to the proposal.

#### **REFORM OF JOBLESS BENEFIT SCHEME SPLITS GERMAN-SPEAKING SWISS VOTERS AND THEIR FRENCH- AND ITALIAN-SPEAKING COUNTERPARTS.**

A good 53 percent of voters approved a reform of the Swiss unemployment insurance scheme involving a mixture of benefit cuts and measures to increase revenue. German-speaking Switzerland voted for the proposal, while French- and Italian-speaking Switzerland voted against it.

Not for many years has Switzerland's "Röstigraben" divided the country's East and West as strikingly as in the vote on the unemployment insurance scheme (ALV). With the exception of Basel-Stadt, where the votes for and against were more or less equal, all the cantons in German-speaking Switzerland endorsed the proposal, whereas all the cantons in western Switzerland and the Italian-speaking canton of Ticino rejected it. The explanation for this striking difference in voting behaviour is the much higher unemployment rate in French- and Italian-speaking Switzerland, but it also highlights the different expectations and demands placed on social security benefits by Swiss voters. The canton of Appenzel-Aargau gave the clearest thumbs-up, while the largest number of No votes came from the canton of Jura. At only 35.4 percent, turnout was low.

Switzerland's unemployment insurance scheme has accumulated debts of CHF 9 billion, due not only to the current crisis but also to a permanent imbalance between income and expenditure. ALV funding is currently predicated on an average of 100,000 unemployed, which is now revealed as too optimistic. The reform involves a mixture of higher contributions and benefit adjustments which will improve the ALV books by around CHF 1.3 billion per year. Half of this amount will come from higher deductions on insured income and a "solidarity percentage" of that part of the salary between CHF 126,000 and CHF 315,000 which has so far been exempt from contributions. Hardest hit by the cuts are unemployed under-25s without any maintenance obligations, who now face an increased waiting period for benefits and whose maximum period for drawing benefits is to be halved to 200 days. RL