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Questions are being asked about voting rights for Swiss living abroad

Anyone who has a Swiss passport and lives abroad may vote and participate in elections – even standing for a seat in parliament. However, in Switzerland itself there are critical voices being raised against the expanded political rights of the “Fifth Switzerland”.

JÜRIG MÜLLER

Swiss living abroad had to wait exactly 167 years from the founding of the federal state in 1848 until one of their own was first elected to the National Council. It finally happened in 2015. The prominent ex-diplomat Tim Guldemann (SP), resident in Berlin, entered parliament as the first “true” Swiss Abroad. There is a reason for the weak representation of the “Fifth Switzerland” in parliament. In contrast to Guldemann, the majority of the candidates are relatively unknown both at home and abroad. Despite this obstacle, interest in an elected role is growing. Only three Swiss citizens living abroad stood for election in 1995. In 2015, the number had grown to 56. Interest in elections and voting in the homeland is also increasing slightly. In 2018, the number of registered voters abroad rose from 172,000 to 174,000 out of a total number of 752,000 Swiss expatriates.

Problems after the election

Once an expatriate is duly elected to the National Council, certain problems need to be overcome. These begin with Article 10 of the Parliament Act: “Assembly members are obliged to attend the meetings of the councils and committees”. That means live and in person. No one is allowed to participate in a parliamentary debate or committee meeting via Skype, not even if they live in Australia. Travel costs begin to pile up – and the government is left footing the bill. Travel to Bern is paid for every member of the



Tim Guldemann, the first “true” Swiss Abroad in the National Council, comments on his dilemma: “A tram in Zurich is not the same as the U-Bahn in Berlin.” Photo: Keystone

National Council regardless of where they live, even if it means they must make the trip from South America. The journey to the Swiss border is charged to the government; all members of parliament are given a Swiss GA travelcard for travel within Switzerland.

There is still another problem, however, for those who want to fulfil a Swiss parliamentary role from abroad. It is not easy to live in one country and engage in politics in another. Tim Guldemann summed up the dilemma nicely: “A tram in Zurich is not the same as the U-Bahn in Ber-



lin.” He said that as a Swiss Abroad, he only managed to be present in his Zurich constituency for limited periods. As a result, he stood down just two years after his election in 2015.

Permanent seats for Swiss living abroad?

Nevertheless, efforts are continually being made to ensure the presence of the “Fifth Switzerland” in parliament on an institutional level. Around ten

years ago two members of parliament made an unsuccessful proposal to create guaranteed seats for Swiss expatriates in the National Council and the Council of States. This approach is not common across Europe; only France, Italy, Croatia, Portugal and Romania have permanent seats in parliament reserved for the diaspora.

The issue of whether Switzerland should reserve a guaranteed number of seats in parliament for its citizens living abroad will arise again eventually. According to Ariane Rustichelli, director of the Organisation of the Swiss Abroad (OSA), a working group from the Council of the Swiss Abroad is currently investigating how to go about that. During the course of 2019, a final report with corresponding recommendations should be available.

Politicians want to restrict voting rights of Swiss Abroad

In Swiss politics, however, there are also sporadic efforts being made to restrict rather than extend the right to vote and stand for election for Swiss citizens living abroad. In an interview with swissinfo, FDP member of the Council of States Andrea Caroni said that he finds it: “strange that people who have never lived in Switzerland and are not planning on returning have the right to vote and stand for election here while completely integrated foreigners in Switzerland are not given the right to vote on issues that affect them directly”. SVP National Council member Peter Keller,



Andrea Caroni, FDP member of the Council of States (AR), criticises the fact that people who have never lived in Switzerland can vote and stand for election while completely integrated foreigners in Switzerland have hardly any voting rights.

Photo: Keystone



Peter Keller, SVP National Councillor (NW), argues that Swiss citizens with dual citizenship "should only have one vote" regardless of whether they live in Switzerland or abroad.

Photo: Keystone

on the other hand, is critical of the privileges of dual citizens and feels they should decide where and how they will exercise their right to vote. "This applies to Swiss with dual citizenship who have residence here but also to Swiss expatriates with two passports. They should also only have one right to vote," argued Keller during an interpellation last year.

The question of dual citizenship is also being considered by the Federal Commission on Migration (FCM), which pointed out in a study from December 2018 that almost exactly three-quarters of Swiss citizens living abroad also possess a second citizenship. "From a democratic-political perspective, it appears particularly problematic that recognition of dual citizenship leads to growing numbers of people who are formally citizens of a country yet have no other or hardly any other relation-

ship to that country apart from citizenship. This problem is especially prevalent in Switzerland because Swiss expatriates usually always maintain full voting rights. It would therefore be appropriate to discuss how long Swiss citizenship can be conferred on following generations of Swiss Abroad."

As one of the study authors emphasised when talking to various media outlets, this should not mean that Swiss expatriates would have their citizenship revoked. However, the feeling is that a discussion should be held regarding the right to vote and stand for election. Voting rights are appropriate for first-generation Swiss living abroad. By the third generation at the latest, however, there "is hardly any solid argument for ensuring the right to vote and stand for election". In extreme cases, this population group could even decide a referendum in

ent classes of citizens." Furthermore, a large number of ballot proposals are also relevant for Swiss expatriates, regardless of the length of their stay abroad, e.g. occupational benefit issues, international conventions, and relationships with the EU. Finally, she comments that the majority of the 752,000 Swiss Abroad live in a European country – more than 482,000 of them – and many return to Switzerland regularly. In addition, the outside perspective of the Swiss living abroad is an asset for Switzerland, comments Rustichelli.

Switzerland is not alone in its stance on voting rights. On the contrary, a report on this topic by the Federal Council in 2016 indicated that the majority of European states "do not have specific criteria for safeguarding political rights for citizens living abroad". In other words, the same criteria apply as for voters at home. However, Germany, Sweden and the UK make their expatriates' right to vote conditional on additional criteria. In Sweden, expatriates are given voting rights only if they had a residence in their native country at some point. In the UK, citizens living abroad must have been registered as a voter in their home constituency in the UK within the past 15 years. As for Germany, it requires expatriates to complete a minimum three-month stay in Germany after they reach 14 years of age, and within the past 25 years.



Switzerland without ever having lived in the country.

Director of OSA defends rights

OSA director Ariane Rustichelli vehemently rejects any restriction of political rights. In her opinion, time limits would strip a segment of the Swiss population of their rights. "In effect, this would be equal to creating differ-

Ariane Rustichelli, ASO director, counters that any restriction on political rights would lead "to the creation of different classes of citizens". Photo: ASO