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Same-sex couples can now marry in Switzerland too

Now that the Swiss electorate has emphatically approved the “Marriage for all” proposal, lobbying for further changes has already begun. These include legalising egg donations and improving the rights of cohabiting partners and single people.

EVELINE RUTZ

Same-sex couples in Switzerland can now marry and adopt children together. They have the same rights as married heterosexual couples. Consequently, their situation has improved with regard to inheritance and naturalisation as well as in numerous other areas. Married lesbian couples can also become parents through sperm donations. Both female partners will be legally recognised as mothers. Their children will be able to learn the identity of the biological father from the age of 18.

A large proportion of the population supports “Marriage for all”, with 64.1 per cent of the electorate having approved the proposal on 26 September. Remarkably, all 26 cantons voted in favour. Even the more conservative cantons voted yes. The Swiss Abroad were very much in agreement, with almost 72 per cent giving their approval.

Wedding bells next summer

Lara and Delia tie the knot in Regensdorf. A tangible example of society's new normal.
Photo: Keystone

Federal Councillor Karin Keller-Sutter expressed her delight at what she called “society giving recognition”. “The state should not tell people how to lead their lives,” she said.



The relevant amendment to the Swiss Civil Code is scheduled to come into force on 1 July 2022, after which same-sex couples can get married and civil partnerships can be converted to marriage.

The Reformed Church will also conduct same-sex weddings from July next year. However, the church constitution has to be amended first in some cantons, so there could be delays. The result of the referendum will probably have less of an impact within the Catholic Church. Demand for blessing ceremonies, which have already taken place in some parishes, is likely to increase. However, it is hard to imagine the Vatican offering the sacrament of marriage to same-sex couples any time soon.

Difficult ethical and legal questions

Same-sex couples will soon be welcome at registry offices. One particular activist on Twitter said she was looking forward to a bumper wedding season. The LGBTQI movement called it a “milestone on the road towards equality”. Switzerland has been relatively late to approve these changes. It is the 29th country to have taken the step – a decision taken by the Swiss people that goes even further than in other countries by granting female couples access to sperm donations. However, egg donations and surrogacy are still banned. The Centre as well as the centre-right and right-wing parties have no wish to change this. As reasons they cite the difficult ethical and legal questions that the procedures raise. The Social Democrats share their reluctance. However, they are calling for private sperm donations to be allowed. These are more cost-effective and easier to access, says SP co-chair Matthea Meyer.

The Green Liberals want to legalise egg donations. They criticise the way in which current legislation discriminates between sperm and eggs. “The biological father is free to donate his sperm, so it is difficult to see why a separation between the woman who gives her genes and the woman who carries and gives birth to the child is justification enough to prohibit egg donations,” wrote National Councillor Katja Christ in a parliamentary motion.

The political movement Operation Libero wants single women and unmarried couples to benefit from reproductive medicine and be able to adopt children too. The law needs to adapt to modern realities, it says. “Marriage should no longer be considered the default.”

Privileges at the expense of single people

People who are single frequently lose out in Switzerland, says Sylvia Locher, co-chair of Pro Single Switzerland, who believes that society and policymakers make continual concessions to couples and families. “We singles fund everything indirectly without benefiting ourselves.” Undoubtedly, single people are disadvantaged in a number of ways. They pay a higher tax rate compared to married couples. When they die, they are unable to pass on their pension fund assets. Up to 50 per cent of their remaining assets is taxed. “It is high time our situation improved,” says Locher. But she says that few people fight their corner in Berne, unfortunately.

Andrea Caroni shares this view. Families get most of the attention, says the FDP member of the Council of States. “They, the middle classes and the SMEs are the holy cows of



Swiss politics.” Policymakers regularly keep track of how families and couples are faring. But singles are a blind spot. Caroni wants this to change. He is also campaigning for the rights of cohabiting partners and suggests that Switzerland should have the same “civil solidarity pact” that France introduced to give legal status to both heterosexual and same-sex couples. “This would be an easy way for couples to enter into a contractual form of civil union without getting married.”

Tax for married couples

The so-called fiscal marriage penalty is another bone of contention. Under current law, married couples are taxed jointly. This puts dual earners at a disadvantage. Due to progressive taxation, lower-income couples often struggle to make ends meet. A popular initiative is now calling for couples to be taxed individually, regardless of marital status. How sexual minorities are treated is another matter. Transgender and non-binary people are demanding better protection from discrimination. Parliament has already decided that citizens should be able to change their official gender relatively easily in the future. It will soon address the issue of whether to introduce a third gender.

The electorate emphatically rejected the Young Socialists’ “99 per cent initiative” on 26 September, with 65 per cent voting against an increase in capital income tax. All the cantons said no. The “Fifth Switzerland” also rejected the initiative, but only narrowly (51 per cent).

The organising committee in celebration mode following the resounding victory of the “Marriage for all” campaign.
Photo: Keystone

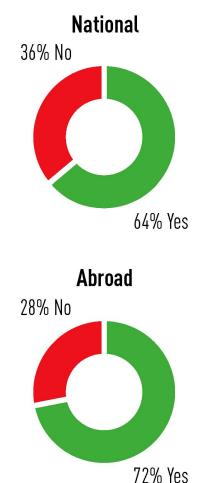
The votes of 13 February 2022

Tobacco advertising: Health organisations have submitted the “Yes to protecting children and young people from tobacco advertising” initiative, which calls for a ban on all forms of tobacco advertising. Currently, tobacco advertising is only banned on the radio and television. Opponents fear that such a ban would limit economic freedom.

Animal testing: A citizen’s group has submitted the “Yes to a ban on animal and human testing” initiative, which calls for a radical change in current pharmaceutical testing practices. This initiative goes too far for the Federal Council and parliament, which warn of the negative impact on drug supply.

Taxation: Parliament has voted to abolish issuance stamp duty on equity capital, with the federal government set to lose revenue worth 250 million francs a year as a result. The SP, the Greens, and trade unions call this a “tax break” for companies and equity owners, and have called a referendum to oppose it.

Media subsidies: The federal government intends to subsidise Switzerland’s ailing media sector with an additional 120 million francs over the next few years. A centre-right and right-wing committee has called a referendum to oppose these “damaging subsidies”, which it fears will result in a “state-funded media” that compromises independent journalism.



The “Fifth Switzerland” came out particularly strongly in favour of “Marriage for all” with a 72 percent majority.