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On the road to e-voting – Swiss citizens abroad eligible to vote in the canton of Basel-Stadt were able to do so electronically for the first time on 29 November 2009

Swiss abroad in the cantons of Geneva, Neuchâtel and Zurich are being given the opportunity to vote electronically in federal ballots through pilot projects. This step was introduced in Neuchâtel in June 2008, in Geneva in September 2009 and will be launched in Zurich in the second half of 2010. The around 6,000 Swiss citizens abroad eligible to vote in the canton of Basel-Stadt were able to cast their first electronic votes via the Internet in the federal ballot on 29 November 2009. Technical hosting was provided by Geneva's e-voting system, which had already been used successfully several times in the canton of Geneva. The operation also ran smoothly in the canton of Basel-Stadt. A total of 48% of voters chose this new method of voting. The option met with great approval.

Only voters residing in EU states or in countries that have signed up to the Wassenaar Arrangement on Dual-Use Goods are entitled to use e-voting. Therefore, 89% of the 5,996 Swiss voters entitled to vote in the canton of Basel-Stadt, meaning 5,336 people, had the opportunity to use e-voting. As many as 48% of voters used the new method of voting in the first trial.

After the vote, the University of Basel conducted a survey in which 82% of voters took part:

- 90% of those surveyed rated the e-voting system as reliable,
- 96% were happy with the new documents and website and
- 95% also wanted to vote electronically in future.

In particular, those surveyed highlighted the system's ease-of-use and the fact that e-voting simplifies the voting process. They also appreciated the avoidance of postal costs.

This valuable input from the Swiss abroad will enable e-voting to be developed further and voting documents to be optimised. The tests will be continued and a decision is set to be made in around two years' time on the introduction of e-voting for the entire electorate in the canton of Basel-Stadt.

Report by: Daniel Orsini, Department of Presidential Affairs of the canton of Basel-Stadt, State Chancellery

Further information is available at www.bs.ch/voting

Military service for Swiss abroad and dual nationals

General information

Article 59 of the Federal Constitution states: "Every Swiss man is required to do military service" and "Military service shall be voluntary for Swiss women."

Persons required to enlist (men and women) must present themselves at an army recruitment centre from the age of 18. They can do this up until 31 December of the year in which they turn 25. Men who are declared unfit for service are obliged to pay military and civil service exemption tax. This amounts to 3% of annual salary. Women do not have to pay this tax as they have no military service obligation in this case.

If they are declared fit for service, members of the army (men and women) must attend military training school. This lasts for 18 or 21 weeks depending on the position assigned at recruitment. The recruits are subsequently required to attend six or seven three-week refresher courses, held each year, until the age of 30 – or 34 for those who have not yet completed the stipulated number of days of military service.

Anyone unable to carry out military service due to exemption from service while abroad (Auslandurlaub) or postponement of the refresher course must pay the military and civil service exemption tax for the year in which they do not carry out service (this measure does not apply to female members of the army). In times of peace, there is also the option of meeting the entire military service obligation in a single block period (currently ten months). Those who do so are subsequently no longer required to attend refresher courses but will remain in the reserve corps until the end of the year in which they turn 30. All members of the army must accept any specific positions or ranks for which they are put forward. In such cases, they are obliged to perform the tasks and assume the responsibilities associated with their new position.

Swiss abroad

Swiss citizens who do not reside or work within the territory of Switzerland are deemed Swiss abroad. Periods spent in Switzerland to attend educational establishments are not classed as residence (see Article 26 of the Swiss Civil Code). Young Swiss abroad in this situation have no obligation to carry out military service and are therefore not required to enlist. These persons are not obliged to perform military service in times of peace. They can attend military training school voluntarily if they submit an application on time. Functional Staff Area 1 (Führungsgrundgebiet 1 / FGG 1) is responsible for providing information and accepting applications.

Applications from Swiss abroad can only be considered if they are not also nationals of their country of residence (except where an agreement to the contrary exists between the two countries; see list of agreements below) and provided they possess sufficient knowledge of a Swiss national language.

Recruitment for Swiss abroad takes place shortly before military training school in Sumiswald, Lausanne or Monte Ceneri, depending on the language the future recruit will use in the Swiss army. Federal government bears the cost of travel to the recruitment location and the return journey after completing military training

school. However, if Swiss abroad wish to return to their country of residence before the start of military training, they are not compensated for their additional travel costs. If they remain in Switzerland between recruitment and the start of military training school, they must organise and pay for their own accommodation and meals.

At the military training school, Swiss abroad have the same rights and duties as their colleagues who reside in Switzerland. They receive pay and loss of earnings allowance (CHF 4 and CHF 62 per day respectively). Once military training school has been completed, they return abroad after handing in their military equipment. They are granted exemption from service while abroad (*Auslandurlaub*) and are no longer obliged to carry out military service for as long as they continue to reside outside Switzerland. However, if they decide to remain in Switzerland after completing military training school, they are obliged to carry out military service without restriction.

Dual citizens

A Swiss citizen who is also a national of one (or more) other countries is a dual citizen at the very least. In line with the above, dual citizens residing in Switzerland, who enjoy the rights of citizenship like any other Swiss citizen, are obliged, in principle, to carry out military service without restriction. This applies even if the other country of which they are also a national threatens to take action against them, on the basis of its own legislation, for carrying out military service in the Swiss army. Under international law, any country may deem and treat dual citizens as their own citizens without taking account of their other nationality or nationalities. Dual citizens do not have freedom to choose the country in which they want to carry out military service. Anyone who does not carry out military service is liable to pay military and civil service exemption tax. However, this is subject to the application of international agreements and special treatment for cases where dual citizens have carried out military or alternative service in the second country of which they are a national.

In Switzerland, Article 94 of the Military Criminal Code stipulates that Swiss citizens who perform military service abroad without the permission of the Federal Council will be prosecuted (incidentally, the Federal Council has not granted such permission since the First World War). Swiss abroad who are also nationals of the country where they reside and must therefore also observe the laws of that country on military service will not face prosecution. This



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is also set out in Article 94 of the Military Criminal Code.

The Federal Council can conclude international agreements in which the performance of military service by dual citizens is mutually recognised. Such agreements exist with Argentina, Austria, Columbia, the United States of America, France and Italy. An agreement with Germany is set to be concluded shortly. A motion submitted in the National Council is also calling for negotiations to be initiated with Turkey.

This means that there are a whole variety of special cases:

- Swiss citizens who have served (performed military or civil service or paid a military and civil service exemption tax – with submission of supporting evidence) in the other country of which they are also a national will not be enrolled, or will not remain, in the Swiss army. However, they pay military and civil service exemption tax subject to contrary provisions in an international agreement.
- Swiss citizens who also hold Austrian or French nationality perform service in the country where they are permanently resident on 1 January of the year in which they turn 18. They have the option of performing service in the other country provided they submit an application before their 19th birthday.
- Swiss citizens who also hold Argentinean nationality are only subject to the provisions of the provisionally applied agreement of 31 October 1957 if they were born in Argentina as the

son of a Swiss father. In such cases and only in times of peace are they merely required to perform service in the first country that calls upon them to do so.

- Switzerland and Columbia mutually recognise the service performed by dual citizens in the other country of which they are also a national.

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- Swiss citizens born in the US as the son of a Swiss parent and who have always lived there are not subject to recruitment or payment of the national service exemption tax in the first two years of their stay in Switzerland.
- Swiss citizens who also hold Italian nationality only perform service in the country where they are permanently resident on 1 January of the year in which they turn 18. They may choose the other country provided they can actually perform service there.

Some figures

Number of women in the army: around 1000

Number of female Swiss abroad in the army: around 20

Number of female dual citizens in the army: unknown as only Swiss citizenship is checked.

Report by: Army Human Resources Department in cooperation with the Defence Public Relations Department.

Useful addresses

Personelles der Armee (FGG 1), Rodtmattstrasse 110, 3003 Berne

Wehrpflicht/Mutationen (Military service/updates)

Pierre-jean.dizerens@vtg.admin.ch, 031 324 32 56

Kommando Rekrutierung (Recruitment)

Teresina.fornasier@vtg.admin.ch, 031 324 32 74

Peter Maurer appointed new State Secretary at FDFA

On 13 January 2010, the Federal Council appointed Peter Maurer, Switzerland's former ambassador to the UN in New York, as the new State Secretary at the Federal Department of Foreign Affairs (FDFA). Maurer succeeds State Secretary Michael Ambühl whom the Federal Council has appointed head of the newly created State Secretariat in the Federal Department of Finance (FDF).

Peter Maurer was born in Thun in 1956 and obtained a doctorate in philosophy in Berne. He joined the FDFA in 1987 and held various positions before, in 1996, becoming the first officer for the head of Switzerland's former Permanent Observer Mission to the United Nations in New York. In 2000, the Federal Council appointed him ambassador and head of Political Affairs Division IV at the FDFA's Directorate of Political Affairs. From 2004 until his nomination Peter Maurer was ambassador and head of Switzerland's Permanent Mission to the United Nations in New York.

In this role, Peter Maurer has succeeded in raising the profile of Switzerland, a recent UN recruit, within a short period of time and ensuring effective networking at the highest multilateral level. This is also underlined by the UN General Assembly's election of Peter Maurer in June 2009 as chair of the Fifth Committee, which deals with UN budgetary affairs. He was also elected chair of the UN Peacebuilding Commission's configuration on Burundi.

At the beginning of March 2010, Michael Ambühl became head of the newly created State Secretariat for International Financial and Tax Matters in the FDF. The FDFA is making State Secretary Ambühl available to the FDF specifically for this position.

Michael Ambühl was born in Berne in 1951 and concluded his studies in management science and applied mathematics at the Federal Institute of Technology in Zurich with a doctorate. He joined the FDFA in 1982 and held positions in Berne, Kinshasa, New Delhi and Brussels. The Federal Council appointed him ambassador in 1999. Michael Ambühl was head of the FDFA/FDEA Integration Office until 2005 and was Switzerland's lead negotiator in the second series of bilateral negotiations between Switzerland and the EU. The Federal Council appointed him State Secretary in 2005.

Michael Ambühl has made a significant contribution to the success of Swiss foreign policy in recent years. The agreement concluded between Switzerland and the US regarding UBS in summer 2009 is a good example of this.

NEW POPULAR INITIATIVES AND REFERENDA

By the time of going to press, the following new popular initiatives had been launched since the last edition:

- "Für eine starke Post" (For a better postal service), initiative committee: Gewerkschaft Kommunikation; deadline for collection of signatures: 20.05.2011
- "Abtreibungsfinanzierung ist Privatsache - Entlastung der Krankenversicherung durch Streichung der Kosten des Schwangerschaftsabbruchs aus der obligatorischen Grundversicherung" (The funding of abortion is a private matter - relief for health insurance by removing the cost of abortion from mandatory basic insurance), initiative committee: "Abtreibungsfinanzierung ist Privatsache" initiative committee; deadline for collection of signatures: 26.07.2011
- "Volkswahl des Bundesrates" (Election of the Federal Council by the people), initiative committee: Komitee für die Volkswahl des Bundesrates; deadline for collection of signatures: 26.07.2011
- "Familieninitiative: Steuerabzüge auch für Eltern, die ihre Kinder selber betreuen" (Families initiative: tax relief for parents who look after their children themselves), initiative committee: Komitee Familieninitiative; deadline for collection of signatures: 26.07.2011.

The referendum period for amendment of the Federal Water Protection Act (Gewässerschutzgesetz, GSchG) (renaturation) expires on 13.05.2010.

At www.bk.admin.ch/aktuell/abstimmung you will find a list of pending referenda and popular initiatives and the corresponding signature forms if available. Please complete, sign and send the forms directly to the relevant initiative committee.