



Presidency of Georgia
Council of Europe
November 2019 – May 2020
Présidence de la Géorgie
Conseil de l'Europe
Novembre 2019 – Mai 2020



**Speech of David Eray, Minister for the Environment of the Canton of Jura and
Chairman of the Swiss delegation to the Congress of Local and Regional
Authorities of the Council of Europe**



*Civil participation at national and regional level in Switzerland: Examples of application in the
Republic and Canton of Jura (one of the 26 cantons of the Swiss Confederation) and in
Switzerland*

Dear online participants,

I wish all of you to overcome the pandemic in good health, as well as your loved ones, and to find in the difficult circumstances we are going through another reason to contribute actively to public life in our democratic societies.

The theme chosen by the Georgian chairmanship deserved not to succumb to the measures taken to deal with the spread of COVID-19. I therefore congratulate the Secretary General, Ms Pejčinović Burić, the Mayor of Tbilisi, Mr Kaladze, and Ambassador Giviashvili for opening our exchange on this electronic platform with their contributions. Here I am offering you information on how, in Switzerland and more particularly in my canton of Jura, citizens, but also a significant proportion of resident foreigners, can participate directly in public life.

Civil participation in decision-making is a subject of crucial importance in my country, a "cornerstone" of the Swiss political system. The institution that most obviously serves this participation is the referendum (and its complement, the initiative). Since the foundation of modern Switzerland as a federal republican state

in 1848, these instruments, which have an even longer history, have been generalised at all levels of the state.

Reminder

There are three levels of competence at the Swiss level, which are defined and shared between:

- The federal (national) level, the Swiss Confederation, i.e. Switzerland ;
- The cantonal (regional) level, the twenty-six confederated cantons;
- The communal (local) level, through all the communes of Switzerland.

1. Opportunities for civil society to intervene in cantonal (regional) decisions

Cantonal initiative: It is possible for the population to propose a new legal basis or a constitutional amendment. For this, a minimum of 2,000 citizens are required to sign the text or 8 communes. This was recently used, for example, for the minimum wage or the price of vehicle plates. This is one of the very specific elements of the Swiss system that exists almost nowhere else. The initiatives are passed on to Parliament, which can reject them. In that case, there is a popular vote.

Cantonal initiative in federal matters: 5,000 citizens can also ask the canton to intervene with the Confederation by tabling a cantonal initiative in federal matters.

Compulsory referendum: Compulsory referendums allow citizens to vote on all strategic decisions taken by parliament (major expenditure, changes to the constitution).

Optional referendum: All laws passed by Parliament can be challenged by the population if 8 communes or 2,000 citizens so request. (Last example to date, the suspension of the tax cut).

Petition: citizens can submit a petition which is a text that has no specific political value, but which must be dealt with by the authorities according to the Jura Constitution. The petition is often used for themes that are too broad to be contained in a single legal text.

All this is described in the cantonal [constitution](#).

A prime example of civil participation in decision-making is, of course, the **Landsgemeinde** in the cantons of Appenzell Innerrhoden and Glarus.

2. Special points for the Jura

Right to vote: Swiss citizens can of course vote in communal and cantonal matters, but this is also the case for foreigners who have been in Switzerland for 10 years and in the canton for one year, with the exception of votes affecting the cantonal constitution. With this rule, the canton of Jura is one of the most liberal in this area and therefore a very large part of the resident population can influence its canton.

Candidacy for political office is also encouraged since printing costs are paid by the state provided the candidate obtains at least 3% of the vote, and party propaganda is distributed by the communes. Not having money is therefore not as much of a hindrance as elsewhere.

3. Opportunities for civil society to intervene in federal decisions

The citizen directly elects all his or her representatives at communal, cantonal and federal level (for the legislature).

The **popular initiative at the federal level** also makes it possible to initiate the process of amending the Federal Constitution in whole or in part. This requires a minimum of 100,000 signatures from citizens with the right to vote. With the **compulsory referendum**, the people are called upon to express their views, together with the cantons, for example on the revision of the Constitution or membership of collective security organisations. The **optional referendum** allows 50,000 citizens or eight cantons to submit to a popular vote, for example, federal laws or international treaties of indefinite duration that cannot be denounced.

In the **consultation procedures**, federal projects with a major political, financial, ecological or social impact are submitted to all potentially interested circles on a preliminary basis in order to examine whether they are correct and acceptable - in this context, civil society can, if it so wishes, express its opinion on any subject that it considers important.

4. Conclusion

To sum up, in Switzerland and in the canton of Jura in particular, the vast majority of citizens can be elected, are consulted on important decisions, are a potential source of new legal bases and can "control" the decisions taken by Parliament. It is therefore a question of **massive and active participation**.

This experience facilitates the involvement of representatives from Switzerland in exchanges of views on the forms and challenges of civil participation in state decisions, particularly in the work of the Congress of Local and Regional Authorities of the Council of Europe. The Conference of International Non-Governmental Organisations is another appreciated forum, as are the statutory bodies of the youth sector which allow participants to express themselves at an early stage of their civic development.

My country also supports, through its development co-operation, international efforts to strengthen the space of civil society and to make it co-responsible for public affairs. In Ukraine, for example, the "E-Governance for Accountability and Participation" programme introduced a whole series of e-democracy instruments in 2015. Within this framework, more than 15,000 online petitions could be submitted, and more than 20,000 citizen complaints were resolved through online complaint mechanisms. In several partner countries, Switzerland is working with municipalities to support the consideration of the demands of the local population by public policies. These projects pay particular attention to the situation of marginalised groups and focus on the participation of women at the local level.

To conclude with a lively reflection of the diversity of topics addressed by citizens in Swiss public life, I suggest you visit

<https://www.swissinfo.ch/fre/democratiedirecte> :

in English

<https://www.swissinfo.ch/eng/directdemocracy>

as well as the official website

<https://www.ch.ch/fr/democratie/>

<https://www.ch.ch/en/demokratie/>

and for more information on the canton of Jura:

<https://www.jura.ch/CHA/SIC/Jura-Portrait.html>

Thank you for your interest and have a nice navigation!

David Eray