

Table of Contents

- ***Switzerland is set to be the next country to legalize marriage equality***
- ***Swiss gays hope for marriage equality ahead of parliamentary vote***
- ***Swiss vote to approve legislation to protect LGBTQ+ rights***

Switzerland is set to be the next country to legalize marriage equality

Both chambers of the legislature have now passed marriage equality bills.

By Alex Bollinger

LGBTQ Nation (04.12.2020) - <https://bit.ly/3lYatdf> - Switzerland is moving forward with a bill to legalize marriage equality, which could make it the next European country to do so.

The Council of States – the upper house of Switzerland’s legislature – passed a law that would legalize marriage equality with a 22-15 vote, with seven abstentions. The lower house – the National Council – passed the bill this past June.

“We have been waiting for this for seven years,” said Olga Baranova of the Marriage For All campaign, referring to how legislation for marriage equality was first introduced by the Green Party in 2013. “The emotions are very strong.”

The Council of States rejected a motion that would have required a nationwide constitutional referendum on marriage equality, which would have significantly delayed the law.

Council of States member Beat Rieder of the Christian Democratic Party argued that a constitutional referendum was needed because the Swiss constitution was originally intended to only give rights to heterosexual people, even evoking the late Justice Antonin Scalia to defend the idea of originalism in a speech.

One of the major questions in the legislative process was whether the bill would allow lesbian women to use sperm banks in Switzerland, and the bills passed by both chambers allowed it, stirring opposition from the Christian Democratic Party. The wife of the parent who gives birth to the child will also be listed on the birth certificate as the child’s second mother, but only if a couple goes to an officially recognized sperm bank.

“The bill does not achieve full equality for children from rainbow families,” LGBTQ organizations said in a statement, according to the Swiss newspaper Le Temps.

The bill now goes back to the National Council for final approval and it is expected to pass before the end of the year.

Swiss gays hope for marriage equality ahead of parliamentary vote

By Emma Farge

Reuters (03.06.2020) - <https://reut.rs/30qZ3b3> - When civil partnerships were legalised in Switzerland in January 2007, gay couple Laurent Marmier and Yves Bugnon completed the paperwork that same month, making them among the first to take advantage of the new law.

Thirteen years later, they hope a parliamentary vote will open the door for them to finally marry and enjoy full equality with heterosexual couples. Debate began on Wednesday but the vote was delayed to an unspecified date, a parliament official said.

"We don't have the same rights, not quite. And this is what is bothering us," said Bugnon, a music teacher in the French-speaking city of Lausanne.

Conservative Switzerland lags many countries in Western Europe on gay rights and is slowly catching up. In February, voters backed an anti-homophobia law giving lesbians, gays and bisexuals legal protection from discrimination.

A survey commissioned by gay rights association Pink Cross showed more than 80% of Swiss support same-sex marriage.

However, the country's political institutions tend to be more conservative than the general public, Socialist lawmaker Mathias Reynard told Reuters. "Swiss people are in favour – but everything takes time."

The same-sex marriage proposal is expected to pass the lower house but it will still have to clear the upper house. Then, in line with Switzerland's direct democracy process, it could be challenged via referendum if opponents gather the necessary 50,000 voter signatures within 100 days.

The dominant People's Party (SVP) opposes the law but an official did not respond for requests to comment on whether it would seek a referendum on the issue.

The fact that gay marriage is not yet legal here has more than just symbolic importance for couples. Marital status has a bearing on adoption and assisted reproduction rights, including sperm donations for lesbian couples.

Marmier said he was hopeful the law would pass but added it was important that these other issues were also addressed in the new law.

"I think it is important it moves forward and that we don't wait 13 years to pass the next step," he said.

Swiss vote to approve legislation to protect LGBTQ+ rights

Referendum approves law that was passed in 2018 but was opposed by rightwing parties.

By Philip Oltermann

The Guardian (09.02.2020) - <https://bit.ly/3bpkhcc> - Swiss voters have given their backing in a referendum to extending anti-racism legislation to cover sexual orientation, defying critics who had claimed such a move would be an infringement of free speech.

Unlike many of its western European neighbours, Switzerland has no law in force that specifically protects LGBTQ+ people from discrimination or hate speech.

A law passed by the country's government in December 2018 was designed to close this loophole. However, an alliance of rightwing parties including the conservative Christian Federal Democratic Union (EDU) and the nationalist Swiss People's Party (SVP) opposed the law change and sought a referendum to prevent it from coming into effect.

On flyers and on posters, opponents framed the law as a "gagging clause" that would restrict freedom of speech and demote gay and bisexual members of society to a "weak minority in need of protection".

Switzerland has a long tradition of holding plebiscites on issues that can range from major foreign policy decisions to the building of a new school. Votes are usually held on three to four dates spread across the year.

In Sunday's vote, 63.1% of the public voted in favour of expanding the anti-discrimination law, though the results revealed splits across the linguistically and cultural heterogeneous state. In the German-speaking cantons of Schwyz, Uri and Appenzell-Innerrhoden, there were majorities in favour of blocking the law. In French-speaking Vaud, by contrast, the law was endorsed by an emphatic 80% of the voting public.

Under the new law, those who "publicly degrade or discriminate" others on the basis of their sexual orientation, for example by denying same-sex couples entry to a nightclub, could face a jail sentence of up to three years. The law does not affect private conversations such as among friends or family.

Several European countries such as Belgium, Germany, France, Ireland and the UK already have similar legislation in place.

LOS, an advocacy group representing Swiss lesbian, bisexual and queer women, welcomed the referendum result. "We have won, and how! Next stop: same-sex marriage," it said.

Switzerland and Italy are the last two countries in western Europe where gay marriage is not legal. Both countries offer same-sex couples the option of civil unions but not full marriage.

In a separate referendum, Swiss voters on Sunday rejected an initiative calling for at least 10% of new housing to be built by not-for-profit cooperatives in an attempt to reduce the cost of living. The proposal was rejected by 57.1% of the voting public.
