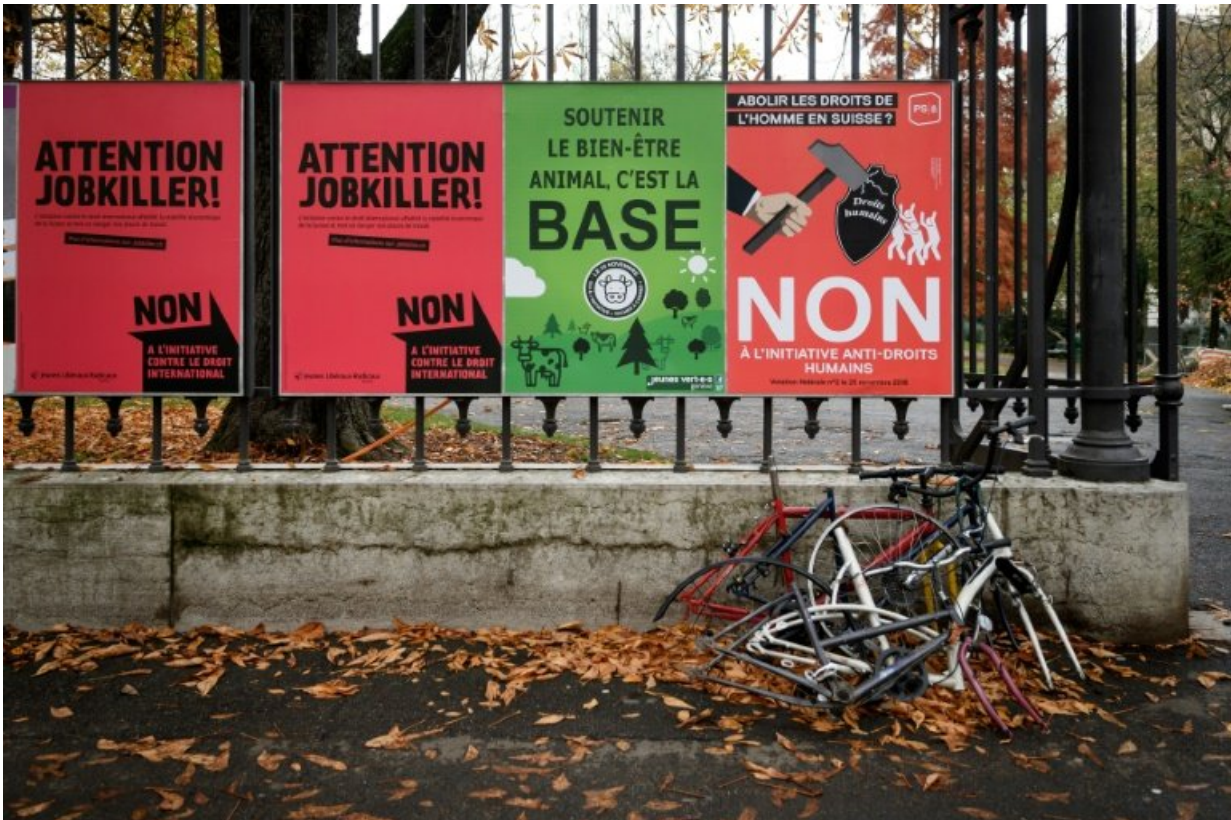


Swiss voters back insurance company spying

November 25 2018, by Ben Simon



Campaign posters in Geneva draw attention to the three issues on which Swiss are called to vote—including safeguarding cow horns

Swiss voters on Sunday approved a law that gives insurance companies broad leeway to spy on suspected welfare cheats despite concerns raised about right to privacy.

The measure was passed in a referendum that saw two other proposals—a bid to give Swiss judges supremacy over international courts, and a call for incentives to stop cows' horns being removed—rejected, according to provisional results from the GFS Bern polling firm and public broadcaster RTS.

The poll was part of Switzerland's direct democracy system, in which [voters](#) cast ballots on national issues four times a year.

Insurers in the wealthy Alpine nation had long spied on customers suspected of making false claims. But that came to a stop following the European Court of Human Rights ruling in 2016.

The government insisted however that such surveillance was necessary to curb insurance fraud and to turn keep costs low for all. Following the European court's repudiation, Bern updated its legislation in a bid to restore surveillance powers to insurers.

Opponents of the revised law then mobilised the support needed to force a referendum.

But an estimated 64.7 percent of voters ultimately backed the government.

"What the Swiss wanted to show was that the social safety net is important, but that (for it to work) we all have to be absolutely responsible," Benjamin Roduit of the centre-right Christian Democratic Party told RTS.

Critics argued that the measure was hastily written under pressure from the insurance lobby and did not explicitly prohibit serious, unjustified invasions of privacy.

Legal analysts noted that the law does not prohibit insurers, or the detectives they hire, from recording or filming someone who is on their private balcony or in their garden, provided those areas are visible from a public space.

Firms also do not need legal approval to conduct surveillance, but only require "concrete indications" of false claims.

'No' to cow horns

The cow horn initiative was launched by livestock farmer Armin Capaul, who captured widespread media attention after he secured the more than 100,000 signatures needed to force a vote in an upstart campaign that began with few resources and no political support.

The proposal did not call for a ban on dehorning but sought a constitutional amendment that would have created incentives for farmers to let horns grow.

Capaul told AFP in October that his campaign was inspired by conversations he had with his herd in his home of Perrefitte, a municipality northwest Switzerland.

After his initiative was rejected, with an estimated 55 percent voting against, Capaul said that his larger effort to protect cattle from unnecessary human abuse had not been a failure.

"I've alerted people about animal suffering and I've put the cow in the heart of the people," he told RTS.

Environmental and animal rights groups ultimately joined Capaul's effort but it was opposed by the government, which argued farmers had to remain free to manage their livestock as they saw fit.

Supreme Law

Voters also overwhelmingly rejected the initiative dubbed "Swiss Law First," which called for domestic law to be placed above international law.

The rightwing, anti-migrant Swiss People's Party (SVP) sought to portray the measure as essential for safeguarding national sovereignty.

But the [government](#) and [business groups](#) were staunchly opposed, warning that hundreds of trade deals vital to the Swiss economy as well as the country's reputation would have been threatened by a formal repudiation of international courts.

"It is a huge defeat," SVP vice president Celine Amaudruz told RTS after just 34 percent of voters supported the proposal, results showed.

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