

Voters reject three environmental bills



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Environment & Climate Change, Switzerland

- 🕒 **Referendum on CO2 Act**
- 🕒 **Popular initiative for clean drinking water and healthy food**
- 🕒 **Popular initiative for ban on artificial pesticides**

On 13 June 2021 Swiss voters decided on three environmental bills concerning CO₂, clean drinking water and healthy food, and artificial pesticides.

Referendum on CO₂ Act

The revised CO₂ Act would have allowed Switzerland to build on and reinforce its current climate policy in order to limit the global temperature increase, which requires a reduction in greenhouse gas emissions.

To comply with Switzerland's commitments under the Paris Agreement, the revised CO₂ Act provided that at least 75% of the reduction in greenhouse gas emissions must be achieved through domestic measures.

The act contained a range of measures which relied on a combination of financial incentives, investments and new technologies such as certain steering taxes, the support of investments in buildings and infrastructure and the promotion of innovative businesses. In particular, the act would have introduced the following measures and levies:

- a new levy on all flight tickets and on flights via private jet with a maximum take-off mass of more than 5700kg;
- an increased levy on fossil fuels;
- an increased gasoline price;
- new CO₂ limit values in the building sector; and
- new target values for:
 - passenger cars;
 - delivery vans;
 - light semi-trailers; and
 - heavy vehicles.

The revised CO₂ Act has faced resistance from various sides in Switzerland which took a referendum in order to hold a popular vote. Thereby, the Swiss voters did not follow the federal government and Parliament and narrowly rejected the revised CO₂ Act. So far, the legislative process on this subject has been quite drawn out. **(1)** The federal government and Parliament must now continue their efforts to ensure that Switzerland will meet its commitments under the Paris Agreement.

Popular initiative for clean drinking water and healthy food

This initiative aimed to better protect the environment and drinking water. In particular, it suggested that farms may receive direct subsidies from the federal government only if they:

- do not regularly use antibiotics on their livestock or if they use them only for preventive purposes; and
- feed their animals only with fodder that can be produced on their own farm.

The initiative also provided that agricultural research, advice and training should be geared towards these goals.

The Swiss voters rejected this initiative.

The voters followed the federal government and Parliament, which claimed that the initiative goes too far and would result in many farms producing less food and an increase in food imports. Further, the environmental pollution would be shifted abroad. Moreover, Parliament has already taken up the core concern of the initiative and intends to implement it in legislation.

Popular initiative for ban on artificial pesticides

This initiative aimed to ban the use and import of foods containing artificial pesticides in Switzerland. Such a ban would have affected:

- agriculture;
- food production and processing;
- the maintenance of public parks and private gardens; and
- measures to protect infrastructure such as railway lines.

The Swiss voters rejected this initiative.

The voters followed the federal government and Parliament, which claimed that Switzerland has already established strict rules for the use of pesticides and provides financial support for the research and development of alternatives. The requested ban would have led to a situation where there was a risk that plants and agricultural products could no longer be protected against, for example, bacteria and viruses. In addition, it would limit the supply and diversity of food. This would have negatively affected both consumers and producers.

The federal government and Parliament both took the position that the proposed ban would also have violated international trade agreements applicable to Switzerland.

For further information on this topic please contact Michael Lips or Larissa Rickenbacher at Pestalozzi Attorneys at Law by telephone (+41 44 217 91 11) or email (michael.lips@pestalozzilaw.com or larissa.rickenbacher@pestalozzilaw.com). The Pestalozzi Attorneys at Law website can be accessed at www.pestalozzilaw.com.

Endnotes

(1) For further details please see:

- "Revision of Federal Act on the Reduction of CO₂ Emissions";
- "Revised CO₂ Act to reduce greenhouse gas emissions from passenger cars"; and
- "Latest environmental legislation in effect and in the pipeline – 2021 overview".

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