ETH-Bibliothek Zürich, E-Periodica, https://www.e-periodica.ch

E-voting gets a second chance

Switzerland's cantons are now allowed to offer e-voting again. But it will take some time before voters can use a rebooted version of the technology.

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Swiss voters will again be able to vote in elections and referendums at the click of a mouse. After grinding to a halt one-and-a-half years ago, e-voting has been resurrected by the federal authorities. Cantons will be allowed to offer it on a trial basis to a limited number of people. Thurgau, Fribourg and St. Gallen have already expressed interest. They will be able to start as soon as the statutory framework has been adapted accordingly – probably in 2022.

Electronic voting has been debated for years in Switzerland. The federal government has been trying to develop and establish a secure system since 2004. It had authorised over 300 trials in 15 cantons by the time it brought matters to a halt in mid-2019, after the two most important e-voting providers decided to recall their software. The pioneering canton of

Federal Chancellor Walter Thurnherr:

"E-voting in elections and popular votes will only work if citizens trust the process."
Photo: Danielle Liniger

Geneva bailed out for financial reasons, while Swiss Post took its solution out of service after external experts discovered security flaws. Deprived of a digital means of voting, democratic participation among the Swiss Abroad has plummeted. This was evident in the 2019 national elections, when voter turnout within the "Fifth Switzerland" fell by up to a third in cantons that had offered e-voting back in 2015. The Swiss diaspora are anything but amused.

Postal voting scuppered by the pandemic

Many Swiss Abroad complain that they are being prevented from exercising their political rights, adding that policymakers lack the will to do anything about it. Meanwhile, the Covid-19 pandemic has made it even harder to vote by post. Postal services have been working at the limit of their capacity at times, with voting papers arriving even later than they used to in many parts of the world. Expatriates living overseas are basically no longer able to vote in their home country.

Their hopes of e-voting are high. "Expats no longer have to fear losing their vote because it takes too long to send their voting papers back by post," said Federal Chancellor Walter Thurnherr in December when he announced the government's decision to reintroduce e-voting. The visually impaired would benefit particularly from e-voting, he added, as they would be able to fill in their voting papers without the help of a sighted person. Thurnherr said there was a need for e-voting because more and more of us are manag-

ing our lives online, but that the federal government still believed security comes before speed. It wanted to go about things the right way. "E-voting in elections and popular votes will only work if citizens trust the process," he said.

Continually monitored and improved

The Federal Council now wants stricter security, saying that it will only approve fully verifiable systems in future. Such systems allow users to check whether their votes have been registered correctly. They also ensure that systemic malfunctions and cases of voter fraud are identified. E-voting solutions will be more closely monitored and continually improved. The government will rely on independent specialists to do this job, but will also remunerate members of the public who can provide useful tip-offs. Current law already stipulates that the source code and documentation of any e-voting platform must be disclosed. Open-source criteria will now apply.

The statutory framework still needs to be adapted before testing can restart. Consultations on that are scheduled for this year. E-voting could then be up and running again in 2022. Meanwhile, Swiss Post unveiled its new, improved e-voting platform in January.

Cantons criticise restrictions and costs

However, e-voting – the third regular voting channel alongside ballot-box voting and postal voting – will be available to no more than 30 per cent

of voters at cantonal level and no more than 10 per cent of the electorate at national level. "These limits are a considerable blow to cantons that were banking on an extensive rollout," says Barbara Schüpbach-Guggenbühl, State Chancellor of the canton of Basel-Stadt and chair of the Swiss Conference of Cantonal Chancellors. Such cantons include Glarus, Grisons and Basel-Stadt, for example. According to Schüpbach-Guggenbühl, cantonal parliaments are likely to baulk at the significant costs involved in implementing e-voting. "We cannot cover these costs on our own," she says. "Finding solutions to this problem is a matter of urgency. The federal government needs to work with us." Security concerns are also likely to complicate matters. Motions to this effect are pending in a number of a cantons.

We quizzed the canton of Geneva, but the response from Switzerland's e-voting pioneers was guarded. According to its cantonal chancellery, Geneva has no plans to offer e-voting any time soon. The canton of Berne used to rely on Geneva's old e-voting system and has yet to decide on how to proceed. Stefan Wyler of the Berne cantonal chancellery said that his cantonal government would review the

President of the Organisation of the Swiss Abroad, Remo Gysin

"Cantons shouldn't have to do it all themselves."

Barbara Schüpbach-Guggenbühl on the restrictive nature of the e-voting rollout:

"A considerable blow."

situation in the first quarter of 2021. The canton of Berne currently has no contract with Swiss Post, so 2023 is conceivably the earliest it can re-launch e-voting.

The Federal Council is reluctant to take the lead, unfortunately, according to Remo Gysin, president of the Organisation of the Swiss Abroad (OSA). "Cantons shouldn't have to do it all themselves," he says. Gysin thinks the federal government should contribute much more, and that includes financially. And it also needs to hurry up. "Ideally, we need to have established an e-voting system before the next national elections in 2023." The OSA issued a resolution to this effect back in 2019. Referring to Thurnherr's "security over speed" mantra, Gysin is keen to stress that the OSA supports efforts to make e-voting watertight. Nevertheless, ensuring that as many people as possible can exercise their political rights matters just as much, in his opinion.

Scepticism across the political spectrum

A broad alliance of politicians and experts say that potential hacker attacks

could erode public faith in e-voting. All systems have loopholes, they argue. The sceptics lobbied in parliament for an e-voting moratorium. They also launched a popular initiative, but abandoned the signature collection process in summer 2020 due to Covid restrictions.

There is no such thing as complete security, says Eric Dubuis, information technology professor at the Berne University of Applied Sciences. "It is like flying: people still board planes in the knowledge that planes can crash." But after 30 years of research, he adds, individual and universal verification means that e-voting is subject to a high level of security. We can now check whether a vote has been properly recorded, whether all votes are from eligible voters, whether all valid votes have been counted in the result, etc. "We can now design e-voting systems in such a way that allows us to clearly identify voter fraud." Ultimately, it is up to society to decide whether e-voting has a place in our democracy, he concludes.

Speeding up postal voting

Using diplomatic bags to send voting papers would give Swiss domiciled abroad a better chance of exercising their political rights, Zurich FDP National Councillor Andri Silberschmidt has said in a parliamentary motion. Silberschmidt has suggested that voting papers for elections and popular votes could be sent in bundles to the Swiss representations, with local post services then forwarding the papers individually to voters. In turn, embassies and consulates could collect completed voting papers and transport them back to Switzerland all together.   (ER)