



## **Coming to terms with compulsory social measures and forced fostering**

### A dark period in Swiss social history

Switzerland is currently addressing a dark period in its social history, namely the fate of children and young people who were victims of compulsory social measures or forced fostering prior to 1981. The victims include so "contract children" ("Verdingkinder"), children in care, people subjected to administrative detention (people who, under an administrative procedure, were committed to secure institutions, in some cases even prison), people whose reproductive rights were violated (through abortion, sterilisation or castration carried out forcibly or without consent), people who were compulsorily adopted, discrimination against travellers, etc.

### An issue which has finally made it onto the political agenda

In September 2010, Federal Councillor Eveline Widmer-Schlumpf, then head of the FDJP, apologised on behalf of the government to those who had been administratively detained at a commemorative event at Hindelbank women's prison.

In April 2013, a commemorative event was held in Bern for those made subject to compulsory social measures and forced fostering. On behalf of the Federal Council, Federal Councillor Simonetta Sommaruga apologised to all concerned for the injustice they had suffered. Representatives of cities, communes, cantons, churches, children's homes and the Swiss Farmers Union also apologised.

A round table organised by Federal Councillor Sommaruga last year is due to propose comprehensive measures this summer for coming to terms with compulsory social measures and forced fostering for all categories of people affected. At this round table, victims and representatives of victims' organisations are working with representatives of the authorities (government, cantons, towns and communes) and institutions or organisations (churches, the Swiss Farmers Union and children's homes).

In parallel, legislation has been drafted on the rehabilitation of those who were administratively detained. Parliament adopted draft legislation on this in Mai 2014.

In the private sector, a popular initiative demanding compensation for victims of compulsory social measures and forced fostering has been prepared and handed in in december 19th 2014.

## The round table's work

The round table is responsible for preparing an academic study of the matter, setting up contact points and advice services for victims, obtaining access to archives, clarifying the legal issues, raising public awareness and more. Financial support for victims is also an important question.

The members of the round table are convinced that such support must be an essential element of any reappraisal and or effort to make amends. The aim is not to pay out compensation for the financial losses or suffering that have been caused. Nor is it an issue of finding people to blame or hold liable. Questions of liability often go unanswered due to legal obstacles (such as statutory limitation). Instead the goal is to have society acknowledge the injustices committed and suffering caused, to express its willingness to make amends, to show solidarity and to help the many victims who are in a precarious financial position.

The round table will therefore propose the creation of a government-supported solidarity or hardship fund. The decision as to whether this proposal will be implemented and what financial support should be provided lies with parliament. It will take quite some time, probably at least three to four years, before a law can be passed and enter into force.

## A voluntary emergency aid fund as a short-term solution

Four years is a very long time for the victims, many of whom are already quite old, or who live in difficult financial circumstances. This is why the round table has decided to set up a limited, voluntary emergency aid fund as a short-term solution. This should make it possible to provide victims in serious financial difficulty with financial help quickly and with the minimum of bureaucracy until a permanent system is introduced.

The fund has been set up formally at the beginning of April 2014 by Swiss Solidarity. The fund should have access to around CHF 7 or 8 million. The committee of the Cantonal Conference of Directors of Social Affairs, in consultation with the president of the Conference on the Lottery Market and Lotteries Act, have requested the cantons to pay CHF 5 million into the fund. In addition, it is planned to involve further organisations, companies and persons who would like to show solidarity and make a contribution to this important first step in society making amends to victims of compulsory social measures and forced fostering.

As of June 2014, victims were able to apply to the round table for support. The round table will arrange for the applications to be assessed and will request Swiss Solidarity to make a payment if the requirements are met. The first payments have been made in August 2014.

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