

Current Concerns

The international journal for independent thought, ethical standards, moral responsibility,
and for the promotion and respect of public international law, human rights and humanitarian law

English Edition of Zeit-Fragen

Neutrality and Militia army are going hand in hand “Serving together creates bonds of friendship across cantonal and language borders”

Interview with National Councillor Jakob Büchler (CVP)



National Councillor
Jakob Büchler
(picture thk)

thk. On Monday and Tuesday the National Council will debate on how to respond to the GSoA-Initiative (17/18 December) (GSoA: Group for a Switzerland without Army) calling for the abolishment of

the militia army. Similar to most NATO armies, the initiative proposes to get rid of compulsory military service and reorganise the army as a volunteer force. In the long run, the aim is a professional military. Former president of the National Council Commission for Security Policy Jakob Büchler explains in the following interview what that means and which consequences this decision would have regarding not only the security, but also the very stability of Switzerland as a nation of consensus.

Current Concerns: Which consequences would the end of the militia army have for our military?

National Councillor Jakob Büchler: If we no longer had a militia army, the enormous amount of knowledge would be lost which our militia men feed into the army from their private and professional lives. Every militia soldier serving his time carries a lot of expertise in his “rucksack”. There you have craftsmen such as builders, butchers, carpenters, operators, road engineers, but also architects, physicians, teachers and other academics or professionals who bring with them all their experience and skills from their civilian lives into the army. This is enormously important. All of that would be completely lost.

Instead of the militia army, the initiants demand a volunteer force of just 30,000 men. What does that mean for security in our country?

No security can be maintained with 30,000 men. This army would fit into a football stadium. This is inconceivable. This would be a catastrophe for the security of our country. In case of a natural disaster or other catastrophe the cantons demand that we can mobilize 35,000 men immediately. For floodings, landslides and the like, we have to have many soldiers available on short notice. An army of 30,000 men is not ready on demand. Part of the personnel would be absent at any given time, because they are abroad, on holiday or otherwise unavailable. The smaller an army is, the smaller gets the core of those who are actually ready on demand. This would create an enormous security gap. We must never allow that to happen.

Is it possible to protect strategically important items such as bridges with 30,000 men in a state of terrorist threat?

No, by no means. That is impossible, to maintain security with such a small number of soldiers. Depending on the severity of the threat it could become necessary to protect potential targets such as train stations, bridges, tunnels, airports, nuclear power plants, concrete dams, water supply facilities etc. around the clock. That means, military personnel would have to work in shifts. One part is on duty, one is on stand-by and the rest is on leave. With such a small number of men this system collapses. There would be no security any longer ...

... the very security our constitution demands for our country and our citizens.

Yes, absolutely. Our constitution states that the army has to protect our people and our country. With just 30,000 men this cannot be guaranteed. With 30,000 soldiers on payroll, we would have to reimburse them with 100,000 francs per year according to the current social system. That amounts to 3 billion francs just for personnel costs, with no single piece of equipment, infrastructure etc. We must prevent that.

Moreover, since they are quite often at their limits regarding police force ca-

pabilities, the cantons tend to call for the army in such circumstances. As compared with other countries, Switzerland has not enough police officers.

Doesn't the militia army play an important role for our body politic, too?

Yes, of course. If the initiative were successful, this would be the end of the militia army. A voluntary militia is just an illusion. It wouldn't work. For our state which is actually organised according to the militia principle, this would be an enormous loss. Again, this would create huge additional costs. You can study this in our neighbouring countries. Wherever compulsory military service has been abolished, it turns out that there are not enough volunteers. And many of those who do volunteer are just not qualified. From a state political point of view this is alarming and would be a big set-back. We would have to actively recruit people, this alone is a new expense of uncertain dimensions. Who would actually volunteer for longer time periods? For one or two short missions, this does happen, but for several years – not many people will do that, except those who are out of work or socially marginalized and find it difficult to be accepted anywhere else. We can't integrate all those people into the army. This would severely affect quality standards for the army and would actually be a big insult.

Solidarity within our country would be in danger, too. We would have an autonomous system which is no longer rooted within the citizenry and all parts of the country alike, while soldiers serving today know what is worth fighting for and create bonds of friendship across cantonal and language borders.

What does abolishment of the militia army mean for the social cohesion in our country?

Sooner or later a volunteer militia would end up as a professional army. Those 30,000 men would be continuously on

Energy – a matter of democracy

The issue of energy must be part of direct democracy

Interview with Roger Pfammatter, Managing Director of the Swiss Water Management Association



Roger Pfammatter (picture ma)

thk. Ever since the disaster of Fukushima a change of thinking has begun in many parts of society. Indeed not only since this incident have people become aware of the danger of nuclear plants, but this time the event stirred great-

er concern than in the case of Chernobyl. The incident in the Soviet Union was considered more a problem of communism and not a problem of nuclear energy which must be regarded as basically dangerous. Japan, however, is a highly industrialized country, and such a disaster would have been hardly expected there. What can happen in Japan may happen to us as well.

Only in the light of this impression can we understand why at the end of the Sum-

“The main thing is that our people will be permitted to decide this issue at the ballot box. It must be a democratic decision, and that is a transparent one. We need to know where our electricity will come from. So far, decisions have virtually only been taken by our Federal Council and by the Parliament. But you have to make the alternatives transparent, [...]”

mer Session 2011 the head of the Swiss Federal Office of Energy, Doris Leuthard, and Parliament decided on the definitive abandonment of nuclear energy by 2025, without having taken up the dialogue with the population and without submitting this decision to a vote. Since then the country has been under great pressure to replace the looming energy gap of 40 percent, which is still being provided by nuclear energy today, namely in an environmentally friendly way.

Hydropower, which now supplies 56 percent of the energy in Switzerland, is the one major pillar that should be strengthened, especially since we are running the risk of losing 10 percent of currently pro-

duced water power for the benefit of protecting nature and environment in upcoming revisions of existing hydroelectric power plants. Of course we could try to import the missing energy from abroad. However on what conditions? This question applies to both the production and financing. The issue of energy is also closely linked with the issue of energy security in terms of supply security. How can we ensure the energy security of our country without our nuclear power, without being dependent on the goodwill of foreign countries and thus being vulnerable to blackmail? (Bank secrecy or the disputes on flyover noise send their regards.) Situ-

continued on page 3

“Neutrality and Militia...”

continued from page 1

“duty”. They would be stuck in the barracks. What to do with them? What happens if there is no emergency? Today, we have about 5,000–8,000 men on duty per year. They are in the military school, in refresher courses, and all the others are at home. In a professional army, all soldiers are on duty all the time, and one has to find something to keep them busy. This is an impossible situation.

In how far is the militia principle an important factor for our body politic as such?

Should we abolish the compulsory military service, there would be no firefighting obligation either. The same applies to civil defense. I am no longer obliged to do anything, if there is no compulsory service, neither for military or civil defense. Today I can either join the firefighter units or pay the firefighting tax. Once all that is just voluntary, who would still pay those taxes. This would lead to huge unfairness, and many tasks would no longer be fulfilled by our militias within the society as it is today.

You have already mentioned the difficulties of recruitment.

Experiences abroad show that there are much fewer people interested to join a professional military than one had hoped for. While they had estimated some 9000 volunteers there, in truth and reality they have 5000 and many of those are not suitable. Many had found no work elsewhere, had criminal records or were just plain criminals. Partially they were welfare cases hoping for a regular payroll in the army. This would be a catastrophe for a volunteer militia. That would be a total disaster for the army ...

... and therefore for security.

Indeed, compulsory military service is written in our constitution and is a matter of law. This initiative to abolish the militia army wants to have that cancelled. In other countries the conscription has just been suspended. That means, it can easily be reintroduced by the parliament or government. Should we abolish it by a referendum and cancel it from the constitution, it would not be so easy to reverse.

Who would actually fight in a volunteer militia, if things get into trouble? In case of a political or military emergency, who would rush to the warzone? Read my lips: nobody, not a single one. This we cannot afford to happen. An army which would cost us 3 billion in wages per year but

would not guarantee security of our people and country is out of the question, therefore this initiative has to be declined by all means.

Isn't there also the danger that one might consider keeping the volunteer army busy with missions abroad? Especially part of the left tends to be quite active in that regard.

That is an important point. If one doesn't know what to do with those soldiers it might occur to them to send them abroad to keep them busy. Most bizarre ideas could be put on the table including even more foreign missions. Parliament would be locked in endless discussions. The foreign missions we are engaged in today are just big enough as they are. We cannot send men abroad just because we happen to have them in the army and have no better idea what to do with them. NATO and EU would pressure us into providing more soldiers for foreign missions. This stands against our neutrality and against our firm belief that the army is there as a defense force and not to wage wars somewhere in the world for foreign interests.

Mr National Councillor Buechler, many thanks for this interview.

"Energy – an issue ..."
continued from page 2

ations of the kind that Switzerland had to experience during the two wars and the two energy crises of the last century.

Roger Pfammatter is managing director of the Swiss Water Management Association. He is an expert in the field of hydro power production. In the following interview he explains the opportunities provided here and how he assesses the situation after the turn in energy policy in Switzerland. Current Concerns will address the energy issue in the New Year and continue to shed light on it from different angles.

"Reservoirs for the seasonal transfer"

Current Concerns: When it comes to water power, there is still the question of whether there are ways in our country to expand this kind of energy produc-

duce. Since electricity cannot be stored in the grid, supply and demand have to be in equilibrium at any time, or be kept on storage. Today we can preserve over a quarter of the available water for the winter production. However that is not enough, so that Switzerland has had to import a large portion of power during winter time, for several years now. The power then comes from various sources such as nuclear, gas or coal-fired power plants, etc. The demand in winter is a decisive factor, which has been given too little consideration. Enlargements of reservoirs might offer quite some chances here.

"We need more electricity in winter"

A well-known reservoir to be enlarged is the Grimsel Lake. Is this a sensible project?

Yes, the Grimsel for example is such a long runner in the media. One of the arguments against enlargement is that it would not pro-

sible. Thus, although the profitability is still not defined under the present conditions, the demand would certainly be given.

So, it is about the issues of costs and benefits?

Exactly, that is one of our main problems in this issue. Where should we continue to expand, where not? It is a function of profitability. At a retail price of around 6 cents per kilowatt hour (kWh) of electricity (production accounts for only about 1/3 of the retail price in the budget, the rest is network usage fee, taxes and other fees) and production costs for extensions or new buildings of 15, 20 or more Rappen expansion would not be profitable. It is risky to embark on such a business, and it takes a good deal of confidence that the sales prices will rise in the medium term.

"Today's businesses mostly think in short terms"

Don't we have to take into account the raise of electricity prices sooner or later? If we had a market of supply and demand, the prices would rise automatically. But we have no free market. The price is regulated, and the government subsidizes additional small hydro, photovoltaic and wind power plants on a large scale. This does not compete, of course, with subsidized hydropower. However, it results in an unfair competition, leads to bad investments and ultimately jeopardizes the competitiveness of hydropower – the main energy policy trump card in Switzerland. In the longer term, these developments are adverse.

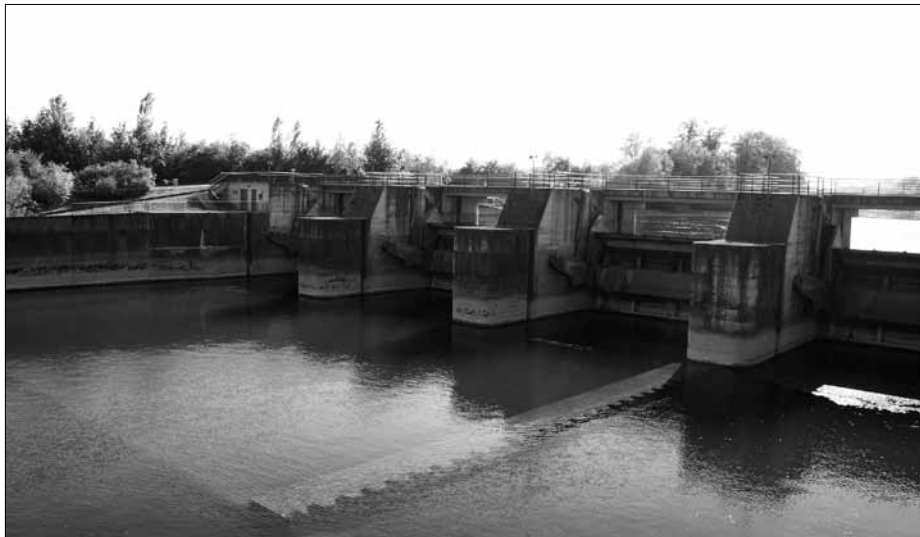
Do you think it would be better to hand it over to the free market? Is it not reasonable that we promote environmentally friendly energy?

I am not a market advocate, but if we had a market and all costs were included – including fees for green-house gases – hydropower would certainly prevail. But today's businesses usually think in short terms, in contrast to former times. The large hydropower plants of the 50s would probably never have been built by today's criteria. Even then, no one could predict how things would develop. But they had the courage and the willingness to take risks to do so. Today the situation is even more difficult due to the subsidies, as they represent an additional competitor. If you already subsidize other fuels, you must not arbitrarily exclude a renewable technology such as hydroelectric power with more than 10 megawatt output. To promote on size criteria is something unreasonable to my mind.

"The greatest potential is with the larger systems"

What is the idea behind it? Does it aim at decentralizing?

continued on page 4

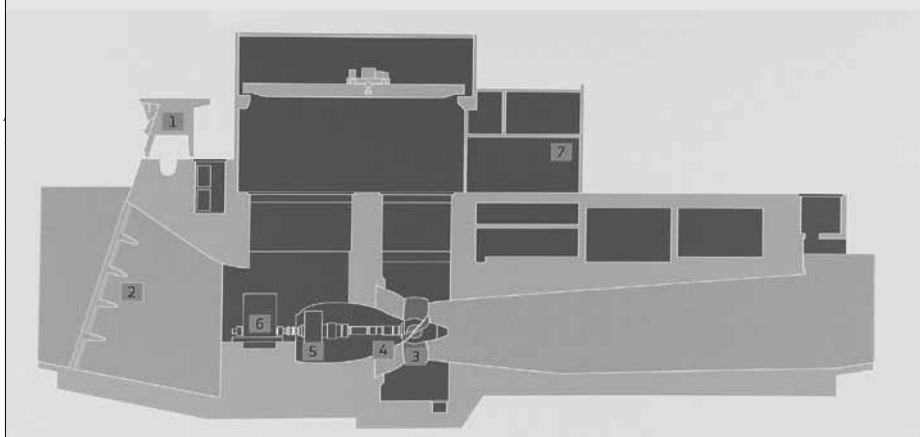


River power plant in the river Aare. (picture thk)

Cross section of the power plant

- 1 Rack cleaner
- 2 Screen rack
- 3 Turbine
- 4 Guide vanes

- 5 Gear box
- 6 Generator
- 7 Transformer



River power plant in the river Aare. (picture thk)

"Energy – an issue ..."

continued from page 3

No, I think the main idea is that the situation is more difficult for the small plants, because they are even more inefficient than the big ones. But this is absurd. We should increase the quantity of produced energy, i.e. as many kilowatt hours per cent funded as possible. This does not (yet) meet with a sympathetic ear. The current proposal of DETEC, with Federal Councilor Doris Leuthard, still limits the funding to 10 megawatt. This applies only for hydropower, but not for other forms of power production. This is an obstacle if you want water power, and the greatest potential is with the large plants that already exist. If we could achieve an increase in efficiency, the money would be better used than when it is put into many small ones, which in the end ruin more than they profit. "Small is beautiful" does not apply here. They represent obstacles in the water, whether large or small.

Where are the actual negative impacts of small power plants to be found?

In the impact on nature. They are an obstacle in the running water. There are problems with transfer path for fish or sediment in the water. This applies to large and small plants. That cannot be argued away. We try to improve it now by technical measures. So you have to build fish ladders everywhere today for the fish to pass. We have been discussing the new fish ways downward since very recently. There are two ways: over the weir in enough water or through the turbine, which, depending on the circumstances, causes losses.

"Environmental protection and water protection are major concerns of the population"

It is quite true that we should not engage in exploitation of nature, but ...

Environmental protection and water protection are major concerns of the people. However I think that we are already on the brink of overloading the cartload. We claim that all waters are almost a feel-well-oasis for every imaginable kind of living creature – but that way we will fail. It makes more sense to really protect the few central, ecologically valuable waters and floodplains or enhance their value, but use other waters as efficiently and economically as possible.

Is there still a potential for new reservoirs and dams in our country?

There is still one or the other option. But the best sites have long been occupied. Our great-grandfathers and grandfathers knew where it made sense to build something. It is becoming increasingly difficult, both technically and economically. And every-

where we are confronted with protected areas, places for recreation or fishing areas. The situation is becoming ever tighter. It is estimated that an additional 10 percent of hydropower would make sense to build. There are few major new projects, such as that of Repower (formerly Rätia Energy) along the Landquart at Küblis, but this is a running water plant without reservoir.

Especially interesting however are the emerging lakes due to the expected melting of glaciers. According to some researchers, about a hundred new lakes may possibly exist in the Swiss Alps in 50 years. They may represent a danger at first because they erupt uncontrollably and might trigger a tsunami. But on the other hand, we could use them with little effort for the production of electricity. We ought to think about that. However, as soon as we address the topic, all environmental groups get nervous. We should look at things objectively and calmly. There are potential hazards, but also a potential benefit. There are always options, but it is no longer the very large potential.

"Protect certain areas, but within reason"

Do you say so in terms of feasibility or in terms of cost?

In Switzerland, you could theoretically use three times as much water power as today. But this is a theoretical number; if we talk of feasibility, it is always an issue of money in the end. Economic and environmental questions must always be asked. There is no one in Switzerland, who wants to flood the Greina which was protected once after bitter confrontations. It is not socially acceptable. There are natural areas that nobody will touch. I am in favor of protecting certain areas, but within reason. In addition, the use of hydroelectric power is not an objective in itself. It is about how to supply Switzerland with electricity. This means that new hydropower projects must always be assessed in terms of alternatives, too.

"Hydropower defined as a 'national interest'"

And from the point of self-supply. The whole tendency towards nature parks, which is so un-Swiss and represents a total containment of the people.

In fact, today, 20 percent of the Swiss surface is reserves. These are often areas in which water power is an issue. By law, we must virtually not build anything in these areas. It is only acceptable if it is not against the primary purpose of the reserve. In reality, this is handled completely restrictively. The current proposal of the Federal Council is now trying to provide a counterweight and defines hydropower as a "national interest" – which

it undoubtedly is, of course. This could allow for some useful enhancement projects with low impact. This point will, however, certainly be fought by the environmental community.

We will have to learn a calm balancing of pros and cons on both sides.

Yes, but please do not misunderstand me. I am also quite in favor of taking care of our environment and of not sacrificing everything for the short-term profit.

The main thing is that our people will be permitted to decide this issue at the ballot box. It must be a democratic decision, and that is a transparent one. We need to know where our electricity will come from. So far, decisions have virtually only been taken by our Federal Council and by the Parliament. But you have to make the alternatives transparent, for example: electricity from coal power stations in the Ukraine or from gas power plants exhausting green-house gases in our country? I doubt that this would be more environmentally friendly all in all.

There is, for example, in Oberaletsch an existing plant, which could be extended. It is a very interesting project with an impoundment of a body of water without fish in a non-accessible gorge. So virtually zero impact on the environment. Here you could gain the power of 30 wind turbines, which means 100 gigawatt hours. It lies however in a preservation area, and the environmental groups are up in arms, only if you formulate the idea, because they always fear a precedent. That would have to be democratically solved in the individual case; otherwise we will not go anywhere. But what is missing are factual arguments, more objectivity and less ideological fundamentalism.

"The environment and its protection in the minds of virtually all people"

How could we introduce more objectivity into the debate?

That is my goal; I am trying to follow this path, here. But the environmentalists are well-established today, large organizations that are especially well-positioned with respect to the media whereas – let us put it this way: they do not communicate very carefully in all cases and above all they do so very emotionally. Pro Natura has over 100,000 members, which is a true power, also financially. I think it is legitimate that one has such an opinion, but on the other hand, there is no one to represent a similarly extreme "position of usage". This was still different in the 80s as far as environmental issues were concerned. Today, the environment and its protection are in the minds of almost all people, and as a result we are all for environmental protection. The only question is: where and how much of it?

"Energy – an issue ..."

continued from page 4

What is it all about then? Are we human beings too largely determined by the currents of the time?

Our environmental laws are extremely strict. Everything seems to be a bit exaggerated. We are overdoing things. Awareness for the environment is so high nowadays and the laws have been accordingly adjusted so that extremist positions should no longer play any role. However, any project that is now being scheduled must submit an environmental impact assessment of a thousand or more pages. I admire those who want to project a new hydroelectric power plant and implement it under such circumstances. You can hardly imagine all the things that have to be verified.

"No one wants the power lines in front of his home"

This has to be considered also with respect to the economic efficiency. Only the planning will cost vast sums of money at the risk that the project cannot be realized in the end. In addition there are all these objections made by associations, be they ever so small and local. They too delay such a project, of course. Some of them have to be ruled by courts and in the end a handful of people can torpedo important national projects, or at least delay them for years. With the power lines network the problem is similar. It is quite obvious that we need new and stronger lines – but nobody wants the power lines in front of his home, so these projects are torpedoed as long as possible.

This is somehow a dead end street, if you want to have clean power, but nothing must be utilized for it.

Yes, it seems very important to me. It is about alternatives to nuclear power and the security of our electricity supply – which, by the way, is the key element for a sustainable energy supply.

What is accepted best?

I put my hopes on hydropower, but there is not a lot to gain anymore. There is also photovoltaic, because you get money for it and the panels on the roofs only bother the monument conservators. Wind has little potential in Switzerland and is poorly accepted.

"We need a new social consensus"

What is the situation in the photovoltaic debate?

These systems are now often made in China, mainly because they are cheaper. This also has an impact on the ecological balance when the systems are taken from far away. We surely need to have PV in order to close the arising gap. But it will not be sufficient. In addition, it provides electricity only when the sun shines – and that is

not always just the time you need it. Moreover, I have a panel on the roof and in winter I am just glad not to be solely dependent on it. We need a mix of different energy sources and additionally a new social consensus, which we do not have today.

But for that to succeed, we need exactly what you mentioned at the beginning. The citizen needs to know in detail what it looks like and what it is.

Yes, that's what it must be like. The discussion is not honest. We have to be able to discuss what kind of power we want at what price.

This to me is just the question of whether the rapid phase-out is an honest and painstaking process. We now need to find quick solutions and cannot think calmly, what opportunities there are and what they will cost.

Probably people have been hoping for faster research solutions. Although I am already wondering whether that is so, and whether we will finally end up with electricity from gas-fired power plants ...

... or from nuclear sites in France, which are 70 years old. As yet there is something wrong in the argument.

This is obvious for example in the debate about the Grimsel Lake. This is a test of the energy strategy, and probably the whole case will be ruled by the "Bundesgericht" (Highest Court in Switzerland). Due to the rise in the lake's level the reserve is not even affected. The perimeter of the federal inventory is 27 meters above the lake; it is also moorland. The level of the lake will rise only 23 meters. In fact, it is not really a problem. But what do you read in the media? "Flooding of moorlands". The exaggeration, the scandal seems to be necessary.

There will be a legal decision, but the reporting by some media is not honest. This makes it often difficult to remain objective.

Making use of the saving potential as well

In addition to hydropower, which other alternative do we have?

This is not my field of expertise, but as a human being, as a citizen I have an opinion about it. I observe unnecessary power consumption in many places and I am convinced that there is still a great deal of potential. We can use the energy, use the power more efficiently. For years, energy consumption has risen. This cannot continue.

Where do you see a potential to be more economical?

Think of the energy label, which was introduced 15 years ago. If I buy a new refrigerator, then I know how much energy

it requires, and so I can decide for one that may need less power, but costs a bit more. In industry, there is potential for savings. But that will never, ever be sufficient to replace the 40 percent nuclear power. There is much to replace, even if we produce a continue.

Where do you see a potential to be more economical?

Think of the energy label, which was introduced 15 years ago. If I buy a new refrigerator, then I know how much energy it requires, and so I can decide for one that may need less power, but costs a bit more. In industry, there is potential for savings. But that will never, ever be sufficient to replace the 40 percent nuclear power. There is much to replace, even if we produce a lot with 56 percent energy of water. In the 70s, there were still 100 percent.

Is this due to the increase of energy demand?

Not only that. With the emergence of nuclear power the development and expansion of hydropower was no longer encouraged. Of course, there are always more people who need power and who also consume even more power because of their many devices. Then there is the entire public transport, always faster, and always more. This takes an enormous amount of power. We often forget about that. It also takes a lot of power, and you can supply it only with large plants. Photovoltaic will make no railroad drive or maybe just during the midday sun.

Let us go back to the alternatives.

So, economizing is one aspect. It takes a combination of different power sources. We are not a wind country, but we have wind turbines here and there, which are operating some 1,000 hours of the annual 8,760. You cannot compare it with a hydraulic power station. Wind turbines will provide electricity in the morning by 3 o'clock when no one needs it. Then you have to be able to save the energy. Here, pump-storage power plants are worth a mint.

"Storage power stations will be the most efficient way of energy storage for a long time"

So we would have to develop these reservoirs, because that is the only option to store electricity on a large scale.

This is the most efficient option at the moment, but research continues, of course. They tried batteries, hydrogen storage, etc. There is however a problem of size and especially of storage time. Most technologies are suitable only for a few hours. The

continued on page 6

How to move on in energy politics? The sovereign is going to decide

by Dr iur Marianne Wüthrich

The interview with *Roger Pfammatter*, a profound expert on hydropower – an energy source of special significance in Switzerland – shows that the majority of the Swiss is used to ponder and discuss all arising questions very carefully and earnestly before they are willing to decide. Roger Pfammatter is representing the water management but in the first place he is speaking as a Swiss citizen who is as concerned about the future of our energy supply as any other citizen. Each sentence carries the message: In direct democratic Switzerland we, the citizens, are responsible for the fate of our country, and we know it. If one of us complains about “those up in Berne”, as it may happen in Switzerland, too, we kindly point out to him that he should rather exert his political rights actively and contribute to preserve and shape our vital democracy. We can-

not delegate our responsibility to “those up above”; we have to carry it ourselves.

Decisions on existential issues have to be made by the sovereign

The sustainable development of the vital energy sector is one of the existential tasks the Swiss sovereign faces in the 21st century.

We, the generations living today, are challenged. Which provisions will we have to take in the next years and decades so that our children and grandchildren will still have light in their homes and functioning public and private transportation systems? How can we ensure a maximum of self-sufficiency and how do we provide the necessary complement from abroad? Which energy sources do we want to support with public subsidies, which should be curbed with prohibitive taxes? Are

there any sources of energy which we want to exclude completely for decades? What could be a complement for them? How do we solve the problem of supply and demand which naturally diverge at times? Which are the steps we have to take towards more energy efficiency and real energy saving?

This is a preliminary list put together by a citizen who is not an energy expert but is just doing what any Swiss does when a political decision is imminent: reading up on a subject. Apart from the interview with Roger Pfammatter, I have so far read a few current papers on Swiss energy politics: the draft of an energy law which the Federal Council has presented for consultation on 28 September 2012, considerations on the various Swiss peo-

continued on page 7

“Energy – an issue ...”

continued from page 5

storage power stations will certainly be the most efficient way of storing energy for a very long time. They should also be developed. There are three major projects. Since almost everything is underground, they have virtually no impact on the environment.

After all you have said so far, it does seem that hydropower is the only really useful and efficient form of energy on a large scale that we should necessarily increase. Yes, water power is certainly the most important trump card of energy policy in Switzerland. But as I said: We cannot expand much more. It is especially important to take care of the existing plants. Hydropower is often perceived as given. It annoys me that people often speak of renewable energy and simply forget about hydropower. But hydropower is a kind of renewable energy. Even the Federal Agencies and Federal Councilors make this mistake, and that is not very professional.

“Water is not consumed but its power is used”

But actually a hydroelectric power plant is a recycling plant. The water, which is

collected below can be pumped up and used for the renewed energy production.

Yes, in a sense, and the sun is the pump. It turns the water cycle via evaporation and precipitation. From that point of view, hydropower is also solar energy. The water is not consumed but its power is used. In this context, some questions remain open and need to be clarified, as for example, the whole issue of residual water ...

... so that the fish will have enough water ...

... exactly, the Water Protection Act applies since 1991. Existing power plants must be renovated to a certain degree. But new licenses will be especially relevant over the coming years. Then the plants will have to give off much more unused water. There could possibly be production losses because there is less water available for power generation. We assume a loss of 5 to 10% of today's production of hydroelectric power.

That number seems high to me as a layman.

Not only for the layman. In Switzerland we have about 36 Terawatt hours from hydroelectric power. This means, referred to the total amount of electricity in Switzerland, this is about 5%, with respect to hydropower almost 10%, which get lost. Parliament decided so in those days.

“Treat the existing with care and extend it”

Should the debate not be re-opened? In 1991, we still imagined many other things concerning the energy issue...

Yes, that is certainly the case. The problem is that it has always been pushed on the back burner. Nothing has been done for a long time. By 2012, the cantons must refurbish the existing facilities on the minimum level. The cantons work flat out. This means that there will also be a power loss.

We do have to reconsider then.

I also think, you will not get rid of the regulations though. If you ask the people, they mostly vote in favor of the fish, that is our experience.

It is complicated, and usually people are not interested in it, as long as they have enough electricity. I would plead to focus redevelopment on the few really valuable waters, and to prevent possible production losses with the other. Where will we get our electricity from? How it is produced? Before we continue to think about these issues we need to treat the one we have with care and expand what is possible. Then a lot will have been done.

Mr Pfammatter, thank you for the interview. ●

Fracking at Lake Constance: Resistance in the Swiss Parliament

National Councillor *Lukas Reimann* is fighting against the plans of British companies to explore shale gas deposits in deep layers of rock in the north of Lake Constance. He filed a petition to the National Council, and calls on the Federal Council to react with vehemence against the planned fracking (hydraulic fracturing) at Lake Constance. The answer of the Federal Council, awaited with bated breath, will be given on Monday 10 December 2012 in the context of the question time in the Swiss Parliament.

Lukas Reimann commented: “*Since Lake Constance serves as drinking water*

reservoir for over four million people and is of enormous significance for the region, the project represents an unacceptable risk to the environment, the security of supply and tourism in the Lake Constance region. This is of importance for the whole of Switzerland. I expect the Federal Council to oppose the controversial plans and to consistently assert the Swiss interests towards Germany on this issue.”

On 5 December 2012 the European Parliament has agreed on a request of the Committee on Environment concerning the so-called fracking with a large major-

ity. The parliamentarians requested to ban the controversial gas production method from drinking water production areas in the future. According to Lukas Reimann, Switzerland should aim at a moratorium and have talks with Baden-Wuerttemberg. In case the responses of the Federal Council are unsatisfactory on Monday, more requests are imperative at the parliamentary level, Lukas Reimann says. The issue is of great importance and represents a significant threat to the drinking water of four million people and the future of the entire Lake Constance region. •

Source: www.lukas-reimann.ch

“How to move on in energy politics ...”

continued from page 6

ple’s initiatives which are currently being intended or already under way. As I said, I am still reading up on the subject – and open for taking into account many other facts and statements.

To ponder over questions of such momentousness, to obtain information, discuss them with many people, to balance the pros and cons and to finally form an opinion before the decision is made in the ballot – this is what direct democracy is about. A real education towards a democratic citizen essentially includes learning to weigh not only his personal likes and dislikes but to keep in mind the big picture, the common weal.

Rush jobs are inappropriate

Considering the fact that the supreme authority in Switzerland is in the hands of the people and the cantons, the present procedure of the Federal Council and the Parliament seems strange.

Instead of presenting all facts for consideration and preparing the necessary decision of the people and the cantons in a legitimate way, the Federal Councilor *Leuthard*, head of the *DETEC (Federal Department of the Environment, Transport, Energy and Communications)* and the parliament have shown off with hasty decisions towards an “energy U-turn” which seem surprisingly quick in face of the complexity of the issue and on which the people have not been consulted. After the Fukushima disaster in March 2011 the Federal Council, in a first hasty reaction, “decided” Switzerland’s opting out from nuclear energy programs. On 25 May 2011, *Doris Leuthard* met the media presenting a so-called “energy strategy”: “In a closed four hour meeting, according to Federal Councilor *Leuthard*, the Federal Council dug through the nucle-

ar dossier. It had been a serious and profound discussion.” (“*Tagesanzeiger*”, 25 May 2011). And that is what the strategy looked like: A few catch phrases, no real commitment, just get away from nuclear energy as quick as possible! The only substantial project of the head of *DETEC*: As a replacement for the nuclear power plants, she announced the building of combined heat and power systems and combined gas power plants, even though this would substantially increase Switzerland’s dependence on gas imports and also the emission of carbon dioxide. In April 2012 she already talked about five or six large gas power plants (*NZZ online*, 15 April 2012).

What do you think, my dear fellow citizens? If the Federal Council considers itself able to establish a completely new energy strategy for our country within four hours, out of thin air – should not the citizens rather take matters into their own hands? Sure, to work out the basics and to complete a “serious and profound discussion” would take us a lot longer than four hours, but in the end we would be competent to decide responsibly.

The next rush job: On 8 June 2011 – that is only two weeks after the Federal Council’s magic trick – the majority of the National Council was voting for a ban on the building of new nuclear power plants. The Council of States followed suit on 28 September. And this although head of *DETEC* *Leuthard* conceded that she had no idea how to move on with energy supply and that she had plans to come up with facts a year later. Instead, she fuelled emotions: “Let us have the courage to make this fundamental decision, let us have the political will to place this order! If you follow the Federal Council’s motion, we will come up with a proposal for consultation within one year, after having discussed the scenarios with many players. In one year you will get all the details that

are now still missing.” (*Minutes of the Council of States*, 8 June 2011).

However, our parliament is not a future workshop – it has been elected to make decisions based on hard facts, not on diffuse emotions!

Swiss specialists are in demand, not institutions being under the spell of EU bodies such as the IEA¹

As voter, we are strongly dependent on specialists like Roger Pfammatter to comprehensively discuss the energy policy of the future. Just two aspects of fundamental importance should be singled out from the interview here:

The hydropower expert refers to the importance of the main source of renewable energy that the Swiss Alps offer: hydropower. It is striking that hydropower usually is omitted for example in the releases of *swissinfo.ch* (online messages from *Swiss radio and television*) as well as by environmental organizations of all kinds: “The required thousands of new solar, wind and geothermal power plants throughout the country will change the appearance of the Swiss landscape.” (*swissinfo* on 15.11.2012) Roger Pfammatter criticizes that the consultation document of the Federal Government for a new energy law only wants to subsidize small hydroelectric power plants up to 10 megawatts, while this limit should not apply to other forms of renewable energy (Art. 18 para 1). Pfammatter rightly sees this discrimination of hydropower, indispensable for electrical power supply, as completely arbitrary.

Furthermore Pfammatter calls our attention to the fact that on the one hand we cannot switch off all nuclear power plants and on the other hand declare half of the area of Switzerland as nature parks and

continued on page 8

A re-assessment of deployments abroad is necessary

Swiss army personnel under UN-mandate brutally attacked by Tutsi in the East of the Democratic Republic of Congo

by Beni Gafner

The extremely brutal attack on two Swiss army personnel in the East of the Democratic Republic of Congo on 13 November, cannot be dismissed as a footnote of Swiss security policy. It cannot be simply labeled as “personal risk“, which has to be accepted by “the volunteers in the military deployment abroad“, as a spokesman for the Swiss army described this towards inquiring journalists.

On that Tuesday evening the two Swiss were attacked by four drunken uniformed Congolese fighters, on drugs in their apartment building in Goma.

The rebels held guns to the heads of the two unarmed Swiss, threatening them with death and kicked the unarmed with their boots after they had to lie on the floor. The two Swiss who two days later had to organize their evacuation to the capital, Kinshasa fortunately remained unhurt. During

their mission in Central Africa they were subordinate to the UN Command and had dealt with the destruction of ammunition until a few days before the attack. They had been surprised by the quick advance of the “M23 militia,” a Tutsi rebel movement which is gaining strength with increasing conquest success. In Switzerland, both attacked are members of the Military Security (Mil Sich), which developed from the former fortress guard corps and the Military Police. They are qualified mine sweepers. Abroad, such specialists train locals in former war zones so that afterwards they can locate and destroy mines. So the two Swiss army members almost died in a well-meant humanitarian operation. It is disturbing that the responsible persons in the Swiss Army wanted to cover the incident up. After the “Basler Zeitung” had learned in detail what exact-

ly happened during the assault; a spokesman of the department *Swissint* admitted that information for the benefit of the public had not been intended. Towards the news agency *sda* (Swiss News Agency Ltd) he justified the renouncement of any information with security considerations. However this equals a subterfuge, because the two Swiss UN soldiers were not exposed to any danger caused by the rebels if the incident had been published. The true background of the renunciation of communication may be a different one: advocates of foreign Army missions are afraid that the topic could again be brought on the domestic political agenda. This was to be prevented by withholding the information.

Well, since this failed, local politicians should be alarmed. Just the fact is
continued on page 9

“How to move on in energy politics ...”

continued from page 7

other protected areas, where even power plants providing renewable energy cannot be built. According to the expert already 20 percent of Switzerland is protected areas, where according to the law practically nothing more may be installed. Although the Federal council’s draft bill calls renewable energy systems as being of “national interest”, possibly overriding the prescriptions of the nature protection and cultural heritage (Art. 14), this issue will be fought against “with high probability by environmental associations” according to Pfammatter.

We urge Mrs Leuthard and the DETEC to include Swiss specialists such as Roger Pfammatter into the public discussion, who have in mind the welfare of our country. This will ensure an opinion making process among the population which is based on the versatile information.

At the same time we strongly reject that the DETEC allows the *International Energy Agency (IEA)* to assess Swiss energy policy, not having any legitimacy to do so. On 3 July 2012 the IEA told Federal Councilor Leuthard what we may do or not do – why should we accept such encroachment? The “consultation” culminated in the statement: “integration into the EU-internal energy market, as well as an approach to the energy and environmental policy of the EU is beneficial for a competitive and secure energy supply. Regulated electricity prices (production cost model) should be replaced by market-ori-

ented prices.” Whose interests are represented by the IEA? Certainly not ours. The timing of the statement makes us wonder as well, almost three months before the proposal was presented to the Swiss people in the consultation process.

“Energy U-turn” requires a constitutional amendment

On 12 September 2012 Federal Councilor and head of DETEC Doris Leuthard stated on Swiss TV that she was convinced the Swiss people would support her energy strategy. “There is a willingness of the people not to build any more nuclear plants”.

In the draft of the new energy act, however, no word is found regarding nuclear energy; the construction of fossil thermal power stations is explicitly provided (Art. 6): prior to construction one should “check in accordance with Article 6 whether this is necessary” – it will undoubtedly become necessary, when we do not have any more nuclear energy supply! No word that gas-fired plants are extremely harmful to the environment and would amplify our foreign dependency.

It is self-evident that the Federal Government again wants to massively expand its authority with this bill at the expense of the cantons (art. 5/6). To discuss this and other important aspects would go beyond the scope of this article, but will be more accurately examined at another occasion.

Actually, it is quite easy to determine the will of the people in Switzerland’s direct democracy: the sovereign is asked in

a referendum, in which way he wants to secure the future energy supply of Switzerland. Then, the Federal Councilor may no longer speculate what the Swiss electorate would agree upon, and whether they are willing to support Mrs Leuthard’s energy strategy or not.

However, the Federal Council could not get through with a mere bill against which the citizens would have to take the optional referendum, neglecting the cantons’ say. Such a radical restructuring of our energy policy definitely requires changing the Federal Constitution (for example due to massive intervention into property laws or on the basis of the central steering by means of allowances and taxes).

The current approach of the Federal Council contradicts the principles of our direct democracy and the political rights of citizens guaranteed in the constitution. We request a mandatory constitutional vote from the Federal Council after detailed and comprehensive disclosure and debate of the facts. We demand a stand-alone energy policy taking into account consultations of experts such as Roger Pfammatter, who really cares for the energy supply of future generations. We can, however, do without the influence of the OECD institutions such as the IEA, which apparently have the mandate to integrate Switzerland into the EU. •

¹ The International Energy Agency (IEA) is a sub-organization of the OECD, hence a non-legitimate coordinating body in the energy sector, founded in 1973 (oil crisis).

It is about direct democracy

Final note on the rejected proposal to establish a Federal Constitutional Court

mw. The majority of the members of the Federal Parliament demonstrated that they assign high priority to the people's rights in the Swiss model of democracy. After the Council of States had clearly rejected a Constitutional Court for the review of federal laws on the 5 June 2012 (cf. *Current Concerns* No. 50/2012), the National Council followed this decision as well on 3 December with a 101 No to 68 Yes vote. So the foun-

ation of direct democracy remains: the sovereign has the supreme power – no panel of judges has the right to interfere with the decision of the Swiss people. Whether Switzerland wants constitutional jurisdiction at the federal level is not a question of better protecting human rights – as some parliamentarians pretended. As we all know human rights are well protected in Switzerland of today. It is rather a political question:

What, respectively who, is to be the supreme authority in our country?

Since our readers are very interested in direct democracy, we are presenting to you the arguments of a national councillor below. National Councillor Ruedi Lustenberger explains the fundamental political significance of this decision in the National and State Council in a well understandable manner in only a few a few sentences.

No to the Constitutional Court



National Councillor
Ruedi Lustenberger
(picture *thk*)

At regular intervals, calls are voiced in the Federal Parliament aiming at the establishment of a Federal Constitutional Court, at the latest so in the current winter session. The goal is that the Federal Court should be permitted to

examine individual articles of the federal legislation with respect to their constitutionality.

In the following I briefly summarize the arguments which speak against the introduction of constitutional jurisdiction in Switzerland:

- Today mandatory international law already has priority when it comes to a review of singular acts of the federal legislation against this background. Thus, it is ensured that the legislator and sovereign are not free to turn away

from internationally accepted standards.

- With the introduction of the constitutional jurisdiction, there would be further “juridification” of federal policy and thus a political shift in weight from the legislative authority to the Federal Court.
- In the future, five or seven federal judges would be empowered to criticize an act which was previously decided on – approved by both chambers of Parliament with its 246 National Councillors and Councilors of States in a simple, but nevertheless ingenious procedure for reconciling the different versions of the two chambers.
- In addition, the sovereign in our referendum democracy decides either actively or passively on any federal legislation. So in the legislative process, as we know, the people has the last word. And this last word should remain with the people and not be submitted to a court.
- The introduction of constitutional jurisdiction is primarily a political

and much less a legal policy question. Therefore, national-political arguments, as stated above, should be decisive. Tact and sensitivity is needed here instead of legal hair-splitting.

- In addition the law-applying authorities at all three levels of Government would be even more insecure in taking their decisions. The consequence would be that they would be tempted to play themselves the role of little constitutional judges
- And finally the Swiss Confederation hasn't done too badly with the existing system even in an international comparison. Let it be as it is. Direct democracy would work rather inadequately with a “state of judges”, even if only rudimentarily established.

Summa summarum: Considering all these arguments, I reject a Constitutional Court for our country.

Ruedi Lustenberger, National Councillor
(CVP) Romoos, Switzerland

(Translation *Current Concerns*)

“A re-assessment ...”

continued from page 8

untenable that initially in Switzerland nobody even knew that in the Congo war there were still some forgotten Swiss soldiers carrying out a humanitarian mission. Military personnel should definitely not be treated like that, these men, who are expected to take their job seriously and to do everything for its realization. A fundamental political re-assessment of deployments abroad is urgently needed now.

Because: The situation has changed since the nineties, when foreign missions were designed, it has changed in many ways. Some highlights to that in the following: Both the EU as well as the US are stuck in a debt crisis. Humanitarian

military interventions in Africa and elsewhere enjoy no priority.

A common EU defense policy, which was aimed at is out of the question. Ambitious powers such as Russia and China arm massively. The attempt to set up democracy and rule of law in Iraq, Libya and Afghanistan by military means have failed. The US are drawing their conclusion and have created a new military doctrine – with far-reaching implications for the increasingly incapable NATO. The “humanitarian interventionism”, to which in particular the UN (often with NATO as the executive organ) had referred to is dead, although it is still administered by bureaucrats, even in Switzerland. But it is deprived of any effectiveness. Western interventionism has not reached its goal. The US had promised to pass on democracy and free econ-

omy to the whole world. It was not at all successful. And the UN has proved in conflicts, which are taking place in Syria or in the Congo, to be militarily just as weak, blocked, and neither capable of leadership nor being operational.

Against this background what responsibilities does Switzerland intend to adopt internationally? Are selective military operations anywhere in the world the right method? It is now urgently necessary to start a discussion of a wise re-assessment of the situation and it is not necessary to know who was right 20 years ago on the subject of foreign Army missions. It is all about to be right today. •

beni.gafner@baz.ch

Source: © Basler Zeitung from 25.11.2012
(Translation *Current Concerns*)

Serbian NATO ambassador dies for unknown reasons

cc. On 6 December "International Herald Tribune" reported that Serbia's ambassador to Nato in Brussels, *Branislav Milinkovic*, had leaped to death from a multi-storey car park. Milinkovic, the newspaper reported, had been a distinguished diplomat, a jurist and an intellectual. Milinkovic had been the Nato ambassador for his country since 2009. Serbia is not a member of NATO; it is however among the countries which co-operate with NATO.

Representatives of the Serbian government declared that their late ambassador had been about to receive a visitor's delegation from Serbia. The motives for a

possible suicide were puzzling. The incident was investigated in more detail. The Belgian police would also investigate, but they were assuming a suicide so far. The foreign minister of Serbia expressed, his colleague had been a "skilled diplomat, an intellectual and a noble man". Other officials who were staying in Brussels during the ongoing conference of NATO foreign ministers were somewhat shocked about the death of their colleague.

Officials of NATO emphasized the Serbian ambassador's achievements and praised his human qualities and his con-

siderable reputation. According to the NATO spokesperson, Milinkovic had played a major role in building bridges between Serbia and NATO.

Serbia had been bombed in 1999 by NATO during several weeks and had been forced to withdraw its troops from Kosovo which belonged to the Serbian Republic. At that time Milinkovic had been part of the opposition against Serbian President *Slobodan Milosevic*. After Milosevic's downfall Milinkovic first worked as the ambassador for Serbia and Montenegro to the OSCE in Brussels. •

Current Concerns

The international journal for independent thought, ethical standards, moral responsibility, and for the promotion and respect of public international law, human rights and humanitarian law

Subscribe to Current Concerns – The journal of an independent cooperative

The cooperative *Zeit-Fragen* is a politically and financially independent organisation. All of its members work on a voluntary and honorary basis. The journal does not accept commercial advertisements of any kind and receives no financial support from business organisations. The journal Current Concerns is financed exclusively by its subscribers.

We warmly recommend our model of free and independent press coverage to other journals.

Annual subscription rate of
CHF 40,-; Euro 30,-; USD 40,-; GBP 25,-
for the following countries:

Australia, Austria, Belgium, Brunei, Canada, Cyprus, Denmark, Finland, France, Germany, Greece, Hongkong, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Qatar, Singapore, Spain, Sweden, Switzerland, United Arab Emirates, United Kingdom, USA

Annual subscription rate of
CHF 20,-; Euro 15,-; USD 20,-; GBP 12,50
for all other countries.

Please choose one of the following ways of payment:

send a cheque to *Current Concerns*, P.O. Box, CH-8044 Zurich, or send us your credit card details (only *Visa*), or pay into one of the following accounts:

CH:	Postscheck-Konto (CHF):	87-644472-4	IBAN CH91 0900 0000 8764 4472 4	BIC POFICHBEXXX
CH:	Postscheck-Konto (Euro):	91-738798-6	IBAN CH83 0900 0000 9173 8798 6	BIC POFICHBEXXX
D:	Volksbank Tübingen, Kto. 67 517 005, BLZ 64190110		IBAN DE12 6419 0110 0067 5170 05	BIC GENODES1TUE
A:	Raiffeisen Landesbank, Kto. 1-05.713.599, BLZ 37000		IBAN AT55 3700 0001 0571 3599	BIC RVVGAT2B

First local referendum on the introduction of a “Gemeinschaftsschule” in the state of Baden-Wuerttemberg

On 20 January 2013, the citizens of the Baden-Wuerttemberg town of Bad Saulgau (Germany) are going to vote on whether their municipality should request a Gemeinschaftsschule at the Ministry of Culture, Youth and Sports in Baden-Wuerttemberg. Early October, the Community Council had decided on this new Baden-Wuerttemberg school type. The “Bündnis pro Bildung” (Alliance for Education), a local citizens’ initiative, did not approve of this council decision; however, they decided to collect signatures for a public petition. With 1,649 valid signatures, it now achieved that a public referendum be conducted.

mk./km. In April 2012 at the beginning of the 2012/2013 school term, the green-red Baden-Wuerttemberg state parliament majority had followed through with a new type of school to be established in the country, the so-called *Gemeinschaftsschule*. On several occasions, *Current Concerns* has reported on this new type of school and made its point about why it is quite questionable in many ways. Nonetheless, there are quite a number of communities intending to apply for the establishment of a Gemeinschaftsschule. This was above all owed not to pedagogical reflections but to the hope of being able to avoid the community to lose its school site. The same counts for Bad Saulgau.

Many citizens hope the parliamentary opposition and established large associations were to see to it that the Gemeinschaftsschule project will undergo the necessary criticism and thus be kept within bounds. This hope has, in fact, materialized only partially. In Bad Saulgau, however, this has not evoked any resignation. Instead, citizens have been reminded of the fact that they themselves are the sovereign and that the municipal code opens up a path as to how citizens of one particular place are in a position to directly vote on whether their community shall file an application with the local ministry of culture to establish a Gemeinschaftsschule (see box).

Within a short period, the initiative “Bürger pro Bildung” (Citizens for Education) collected the necessary signatures for a referendum. By mid-November, the initiators – i.e. parents from the commune – delivered the pertaining folder with 1,649 valid signatures to the Bad Saulgau mayor. With this result, the necessity of 1,332 signatures, which is 10 percent of the voting citizens of Bad Saulgau was surmounted by far.

With the upcoming referendum, the “Bündnis pro Bildung” now wants to prevent the establishment of a Gemeinschaftsschule in Bad Saulgau as of the 2014/2015-school term. This is the first referendum ever held in Bad Saulgau and the first local referendum on the rejection of a Gemeinschaftsschule in Baden-Wuerttemberg.

The initiators criticized that the multi-tier school system shall without good cause be eliminated although Baden-Wuerttemberg occupies the front row in all educational statistics. Their slogan is therefore “Hands off our schools”.

According to the initiators, each citizen is now entitled to his own opinion and may subsequently decide in a direct democratic decision while he does not depend on the decision of a few only. Hence, each citizen is directly concerned by such a decision, may it be through his children or grandchildren, who are entitled to sound education and formation.

“The referendum as a survey of the general opinion seems to be worthwhile in order to profoundly come to a decision on the school site Bad Saulgau”, says a mother who is also engaged in the citizens’ initiative.

The Bad Saulgau referendum is understood as an example for citizens to regain their feeling as sovereign. The Bad Saulgau initiators are convinced that it may set a precedent. Since whatever is possible for Bad Saulgau may very well be possible in any other Baden-Wuerttemberg community.

As a matter of fact, the green-red Baden-Wuerttemberg government ought to support this path, especially in view of the constantly affirmed demand for more participation by the citizens.

continued on page 12

Referendum in Baden-Wuerttemberg

Extract from the Municipal Code

§ 21 Local referendum, popular initiative

(1) The municipal council may decide, by a majority of two-thirds of all members that a matter within the purview of the municipality for which the council is responsible, has to be submitted to the citizens’ vote (local referendum).

(2) A local referendum does not take place on

1. transfer tasks and affairs which are within the mayor’s responsibility by law,
2. issues of internal organization of the municipal government,
3. the legal status of municipal councilors, the mayor and the municipal staff,
4. the budgetary order, including the economic plans of municipal utilities and local taxes, fees and charges,
5. the approval of the annual financial statement and the overall financial statement of the community and the annual statements of municipal utilities,
6. development plans and local building codes, as well as
7. decisions on appeal procedures.

(3) The citizens can suggest a referendum (popular initiative) about a specific case within the sphere of the

municipality for which the council is responsible. A popular initiative may only include matters which within the last three years have not yet been subject of a local referendum carried out on the basis of a popular initiative. The popular initiative must be submitted in writing; if it is targeted against a decision of the council, it must be filed within six weeks after the announcement of the decision. The popular initiative must include the decision-making question, a justification and a feasible proposal to the statutory provisions to cover the cost of the requested action. At least 10 per cent of the citizens must have signed, up to a maximum in communities

- with no more than 50,000 inhabitants:
 - by 2,500 citizens,
- with more than 50,000 inhabitants, but not more than 100,000 inhabitants:
 - by 5,000 citizens,
- with more than 100,000 but not more than 200,000 inhabitants:
 - by 10,000 citizens,
- with more than 200,000 inhabitants: by 20,000 citizens.

(4) The municipal council decides on the admissibility of a popular initiative. The local referendum does not apply if the council approves of the realization of the action required by the popular initiative.

(5) If a local referendum is carried out, the municipal authorities’ considerations must be explained to the people.

(6) In a local referendum the question is decided in the sense in which it was answered by the majority of the valid votes, provided that this is a majority of at least 25 per cent of the electorate. In the event of a tie, the question is considered as answered in the negative sense. If the required majority of sentence (1) has not been achieved, the municipal council will have to decide on the matter.

(7) The local referendum has the effect of a final decision of the municipal council. It can be amended within three years only by a new referendum.

(8) Details shall be regulated by the local elections law.

(Translation *Current Concerns*)

PR campaign for “Gemeinschaftsschule” is weak

by Karl Müller

In the context of the concerted PR-campaign (public-relations-campaign) for the new “Gemeinschaftsschule” in Baden-Wuerttemberg a “arguments” emerged which need to be examined more closely.

In November, the Minister of Education of the “Bundesland” Baden-Württemberg and the chairman of the oppositional CDU-fraction in the B.-W. parliament visited two of the 42 new community schools in Baden-Wuerttemberg together. The country’s media reported broadly, even nationwide reports were read. The tenor of almost all reports was very positive.

However, if you look for convincing educational or socio-political arguments in the articles, you will not find any. Instead there are certain “atmospheric pictures” which suggest familiar thought patterns.

Thus, the “Stuttgarter Zeitung” reported a teacher working at one of the respective Gemeinschaftsschule “rejoices” for the first time after 45 years in his profession. Students were working “at their own pace at their weekly work plans” and he as a teacher had time “to give them tailor-made assistance”, that’s “fantastic”.

It is very important that a teacher has pleasure in his profession. In fact, every teacher should feel joy in his profession. However, we learn nothing about what exactly the pupils of this Gemeinschaftsschule-teacher learn according to their weekly work plans. And whether they can learn anything at all since they hardly communicate with their teachers, in contrast to instructive teaching in the classroom. The classroom allows students, in particular in shared conversation with their classmates and teachers, to learn more than filling out the weekly worksheets or doing computer programs (by the Bertelsmann Corporation?). Dialogue is the basis of education, in exchange with the teachers of advanced experience and education students can learn to recognize relations, gain insights, distinguish the

important from the unimportant, assign a one-off incident into the big picture etc. etc. “Self-controlled learning”, meaning studying on their own takes them infinitely more time – if they can ever succeed at all. Reports of secondary schools tell even today that students who have previously learned to deal with worksheets are hardly able to give more than one-word answers and have great difficulties to formulate coherent texts. If the teacher of the visited Gemeinschaftsschule should be responsible for approximately 20 students, he has about 2 minutes on average per student for “tailor-made assistance” per lesson. That is very little time. Realistically speaking: too little time.

The Minister of Education herself is cited in the mentioned article, as well. Her main argument is: “the glistening in the eyes of teachers and students.” In fact, the Minister is quoted as saying just that. That was what she had always told the opposition leader when she described the community school, she said. If you believe the newspaper report, the leader of the opposition had nothing more to say than: individual learning, i.e. learning by oneself as practised in the Gemeinschaftsschule was “possible in all school types.”

Now it may be that there are students who cannot sit still on a chair in a group of classmates. Or students who are only quiet when they are in the focus of attention, and who have great problems to listen to their peers or their teachers if they are not directly spoken to. Students, who feel that they achieve less than their peers and have difficulties to deal with that appropriately. Students who are no longer able to achieve a common goal together with others. Whose eyes may also “shine”, if they are permitted to evade the class community and do what they just feel like doing. And some teacher’s eye may also “shine”, when his students signal: We’re “satisfied” with you, because you are behaving according to our wishes and we are no more challenged than it suits us.

But is this a perspective for life? What kind of society model does work according to these principles? Can such a society be social, fair, democratic?

Besides the teachers and politicians, also parents occur in the media reports. The “tageszeitung” quoted a mother who echoed voices of parents who have older children at a grammar school and younger children at a Gemeinschaftsschule: “the younger ones come home relaxed and cheerful, there is no pressure.”

Here again, another question may be permitted: What are the criteria for a good

school? Relaxation, happiness, no pressure? Is that the point? Or is school primarily about something else, namely that children and adolescents learn to stand their ground as wife or husband later in life; that they become able to shape the world which they will be living in, for the benefit of all with a solid sense of reality, with an understanding of context, humaneness and confidence! Is not it a huge denial of reality, if someone claims that “learning” means to be relaxed, always happy and without any pressure?

What a grotesque view of the world do adults impose on young people by making them believe that the best for their life is the satisfaction of their current needs, if possible immediately. “Carpe diem”, this was called in the Baroque era. But that was a slogan without perspective, a way of thinking and living without a tomorrow, an animalization of human existence.

Where do we stand today when the “main arguments” for the latest education reforms go in this direction? Are there still fellow citizens, who fall for such a thing? And what is the purpose of it? Cui bono?•

“First local referendum ...”

continued from page 11

Hence, the most direct-democratic path would be a Baden-Wuerttemberg-wide referendum on the future of the school system in this state.

The question posed by the Bad Saulgau initiative, “Do you want the town of Bad Saulgau to solicit for the establishment of a Gemeinschaftsschule” could not only be posed by each community, but also on state level in the context of a referendum. •

Current Concerns

The international journal for independent thought, ethical standards, moral responsibility, and for the promotion and respect of public international law, human rights and humanitarian law

Publisher: Zeit-Fragen Cooperative

Editor: Erika Vögeli

Address: Current Concerns,

P.O. Box, CH-8044 Zurich

Phone: +41 (0)44 350 65 50

Fax: +41 (0)44 350 65 51

E-Mail: CurrentConcerns@zeit-fragen.ch

Subscription details:

published regularly electronically as PDF file

Annual subscription rate of
SFr. 40,-, Euro 30,-, £ 25,-, \$ 40,-
for the following countries:

Australia, Austria, Belgium, Brunei, Canada, Cyprus, Denmark, Finland, France, Germany, Greece, Hongkong, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Qatar, Singapore, Spain, Sweden, Switzerland, United Arab Emirates, United Kingdom, USA

Annual subscription rate of
SFr. 20,-, Euro 15,-, £ 12,50, \$ 20,-
for all other countries.

Account: Postscheck-Konto: PC 87-644472-4

The editors reserve the right to shorten letters to the editor. Letters to the editor do not necessarily reflect the views and opinions of *Current Concerns*.

© 2012. All rights reserved. No reproduction, copy or transmission of this publication may be made without written permission.

UN General Assembly calls for Israel's accession to the nonproliferation treaty NPT and disclosure of all its nuclear activities

zf. Only recently, at the end of November 2012, a hacker attack on a computer of the *International Atomic Energy Agency* gained international attention. Based on various agency reports, media all over the world reported this hacker attack on an IAEA server. The hacker, so an IAEA spokeswoman is cited, had come into possession of "contact data of persons working for the IAEA" (*Spiegel online* of 27 November). Elsewhere we read that there had been "lists of participants of conferences" (*"tageszeitung"* of 28 November).

On 25 November, a group that operates an internet site with the Persian name "Parastoo" (English: Swallow) (<http://pastebin.com/SdYaPUwr>) confessed to have performed the hacking attack. A connection to the Iranian government has not been claimed so far. So *Zeit online* wrote on 28 November: "As rumors ran in Vienna, the hacker attack does not seem to be conducted on behalf of a government. 'It was too clumsy for that', the news agency *dpa* had learned from a source familiar with the process."

Reports on the hacking attack usually pick up two parts of the internet text: first the notice of the hackers announcing that they would release more sensitive information about the IAEA, in case the assassinations of Iranian nuclear scientists was

to continue. Second, the group's criticism of the Israeli nuclear arsenal and the request the people listed might sign a petition with which they demanded an investigation of the Israeli nuclear weapons program.

Meanwhile, the Director General of the IAEA, *Amano Yukia*, has also taken position with respect to the hacker attack. He did so in an interview with the Vice President of the US-American "Carnegie Endowment for International Peace" that was published on 6 December by the "Council on Foreign Relations" (<http://www.cfr.org/energyenvironment/conversation-iaea-director-general-yukiya-amano/p29628>). Not before a question was raised by somebody in the audience did Amano concede that the hacker attack that had become known had not been the first one on the IAEA and that this recent attack dated back "a few months". The server with the data of the IAEA staff on it had been withdrawn. Apart from that the IAEA would do everything to protect itself from against attacks.

A few days after the reports on the hacker attack had drawn international attention to the Israeli nuclear program, namely on 3 December 2012 the United Nations General Assembly adopted the recommendation of a UN Commission (text below)

with 174 votes in favor, 6 against, and 6 abstentions. The recommendation, according to the public *Deutschlandfunk* of 4 December, "prompts Israel to disclose its nuclear program and to allow access to UN inspectors. Israel should join the NPT without further delay." In the message of the *Deutschlandfunk* we also read: "At the same time, Israel was called upon to support a nuclear conference the topic of which would be a nuclear-free Middle East. All Arab countries and Iran would want to participate in the conference in mid-December in Helsinki. However, by end of November the USA released the information that the conference was not going to take place. The reasons mentioned were the political unrest in the region and Iran's nuclear program. Iran and some Arab states, however, suspected that the real reason was Israel's refusal to participate in the conference."

On 5 December a report was published (<http://rt.com/news/israel-rejects-un-nuclear-transparency-298/>) that an Israeli Foreign Ministry spokesman had rejected all claims of the UN General Assembly. The spokesman was quoted as saying that the General Assembly "had lost all credibility in relation to Israel with this kind of routine decisions."

The risk of nuclear proliferation in the Middle East

Resolution by the General Assembly of 3 December 2012 following the III. Recommendation of the First Committee (document A/67/412) of 19 November 2012*

The General Assembly,

Bearing in mind its relevant resolutions,

taking note of the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency, the latest of which is resolution GC(56)/RES/15, adopted on 20 September 2012,

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Mindful of the immediate need for placing all nuclear facilities in the region of the Middle East under full-scope safeguards of the Agency,

Recalling the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995¹ in which the Conference urged universal adherence to the Treaty² as an urgent priority and called upon all

States not yet parties to the Treaty to accede to it at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

Recognizing with satisfaction that, in the Final Document of the 2000 Review-Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Conference undertook to make determined efforts towards the achievement of the goal of universality of the Treaty, called upon those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept Agency safeguards on all their nuclear activities, and underlined the necessity of universal adherence to the Treaty and of strict compliance by all parties with their obligations under the Treaty,

Recalling the resolution on the Middle East adopted by the 1995 Review and Extension Conference on 11 May 1995³, in which the conference noted

with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope Agency safeguards,

Noting with satisfaction that, in the Final Document of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,⁴ the Conference emphasized the importance of a process leading to full implementation of the 1995 resolution on the Middle East and decided, inter alia, that the Secretary-General of the United Nations and the co-sponsors of the 1995 resolution, in consultation with the States of the region, would convene a conference in 2012, to be attend-

continued on page 14

"The risk of nuclear ..."

continued from page 13

ed by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region and with the full support and engagement of the nuclear-weapon States,

Recalling that Israel remains the only State in the Middle East that has not yet become a party to the Treaty,

Concerned about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region,

Stressing the importance of taking confidence-building measures, in particular the establishment of a nuclear-weapon-free zone in the Middle East, in order to enhance peace and security in the region and to consolidate the global non-proliferation regime,

Emphasizing the need for all parties directly concerned to seriously consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, inviting the countries concerned to adhere to the Treaty and, pending the establishment of the zone, to agree to place all

their nuclear activities under Agency safeguards,

Noting that one hundred and eighty-three States have signed the Comprehensive Nuclear-Test-Ban Treaty,⁵ including a number of States in the region,

1. *welcomes* the conclusions on the Middle East of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons;⁶
2. *reaffirms* the importance of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons and placement of all its nuclear facilities under comprehensive International Atomic Energy Agency safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East;
3. *calls upon* that State to accede to the Treaty without further delay, not to develop, produce, test or otherwise acquire nuclear weapons, to renounce possession of nuclear weapons and to place all its unsafeguarded nuclear facilities under full-scope Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;
4. *requests* the Secretary-General to report to the General Assembly at its sixty-eighth session on the implementation of the present resolution;
5. *decides* to include in the provisional agenda of its sixty-eighth session the

item entitled "The risk of nuclear proliferation in the Middle East".

¹ See 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I (NPT/CONF.1995/32 (Part I) and Corr.2), annex.

² United Nations, Treaty Series, vol. 729, No. 10485

³ 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, vols. I-III (NPT/CONF.2000/28 (Parts I-IV))

⁴ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, vols. I-III (NPT/CONF.2010/50 (Vols. I-III))

⁵ See resolution 50/245 and A/50/1027

⁶ 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, vol. I (NPT/CONF.2010/50 (Vol. I)), part I, Conclusions and recommendations for follow-on actions, sect. IV.

* Editor's note:

The First Committee of the United Nations' General Assembly deals with disarmament, global challenges and threats to peace that affect the international community and seeks out solutions to the challenges in the international security regime. It considers all disarmament and international security matters within the scope of the Charter or relating to the powers and functions of any other organ of the United Nations; the general principles of cooperation in the maintenance of international peace and security, as well as principles governing disarmament and the regulation of armaments; promotion of cooperative arrangements and measures aimed at strengthening stability through lower levels of armaments.

The Committee works in close cooperation with the United Nations Disarmament Commission and the Geneva-based Conference on Disarmament. It is the only Main Committee of the General Assembly entitled to verbatim records coverage.

Source: www.un.org

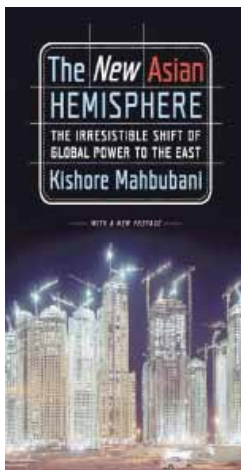
Books to read and to give away

Newspapers, radio, television, Internet: even if we all regularly use at least one or the other of these media – reading a good book cannot be replaced by anything else. A good book makes a new aspect of the world accessible to me, gives me a comprehensible insight into a topic, exemplifies, verifies, leaves me time to reread a consideration, a description, to return to it; motivates me to reflect about an idea myself, challenges me to engage myself in the confrontation with the author, to approve, to disagree, to think further ahead. There is no other medium, offering the opportunity to the author, in such an extensive way like a book does, to make his “counterpart” familiar with his experiences, thoughts, analyses and suggestions.

The book is also an effective means against the effects of the too early or too excessive use of electronic media, described by *Manfred Spitzer* in his analysis, with which we “click away our brain”, a process that he names “Digitale Demenz” (digital dementia); that is against the phenomenon that despite the intense media consumption one’s own contemplation, one’s thinking a problem through, one’s development of knowledge and insights and one’s understanding of the inner coherence of the various information is just missing, so you can talk about everything, but you don’t really understand anything. Because understanding requires real involvement and readiness to delve into the matter.

The books, briefly introduced here, are all worth such an involvement: the writers are all personalities who have dealt with an issue in a profound and committed way, presenting to us their experiences and their importance for our living-together in this one world in a realistic way. In their respective fields they all inspire us to constructive solutions – solutions in accordance with the law, with the spirit of democracy and the search for a peaceful, non-violent co-existence in freedom and dignity for all. In short, they present stimulus, reading enjoyment that you like to grant and to give to others.

Erika Vögeli



ISBN-13: 978-1586484668

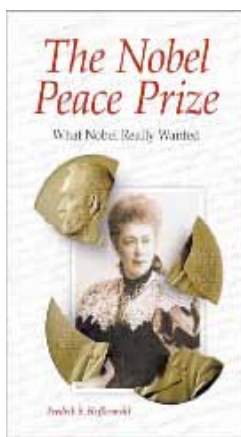
The New Asian Hemisphere: The Irresistible Shift of Global Power to the East by Kishore Mahbubani

For centuries, the Asians (Chinese, Indians, Muslims, and others) have been bystanders in world history. Now they are ready to become co-drivers.

Asians have finally understood, absorbed, and implemented Western best practices in many areas: from free-market economics to modern science and technology, from meritocracy to rule of law. They have also become innovative in their own way, creating new patterns of cooperation not seen in the West.

Will the West resist the rise of Asia? The good news is that Asia wants to replicate, not dominate, the West. For a happy outcome to emerge, the West must gracefully give up its domination of global institutions, from the IMF to the World Bank, from the G7 to the UN Security Council.

History teaches that tensions and conflicts are more likely when new powers emerge. This, too, may happen. But they can be avoided if the world accepts the key principles for a new global partnership spelled out in *The New Asian Hemisphere*.



ISBN-13: 978-0313387449

The Nobel Peace Prize: What Nobel Really Wanted by Fredrik S. Heffermehl

The Nobel Peace Prize is the world’s most coveted award, galvanizing the world’s attention for 110 years. In recent decades, it has also become the world’s most reviled award, as heads of militarized states and out-and-out warmongers and terrorists have been showered with peace prizes. Delving into previously unpublished primary sources, *Fredrik Heffermehl* reveals the history of the inner workings of the Norwegian Nobel Committee as it has come under increasing political, geopolitical, and commercial pressures to make inappropriate awards.

As a Norwegian lawyer, Heffermehl makes the case that the Norwegian politicians entrusted with the Nobel peace awards have brushed aside the legal requirements in Scandinavian estate law using the prize to promote their own political and personal interests instead of the peace ideas Alfred Nobel had in mind. Evaluating each of the 119 Nobel Peace Prizes awarded between 1901 and 2009, the author tracks the ever-widening divergence of the committee’s selections from Nobel’s intentions and concludes that all but one of the last ten prizes are illegitimate under the law.



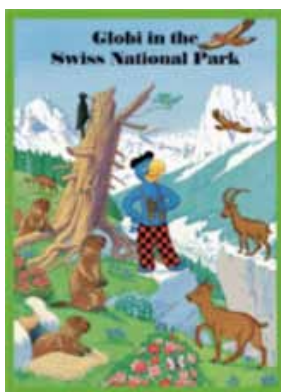
ISBN 978-3-456-84913-3

**“Mutig gegen Mobbing in Kindergarten und Schule”
(Courageous against bullying
in kindergarten and school)
by Françoise D. Alsaker**

Bullying – a problem nowadays widespread in kindergarten and school that not only seriously affects the mental development of our children but also affects the very substance of our democratic living-together. *Françoise Alsaker* presents a profound and clarifying basic knowledge. At the same time, she succeeds in strengthening the capacity of the teachers to act and demonstrates various suggestions for

dealing with the problem. The reader will receive many suggestions for its own activities in family, school or recreational organizations. A path-breaking book and required reading for anyone, who has to do with children, young people and people in general.

It would be desirable and necessary to translate this basic book into English as well as into other languages.



ISBN: 9783857033780

Globi in the Swiss National Park

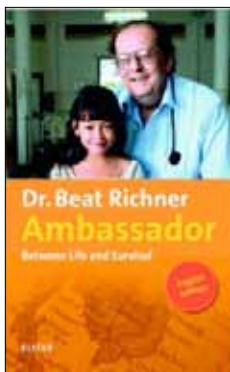
Since its appearance in 1993, this has been one of the most popular Globi books.

David Levine's whimsical translations now make these verses accessible to the English reading public for the first time. This marks the third Globi Classic available in English.

Globi travels to the countryside in search of peace and quiet. But once he

arrives, there is still too much going on! Then he learns about the Swiss National Park and sets off at once.

This book provides children with a playful approach to the English language, and tourists receive information about the National Park in a humorous and entertaining form. It also contains an updated official foreword from the Director of the Swiss National Park.

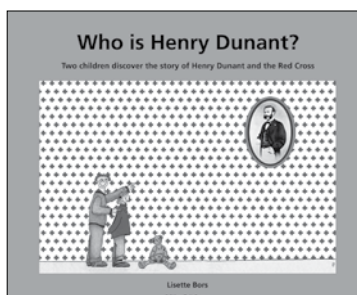


ISBN 978-3907668818

**Ambassador – Between Life and Survival
by Dr Beat Richner**

Over the past some years, the Swiss pediatrician *Dr Beat Richner* has built the five Kantha Bopha hospitals in Cambodia and saved hundreds of thousands of lives. In his impressively fascinating book, the internationally renowned pediatrician looks

back on his almost two-decade long fight for humane medicine in poor countries. At times bitter, at times hopeful, *Dr Beat Richner's* accounts reflect on the contradictions of a world called upon to embrace greater solidarity with the poor.



ISBN 978-3-909234-10-3

**Who is Henry Dunant?
Two children discover the story
of Henry Dunant and the Red Cross
by Lisette Bors**

The illustrated fact book for children tells in an appropriate way how the idea of one man gave the impulse to the emergence of the unique humanitarian organization of the Red Cross that works all over the world. Embedded in today's children's daily life this book introduces the young reader or listener to the subject. The book is perfectly suitable for reading (aloud) to children and for talking about it in the

family, kindergarten, school or in youth groups.

The historical information has been carefully checked by experts from the Swiss Red Cross, the International Committee of the Red Cross and by the *Society Henry Dunant* – they offer easily readable information worth knowing even to the adult reader.

The book is also available in French, Italian, Spanish and German.