

# Current Concerns

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## Perpetual armed neutrality – Conditio sine qua non of the peace model Switzerland Neutrality and militia are interdependent – Professional armies do not contribute to peace

by Tobias Salander, historian

Whoever wants to abolish militia in Switzerland would do well to carefully reconsider the consequences of this step in all its dimensions. What would be the consequences for neutrality, a pillar of our state, which is supported by 95 percent of the population? Would our state maxim, perpetual armed neutrality, be lasting? Whoever wants to abolish militia advocates either a professional army, hence a caste of barracked mercenaries enslaved to their funders – or the transfer of the country's protection onto a foreign power or a military alliance like NATO. However, where is the neutrality in that? Joining a military alliance such as NATO would mean neutrality's end, which the Swiss people absolutely do not want. So the question remains whether neutrality is compatible with a professional army. In other words, the question arises as to the nature, content and development of the idea of neutrality, from yesterday until today. Thinking about it in detail can only lead to one unambiguous result: neutrality and militia are Siamese twins that cannot be separated without the passing away of both parts – both are interdependent.

While deducing this result we refer to the excellent work of the diplomat and historian Paul Widmer, "Die Schweiz als Sonderfall" (Switzerland as a special case) as we already did in our article dealing with the militia system in Switzerland (see "Current Concerns" No. 7 of 11 February).

Throughout the centuries a polity has developed in Switzerland, which is highly estimated as a model of peace far and wide, since it conveys hope that things might work differently: that power may not always override right; that a life in freedom and self-determination is possible; that small countries may be able to play a central role for the peaceful understanding among peoples. The four pillars on which our political system rests, i.e. direct democracy, federalism, neutrality

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*Switzerland is a "silent contemporary witness for other options of state existence".*

(Paul Widmer. *Die Schweiz als Sonderfall*. p.69)

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and multilingualism respectively linguistic and cultural diversity have emerged throughout history, without claiming a simultaneous origin. In this process neutrality is not the oldest, neither the most recent pillar.

### 1674 – Birth of the state maxim neutrality

It was in 1674, when the "Tagsatzung"<sup>1</sup> officially proclaimed neutrality for the first time as a state maxim. However, neutrality – then also denounced with the term "sitting still" – had already played an important role since the founding of the Confederation. The defeat at Marignano in 1515 and the turmoil of the 30-Years-War reinforced the tendency to behave neutral in case of doubt; however, neutrality became a principal attitude only in 1674. (see Widmer, p. 134) It was then fixed, what the wise hermit *Nicholas de Flue* had earlier advised the Confederates when he told them: "Do not interfere with other people's affairs" and "Do not extend the fence too far". These statements contained the core of the permanent neutrality, the commitment to never initiate a war and engage in a war of third parties.

### 1815: neutrality in the interest of the political leaders all over Europe

In 1815, Switzerland was acknowledged as a permanently neutral state with international legal status at the Congress of Vienna. On 20 November 1815 the then great powers stated "that the neutrality and inviolability of Switzerland and its independence from all external influences is in the true interest of the political leaders all of Europe." (Quoted from Widmer,

p. 135) Since then Switzerland's neutrality has repeatedly been reinforced in international law; so in 1920 when joining the *League of Nations*, in 1975 in the CSCE Final Act of Helsinki and in 2002 at the accession to the United Nations.

In 1815 the winners had united against Napoleon in the so-called "Holy Alliance" and considered themselves as guarantors of peace for Europe. Some voices therefore questioned the benefits of Swiss neutrality, even in their own country. *Charles de Pictet*, who had secured neutrality for Switzerland, warned, however, that sooner or later conflicts would emerge – history unfortunately proved that he was right – and Switzerland was glad that they had listened to his warning voice. Similar voices doubting the idea of neutrality were raised after the First World War, as well as after the Second World War and at the end of the Cold War. They were always raised by people who would have been pleased to play a part in the concert of the winners, who would have liked to join in with the big ones forgetting the fact that winners never wait for meekly humming up opportunists – and also show lack of respect towards them. To stand by their own tradition in these situations takes courage of one's own convictions and is often unknown to self-appointed elites, especially in some academic circles of today. Luckily the population in Switzerland has always been realistic and remained mindful of the admonition of their forefathers, which these had expressed in a different language though: When they were talking about "the malice of the time" we would

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**"Perpetual armed neutrality – ..."**

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now probably use the term "unlimited greed of the plutocrats and oligarchs".

**Neutrality always opposes the mainstream**

Neutrality is a challenging attitude. It requires a good general education, coupled with a grip on reality, and a sharp look at the conditions of the time. In peace, it has to consider the possibility of wars, in times of war that of peace. So it closes out any mainstream euphoria and is always anti-cyclic. It requires strength of character and solidarity, but also a clear and realistic understanding of the human condition – without being fatalistic. On the contrary: The neutral power scintillates zest for action and wants to shape the world toward peace and international understanding. So we are encouraged to join in; no time for lamenting or even indulging in defeatism.

**Neutrality does not mean neutrality of attitudes**

Now the neutral power does not only have rights, but also a whole range of duties – duties that never really suit the great powers, because the former refer to a world beyond assumption of power and arrogance. The "rights and duties of neutral powers" were clarified in *The Hague Conventions* in 1907 and in the *Geneva Conventions* in 1949. Ambassador *Paul Widmer* summarizes as follows, "The neutral

state is obliged to abstain from any participation in a war. It may not favor a war party; neutrality must fend off all illegal acts of war parties on its territory, and finally treat the warring parties equally, if it allows arms supplies of privates. These rules of international law apply only to the state, but not to private persons. Thus, the neutral state is not obliged to regulate the economic relations of privates. Freedom of the press or the citizens' freedom of expression are also not affected: There is no neutrality of attitudes. Even the state may critically comment on the belligerents. The warring parties themselves are obliged to respect neutrality and to refrain from any violation of neutral territory." (Widmer, p. 142)

**The duty of the neutral powers for an adequate defense**

The "Convention on the Rights and Duties of Neutral Powers" (the so-called Hague Neutrality Convention of 1907) said in particular that the neutrals also committed themselves to be able and willing to defend their neutrality by military means. In order to comply with their obligation of self-defense, the military capabilities of the neutral powers must not be in vacuo, but must have a real reference to the military strength of any hostile forces. Since, according to Articles 2 and 5 of the *Hague Convention*, the neutral power is obliged to be able to "punish" violations of its territory. This will only work with a reliable army – a professional army will never ever be able to do so, only because a sufficiently large standing army is simply

not affordable for a small state, no matter how wealthy the state is – apart from the fact that it is unknown to the tradition of Switzerland. Barracked mercenaries – and a professional army is nothing but that – are always subservient to their commanders, and can therefore easily be abused for actions violating neutrality. Neutrality with a professional army is a contradiction in itself. Without a numerically large militia army, a neutral power cannot fulfill the obligations of international law. Therefore, anyone who wants to abolish the militia army must openly admit that he wants to do away with neutrality, as well; a procedure which 95 percent of the Swiss citizens do not approve of. (cf. FIT Zurich study: *Sicherheit 2012, Aussen- und sicherheits- und verteidigungspolitische Meinungsbildung im Trend* [Security 2012, opinion forming in foreign and security and defense political matters with the trend])

**Neutrality law and neutrality policy**

What effects did the neutrality of Switzerland have since the end of the Cold War? Were there any new aspects that had not been known previously? To answer this question, Ambassador Widmer refers to the distinction between neutrality law and neutrality policy. Neutrality law includes relatively few points that were already mentioned above. However, neutrality policy includes preconditions which the neutral power has to establish in times of peace with respect to

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**Differential and integral neutrality****Active neutrality is in danger of partisanship**

ts. Another aspect, which plays a part in the current discussion about neutrality and militia army is the distinction between active and passive neutrality. In history the Swiss Confederation has almost always considered its neutrality as a passive one, i.e. they used to "sit still" in conflicts, they did not interfere, they did not take a decision. This is also called integral neutrality.

In active neutrality one feels called upon to make a decision, just because one is neutral. This is the judge's neutrality. From 1887 to 1892, *Numa Droz* from Neuchâtel pursued an active foreign policy in this sense, which led to the establishment of several international offices in Switzerland. His successor in the Foreign Department exercised restraint once more. Federal Councillors *Felix Calonder* and *Gustav Ador* continued *Droz's* activities and led Switzerland into the *League of Nations*. In 1921 voters agreed to

the accession. Neutrality was now considered in a differentiated way: So it was agreed in the *Treaty of London* that Switzerland had to back economic sanctions, but not coercive military actions. For that differentiation of the concept of neutrality the term "differential neutrality" became common. Only in 1938, one year before the outbreak of war, Switzerland was allowed to return to integral neutrality.

This remained so until the early 90s of the 20<sup>th</sup> century. The outbreak of the first – or rather – second Iraq war in 1990/91 was accompanied by Swiss foreign policy with a kind of differential neutrality policy: So we reproduced the UN economic sanctions imposed on Iraq autonomously. The United States were allowed to use the Swiss air space, but only for humanitarian, not for military flights. Joining the United Nations in 2002 reaffirmed this development, as we kept our neutrality and did not par-

ticipate in military sanctions but did participate in actions of international peacekeeping.

In recent years Switzerland has proved politically very active in two areas of neutrality and has become suspected of partisanship several times. Instead of claiming the right of neutrals to be silent on foreign policy proceedings, a lot of comments were published. It was not always clear why there was a statement in one situation, but no statement in another; an example is the recognition of Kosovo.

The accession to *Partnership for Peace* (PfP) also led to a rapprochement with NATO in soft steps. How this process is perceived in the Muslim world must remain open, but it may not exactly favor the status of Switzerland as a mediator. It would certainly be desirable if Switzerland retained, especially in these troubled times, its independence within the Western camp. (cf. Widmer, pp. 145)

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a potential conflict. The trustworthiness of the neutral power plays a crucial role; since trustworthiness is the only capital of neutrality. And this has to be achieved in times of peace, in order to possess it in times of war. This policy needs to be constant and predictable. It will only be so, however, with a strong, credible militia army. With a professional army this trustworthiness cannot be acquired, because professional armies are always deployment armies that can never ever protect a small state.

**Fickle Federal Council – inconsistent neutrality policy**

Switzerland squandered trust in 1996, when the Federal Council decided to join the *Partnership for Peace* launched by NATO – nota bene without consulting the people! Thereby, "neutral Switzerland [belongs to] the outer orbit of a military alliance", Widmer says. (Widmer, p. 143).

Switzerland also squandered trust in 1999 during the Kosovo War: NATO's war against Serbia was not legitimate under international law, there was no UN mandate. But Swiss diplomacy was silent about the violation of international law and instead had a lot of understanding for the attack. Later, the DFA was among the first to recognize Kosovo – for reasons that have not been openly declared, so far.

Unlike in the Iraq War of 2003: Official Switzerland condemned the new illegal war of aggression in clear terms.

Such contradictory behavior within a few years does not display consistence

**If all states were neutral like Switzerland, there would be peace in the world**

"If indeed all states lived the same foreign policy maxims as Switzerland does, peace would prevail in the world. That is why Switzerland hesitates to sacrifice the Confederation's essentials for some euphoric optimism. That was so after the Napoleonic Wars, that was so after the First and the Second World War and after the Cold War it was no different; and at each time she was looked upon scornfully by some people inside and outside the country." (Widmer, pp. 75)

**The gratitude of neutrals: Good services, charitable aid and commitment to international humanitarian law**

ts. In return that neutrality in times of war is a huge privilege and protects the population against acts of war Switzerland has shown her gratitude early, by political and humanitarian activities. At the political level she provides *good services*, at the humanitarian level she is committed to *international humanitarian law* and provides charitable assistance. This is symbolized by the part-

nership of the Swiss Cross and the *Red Cross*.

As Depositary State of the *Geneva Conventions*, Switzerland also monitors the contracts and has the duty to draw attention to serious offenses. These public statements do not constitute a violation of the principle of neutrality, because neutrality does never mean to be neutral in attitude.

and is more than problematic for a neutral state.

The 2005 attempt by the Federal Council to sell used armored vehicles and other military equipment to the Arab world and to Pakistan was also marked by little instinct and lacked the state government's consistent neutrality policy; a fact which should urgently be corrected. We must not repeat the mistakes of history and wait again, as we did in 1938, before returning or being allowed to return to integral neutrality.

**Troubled times are imminent**

As already shown, the doubts about neutrality were always greater in postwar times than during wars, even inside Switzerland. Today's positive approval of 95 percent shows once again that the Swiss people have recognized the signs of the times very well: Since 9/11 the US declare themselves to be in a state of war, military buildup continues and reaches astronomical figures – so does the national debt. The dollar empire is trying to delay its destruction by ruining the euro and deploys its armada to the Pacific. Meanwhile, the EU is fighting the collapse, builds up the *Eurogendfor* against the anticipated uprisings of the unemployed youth without prospects in the South – but even the central power Germany faces mass poverty and exploding national debt, which leaves us with a weird feeling. The tone towards Switzerland is becoming increasingly shrill and hostile. One is reminded of the 30s of the 20<sup>th</sup> century, and of how quickly the political landscape may change towards totalitarianism in times of economic crash. In this stormy period in which Asia emerges and the West remains in incompetence, the Swiss people will think

twice, if they should move away from the best way of "standing still" while the people are armed.

**Militiamen do neither shoot on command of foreign masters nor do they shoot at their own people**

Everybody agrees that in the military we cannot use marginalized people, school dropouts or prisoners to safeguard our security, as is the case in other European countries with professional armed forces for lack of volunteers. It is self-evident that in an economically strained situation only the citizen in uniform, who also lives up to the principle of the militia system in his everyday life as well, that only the militiaman can ensure the necessary security for a direct-democratic community. This is reason enough to seek talks with the GSwA (Group for a Switzerland without an Army) activists – because the former army abolishers do certainly not want that short-sighted thinking will lead to sacrificing everything they stand for: a coexistence in social peace, without a caste system and individual egotism – hence life in a civil society, peaceful, but prepared. With citizens in uniform, that would neither allow themselves to be let to foreign masters and armies, nor direct the gun at their own people, whom they represent themselves; things which a professional barracked army would be capable of without batting an eyelid. •

Literature: Paul Widmer. *Die Schweiz als Sonderfall. Grundlagen. Geschichte. Gestaltung.* (Switzerland as a special case. Fundamentals. History. Organisation.) Zurich 2008. ISBN 978-3-03823-495-1

<sup>1</sup> The Swiss *Tagsatzung* was the legislative and executive council of the Swiss Confederacy from the beginnings until the formation of the Swiss federal state in 1848.

# US praise for the model Switzerland already in the 18<sup>th</sup> century

## Appreciation of armed neutrality and federalism

*ts. Contrary to the claims of some ideology-guided historians of the 5<sup>th</sup> column the ancien régime, i.e. the Switzerland of the 18<sup>th</sup> century, was a unique case among the European states. Testimonies from that time prove this well enough, albeit there have been – in the past and seemingly today – historians of the authoritarian state who criticized this fact sharply: Such thing as a republican-organized structure, whose residents pledged to resist feudal and absolutistic impositions, should not exist. That there were positive comments about this special case in the heart of Europe may not surprise, as it was high time for a change towards more freedom for the citizens.*

Based on the knowledge of the Natural Law School of Salamanca and the subsequent studies of proponents of the enlightenment such as John Locke, Montesquieu, Rousseau and others in the 17<sup>th</sup> and 18<sup>th</sup> century a personal idea of man became more and more prevalent, which ascribed an inherent dignity and personal freedom as the highest goods for human beings, but always in combination with a focus on the *bonum commune*. While this discussion took place first in Europe's academies before the French Revolution created facts, albeit bloody, the emigrants from absolutist Europe, i.e. the colonists in North America, took concrete steps towards an implementation.

### The "Federalist Papers" refer to the Switzerland

Here in the discussions about the best structure of the new state, the Swiss model of the 18<sup>th</sup> century was studied respectfully. In the famous "Federalist Papers", the discussion referred to the model Switzerland several times. James Madison, who later became the fourth President of the United States, criticized that Switzerland had been built on a federal basis and would need more centrali-

zation than his ideal of the United States. His opponents, the *Anti-Federalists*, praised Switzerland just because of its decentralized, federal structure from the bottom up as great role model. It is noteworthy in this context that the American concept of "federalism" means exactly the opposite of the German understanding of the word: A *US-Federalist* wants a strong state, with an emphasis on the federal government, thus favoring a strong central government, while the German concept of federalism, on the contrary, favors a weak central power and a great autonomy of the Federal members, the *foederati*.

### Taking up arms in defense of house and farm

The *Anti-Federalists* led by George Mason, author of the famous *Virginia Declaration of Rights*, frequently referred in their demands to the Swiss example. Mason saw his sought for republicanism realized in the Swiss Confederation. For example, he saw this attitude realized by the citizens that took up their arms in defense of house and farm, but never wanted to fight for an aristocratic authority in a battle. This was how Switzerland could maintain its sovereignty in the midst of major military states. According to Mason, this spirit had to be fostered in the United States as well. Even if these words may seem far apart considering today's US military juggernaut, there has been this tradition in the United States and it still is.

### It did not need a powerful president – the army was not costly

The citizens of the then small country with a few million people were fully aware that the smaller state structure needed a viable militia, if they wanted to exist among major powers. Even today, there are indeed in various US States citizens groups who want to convert to the smaller scale approach and indeed even seek an anti-federal – in the US mean-

US president Dwight D. Eisenhower on neutrality in 1956:

"A decision to keep clear of military alliances could be accepted as rational and even prudent."

(Quoted from Widmer p. 75.)

ing of the word – structure, to abolish the *Federal Reserve Board* (FED), the private US national bank, and want to call the military back to the homeland. Without a big central government and an army of mercenaries an intervention force becomes obsolete. History has shown time and again: Standing armies are a threat to peace in itself, while militia armies with citizens in uniform abhor war. Just like small states, unlike large central governments.

In addition to this praise for Switzerland in the American constitutional debate, it was recognized that Switzerland was held together by a liberal order, and not by a strong central authority. Examples were given: For example, the Swiss peasant's nature differed from the French. Switzerland did not need a powerful president and the army was not expensive – because it was organized according to the militia principle. Words that need to be considered in today's debate about the militia in Switzerland and elsewhere.

### Deconstructionists are belied

And nota bene: These words of praise from the United States are addressing a Swiss Confederation of the ancien régime! All those who have participated in the Swiss-bashing should take this to heart, especially the bashers from inside, those who forge and bend history, and those who question everything else but their own ideological worldview and themselves. Even in the long bygone Switzerland, which no one wants back, there were subservient conditions, no equality before the law as it is today. Even this pre-modern Switzerland attracted attention, as Dr René Roca (cf. *Current Concerns* No. 4, 28 January 2013) pointed out in his research. Due to its cooperative structure with its personal view of man in connection with the ideas of enlightenment based on natural law, a conception of the modern federal state was already contained *in nuce*. Those perpetual Switzerland moaners have to face the question of their openness or narrow-mindedness when they simply sweep all these voices from abroad under the carpet. ●

### Churchill on Switzerland's neutrality

"I put this down for the record. Of all the neutrals, Switzerland has the greatest right to distinction. She has been the sole international force linking the hideously sundered nations and ourselves. What does it matter if she has not been able to give us commercial advantages we desire or has given too many to the Germans to keep herself alive? She

has been a democratic state standing for freedom in self-defense among her mountains, and in thought, in spite of race, largely on our side."

(Winston Churchill, quoted from Codevilla, Angelo M.: *Between the Alps and a Hard Place: Switzerland in World War II and the Rewriting of History*. Washington DC, 2000, p. 11. ISBN 0-89256-238-X)

# Giving each other credit of trust and partnership

Russian Foreign Minister Sergey Lavrov's speech at the Munich Security Conference 2013



Sergey Lavrov  
(picture ma)

*Dear Chairman,  
Dear ladies and gentlemen,*

It is a pleasure for me to attend the Munich conference again, which has firmly consolidated itself as most authoritative site for open conceptual discussion of European and international politics problems.

itics problems.

It is impossible to overlook the symbolism of the date of today's meeting. 70 years ago one of the most difficult, bloody, and crucial battles of World War II – the battle of Stalingrad – was over. Hundreds of thousands of my compatriots who gave their lives for this victory on the banks of Volga were not only defending the Motherland, but also fighting for the attainment of universal peace, just as all our allies were doing.

The diplomacy efforts were also aimed at the purpose of not permitting the tragedy of world war to repeat. They resulted in the creation of the *United Nations Organization*. However, soon afterwards the "cold war" drew the dividing lines in Europe, putting off the opportunities for building a system of collective security, which is embodied in the UN Charter, for a long time.

## Russia is looking ahead

I speak of this not to provoke another search for the guilty ones. Stirring up the past is not for credible politicians. As the Russian president *Vladimir Putin* stressed in December letter to the Federal Assembly, Russia is only going ahead, only into the future. That's why the meaning of our participation in Munich conference we see above all in trying to find a joint approach to building a security community based on authentic strategic partnership. That is the very aim that was put by the leaders of Euro-Atlantic countries in 2010 at OSCE summits in Astana and Russia-NATO Council in Lisbon.

Certainly, it would be a mistake to state that nothing is done at all for achieving this noble aim. Russia and USA concluded the *START*, many-sided cooperation in combating terrorism, narcobusiness, piracy, threats from Afghanistan, is developing. The rejection of "cold war" era psychology is officially proclaimed. Russia and NATO members declared that they are not seeing each other as enemies.

However, we are not here to shower praises and compliments upon each other, but to understand the ways that need to be coordinated for the successful solving of the remaining problems.

## International law as the basis – putting an end to block mentality

With this in view, we all have to admit that not in word but in deed we are still nowhere near the truly collective Euro-Atlantic architecture, which would be based on solid international legal foundation. Still present is a tendency of building relations on military-political affairs in Europe not on the base of principles proclaimed in OSCE and NRC, but by advancing NATO-centric security structure as a single option.

We consider such a narrow-bloc approach to be of no avail and difficult to conceive with the help of objective, rational considerations; it is hardly applicable to building politics in today's global world, when we share the threats. It is time to take a broad and comprehensive look at the whole complex of relations in Euro-Atlantics and try to define the identity of approaches and the remaining discrepancies between us, including with regard to conflict situations in other parts of the world that influence our mutual security.

## Issues to which honest answers are demanded

When looking at today's most restless region – Near East, North Africa, Sahel zone – it is hard to get rid of the feeling of some kind of a curved space. Many questions arise in connection with approaches applied by some of our partners in the conditions of the "Arab Spring" process. Does the support of speeches for the change of regimes allow justifying terrorist methods? Are you able to make war in one conflict situation against those whom you support in another conflict situation? How to make sure that the weaponry you illegally supplied to a zone of conflict is directed against yourself? Who among the rulers is legitimate, and who is not? When is it acceptable to cooperate with authoritarian regimes (both civil and not that much civil), and when is it allowed to support their violent overthrow? In what cases is it needed to acknowledge the forces that came to power as a result of a democratic election, and in what cases – to refuse contacting them? What are the criteria and standards determining all this?

It is important to seek joint honest answers to these questions, especially as Euro-Atlantic countries have much more common points than disagreements in re-

spect of ultimate goals of the efforts on resolution of crises. In the Near and Middle East, North Africa and African continent, as well as in other regions, we all want the stability to be secured, conditions for sustainable development to be created, the people of the states located there to be able to advance towards democracy and prosperity, human rights and uninterrupted supply of hydrocarbons, as well as another essential resources, to be guaranteed.

## Letting the peoples go their own paths

If these are our common aims, then we would probably be able to agree on transparent and clear "rules" which should be followed by all external players in their practical actions. Agree that we all will be supporting the democratic reforms in states undergoing transformations and not imposing an outside value scale, but acknowledging the variety of development models. Agree that we shall be supporting the peaceful settlement of the inner state conflicts and stopping of violence by creating conditions for an inclusive dialogue with involvement of all national political groups. Agree that we shall refrain from outside interference, especially by force, without a clear mandate from the UN Security Council and from arbitrary application of unilateral sanctions. That we will consistently and firmly fight extremism and terrorism in all forms, will demand observation of rights for ethnic and confession-al minorities. I'm sure that if all of the "Action Group" meeting participants in Geneva on 30 June 2012 together honestly fulfilled jointly formulated approaches, then today's tragic and horrible situation Syria may not even be. But for this it is necessary to honestly fulfil what has been agreed upon and not to extract or add anything. For that purpose we have been suggesting for a long time to hold a new meeting of the "Action Group". We hope that *Lakhdar Brakhimi* who is present here will try to advance this initiative in his work.

On the whole, in respect of the "Arab Spring" processes it's high time to withdraw from simplified schemes and slogans, to weigh the situation and its development scenarios from responsible positions. Understanding this makes its way. I'll particularly mention the recent article of *Wolfgang Ischinger* in "Frankfurter Allgemeine Zeitung" where very interesting ideas that have something in common with our situation assessment are stated.

**"Giving each other credit ..."**

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**Forceful operations increase chaos - unifying projects are needed**

If we are interested in joint actions for the benefit of all, then we need to see the world as it is. To accept that forceful operations (no need to look far for examples) lead to chaos strengthening in international relations and can cause waves of instability that no "stability island" will shelter from. History continues to gain speed and ahead there are many crossroads where it will be again necessary to choose between unilateral geopolitical aims and partnership, between zero sum games and joint efforts to find answers to today's challenges.

Many of these crossroads are seen already now. For instance, it is a question of the future of Pan-European organization – OSCE. Today the disagreements within it are deepening because of the attempts to dictate one's standards to others, transform it in sufficiently confrontational polemic platform, escalating in this way the systemic crisis of the Organization. The uniting projects are needed that will cement the European space and help build consensus on fundamental security questions. "Window of opportunities" still exists: last year in December CFM OSCE in Dublin has resolved to start the "Helsinki+40" process. We would like to hope that by 2015, when this anniversary will be celebrated, a truly joint agenda would be successfully made, reflecting our mutual determination to concentrate on the solution of the common strategic goals on the basis of putting into life the principle of security indivisibility, and not an exchange of claims.

**To focus on enduring phobias prevents authentic partnership**

ABM problem became an important conformity test of real business with solemn declarations of commitment to this key principle. We are all risking to lose another real chance to build a single Euro-Atlantic space. Russia proposes a simple and constructive way – to coordinate strict guarantees of undirectedness of US global ABM against any OSCE member country and develop clear military-technical criteria allowing to estimate the conformity of ABM systems with the stated aims: neutralization of missile threats that come from outside of Euro-Atlantic region.

It's also important to clarify the definition of NATO's mission in new conditions, not for interfering in this process, but for making it clear for us. Advance

to an authentic partnership between Russia and the North Atlantic Alliance is still slowed down by the attempts to exploit the thesis about the Soviet threat, which is now already transforming into the thesis about the Russian threat. Phobias are very enduring and we see how a military planning process is built under this thesis. Even in the conditions of deficit of financial resources an increase in military activities is observed in the north and centre of Europe, as if in these regions the security threats are mounting. Advancement of projects for NATO's further expansion and advancement of bloc's military infrastructure to the East is continuing – as if there were no top-level statements on fatality of preserving dividing lines on the continent. Speaking of this, some of our European partners are now inventing new dividing lines, begin trying to artificially divide integration projects into "good" and "bad", "friendly" and "alien".

**Today's requirements ask for the formation of open systems that grant equal security to all**

Today the conception of the "clever defence" is discussed in NATO. I lay aside the question about from whom specifically are they going to defend. More important is to realize the objective demand for a new, modern, "clever" foreign policy aimed at the most effective use of the emerging opportunities of cooperation instead of their inexcusable squandering. If the leading economies of the world within the scope of "Group 20" were able to arrange joint efforts for overcoming the global financial and economic crisis, so why it cannot be done in politics? Last year Russia became the full member of WTO, which was created first of all for fighting protectionism in the trade and economic relations. We are grateful to USA, EC and all who supported this process.

But if we try to analyze the situation with preserving bloc thinking, then this thinking is probably the protectionism in the military and political sector? In that case it's evident that it's in the direct contradiction with the today's demands which dictate the necessity of the formation of the open systems of equal security for everyone.

Our proposals about how to make a principle of security indivisibility, repeatedly declared in OSCE and NRC, legally binding, working in practice, are still on the "bargaining table". The codification of the commitments not to enhance own security at the expense of others' security approved on the highest political level would help improve military and political climate in Euro-Atlantics and would favour closer relations between all

countries and realization of the strategic goal to create the united economical and humane space from Atlantics to Pacific Ocean.

**Cooperation – a reliable remedy to eliminate suspicions and fear**

The aspiration for elaborating joint approaches for securing genuinely equitable architecture in Euro-Atlantics is more and more clear not just in case of reasonable politicians, but also on the level of civil society. We welcome the collaboration of the centres of politology in Germany, Poland, Russia, and France on preparing recommendations regarding problems of Euro-security, which was approved in OSCE. We want to stimulate such contacts and processes in every possible way. We welcome this work.

No doubt that we are living at the turning point of the history, which means that the decisive and large initiatives are needed. It is time to mutually write off the historical debts and issue each other the "anti-recessionary" credit – the credit of trust and partnership.

In advance of the speech I was asked to comment the Russian-American relations, but deep down, I agree with today's words of *Joe Biden* – a good friend and colleague of mine. We really have a very vast and positive agenda, but in the relations between such major states the opposing views and discrepancies, sometimes serious ones, are inevitably retained. You all know them. We shall fundamentally consider every question in Russian-American relations as subjected to agreement, if being guided by the principles of mutual respect, equality and mutual respect for interests. But regarding the questions where we are able to cooperate for our countries goodness and international security, we are, no doubt, already working and will continue doing this.

I would like to finish with a reference to President *Barack Obama* who said during his inaugural speech that USA will seek to resolve disagreements with other countries by peaceful means – not as a result of naivety, but because the cooperation is the most sure remedy for eliminating suspicions and fear. In its foreign policy Russia stably abides exactly such an approach which is based on strict observance of principles and norms of international law. We decidedly count on reciprocity.

Thank you for your attention. •

Source: The Ministry of Foreign Affairs of the Russian Federation, [www.mid.ru/brp\\_4.nsf/0/A9CB4318DB0A5C844257B0A00376FE8](http://www.mid.ru/brp_4.nsf/0/A9CB4318DB0A5C844257B0A00376FE8)

## Shadow over the Elysée

by Willy Wimmer, *retd. Parliamentary State Secretary at the German Federal Ministry of Defence*



Willy Wimmer  
(picture ma)

It's only been days since at the Reichstag in Berlin, the brazen pillars of Franco-German cooperation were affirmed. It may be feared that these pillars are not unshakeable. However, that would be fatal; unless Berlin is so callous as to simply ignore the French line of action. *Nicolas Sarkozy* invited the German Chancellor *Angela Merkel*, together with other heads of state, to Paris for a conference on Libya. Before the Air Force plane could land in Paris, French bombers were already on their way to Tripoli. The meeting had become unnecessary. The French behaviour was smiled away. And it was not the last of it. All States participating in the operation against *Gaddafi* have far overstepped the limits of the mandate by the Security Council. Where people should have been protected, tens of thousands of Libyans were killed. Also in the context of the terrible course of events concerning Syria, French behaviour is at best incomprehensible. Here, domestic fires were massively stoked up. And yet, the coexistence of States under the *United Nations Charter* were certainly to be in accordance with the rule that you just do not interfere with another state's internal affairs. It seems perverse, when states with a seat in the UN Security Council, who have themselves done everything to instigate the conflagration, start making demands on the Syrian government. And if that does not help, they are ready to let

their allies such as Saudi Arabia and Qatar off the leash, although for quite different reasons. Ever since the American and British war against Iraq, the result of such operations will be that the Christians in the region will soon live in Lyon and Cologne because Western policy will have deprived them of their some thousands-year-old livelihood in the region.

Again, Berlin's response smacked of ignorance. Instead of praising treaties, a frank word should be spoken about the fact that a coexistence based on partnership is threatened when one of the partners starts having an "inclination towards military action". Something has changed in France and we cannot say that it has not been announced by words of prominence. Thus, prior to the Elysée Treaty celebrations, former EADS CEO *Galois* talked on German television on the topic of the new division of responsibilities between Paris and Berlin. According to him, Berlin has to take care of the economy, while Paris sets the heart on military operations. Is that the Elysée's line of approach for the next fifty years? Or the French military mission in Mali? Damascus, Libya and Mali as a model for cooperative behaviour, which is ultimately based on law: on the United Nations Charter. No one can say that the United Nations and neither the European Union turned a blind eye to Mali. Here things had been carefully considered and stabilizing measures had already been employed. The French intervention happened overnight, garnished with a dubious Malian government's cry for help of all things, following the only too well known model of "fraternal assistance". In this way, even the United Nations Security Council was upstaged and

agreed to a soft and mellow support of the French intervention. You can hold African military units cheap if you like, but they have proved themselves competent in African operations. Here they were not allowed to do so. Meanwhile, the French intervention is being scrutinized by the public, and also the importance of this region for the French nuclear industry. The result is the overall picture that with your own oil production sites and raw material mines you get an agreeable government as well.

And the interests of the Tuaregs, the Berbers, and others in the region?

Why does Berlin turn a blind eye? Indeed, there is hardly one Berlin ministry able to create a draft law on its own. For things like that you have to call on the services of mostly Anglo-Saxon law firms. The German public administration's character and level of performance are falling by the wayside. But as yet, the German services are still working successfully, also when it comes to the knowledge of and about North Africa. It would almost seem that Berlin is practising a strange division of responsibilities and therefore lets Paris do as they like, without drawing attention to the consequences in an appropriate manner. These consequences include, amongst other things, the already longstanding destruction of the bedrock on which our coexistence in the world of states is based on, and the resentment of our citizens against all this. They do not mount the barricades, which would always remind us of Paris. They turn away, they are tired of all the wars, and they long for politics and diplomacy. •

(Translation *Current Concerns*)

# NATO missile defense system violates international law

by IALANA – (International Association of Lawyers against Nuclear Arms)

*At the Munich Security Conference which was held on 1/2 February 2013 the missile defence system was again discussed – to some degree controversially.*

The principal policy decision made by the NATO summit in Lisbon in November 2010, according to which the “Active Layered Theatre Ballistic Missiles Defense” programme (ALTBMD) should be upgraded from its initial scope as of 2005, when it had been supposed to cover troops on duty, to such an extent that it would be capable of “defending” the entire region of European NATO states and the USA against ballistic missiles, violates international law.

NATO announced that this missile defense system was meant to meet potential threats from more and more states developing ballistic missiles, especially in the Middle East. By means of radar and anti-missile facilities their capabilities of the early detection and destruction of approaching enemy missiles was to be enhanced. NATO plans to interconnect their missile defense systems already existing in the various member states on the one hand and the enhancement and further development of the US *Aegis-BMD System* by the USA on the other.

Center of command is the Nato “Headquarter Allied Air Command Ramstein” (*HQ AC Ramstein*), which is in charge of air defense and has started its activities already in May 2012. Just like the NATO chief commander, the officer in charge of this unit is a US general, consultations between him and NATO allies are unlikely to ever happen because of the very short time span between an actual or alleged missile attack and his order to launch an anti-missile strike. The NATO missile defense system is embedded in the worldwide US American anti-missile programme (*Ballistic Missile Defense Review Report*, 2010), which is supposed to render the USA “invulnerable” and secure their global supremacy. Regardless of whether this vision of “invulnerability” will actually materialize, in any case their capabilities to intervene globally also with conventional (non-nuclear) weapons will increase. This may have dangerous destabilizing consequences.

NATO has agreed on a four-step-extension of the missile defense system in 2011, although no concrete threat scenarios had been presented to the public so far and despite meagre 60 to 90% success rates of the anti-missile devices in tests – performed under rather unrealis-

tic conditions. In the first two steps until 2018 mainly sea- and landborne *SM3 Block 1*-anti-missile devices are supposed to intercept ballistic missiles threatening parts of Europe. In the last two steps, more advanced *SM3 Block 2*-anti-missile devices would be able to also shield the USA against intercontinental missiles. At the NATO summit in Chicago in May 2012 the first step with a US radar facility in South East Turkey and US-*Aegis*-destroyers in the Mediterranean have already been declared ready for action.

Having never been consulted as partners in the process despite initial promises, the Russian government is concerned the NATO anti-missile shield is erected in order to weaken or even counteract the Russian deterrent potentials; at least that is how they view the establishment of these capabilities, regardless of all NATO denials. Moreover, NATO declines any legally binding and verifiable guarantees that the missile defense systems will not target Russian forces. An actual consequence is that any inclusion of their tactical nuclear weapons into armament control measures has been cancelled by the Russian government unless they would reach an agreement with the USA about their anti-missile shield. Urgently needed armament control measures are thus stagnating.

After their unilateral cancellation of the *Anti-ballistic missile treaty* (ABM treaty) in 2001, the USA may no longer be prohibited to pursue a global anti-missile shield by this treaty, which had been signed on 26 May 1972. However, the NATO agreement on their missile defense system violates the obligations resulting from the internationally binding treaty on the *non-proliferation of nuclear weapons* (NPT) of 1 July 1968.

The establishment of a new system of this kind breaks the internationally binding obligations following from Art. VI NPT, which states that “each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control”. This mandatory, i.e. non-negotiable internationally legally binding obligation of all states had been explicitly stressed and confirmed by the *International Court* in The Hague in a legal response to an official inquiry by the UN General assembly on 8 July 1996. The decision had been univocal.

The attempt of the USA and NATO to erect such an anti-missile shield must have destabilizing consequences and lead to dangerous counter-measures. Since potential target-states contrary to the prohibition by Art. VI NPT will respond to those new NATO anti-missile projects with the development of additional nuclear weapon systems of their own in order to get on top of the new NATO systems, this NATO missile shield results in a new round of nuclear armament. The Russian government has already announced a modernization of their strategic nuclear weapons and confirmed with actual tests of intercontinental missiles. China will counter-act too, should her capability to respond to missile attacks be challenged.

NATO once again strengthens the role of nuclear weapons in international relations by all of this. This is clearly against the obligation of international law to abstain from any counter-actions to negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament. The NATO member states cannot refer to their NATO treaty of 4 April 1949 either in order to justify the agreement on the missile shield. Because, according to that document, the obligation for mutual defense may only be fulfilled within the framework of current international law, which includes Art. VI NPT.

The German federal government is constitutionally bound to abstain from any counter-actions to negotiations in good faith on effective measures relating to cessation of the nuclear arms race or even actively work against them because of their obligation to international law (Art. 20 par. 3, Art. 25 Basic Law for the Federal Republic of Germany). Therefore they are legally bound to withdraw their acceptance of the NATO anti-missile shield, withdraw from all NATO workgroups actively pursuing its implementation and work towards respecting international law within these workgroups instead. It is unacceptable to have the center of command for this new missile program established on German territory – and even due to just a government approval without even consulting the German parliament. •

Source: [www.ialana.de](http://www.ialana.de) of 31.1.2013  
Further information: Bernd Hahnfeld, Reiner Braun, [info@ialana.de](mailto:info@ialana.de), +49 (0) 30-20654857

(Translation *Current Concerns*)

# Cooperation with Russia

by Dr Peter Forster, editor in chief of *SCHWEIZER SOLDAT* (Swiss soldier)

Since 11 April 2011 a bilateral agreement between Switzerland and Russia defines the military cooperation between the two unequally large states. The collaboration is focused strictly on the training. Nevertheless in the media, as well as by Swiss parliamentarians prophecies of doom are repeatedly heard.

However, a more sober-minded look at the facts shows that the prophecies are unjustified. The agreement is to be seen against the background of the Swiss foreign and security policy and completely uncritical and in the interest of Switzerland.

## Good and friendly

The economic and diplomatic relations between Switzerland and Russia are friendly and good. Today, some 200 Swiss companies are operating in Russia, including *ABB, Nestlé, Sulzer, Novartis, Holcim* and others.

In 2011, Swiss exports to Russia amounted to 3.029 billion francs. By the end of 2010 the *Swiss National Bank* estimated the direct investment in Russia to be 6.329 billion. Moreover, Switzerland took over the role as Russia's protector in Georgia and vice versa. As well, Switzerland played an important part in regard to Russia's accession to the *World Trade Organization*, which should not be underestimated.

### "These are good men"

Brigadier General *Franz Nager*, until his appointment as the Commander of *Kdt Geb Inf Br 12* Commander of the *Mountain Troop Competence Center* in Andermatt, has a positive judgment: "Yes, I know the Russian cadets. Russia always sends good men to Switzerland."

## Medvedev's visit

In 2009, the then Russian president *Medvedev* initiated the bilateral cooperation in the military sector, while he visited Switzerland including Andermatt. Switzerland, however, made clear from the beginning that it was not possible to conclude a comprehensive cooperation agreement as a neutral state: Any agreement was strictly limited to the cooperation in training.

Therefore, the text of April 2011 explicitly excludes all other activities. The agreement foresees the cooperation between the armed forces of the two countries in the following areas:

- Expert discussions.

- General exchange of training specific information and experience.
- Deployment of own soldiers to training courses of the contracting party.
- Mutual deployment of cadres to military exercises.
- Training in the area of international military peace promotion.
- Mountain training and training in mountain rescue.
- Conducting military-sportive and military-cultural events.

## Three activities so far

Three activities have taken place under the umbrella of the agreement of 11 April 2011, so far:

- Deployment of a Swiss professional officer to the Russian Military Academy (September 2011–July 2012).
- Implementation of a mountain training course with the focus on the rescue in the High Alps under harsh winter conditions in March 2012 in Switzerland.
- A similar course, but this time under summer conditions, in July 2012 in Switzerland.

## Three-week courses

The two mountain training courses were carried out under expert guidance in the appropriate competence center of the Swiss Army in Andermatt. The courses lasted three weeks. 20 members of Russian armed forces took part. The course program included the following topics:

- Mountain and high-mountain training in difficult terrain.
- Risk evaluation in difficult terrain.
- Planning and carrying out rescue operations in the mountains and high mountains.
- Performing cardiopulmonary reanimation.
- Performing of practical field exercises using the training topics.

- There was explicit no combat training or training in tactical matters.

## Good reputation

The list of program items is important. They show that in the design of courses strict attention is paid to aspects of general training.

The challenging training in high-alpine environment is in focus. Everything that relates to the combat in the mountains or tactical procedures in the Alps, is expressly excluded. And what must even be mentioned: the Mountain Troop Competence Center of the Swiss Army enjoys an internationally good reputation.

There is good reason for the Russian army to send their mountain specialists to Andermatt. The Swiss Army has a long history and has an almost unique expertise in mountain training.

## Major player

For Switzerland, it is important to keep a certain balance in its relations and in its contacts with other countries and regions and not to appear to be one-sided. She is therefore striving for a wider range in its relations with other armed forces.

In the case of Russia, the Swiss army is keen to learn the way of thinking, to know and understand the doctrine and the military practices of the Russian forces, and how they are taught in the Russian General Staff Academy.

This provides Switzerland with valuable information, especially because Russia is still a major security player.

In addition, a regular security dialogue at high level between Russia and Switzerland takes place. This framework makes it possible to address and discuss difficult topics.

Known are the visits of former Russian General Staff *Nikolai Makarov* in Switzerland. Makarov also visited Andermatt. •

Source: *SCHWEIZER SOLDAT*, No 1, January 2013  
(Translation *Current Concerns*)

## An agreement on strict reciprocity

The agreement of April 2011 between Russia and Switzerland is strictly limited to military training.

Specifically, it defines the conditions and forms of military cooperation limited to training only: In detail these are the status of those involved in the training activities in the other country, the costs, issues of medical care and the planning and implementation of concrete activities of the training. The agreement defines that

the status of the person seconded by one side to the other State is in accordance with the PfP Status of Forces Agreement (PfP stands for *Partnership for Peace*).

This ensures that the PfP order, which is recognized throughout Europe, is also applicable to the bilateral education cooperation between Switzerland and Russia. Even from a neutrality policy point of view this cooperation is uncritical.

# The “West” has to learn to rethink honestly

## Countering the wrong messages of the “Munich Security Conference 2013”

by Karl Müller

Each year, in early February, the “Munich Security Conference” and the corresponding mass media reporting provide an insight into the messages of the NATO states and their allies, prepared for public attention. This year’s conference was intended to send the following messages:

1. The United States intend to remain the world’s leading power. The lessons they have learned in the defeats of the past 10 years are that they need to obtain global energy dominance, if needed at the expense of their own country, by means of ruthless production of oil and gas under extremely difficult circumstances, e.g. by fracking. If wars were still considered “necessary” in the resource-rich regions of Africa and the Middle East, they should be conducted by the Europeans, more precise by the EU states. Political leadership, though, is to stay with the US.
2. Hence the EU states including Germany should significantly increase their “capabilities” of waging war anywhere in the world. Especially in Germany, the aversion of a large majority of the population against military interventions abroad is meant to be broken with a crescendo of war drums, focusing in the *Orwellian* formula “The *Bundeswehr* is part of the peace movement” (= “War is Peace”) – (stated by the German Minister of Defense) – and the not really logical slogan that by these increased war efforts Germany would be thanking for yesterday’s alleged security. In compensation, Germany would be allowed the status of a major power with global ambitions. The country is already looking for “strategic partnerships” world-wide.

3. The EU and the US are striving for a free trade agreement under the headline: “Together we will regain our economic strength – *against* the world”. Along this line, the “competitiveness” is planned to be strengthened on both sides of the Atlantic based on neo-liberal ideology, at the expense of the working people and to the benefit of big money. It seems not yet altogether clear whether victory over the other emerging countries, especially the BRICS states, should be won by military or economic means or by a combination of both.

In the context of the free trade agreement, the president of the German foreign commerce association *BGA* was speaking about an “economic NATO”, warning against positioning the EU and the US economically against other markets.

These three messages from Munich do not really offer a prospect for the US, for the EU and the world. Unfortunately, those leading the EU, the US and the NATO do not have more to offer than variations of the old thinking and acting.

### The alternative

It would have been a good idea to really listen to the guests from other parts of the world. This would have resulted in a different kind of messages like the following:

1. Our “western” hegemonialism under US leadership has failed. These policies produced huge cost, countless victims and had but a few profiteers. We want to put an end to this politics, respecting the following principles: Stop

political confrontation and a ruinous competition with all ploys and dodges but start an equal and honest cooperation to the benefit of all; stop striving for victory and triumph in conflicts and start solving conflicts by means of negotiations so that all involved parties can agree.

2. From now on we want to observe the *UN Charta* word for word: the imperative for peace; the aspiration for justice in the world; respect for national integrity and sovereignty; the insight that although international agreements are needed to solve global problems, they can only be reached based on the equal and voluntary participation of all partners.
3. We respect the cultural, social, economic and political achievements, traditions and development potentials of each people and each state of this world. We as Europeans contribute to the necessary global discussions by our achievements of a Christian social and peace doctrine and the European Enlightenment – similarly building on these achievements in a serious and honest way.

This kind of messages would have been a relief for all the people in this world. They would have been messages taking up the international messages after World War II and messages like the *Charta of Paris* after the end of the Cold War. Today, already deep into the 2<sup>nd</sup> decade of the 21<sup>st</sup> century, messages of this kind are urgently needed. It’s necessary for the West to learn and honestly rethink. •

## Prevention of laws instead of Prevention Act

by Gottlieb F. Höpli\*

The Council of States had bethought for once of his once-vaunted role as “*Chambre de réflexion*”. And, instead of acting as legislator for health prevention, it had opted for the prevention of an unnecessary law.

It was difficult for the Council though. The question is who wants to be reproached nowadays for not feeling strongly about the health of the citizens! Today, all health experts and together with them the politicians and the servile media are convinced that the citizens are neither able to keep away from alcohol and nicotine, nor to eat healthily or to get enough exercise. Do the experts, politicians and journalists judge others by their own standards? If not so: What legitimizes them to

take others principally for more stupid and unhealthier than themselves? Actually whose health is to be promoted? The health of the great part of the population that behaves healthily without any law? Or of the part with an “above-average health” compared to other Europeans – as the Federal Council, which is very keen on acting educationally, says – without the projected “awareness and influencing the population”? Or rather the health of those for which the often obtrusive campaigns of the Federal Office of Public Health (FOPH) or the Swiss Lung League have so far been in vain? This is a vast area for health missionaries, however a barren one, but also one that can be made fruitful by any campaign.

Between disease control and disease police, between the creation of fire insurance and the fire police there were only a few steps. How far would be the way from central health promotion, monitoring and evaluation to a health police?

Prevention of laws instead of Prevention Act – for once the Parliament followed the commandment of *Montesquieu*: If it is not essential to make a law, it is essential to make no law. •

Source: “*Schweizer Monat*”, 11/2012

By the kind permission of the editor of “*Schweizer Monat*”.

\*Until 2009 Gottlieb F. Höpli has been chief editor of the “*St. Galler Tagblatt*” and is president of the association “*Medienkritik Schweiz*”. (Translation *Current Concerns*)

Letter to  the Editor

## “That’s not surprising” It speaks for Swiss products

As a food engineer, I know: the more a food originates from far away, the more anonymous and blurred are its production on the one hand and the origins of its ingredients on the other hand. There is only one thing to do: Let us prefer local or Swiss products to cheap imported goods. As long as “Geiz ist geil” (cheap is sexy) is in fashion also with respect to food, or as long as one is cheating or looking the other way occurs with the self-regulation

of trade and industry, no one should be surprised if there will be many more of such scandals in future. Cheap foreign meat has other drawbacks: Abroad, especially in Europe, the animal protection requirements are often not nearly half as strict as our own ones. Or they are not effectively implemented.

Cruel (intensive) methods of animal rearing are common practice. Livestock are living in a caged and vegetative state.

And appalling animal trafficking lead across all countries. All that need not be! According to Swiss law, we are entitled to accurate indications of provenance. And politicians who try to save money with the food quality control, or – as it happens time and again – are watering down the food law, have to be stopped.

*Ueli Krasser, Hagendorn, Switzerland*  
(Translation *Current Concerns*)

## National family policy unnecessary

**Cantons and communes cover the care services.  
The principle of subsidiarity must also prevail in the future.**

### “Family” as a magic word

Is pronouncing the word “family” enough to silence the critical mind and to neutralize any reasoned opposition? Proponents of the new constitution amendment on family policy, which we will vote on 3 March, probably cherish this hope. The proposed article entrusts the Confederation and the cantons with the task to promote “the reconciliation of family and employment or education”. It specifies that the cantons provide “in particular a demand-based offer of day structures supplementary to families and schools”, and it decrees treacherously, that if “the aspirations of the cantons or third parties” are insufficient, the Federal Government may determine the principles.

It is the politicians’ task in particular to inform that this question is not limited to doing “something for families”. It is therefore very good news that the major bourgeois parties (FDP and SVP, Liberals and Conservatives) reject the article. It still remains much persuasion to be done to prevent a solely emotional vote far away from any political reality.

### From the free selection of a sufficient supply ...

It should be noted at this point: the cantons and communes today already fulfill their tasks in terms of care completely. The number of day nurseries is constantly increasing, and the cantons set up foundations with the goal to expand their range. According to statistics, 50 percent of families – and

over 71 percent of single parents – have the opportunity to send their children younger than 4 years to daycare services. The existing offer is sufficient. A further extension would dangerously approach a systematic “transfer” of the children to the state – and it must be assumed that this is not desirable for a liberal society.

There may, as usual, be voices arguing that the situation is not equal in all cantons and therefore the state should intervene and define a minimum offer. They can be countered by arguing that each canton is organized democratically and allows its citizens to demand what they believe is missing. Cantons, which are satisfied with more modest and thus also more favorable solutions, certainly do not do so against the will of their populations and it would not be appropriate to impose by a centralist federal solution greater minimum solutions than those that are appropriate for them.

### ... to prohibitive collectivist claims

And what would be the minimum offer? Childcare facilities must remain in balance between what is desirable and what is affordable. This balance varies from situation to situation, and any government defines it according to the specified needs and possibilities. You bet that the officials of the Federal Government do not have the same sense of realism and adopt standards on the basis of abstract criteria – we are already talking about very generous solutions according to

European standards – and the cantons and last the taxpayers pay the “perfect model”? The inflation of such a system is inevitable – as we know – and it costs always more than predicted. In addition we are moving more and more towards collectivism and a take-over of children by the state. Is this really what families want?

### Measures at the expense of the companies?

Above all we must be aware that “the reconciliation of family and employment” may not only include public childcare facilities. The new amendment to the Constitution explicitly mentions “efforts of third parties”, which means that those and among them notably the companies may be forced to provide additional childcare facilities or adjustments in working hours. Additionally, in the area of social security, you must be on alert against new demands for paternity leave. All of this always leads to the same conclusion: expansion of collectivism and exorbitant costs.

Certainly, these scenarios will not be implemented in one go. But inevitably the apparatus will be set in motion, and every smallest additional step cannot be undone. If ruinous adventures are to be prevented and the liberal system is to be maintained, we must nip things in the bud and resist false promises. •

Source: *Centre Patronal*, Press and information service, no. 2014 of 6 February 2013  
(Translation *Current Concerns*)

# Saying 'yes' to the Rip-off Initiative

## Reflections of a former Parliamentary Secretary for foreign trade

by Dr Cornelio Sommaruga

I am often asked why I – as a former parliamentary secretary for foreign trade – am in favor of the initiative *Minder*. The answer is not difficult. Like every Swiss citizen I have increasingly noticed the negative aspects of the huge payments to so-called elite managers of the board of directors or supervisory board members during the last decades. Moreover, I could not understand that “golden handshakes” were paid out, even if the company’s business had obviously gone badly. The entry premiums, the “golden welcomes” seem to me inappropriate, too.

I also remember that the provisions of the Code of Obligations require loyalty and honesty by the heads of public companies towards the company. None of this in very many cases, whose names are now known to the public and must not be repeated.

When I heard about the Federal Initiative against Rip-offs six years ago, I had a great admiration for Thomas Minder, owner of a medium-sized company in Schaffhausen, who was able not only to prepare a bold text but also managed to collect more than the necessary 100,000 signatures in the short period of time set by the law, and this all alone, without the support of any party. When I followed the course of the discussions in Parliament, I was appalled at the slow proce-

sure and the endless discussions about a counter proposal. Finally, the Federal Assembly, despite the acceptance of the initiative on the part of the National Council, decided an indirect counter proposal, which will not be submitted to the people and the cantons on 3 March because it concerns a legislation amendment. It took as long as five years for the Federal Council and both Chambers to come to an agreement. All this shows a real contempt of the initiative and of Thomas Minder himself.

The initiative is a mandatory initiative because it wants to strengthen the rights of shareholders if necessary even with electronic voting from a distance. It is also applied to the pension funds, of which above all transparency is required. The members of the Board of Directors, also the President, are to be elected for one year, and the shareholders themselves will determine the total amount of all fees of the Board of Directors and the Executive Board. Moreover, there will be no advance payment and no termination payment for the Board of Directors and supervisory board members. Among the various other important provisions the initiative also contains penal provisions. The counter proposal is a bad copy, which does not necessarily close the rip-off dynamics and the loopholes.

The often heard statement that the counter proposal will come into force as soon as the initiative is rejected is not well-founded, because it concerns legislative amendments, subject to an optional referendum, which would take several months, even if there was no call for a referendum – which is rather uncertain. The initiative, however, demands from the Federal Council to set up regulations for the Parliament to implement amendments within one year after the adoption of the initiative.

But what is much more important: it is time for a *bang*, so that the rip-off artists and possible future beneficiaries as well as the political class and the *FINMA* – the Swiss Financial Market Supervisory Authority – understand that market fundamentalism is resolutely rejected in Switzerland. There are enough manager candidates, women and men who are ready to take over leadership responsibility in larger companies and to perform successfully in Switzerland. After all, it is often a question of sound teamwork. We finally set a positive signal for foreign countries of a Switzerland that is aware of its social responsibility. It is therefore important, to say *Yes to the Minder Initiative* without hesitation. •

(Translation *Current Concerns*)

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# Let us not become a society “à la française”!

“The Swiss Federal Council must deal with federal issues and must not interfere with the cantons’ affairs”

by Jean-Daniel Balet and Antoine Spillmann, board members SwissRespect ([www.swissrespect.ch](http://www.swissrespect.ch))

*cc. Let us not become a society “à la française”! Certain political representatives and federal officials – some of whom are living off the centralization of power – are striving to weaken federalism. The “Swiss-Respect” group, which was formed in Romandy a year ago, rightly demands that the federal level must comply with our state model.*

Lobbies and technocrats always dedicated to “politically correct” issues have again raised ideological and emotive issues on which civil society must decide rapidly, as indicated by the increasing number of votes on the abolishment of flat-rate taxation. Under the disguise of a supposed “tax fairness” the initiators have cleverly opened the discussion and achieved decisions in cantons where this issue is not relevant. Afterwards they use these examples to prove their point.

Instead of waiting until the regions themselves feel a need to define their own approach, these do-gooders intend to impose ideological requirements on the entire population of the country without considering legitimate aspirations and in particular local jurisdiction. On the contrary, the contagion continues: Lex Weber, Regional Planning Act, flat-rate taxation, corporate taxation, inheritance, education and training, public procurement, police, animal diseases, epidemics, etc.

In another area, the Federal Council has negotiated agreements at international level which may, depending on the situation of the individual cantons, have very varying effects.

Thus, the interference of foreign law and left ideology with the field of corporate and personal taxation have caused legitimate reactions in the affected cantons that do not want to lose tax revenue, causing conflicts with those cantons, which have no interests whatsoever in this field: divide and conquer ...

This is regrettable. It is just because of federalism, which hitherto has been the source of our country’s unity and strength, that the different regional situations and feelings are taken into consideration. This made it possible to preserve the riches of the mixture of different cultures in the common history of the country. It conveys an individual responsibility to everybody, starting with the ordinary citizens up to the political representative: Live and let live.

The fiscal autonomy of the cantons is an example of a meaningful socio-political organization: The directly elected authorities use the tax revenue for clearly identifiable local spending and prepare

balanced budgets that correspond to the funds provided by the taxpayers, of which they themselves are a part.

The citizens pay their taxes honestly, because they do not have the impression that they are being “fleeced”, to meet the objectives of their chosen political representatives. They are taxpayers and not subordinates. They regard taxes as “normal” because they can understand its benefits and see how their contributions are used. What’s more, by means of a referendum they can determine the size of the tax rate itself. They also realize that their well-being depends very much on the contributions by those who have more resources than they have. Moreover they are not dependent on the goodwill and patronizing relationships of their regional representatives with the central government before they see their money coming back to the municipality. It is like an ecological approach in public administration.

The fiscal autonomy of the cantons and municipalities allows the tax increases to be limited by a healthy competition between municipalities and cantons. The fact that citizens unhappy with regional taxation can vote “with their feet” forces the authorities to find a way to provide the best possible facilities and services at reasonable costs. The average amount of taxes can be kept at a reasonable level.

The Swiss are aware that they have their position, their environment and their security under control. Local government officials and the administration are easily accessible. The problems and needs of the citizens are addressed directly and settled quickly, by people who are part of their community. Our administrative workers do not come from a particular caste whose members are trained specifically as administration officials, but they are citizens like everyone else, facing the same problems as the rest of the population.

Who pays the piper calls the tune. Swiss policy and its taxation system as its logical consequence, has always been based on a relationship of trust between citizens and authorities, on an agreement achieved after balancing the interests, based upon respect for diversity and minorities; a spiritual wealth that ensures social peace and economic development because it is founded on freedom and individual responsibility.

However, there is a certain movement, whose representatives are sometimes naive and conformist, sometimes deliberately manipulative, that does not share this view. It raises equality to a dogma – or rather their idea of equality. Unfortunately there are political representatives and federal officials who

want to benefit from the centralization of power, and who seek to weaken federalism.

Instead of a healthy balance of power between the parties, we find ourselves more and more in a battle between the state and the nation. Democracy is being ruled out by technocratic centralism. It is increasingly rarely that the leadership refers to the vision of a country that is held together by a centuries-old confidence.

The steadfast defence of federalism is not a traditional left-versus-right confrontation, but instead aims at preserving the peace within the confederation that is conducive to economic development, and thus the standard of living of every individual.

The Federal Council must thus deal with the federal matters and not interfere with the the cantons’ affairs . Switzerland should not degenerate into a business, “à la française”, led by trade unionists, interventionist ministers, local princes and a national monarch, and even less by European officials who are more concerned with preserving their power than with the welfare of their fellow citizens. •

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(Translation *Current Concerns*)

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## Should we feed the birds in winter?

The heart says yes, the mind says no

by Heini Hofmann



Brambling (all pictures G. Klenk)



Chaffinch



Robin



Nuthatch

*If it's cold outside and the poor little animals are freezing, you've got to help them – this is conventional wisdom. But nature itself knows its own, tough but sensible laws that are often difficult to understand for us. We cannot understand them with our hearts, but we must understand them with our brain.*

Even nature and bird friends occasionally represent opposing views, for it is understandable that you decide rather emotionally at such moments. And yet, you should strive for an objective approach in the interests of the animals themselves.

### Heart versus mind

The mortality of wild birds is regulated by food supply. This is an important factor in the population dynamics, i.e. the development of the population. Nature has taken wise precautions: species that cannot find

enough food in our latitudes in winter, fly southwards as migrating birds. Those which are equipped for life under harsh conditions. But not all of them survive. The harder the winter, the greater the mortality. But the migrating birds also record losses, and certainly not only because of the bird-catchers in some Mediterranean countries. The long, arduous journey over the Alps, sea and desert takes its toll, and maybe there is also a lack of food in the winter habitat due to drought.

### Life and death

The cycles of nature are great, but its laws are relentless. Even under normal conditions, the selection is huge. For example, only about 30 percent of all fledged songbirds live to see the next breeding season. And yet, the remaining ones ensure the survival of the species. If there are exceptionally extreme unfavorable environmental conditions, which

naturally does not occur regularly, a species can be decimated temporarily; however, it can recover quickly. Only constantly changing environmental conditions may lead to the extinction of a species in extreme cases, which does not apply to the average of winters, though.

### Doubts on feeding

So if we feed the birds in winter, we interfere in an extremely complex natural process. If we feed them a lot, then we create unnatural conditions, so to speak, pet-like conditions for wildlife, a kind of poultry feed at the bird table. This has negative consequences for them in the long run.

During short, even very cold winter periods the birds are not in danger. Only during long lasting and snowy periods bird populations can be decimated. But even

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Letter to  the Editor

## Bologna and the Health Insurance Act – deception of the citizens in the service of power

The Bologna Declaration of 19 June 1999 suggested the population “shared values and a sense of belonging to a common social and cultural space”. It attached the utmost importance to education and was identical to the original US-Rockefeller intention of introducing a modified school system through socialism for the control and determination of the thoughts and actions of the people (with continuous time adjustments).

With the educational system as a powerful tool, the nations in Europe, too, shall in future be relieved of their sovereignty and they will have to pay respect to the system. But how can established ideals of sovereign nations be changed? – Just change what has been taught successfully in their schools. Support by obedient media will be provided and they will succeed once for all in paving the way to collision course. Conventional teaching materials were and are

being eliminated and replaced by newly compliant and guiding ones.

By signing the Sorbonne Declaration of 1998, Federal Councillor *Ruth Dreifuss* laid the foundation for this change. Despite the intervention of the Rectors' Conference of Swiss Universities, Dreifuss made her secretary sign the “work” in June 1999 ...

Already in 1996, the Councillor wanted to impress with the Health Insurance Act, which except for premium increases has not taken us anywhere.

With her deceptive statement, “Ladies and gentlemen, I assure you, the health insurance premiums will not rise”, she obtained approval – and because of this “achievement” the Bertelsmann Foundation bestowed upon her a prize of 120 000 Swiss Francs in Gütersloh/Germany in September 2000!

The Denner initiative launched at the beginning of 2001 met with no mercy at the ballot box because the former Federal Councillor Dreifuss saw no (!) need to act on behalf of cost reduction – and by this she rather protected the huge benefits of La Roche and Novartis instead of reducing the premium load for citizens. (cf. “Tages-Anzeiger”, 5.3.2001)

Although the first head of the new State Secretariat for Education described the restructuring of the school in his “clarifying statements” as an administrative reform only, we cannot avoid the impression of having been deceived and of being given orders in this case, too – and this impression cannot be ruled out ...

*Hermann Waldenmeyer, Neftenbach,  
Switzerland*

(Translation *Current Concerns*)

**"Should we feed the birds in winter?"**

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that would have an effect only on rare bird species – and these are not found at the bird table in any case. From a purely biological point of view the value of the winter feeding of birds is therefore highly questionable.

**In case of winter feeding, do it right!**

The *Swiss Ornithological Station* recommends the following:

- Only in case of full snow coverage, black ice or permanent frost.
- Moderately and regularly; no salty or mouldy feed.
- Only in the morning or better, at day break, not in the afternoon (this way, the birds may accumulate reserves immediately in the morning and pursue natural food sources in the afternoon. It is always available to some extent.)
- Protect food against wetness, dung and against cats through an appropriate feeder construction.
- To provide drinking water is unnecessary, as there is always plenty of water available for the birds in form of snow, white frost or ice. (HH.)

**What shall be fed?**

*Grain-eating birds* (thick, strong beak):

- Open air feed mixture containing hemp and sunflower seeds (high oil content) as main ingredient.
- Cereal seeds (which is not well-liked) plus the recommended feed as for insect eaters.
- Less recommended is the millet weed which may be carried off by birds.

*Insect eaters* (slim, pointed beak):

- Oatmeal, bread crumbs, berries and fruit (even rotten!).
- Nuts (pine nuts, tree and hazel nuts, chopped).
- Fat and curd; chopped meat. (HH.)

**Biotope protection is getting more important**

It is often argued that one should feed the birds in winter because natural food sources are continually disappearing: hedges are cut down, soft fallow fields and other important biotopes used as winter fodder base are disappearing. But these disappearing food sources cannot be compensated by feeding.

To operate a real bird protection which not only comes to the rescue of a few individual animals, but strives at the conservation of entire species, you have to tackle the root of the problem and work towards the conservation of these scarce habitats. This, however, requires much more effort and commitment than just dispersing feed. It requires a new mindset: not only the individual, dying birdie should set our emotions boiling, but much more the excavator, destroying an entire reed area.

Such an interference with the balance of nature is much more serious than the death of a single individual, although it may move us emotionally. Ergo: Money employed in habitat protection (and this can be done on a small scale already in one's own natural garden) is applied more effectively than money for bird feed (for which the nation spends lots of millions during a severe winter).

**The positive aspect of feeding**

Nevertheless, the compassionate human feels obliged to feed, often in contrast to better judgement, when the rigors of the winter are greatest. Correctly, you have to notice that feeding has its positive side

too, maybe less for the birds than for man himself.

Especially for the youth the bustle at the bird table offers the best opportunity to practice one's knowledge of animal species. Feeding the birds in winter makes contact with the local bird life possible and thus creates the prerequisites for a greater understanding of the needs of the feathered – for who wants to get a bird conservationists, must first be a bird expert!

Also for many lonely, elderly and sick people the birdies at the bird table are often the only joyful leisure activity in long, gray winter days. Here the birds – attracted by the feeding - may accomplish – to express it a little exaggeratedly – even a socio-medical task, or in simpler terms: they provide joy, and that affects our health.

**With moderation and prudence**

Thus the winter feeding of birds has two very different aspects, an ethical-educational and a realistic-biological one. What is noble, helpful and good according to the human sight, is not necessarily logical and advisable in terms of nature. If you feed birds on cold winter days out of love for the defenseless creature, you certainly act in a noble manner. But you must be aware that your actions mean a drop in the ocean, if not patch-working on the laws of nature.

If we nevertheless follow our heart instead of our mind and feed the birds, we should at least act with moderation and prudence and stick to the basic rules (cf. box).

(Translation *Current Concerns*)

**Special cases of winter feeding**

*Migratory birds*

Returning migrants may be taken by surprise by extremely late snowfall (end of March/begin of April). Most, however, belong to the insect eaters and hardly come to the feeding table; these can only be helped through by

- Covering up the manure heaps and laying out dung.
- Watering meadows (makes sense only if it's not too cold).
- Remove snow from under the trees, hedges and forest edges.

*Raptorial birds*

They should be fed only in case of long lasting extreme conditions, which requires a certain expertise. Therefore, it is best to leave it to competent ornithologists. (HH.)



Blackbird



Siskin