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INTERNATIONAL ASPECTS TO EXPORTS AND IMPORTS OF ARMS BY SWITZERLAND

*Résumé of a conference given by
Dr. C. Jagmetti, Press Attaché at the
Swiss Embassy, to the Nouvelle Société
Helvétique on 26th June.*

The day of universal peace and world government having yet to come, it is necessary for Switzerland to maintain an army. This principle admitted, together with that of her neutrality, leads to the guiding concept of an "armed neutrality". Switzerland seeks to be both armed and neutral.

Taking the question of armaments first, it seems that if Switzerland is to defend herself, she might as well do so properly. This means maintaining a modern and well-equipped army, which, owing to the investments and technology involved, will lead to some sacrifice. A modern army must be paid for with resources (currently 2.5% of the Swiss national income, compared with a corresponding 7% for England) which otherwise might have been devoted in giving us a yet more leisurely life, or preparing for an even wealthier future. Instead, they must be used up in the development and production of as economically useless items as bullets and machine-guns.

A way to get round this could conceivably be found in an extremely adaptable peace-time industry, which could be switched at will to war production. Thus a factory producing aspirin in peace time might be expected to switch to the production of gelignite on the outbreak of war. Similar transformations have been achieved to a great extent by industrial nations during the last war, but to rely entirely on them is both impracticable and irresponsible. If our neutrality is actually going to be "armed", it is necessary for us to have a standing war industry which should be able to produce as much of the army's needs as possible.

Even if it were theoretically conceivable that Swiss industry should produce all Switzerland's war materials, this is scarcely feasible for economic reasons. At present a satisfactory compromise seems to have been reached. The most important individual and collective weapons, and the ammunition for them, are manufactured in Switzerland. Certain vehicles and more complicated equipment (as, for example, the PZ-61 battle tank) are also made there. On the other hand, items which were originally developed abroad are manufactured under licence in Switzerland (for instance, Mirage fighters), and, finally, finished material is imported from abroad (such as the American armoured personnel carrier M-113).

We therefore try to conciliate our defence needs with our economy and our wish to be as independent as possible from foreign suppliers, so that we do not

fall in a situation similar to that of the Israelis after the French had decided to stop supplying them with "Mirages" and spares. In effect, we import a third of our defence needs, either as manufactured goods, spares or licences. Of the two remaining thirds, only a tenth is produced by federal-owned establishments.

The economics which force us to import part of our armaments also push us into exporting part of what we actually produce. What we manufacture always come out cheaper to us if we can export part of it, because larger series will lead to correspondingly smaller production costs. To some extent therefore, our arms industry and a string of small subcontracting firms are dependant on our arms export. Our assault rifle, and above all our Oerlikon and Hispano-Suiza a.a. guns are particularly prized weapons the world over. Even so, our yearly exports vary between 20 and a 100 million francs, that is, less than 1% of total exports.

However, this is a domain where our membership and responsibilities in the outside world must be taken into account. If our high quality guns were as harmless as the high quality cheese we export, no difficulties would arise. Arms can only be considered harmless in a country which is at peace, and federal authorities do not object to arms being exported to such a country. But they *do* object to arms being sent to belligerent nations, and take every step to prevent it.

International law governs very clearly the behaviour of neutral states in case of armed conflicts anywhere on the planet. It lays down that a neutral state may not under any circumstances give direct help to any one party in a conflict, but it does not forbid private companies in these neutral countries from passing arms-delivery agreements with any of the belligerent states. If, however, a neutral government wants to exercise control on these deliveries, it must do so impartially and not favour one particular camp. In the Nigerian conflict, for instance, the Swiss may sell arms to both the Biafrans and the Nigerians, or to neither. This means they have the freedom of either making or not making a thriving business. That Switzerland refrains from so doing is due to a distinct orientation in her foreign policy, which will aim at preventing or lessening a conflict, rather than at making an existing one worse. The situation could arise where a country which had hitherto been supplied with Swiss arms suddenly came into crisis with another country. In this case, all the previous arms-delivery agreements would be annulled.

In this spirit, Swiss arms export are forbidden today to the Middle-East; to Cyprus, Greece and Turkey; to South Africa, Rhodesia and Nigeria. There must always be some sound reasons for believing that arms might be heading for a belligerent country before this country is to be put on the arms-ban list. No

such reasons exist concerning Vietnam, and that is why it does not appear on the list.

Although Switzerland is not a member of U.N., it does comply to the various international agreements aiming at securing more peace and harmony in the world. Neutrality does not mean egoistic aloneness. If belligerent countries have expressly asked that no foreign arms should reach their area, the Swiss can but comply. In general, we strive to upkeep both the ideal and image of a peace-fostering and neutral people.

This policy is enforced by the rulings of the 41st article of the Federal Constitution, which regulates all handling of war arms in Switzerland. It says that the production, procurement and trade of war material must be controlled by the Confederation. Imports and exports of arms are very severely controlled and the latter are vetted by three successive authorisations. The firm interested in engaging in the production of arms must get the "basic authorisation" to do so. When it has the blueprint for a definite item, it must ask for a "manufacturing authorisation". Once it has a stock of finished items which it wishes to export, it must ask for an export authorisation. This can only be obtained if the firm produces an "end use certificate", which is an official document proceeding from the state to which the arms are to be exported, guaranteeing that these will stay within national boundaries, not be re-exported, and serve the purpose for which they were avowedly bought. In this matter, the Military Department and the Political Department have different duties. The first is responsible for giving "basic" and "manufacturing" authorisations. Its responsibilities are primarily technical and it bases its decisions on the army's needs. The third authorisation, which touches on foreign policy, can only be delivered with the assent of the Political Department in Bern. These measures naturally depend on the trustworthiness of the received "end use certificate". The Swiss have no practical means of checking whether the pledge contained therein is honoured, and, of course, they have no serious means of exerting pressures on defaulting countries.

If a firm wanted to export arms to countries on the arms-ban list, the easiest way it could do so would be to produce a forged end use certificate. This is what happened (whether unwittingly or not, is not yet known) with the firm Buhrle, makers of the Oerlikon guns, whose exported arms had not landed in the country that was understood to have presented the end use certificate justifying these deliveries. This matter has been investigated during the past six months and ought to be cleared up by Autumn.

The Buhrle affair prompted a national councillor, Mr. Renschler, to introduce a motion claiming a report on the Swiss arms export business. The Federal Council has accordingly set up a

commission of experts to inquire into the matter. Their report, together with other findings by the Military Department might lead to an alteration of the 41st article. The Swiss Council for Peace has not waited for this general elucidation to be accomplished and has already formed an "Initiative"

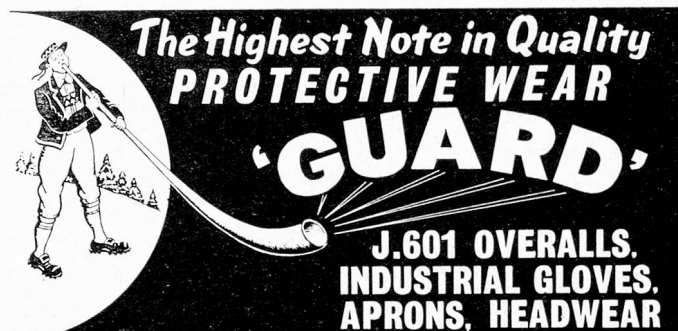
Committee demanding that article 41 be modified in such a way as to give a complete monopoly to the Confederation in the field of arms business and arms production. Production rights would be surrendered to private industry, the modalities of this being detailed subsequently. Exports of arms

would be forbidden to every country except the neutral ones, — which leaves out only Sweden and Austria.

Whether these wishes are carried through or not, Switzerland will continue in her policy of military readiness, neutrality and world conciliation.

(P.M.B.)

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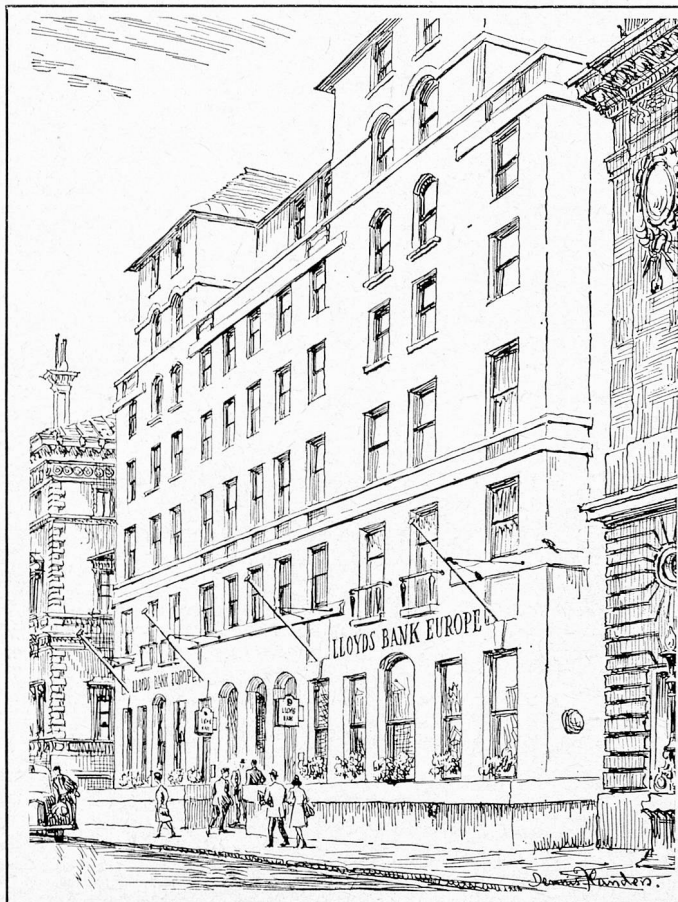
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