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Official Communications

Federal Department of Foreign Affairs Football Club in their new jerseys



«High diplomacy on the grass» is how the Bernese daily «Der Bund» described the friendly football match which took place this summer between the members of the Diplomatic Corps accredited in Berne and the footballing enthusiasts of the Federal Department of Foreign Affairs. The numerous spectators enjoyed a lively match, which ended in a victory of 3 goals to 1 for the representatives of the Diplomatic Corps. At the party after the match our compatriots found consolation in their new football jerseys, a present from the Solidarity Fund of the Swiss Abroad in grateful recognition of the cooperation it always receives from the members of the Department.

Our photograph shows the Federal Department of Foreign Affairs team at the Neufeld stadium before the match; standing, from left to right: Zbinden, Elsener, Bühler, Inäbnit, Rapold, Bovay, Lustenberger, Soltermann, Gerhard, Invernizzi (manager of the Solidarity Fund); and kneeling, from left to right: Martin, Borel, Casoni, De Carli, Flühmann, Vögeli, Kühni, Jaun.

New opportunity for children of Swiss mothers and foreign fathers to become Swiss nationals

Children of Swiss mothers and foreign fathers have another chance to be recognized as Swiss nationals. The Federal Council fixed 1st May 1980 as the date for the entry into force of the relevant legal provision.

After the new Children Act became effective on 1st January 1978 children of a foreign father and a Swiss mother were able, **under certain conditions**, to apply within a year for recognition as Swiss nationals. Only after the expiry of that time-limit did the Federal

Court decide certain questions of interpretation in a way that considerably increases the number of children who can benefit from the new provision. Parliament therefore resolved, in compliance with a proposal by the Federal Council, to grant a further period of one year for the submission of applications. The Federal Council fixed this new time-limit to run from **1st May 1980 to 30th April 1981**. Thus all children (including those whose applications have previously been rejected) have another opportunity to apply to the competent authority of their mother's canton of origin for recognition as Swiss nationals.

The conditions which must be fulfilled are:

- that the child had not reached the age of 22 by 1st January 1978
- that **both its parents were domiciled in Switzerland at the time of its birth**
- and that the mother is a Swiss national by descent. Not only women who are Swiss birth but also those who, as children, were included in their parents' naturalization, or whose naturalization was facilitated, qualify as Swiss by descent.

Your Swiss Embassy or Consulate or the Federal Department of Justice and Police can supply further details.

*Federal Department of Justice and Police
Press and Information Service*

Lapse of Swiss nationality in cases of birth abroad

Nationality – in the true sense of the word – is the external tie and the inner commitment binding an individual to a country. If the inner commitment is lacking, so that the nationality is mere outward show, the law must act as a corrective, and it may thus be necessary to revise the way in which the principle of acquisition of nationality by descent is applied. For that reason the federal legislative power, when promulgating the Nationality Act of 1952, dropped the principle that Swiss nationality cannot be taken away and introduced, in Article 10,

a provision enabling the transmission of Swiss nationality by descent to be halted through the lapse of that nationality in cases of birth abroad.

Under that provision a child born abroad of a Swiss father or mother also born abroad loses his/her Swiss nationality on reaching the age of 22 if he/she possesses another nationality, unless he/she has registered or been registered with a Swiss authority in Switzer-

land or abroad or has declared in writing that he/she wishes to retain his/her Swiss nationality. Any communication from parents, relatives or acquaintances aimed at having the child entered in the registers of the commune of origin, registering it or obtaining identity papers for it counts as registration. It is therefore easy to avoid the danger of losing one's Swiss nationality. If, however, despite genuine ties with our country, registration is omitted

for excusable reasons, an application to regain Swiss nationality can be submitted within 10 years of the lapse of that nationality.

Under a transitional provision, persons who were already 22 years old in 1953, and who fulfilled the conditions of Article 10, lost their Swiss nationality at the end of that year if they had not registered by then. It is no longer possible for those former Swiss nationals to resume their Swiss nationality.

Federal office of Police

Sea-going Ships under the Swiss Flag

It may seem strange that a landlocked country like Switzerland should operate a sea-going fleet. At present this comprises 32 vessels with a gross tonnage of 311,000 tons (capacity) or 470,000 tons dead weight and is composed of bulk carriers, general cargo ships and some coasters of various kinds, which, according to the type of vessel and kind of business, are to be found on all the oceans of the world. They constitute mainly tramp shipping but there are also some cargo liners. Impressive as these figures may appear, the Swiss fleet, while being the largest owned by a landlocked country, represents less than one per thousand of the world's merchant fleet. Unlike the first steamships which flew our colours during the war and which, conforming to the conditions of the time, were of a respectable age, today's fleet is on the whole quite modern. In fact, the average age of our ships is about nine years.

In normal times vessels flying the Swiss flag engage in worldwide maritime traffic according to mainly commercial criteria and rarely carry Swiss products. Things were quite different during the war, when the available cargo space grew smaller and smaller, when for political reasons there was no question of using the traditional carriers and when there were various obstacles on the usual access routes. A federal decree of 9th April 1941 therefore created the legal bases of Swiss maritime navigation and from that date vessels flying the Swiss flag have been ploughing the seas. During the war the Confederation owned some of the ships, while today the entire fleet is private property. But our merchant navy's fundamental *raison d'être* has not changed, namely, to ensure the security and provisioning of our country in times of crisis and of war.

The legal provisions are formulated in such a way that the neutrality of our ships is

guaranteed at all costs. For this reason the entry of vessels in the Swiss shipping register is severely restricted. The Act and the Ordinance require that the owners and operators should be Swiss nationals whose domicile and centre of activities is in Switzerland. Similar regulations govern management and supervisory bodies. The ships must be approved (classified) by an international classification company recognized by Switzerland and belong to the highest class. The Swiss flag at sea is therefore in no way a so-called flag of convenience.

How is maritime shipping regulated, by whom is it supervised? The federal decree cited above was replaced by the Federal Maritime Navigation Act of 1953 and the Ordinance of 1956. Moreover, Switzerland is bound by numerous international agreements on this subject, to which she has acceded. These agreements concern, above all, shipping safety, the construction of ships, their load, their manner of navigating etc., as well as environmental protection. Swiss maritime shipping is subject to the overall supervision of the Federal Council. Immediate supervision is the responsibility of the Federal Department of Foreign Affairs, which exercises it through the Swiss Maritime Navigation Office; this, in turn, uses the services of the diplomatic and consular missions to carry out certain tasks, especially in connexion with the supervision and welfare of crews. The duties of the Maritime Navigation Office include the examination of flag requests for ships and yachts, day-to-day checks on the application of legal prescriptions by owners, operators and crews, the listing of crews and their welfare, the promotion of seamen's training, the issuing of certificates (seamen's licences and books), the drawing up of legal prescriptions, intervention in matters of freight policy, representation at international maritime and technical conferences, the estab-

lishment of offences, documentation in the maritime shipping field etc.

On board Swiss ships federal law is exclusively in force on the high seas, but in territorial waters only insofar as the coastal state's law has not been declared binding. On the other hand, the law provides that all offences committed on board Swiss ships shall be subject to Swiss legislation. Responsibility for prosecution lies with the Public Prosecutor's Office of Canton Basle-City which, on the basis of notifications from the Maritime Navigation Office, has to deal especially with accidents or infringements of international agreements such as the regulations for preventing collisions at sea.

How does one become a captain, chief engineer, radio operator, ship's cook etc.? Anyone wishing to train as an officer in the merchant navy should have a good education and a knowledge of languages, especially English. The German schools of navigation today require the equivalent of the matriculation certificate, while the British system is based largely on practical experience and is also open to those who have completed their primary schooling, provided they have done four years' deck service and taken correspondence courses. Taking into account periods of navigation, which are necessary for all officer ranks, it is possible to become a captain in about eight years under both systems. Artisans who have done an apprenticeship in metallurgy (engineers, engine fitters) are suitable candidates for the career of engineer, leading to the rank of marine engineer officer, class I (chief engineer). Here, too, training takes place abroad and the British schools are preferred for practical reasons. Only radio operators have opportunities to train in Switzerland, namely, at evening schools in Berne and Lausanne, which run two-year courses. Other trades are represented on board: the cook, who



must have done an apprenticeship on land, the baker, the electrician, the carpenter, the steward, the motorman and, of course, the rating. The Maritime Navigation Office gives information on requirements and the various careers.

The Swiss fleet employs about 750 men, of whom 45% are Swiss working mainly in the engine room. A highly regarded and very responsible post is that of chief engineer, to whom interesting opportunities on land are also open. A qualified deck officer holding a captain's ticket has a good chance of obtaining his own command.

It would be unfair not to mention the problems, too. The world-wide crisis in maritime navigation in the late Seventies has been overcome sooner than expected and the level of employment in bulk carrier traffic is, on the whole, good at the moment. There are difficulties affecting liner traffic, where shipping which was previously free is being restricted by increasingly stringent measures taken by certain states and aimed at the distribution and reservation of freight. Moreover, the fleets of some countries whose commerce is state-controlled compete in the market by applying freight rates which do not cover costs. Our operators only manage to survive thanks to their traditional quality and flexibility.

Those are the essential facts of maritime navigation under the Swiss flag. In addition, it is interesting to recall that Sulzer marine engines continue to be more widely used than any other propulsion engine, and that silos from Switzerland are to be found in many ports. Many Swiss forwarding firms have branches in seaports, and many a good

Swiss forwarding agent holds a leading position abroad in the sea freight business. Thus, landlocked Switzerland's relations with the sea are more intense than might at first sight appear.

R. Stettler
Director of the
Swiss Maritime Navigation Office

Holidays in Switzerland again for Swiss children abroad

On behalf of the Fondation for Young Swiss Abroad and Pro Juventute, the Holiday Scheme for Swiss Children Abroad will again organize holidays in Switzerland in summer 1981.

Entitled to take part: Children of Swiss nationality
 Children of other nationalities, whose mothers were originally Swiss

Age of participants: 7 to 15 years

Holiday possibilities: In Swiss families
 in our holiday camps (from the age of 10)
 in children's homes (age 7 to 10)

Application forms and further information: Obtainable at Swiss Embassies and Consulates where applications forms have to be sent to.

End of application: End of March 1981

Cost: No child should be deprived of holidays for financial reasons. According to the parent's income, costs may be carried partially or fully by the organizers.
