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Federal referendums of June 8, 1997

# Europe, arms exports and gunpowder

**In the federal referendums of June 8 the Swiss people and cantons will be asked to state their opinion on two popular initiatives and an amendment to the constitution.**

The referendums include yet another test of the government's European policy. One of them – a popular initiative emanating from the nationalist right-wing – seeks to hold up the official

*Pierre-André Tschanz*

policy of supporting European integration.

## "Let the people decide!"

The initiative was launched by the Swiss Democrats and the Ticino League, groups which are fiercely hostile to any form of participation by Switzerland in either the European Economic Area or the European Union. Signed by just over 101,000 voters, it seeks to force the Federal Council to consult the people before starting any negotiations with Brussels on possible membership of the European Union, should this in fact be proposed.

In Switzerland as in most other countries, foreign policy-including decisions

about opening negotiations on international treaties-is the responsibility of the government alone. However, the Swiss democratic process requires subsequent approval of treaties by parliament – and of the people and the cantons in the case of a treaty such as one to join the European Union – but only at the end of the negotiations when the content and scope is known.

If a majority of the people and the cantons approve the popular initiative of the Swiss Democrats and the Ticino League, the Federal Council will be obliged to obtain the permission of voters before starting negotiations on possible membership. There would then of course have to be another vote once the negotiations were over and the content and scope known, as the present constitutional provisions require.

Parliament, the government and most other parties are against this initiative, which is entitled "Negotiations on joining the EU: let the people decide!" They are of the opinion that to change the way power is distributed by the constitution in foreign affairs matters would be inappropriate. The authors of the initiative, however, think that the *raison d'être* of our country is such as to exclude even attempting to join the European Union. In contrast, the Federal Council has made membership into the strategic objective of its European policy. It lodged an application for membership with Brussels in May 1992, which was before the negative vote on the European Economic Area. It is the existence of this application which pushed the Swiss Democrats and the Ticino League into launching the popular initiative which we are asked to vote upon on June 8.

## Arms exports

The popular initiative "For a prohibition on exporting war materials" was lodged with the federal chancellery in autumn 1992, having gathered 109,000 signatures. It was launched by the Social Democratic Party and a "Work Community" in favour of controlling



The training aircraft of the Pilatus factory in Stans – a PC-9 is in the picture – were at the centre of the parliamentary debates on the War Materials Law. (Photo: Keystone)

armaments and banning arms exports. It aims to prohibit both the export and transit of goods and services which could be used for warlike purposes, as well as to prevent all intermediary and financing operations associated with them.

The initiative goes further. It would also ban the export and transit of goods and services which could be used for either military or civilian ends and intermediary and financing operations associated with them, if those acquiring them intend to use them for warlike purposes. It would also forbid action aimed at evading these prohibitions, such as establishment abroad, cooperation with foreign firms or delivering and transferring production installations, licences, information technologies, etc. It would also require measures to promote international efforts aimed at restricting trade in war materials and reducing spending on armaments to the advantage of social development.

The majority in parliament and the government are recommending that voters reject this popular initiative. In particular, they are of the opinion "that the defence capability of a small state

on war materials has been broadened to make the granting of a license to export arms an action having political implications. In addition, the new law has been supplemented by another on the control of goods. This covers international trade in "dual use" goods which can have both civilian and military purposes.

At a time of economic stagnation and recession, with a record unemployment rate, centre-right opponents of it popular initiative have not been slow to point out the disastrous effect that this would in their opinion have on jobs. Those in favour of the initiative point to the negative consequences for Switzerland when arms manufactured here are used in the world's hot spots. They refer in particular to the PC-7 and PC-9 aircraft, which were at the centre of the debates on the law on war materials and which parliament finally refused to subject to it. Instead they come under the more flexible law on the control of goods.

The use of Swiss arms in the Biafra war at the end of the 1960s and exports by the firm, Bührle, were at the origin of the first initiative aimed at prohibiting arms exports, which was very narrowly rejected in 1972. It was this which prompted the government and parliament to elaborate the original law on arms exports in the form of an indirect counter-project to the initiative. The

such as Switzerland depends in a decisive way on, amongst other factors, its capacity to maintain domestic armaments production and to exchange armaments with foreign manufacturers", as stated in the Federal Council's Message to parliament of February 15, 1995. And they also point to the fact that Switzerland has for the last quarter of a century possessed legislation restricting arms exports, which was itself passed in response to an earlier popular initiative demanding a complete ban on them.

This legislation has recently been revised by parliament with the aim of ironing out problems which have arisen, filling gaps and taking account of developments which have occurred since the 1970s both in technology and in the rules of conduct of the international community. The scope of the new law

## Federal referendums

June 8, 1997

- Popular initiative "Negotiations on joining the EU: let the people decide!"

- Popular initiative "For a prohibition exporting war materials"

- Federal decree on the abolition of the gunpowder prerogative

September 28, 1997

Subjects not yet decided

November 23, 1997

Subjects not yet decided

same scenario seems to be repeating itself today.

## The gunpowder monopoly

The third subject to be put to voters on June 8 is unlikely to rouse controversy. It aims to abolish the gunpowder control system, known as the gunpowder prerogative. This was set up in 1848 with the aim of ensuring the availability of sufficient gunpowder of homogeneous quality for the needs of the Swiss army. This has now lost most of its purpose for the federal government, and in any case its existence contradicts policies aimed at dismantling trade barriers. The law on explosives has been adapted in consequence. It maintains the system for authorising fireworks and establishes a legal basis regulating trade in gunpowder which is compatible with the new legislation on war materials. ■

## Information on cassettes

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