

Zeitschrift: Swiss review : the magazine for the Swiss abroad
Herausgeber: Organisation of the Swiss Abroad
Band: 28 (2001)
Heft: 2

Artikel: 10 June 2001 : dioceses and armed soldiers abroad
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DOI: <https://doi.org/10.5169/seals-906694>

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Dioceses and armed soldiers abroad

BY PIERRE-ANDRÉ TSCHANZ

Berne is aiming to lift the constitutional article on dioceses and is asking the electorate to vote on this at the federal referendum on 10 June 2001. Voters will also be asked to cast their ballot on two amendments to the law which will allow the deployment of armed troops on peace missions abroad.

SWISS FOREIGN POLICY will once more be put to the test at the next referendum. This time the issue is the participation of armed Swiss troops in peace-keeping missions or on manoeuvres abroad. The partial revision of the Federal Law on the Army and Military Administration is twofold: firstly it concerns the conditions under which Swiss troops take part in peace-keeping missions abroad, and secondly it relates to international co-operation in the field of training. The referendum is worded against both amendments.

Peace-keeping missions

The Federal Council and parliament have been wanting Swiss volunteers to participate in peace-keeping missions under the auspices of the UN or the Organisation for Security and Co-operation in Europe (OSCE) for several years now. However, the first proposal to create a contingent of Swiss "blue



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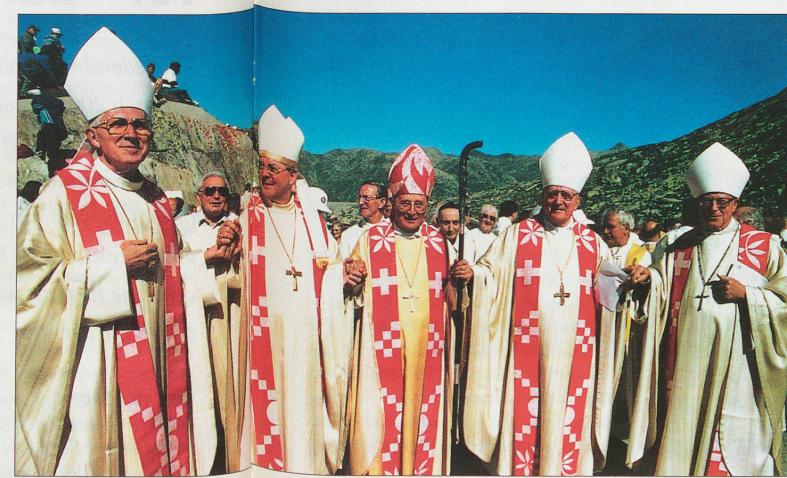
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berets" was rejected by 57 percent of voters on 12 June 1994. As a result the national government, in its desire to show a concrete sign of solidarity with the international community, was forced to negotiate other forms of Swiss participation in peace-keeping missions. Switzerland sent unarmed "yellow berets" to Bosnia-Herzegovina to perform logistical tasks on behalf of the OSCE. During the Kosovo crisis our country sent a dozen armed fortress guards to watch over the Super-Puma helicopters stationed in Albania. After NATO's military intervention Berne sent a contingent of around one hundred soldiers to join the international peace corps in Kosovo (KFOR). While these soldiers carried a personal firearm, they were placed under the protection of the Austrian unit due to the lack of appropriate weaponry.

In future the Federal Council wants to be able to make decisions on Switzerland's participation in peace-keeping missions independently, without having to negotiate with other armies for the protection of its own troops. This is the aim of the first part ("Armament") of the revision of the Federal Law on the Army and Military Administration. The presence of armed Swiss soldiers is limited to UN or OSCE peace-keeping missions. Only volunteers are deployed and "the Federal Council will decide on a case-to-case basis with respect to the arms required to protect personnel and troops deployed by Switzerland and the fulfilment of their mandate". "Participation in combative actions to enforce peace" is expressly excluded. The Federal Council is responsible for assigning missions and is obliged to consult the Foreign Policy Committees of both houses of parliament before ordering an armed mission. Moreover, parliamentary approval is required if more than one hundred person-



Keystone

The Catholic church is to be allowed in future to make its own decisions on establishing dioceses.

Council and parliament propose to lift this article, which is incorporated in the third section of Article 72 of the federal constitution. Two other exemptive articles governing religious issues – the ban on Jesuits and the ban on founding new monasteries – were lifted following a majority vote by the people and cantons on the referendum of 20 May 1973. At that time the lifting of the article on dioceses was regarded as too sensitive. Even when ecclesiastical reforms were being incorporated in the federal constitution, the government preferred to postpone the abolition of this exemptive provision for a while in order not to jeopardise the constitutional reform as a whole. Consequently, a year after the referendum of 18 April 1999 on the new constitution, a parliamentary initiative proposing to lift the article on dioceses and supported by the Federal Council was submitted and last December approved by the National Council by 170 votes to 17 and by all 38 members of the State Council.

Despite this unequivocal parliamentary approval, we must brace ourselves for a debate that will not be without emotion. Last December Federal Councillor Ruth Metzler called for a "constructive debate in the interest of tolerance". During the public hearing process the proposal encountered opposition from several cantons, the Swiss Evangelical Association of Churches and even certain Catholic cantons which regard this reform as an attempt to influence the ways in which dioceses are organised.

For their part, those in favour of lifting the article on dioceses stress that it violates the principle of equality since it singles out one church. This, they say, contravenes international law and is against the basic right of religious freedom.

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