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## "We must recreate the European family"

WINSTON CHURCHILL SPEAKING AT ZURICH UNIVERSITY 60 YEARS AGO ON 26 SEPTEMBER 1946

Bilateral agreements with the European Union or complete entry by Switzerland? Europe remains our most important foreign policy issue. The bilateral path is becoming rockier, but a majority of Swiss people and companies do not want full membership at this point in time. By Rolf Ribi



A single sentence in a letter sent by the Swiss Federal Council to the President of the Council of the European Union in Brussels on 20 May 1992 still gets people hot under the collar: "The Swiss Government is honoured to hereby request Switzerland's entry to the European Economic Community (...), in other words, to open negotiations on the matter." The letter was signed by the then Social-Democrat Federal President and Foreign Minister René Felber.

Even then, the European issue was an explosive one. The foreign minister of the Swiss Confederation wanted to lead Switzerland into the European Union without the consent of the people. Shortly before, Felber had convinced fellow Federal Councillors Delamuraz, Cotti and Oggia that this was the right course of action. At a special session of the Federal Council on 18 May, they out-voted Councillors Koller, Villiger and Stich. "Issues as crucial as applying to join the EU cannot simply be decided by four votes to three in the Federal Council," Arnold Koller said later.

Ten years on, René Felber conceded that the attempt had "perhaps" been a "tactical error", adding, "We wanted to avoid any lack of clarity and doubts". The fact remains that the Federal Council's letter to Brussels was partly responsible for the fiasco when Switzerland's entry into the European Economic Area was put to the vote in an emotionally charged referendum just six months later.

Since then, the contentious document has languished in the basement archives in Brussels. Following the refusal by the Swiss people to condone EEA accession in December 1992, the matter was formally suspended by the cross-party Switzerland-EU Committee in February 1993. The latter no longer has any legal impact, and Brussels explicitly does not consider Switzerland a candidate country. Nonetheless, just a year ago, FDP National Councillor Gerold Bührer and 18 co-signatories tabled a motion calling for the application to be withdrawn. He argued that the application was legally meaningless, EU policy had developed further, and that val-

ues such as neutrality, federalism, direct democracy and economic autonomy were under threat.

### Steps towards Europe

Switzerland's relationship with the European Union has long been our most important foreign policy and foreign trade policy issue. The following are the most important steps on our journey towards Europe:

On 3 December 1972, 72.5 percent of the Swiss electorate and all the cantons ratified the Free Trade Agreement with the European Economic Community (EEC). Twenty years later, on 6 December 1992, accession to the European Economic Area (EEA) was rejected by 50.3 percent of voters and the majority of the cantons. The bill was thrown out in German-speaking Switzerland and unanimously approved in the French-speaking areas. Federal Councillor Delamuraz referred to it as "Black Sunday". On 8 June 1997, a referendum on "EU membership negotiations before the people" was rejected by three-quarters of the population and all cantons.

The new century brought a change in the debate on Europe. On 21 May 2000, the Swiss people overwhelmingly endorsed the seven Bilateral

Agreements I with the European Union, with more than 67 percent "yes" votes. Only the cantons of Ticino and Schwyz rejected the agreements. On 4 March 2001, a referendum calling for EU membership picked up almost 77 percent "no" votes and was rebuffed by all 26 cantons. The year 2005 was a particularly European one for Switzerland: On 5 June, almost 55 percent of the electorate backed association with the Schengen and Dublin Accords, part of the Bilateral Agreements II. And on 25 September, the extension of the Agreement on the Free Movement of Persons to include the ten new EU Member States was approved by 56 percent of voters.

Switzerland has thus achieved much through bilateral agreements since the debacle over EEA accession in 1992. In all, Swiss diplomats have successfully negotiated 18 major agreements. The most important of these concern the freedom of movement of people throughout the 25 EU countries, virtually unhindered border crossing, the widespread

avoidance of second asylum applications, the licensing of 40-tonne vehicles, the liberalisation of the trade in cheese, the reduction of technical trade barriers, the taxation of interest earned in Switzerland by foreigners while upholding banking secrecy, and the improvement of reciprocal legal assistance.

"Negotiations and referenda have helped politically 'slow' Switzerland to extract itself from the corner it backed itself into in 1992," commented the *NZZ* newspaper. State Secretary Michael Ambühl from the Swiss Federal Department of Foreign Affairs (DFA) says, "Relations between Switzerland and the EU have intensified significantly since the country said 'No' to the EEA." Swiss companies now had far easier access to the Single European Market, while our contractual relations had been cemented, primarily by association with the Schengen and Dublin Accords. "Our relationship to the European Union is better overall and more intense than ever before," he added.

### The benefits of bilateralism

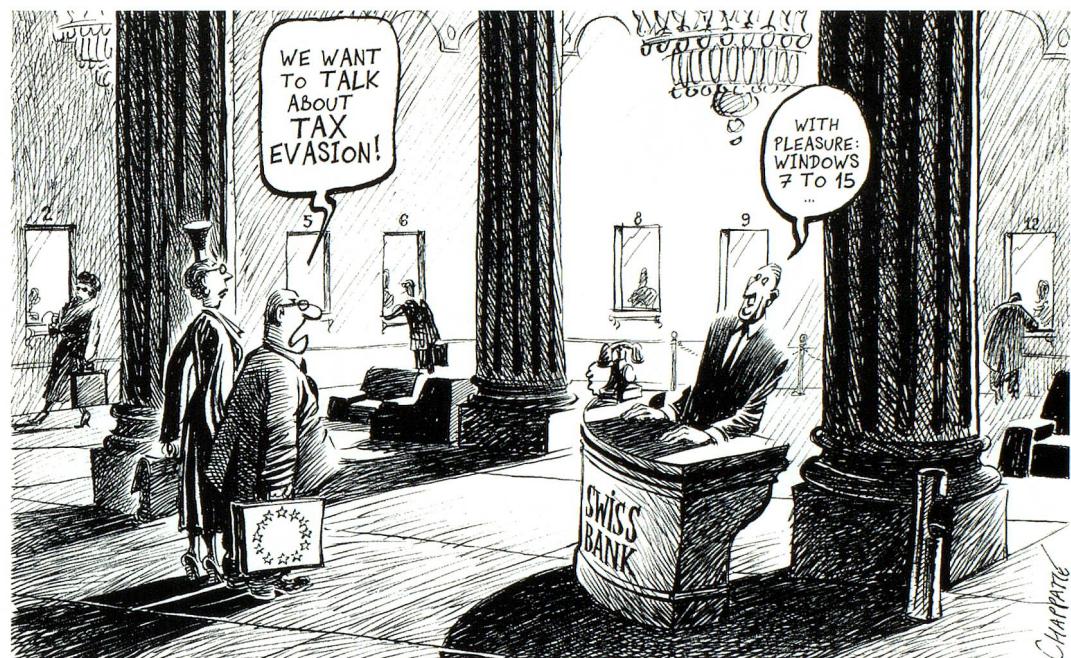
Who could deny that a bilateralist policy is very useful for us? This double-sided approach to Europe is backed by the people, tailor-made for our economy and does not oblige us to take any further steps. However, the price to pay is a loss of autonomy: If Switzerland joins a joint European agreement, it must adapt its legislation to the European rulebook.

Nobody appreciates the importance of the bilateral agreements better than the economy. After all, the European Union is Switzerland's biggest trading partner. EU countries account for more than 60 percent of our exports and more than four-fifths of our imports, and about 43 percent of Swiss direct foreign investment flows into the EU, where Swiss companies employ more than 900,000 people. Together with the US and China, Switzerland is one of the EU's three most important trading partners. Some 870,000 foreign nationals with European passports live in Switzerland, making up more than 12 percent of the population. "The bilateral path with the EU has proved its worth," states Economiesuisse, the umbrella organisation for the Swiss economy.

How do people at EU headquarters in Brussels see the two-way relationship with the Confederation? "The European Union is also interested in pursuing its bilateral relations with Switzerland," says State Secretary Michael Ambühl. "Brussels is paying tribute to Switzerland for the bilateral path. We are seen as a joint trading partner," says Ambassador Urs Bucher. The official view is as follows: After a change of heart, the European Union has internalised the bilateral

soon have 27 Member States. That means a common position really is very difficult to find. Now imagine that a small country with 7 million inhabitants comes along and demands that the EU adapt to its reality. When we at the Commission negotiate with you, it must be with the approval of all Member States. That doesn't make it any easier for us."

The Swiss Government has also noticed the dark clouds looming over the bilateral



nature of relations with Switzerland and its referendum democracy.

### Dark clouds on the horizon

And yet the good neighbourly relations between Brussels and Berne are threatened by an uncomfortable truth: "Tiny Switzerland's position vis-à-vis the EU has deteriorated steadily in recent years," says the Brussels correspondent of the *NZZ* newspaper. The European Union is currently a single market embracing 460 million people, with a single currency in its core area. It is also a political association in more and more areas, including justice and domestic issues, foreign policy and security. "The EU has increasing difficulty dealing with third-party countries that do not have the calibre of the US, Russia or China."

The new reality on the ground in Brussels was recently explained by European Commission President José Manuel Barroso in an interview with *NZZ am Sonntag*: "Put yourself in our shoes," he said. "The EU will

path. Swiss President and Foreign Minister Micheline Calmy-Rey sees the current strategy as the best option, but points out, "Bilateralism is not set in stone." What is more, "Entry to the European Union remains a more long-term option for Switzerland." The Federal Council repeatedly confirmed in earlier policy documents that membership of the EU was the "strategic objective". For instance, the Government's Foreign Policy Report 2000 states, "Entry into the European Union is the aim of the Federal Council. The interests of our country can better be served within the EU than outside." And in its programme for the 2003-2007 legislative period, the Government reiterated that "Switzerland's joint responsibility in Europe and entry to the EU are the objective over the long term."

### Federal Council Europe Report

The Federal Council's Europe Report 2006 lists the effects of entry to the EU. The political and economic changes are as follows:

Switzerland would have full co-determination rights at European level. Our civil rights would not be affected unless responsibility were handed over to the EU. Possible EU accession would require a referendum. Our federalist system would remain as is. Entry to the EU in its present form would not mean relinquishing neutrality.

gies" and stresses that membership of the European Union would further our interests in a globalised world economy. It would open the door to equal co-determination rights in Europe and therefore strengthen our sovereignty. The economy would benefit from the dynamism of the Single European Market, which would mean more competition and

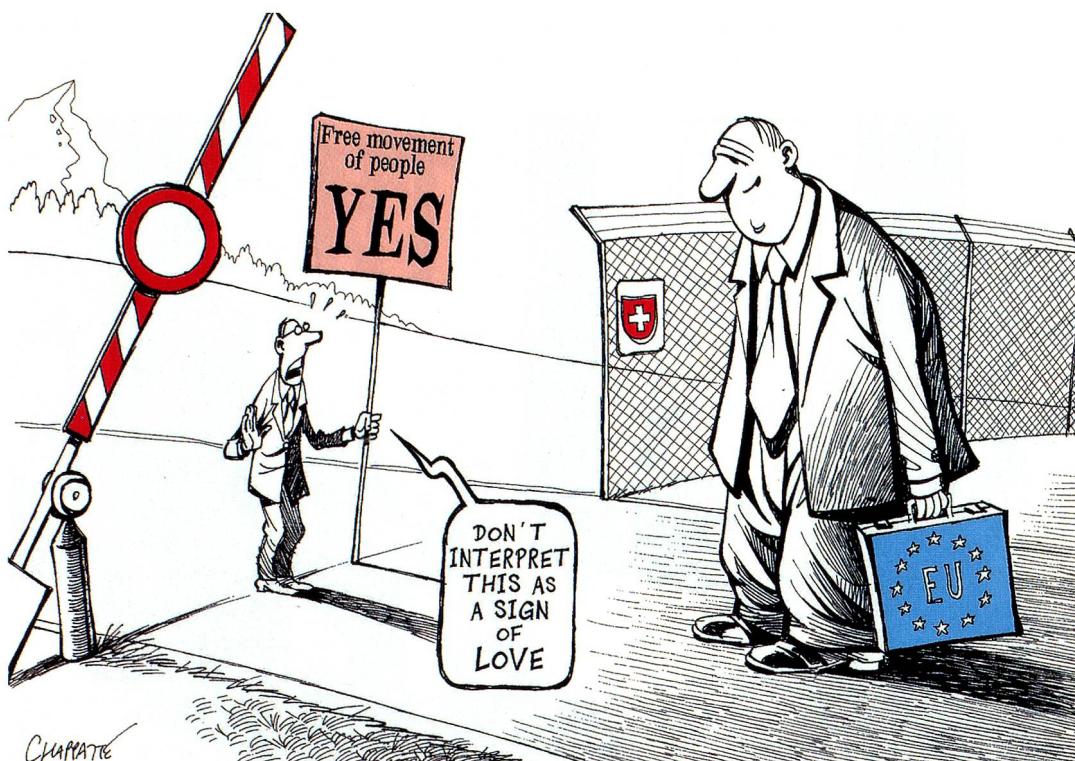
membership, and only 34 percent in favour. Forty-five percent expected Switzerland to be a member of the EU by 2015, whereas 48 percent thought not.

And what about the Swiss economy? "The economy is not interested in EU entry for Switzerland," was the surprise announcement by the Economiesuisse umbrella organ-

isation last April. In addition to voicing political concerns, the body also lists economic reasons: The Swiss National Bank would lose its independence in determining financial policy. Removing the interest-rate advantage and giving up the Swiss franc would, it claims, have negative consequences for business in Switzerland, while banking secrecy would be "undermined" by the complete exchange of information. The key statement of the Economiesuisse assessment is, "In the end, Swiss European policies must secure Switzerland as an economic location." Even the NZZ newspaper was left wondering, "Is European integration not first and foremost a politically motivated project?"

Former State Secretary

Franz Blankart neatly summed up the issue in a speech to the New Helvetic Society: "Entry to the European Union is an eminently political question," he said. "If entry is to be credible, it must grow out of a groundswell of popular desire to be involved in the political development of Europe." To reach this political goal, a political price such as the reduction of direct democracy must be considered, he said. "But what I do not want for Switzerland is entry in response to purely economic pressures."



The report goes on to say that our economy would have equal access to the Single European Market. However, we would lose our political autonomy on foreign affairs. Although value-added tax would have to rise from the current level of about 7 percent to 15, this could be counterbalanced by tax cuts in other areas. Fiscal banking secrecy would be cast into doubt because European taxation of interest demands a complete exchange of information. The Swiss National Bank would be forced to relinquish its financial autonomy to the European Central Bank. Switzerland would lose its interest-rate advantage over other countries. The euro would replace the Swiss franc. As an EU Member State, rich Switzerland would have to pay approximately CHF 3.4 billion net a year to the Union, the highest per-capita contribution by any Member State.

The New European Movement Switzerland (NEBS) is pushing for our country's rapid accession to the EU. It accuses the Federal Council of "lacking euro-political strat-

lower prices. The Swiss people would get a European passport and new political rights (for instance, for elections to the European Parliament). They would profit from Europe's greater consumer and employment protection rights, and could move to, work and study in any other EU country.

#### The Swiss and the economy oppose entry

"The much-praised bilateral path is not Switzerland's only European option," says FDP National Councillor and NEBS President Christa Markwalder, adding, "The Federal Council can no longer hide behind the Swiss people's alleged animosity towards the EU." So what do the people think? The regular Europe Barometer Switzerland poll carried out by the GFS research institute found the following in late 2005: Fully 84 percent of its representative sample wanted to leave all options open on Europe. The largest group relatively speaking wants to pursue the bilateral course. Fifty-four percent of respondents were completely or somewhat against EU