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Gun lobby takes aim

Switzerland must adapt its gun laws to EU requirements if it wants to safeguard Schengen. The EU Firearms Directive is under attack from gun rights campaigners – and will be put to a referendum on 19 May.

JÜRG MÜLLER

Weapons in Switzerland are a serious business. Just ask William Tell. The country's original sharp-shooter recently came back to the rescue – this time holding up his right hand like a traffic policeman on the website of gun lobby group Pro Tell and imploring "liberal Switzerland" to reject the EU's "disarmament diktat". Tell's modern-day advocate is René Schneider who, as honorary chairman of the Unterseen military rifle club, honorary member of the Bernese Oberland shooting association, and honorary member of the sports shooting association of the canton of Berne, is a man with intimate knowledge of the Swiss shooting scene. "As a democratic country, it is up to us to decide what we want and what we don't want," Schneider tells "Swiss Review". "We simply cannot let the EU Firearms Directive ruin the great Swiss tradition of sports shooting." Switzerland's firearm enthusiasts have come out all guns blazing.

This is a debate born of the Paris terrorist attacks of 2015, when semi-automatic weapons were used to kill 130 people.

the Swiss People's Party (SVP), oppose this and have called a referendum on the matter.

Spotlight on semi-automatic firearms

Semi-automatic weapons with high magazine capacity are banned under EU law. These include rifles, revolvers and pistols that will release a bullet each time the trigger is pulled – and, in the process, can fire multiple consecutive shots without the need to reload. Unfortunately, it just so happens that the SIG 550 and SIG 510 assault rifles also belong to this category. Both are very popular among Swiss gun enthusiasts. After talks with the EU, Switzerland has however obtained an exemption that upholds the tradition of standard-issue weapons being taken home and used at the end of military service. This is very accommodating from the EU, given that the concession applies exclusively to Switzerland – hence the exemption is sometimes referred to as "Lex Helvetica".

Anyone who already owns such a firearm as a result of a previous purchase has nothing to worry about. However, their weapon must be entered in a cantonal firearms register. If it is not, the owner has three years to rectify this. Sports shooters can also still buy this type of rifle, although they need to be a member of a rifle club or prove that they use their weapon for sporting purposes on a regular basis. The government deems five shoots within five years to be "regular".

But why exactly does the gun lobby object to these provisions? Schneider: "We would no longer be firearm owners but holders of illegal guns who are tolerated by the state and subject to special requirements. We would be using 'banned weapons' to practise our sport. Buying a firearm would only be possible via an exemption. This is much more restrictive than the current firearm acquisition permit and would result in a massive decline in the number of shooting enthusiasts." Schneider also believes that it is "totally illogical" for a standard-issue army firearm not to be considered as prohibited whereas a privately acquired firearm would be. "After all, we're talking about exactly the same gun. It would create a two-tier system among gun owners."

Could the new regulations perhaps lead to an increase in membership among rifle clubs instead, assuming that



people. The EU tightened its gun laws soon thereafter. Given that it belongs to the Schengen Area and – by extension – to the European police security system, Switzerland must amend its national gun laws in line with these new regulations. The country's shooting associations, supported by

sports shooters would also have to be members of such clubs? Schneider is adamant: "No chance. In our club we only take on new members who have been introduced by members who are already registered with us. This means that we only accept members of good repute. We don't just take on every person who wants to join us. I'm pretty sure that obligations and responsibilities would be passed on to clubs. And I can imagine that clubs would suddenly be responsible for providing the relevant certification for their members."

No Schengen will cost billions

Switzerland's gun clubs therefore have considerable misgivings – despite Parliament's best efforts to keep red tape to a minimum. Josef Dittli, FDP member of the Council of States for the canton of Uri, nailed it when he said, "We want to take into account the particular nature and tradition of shooting in this country, while taking care not to jeopardise the Schengen Agreements." All left-wing motions in favour of a further tightening of Switzerland's gun laws have been rejected, as have those of the SVP designed to scupper implementation of EU requirements.

Urban sprawl initiative fails



The Young Greens' Urban Sprawl Initiative aimed to put a freeze on the total area of building-zone land in Switzerland, while only allowing the creation of new building zones if building land elsewhere of at least equivalent size was downgraded to offset these new zones. Initially, the initiative was popular in the opinion polls, but it was a very different story on voting day. The proposal was decisively rejected by 63.7 per cent of the electorate on 10 February 2019. This was mainly because voters believed the initiative was too radical and rigid. Its opponents pointed out that the Spatial Planning Act (SPA), revised in 2013, was adequate, effective and beginning to come into its own, with the cantons working to implement its stricter regime. Any constitutional amendment would therefore have been counterproductive. Furthermore, the revised SPA not only prevents building zones from expanding, it also allows these zones to be withdrawn. (JM)

CVP National Councillor Nicolo Paganini warns against sacrificing Schengen "on the altar of sovereignty but for all the wrong reasons". The Federal Office of Police (fedpol) also provided a reality check on the problems that could arise, noting that Switzerland's police would be "deaf and blind" without Schengen, and that it was important for the country to remain part of the European security system. Developing a police strategy on a purely national security level, based on current Schengen rules, would cost between 400 and 500 million Swiss francs. Losing visa-free access to Schengen would also have serious consequences for the Swiss tourism industry and for cross-border regions. The federal government calculates that the Swiss economy would lose up to 11 billion Swiss francs each year without Schengen.

Is this not too high a price to pay for sparing Switzerland's gun lobby a few bureaucratic hoops? Schneider dodges the question slightly. In his view, the Federal Council should simply go back to Brussels and renegotiate the EU Firearms Directive. "I believe it is possible to find a solution that is acceptable to both sides and does not jeopardise Schengen."

Switzerland's arsenal of weapons

Switzerland has a great shooting tradition and numerous gun enthusiasts. There were around two million firearms kept in Swiss households according to the most recent federal government estimate in 2013. "NZZ am Sonntag" research shows that the cantons have issued between 150,000 and 250,000 firearm acquisition permits since then. Given that each acquisition permit enables the purchase of up to three firearms, the estimated total number of firearms in Swiss households is now between 2.5 and 3 million.



Authority on Swiss guns, René Schneider.
Photo provided

On 19 May 2019, there will also be a referendum on the Federal Act on Tax Reform and AHV Financing (TRAF). The November 2018 issue of "Swiss Review" covered the proposal in detail.