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## HOME AFFAIRS.

by MAX NEF.

## (Military questions: provision of the country with aircraft and tanks).

Since the end of the Second World War, the Swiss Army has undergone some drastic organisational changes. A temporary diminution in its effective strength, has been compensated by an improvement in armament, which carries with it increased firing power, allied to mechanisation on a large scale, providing greater mobility. The growing international tension which was to be observed just before the outbreak of the war in Korea, obliged the competent authorities, supported by the People, to carry out an additional armament programme, which necessitated an expenditure amounting to one thousand five hundred million Swiss francs. Owing to the favourable economic conditions which prevailed, it proved possible, in view of the high taxes imposed for national defence, to cover these supplementary appropriations out of the current state revenue, so that no new indebtedness arose out of the extra expenditure for military purposes.

There are two problems, however, which it has not proved possible to solve completely, up to the present, namely the expansion of the air arm and the creation of an adequate anti-tank defence.

In regard to the Air Force, it was decided, after the end of the war, to provide for a specified number of aircraft. Even if the possession of a greater number might appear to be desirable, here also it was necessary to remain within the framework of practical possibilities. At one time it was the question of cost which set up limitations, and then there was the problem of sufficient personnel. In view of the fact that Switzerland, because of her permanent neutrality, had built up her national defence purely along the lines of defensive action, she only required for her Air Force those types of aircraft which were suitable for this purpose, such as fast-flying planes, chiefly. This means, however, that it is necessary to keep up with all the new improvements in technique. During the last few days, the Federal Council has submitted to Parliament a request for the granting of large credits. These are required for the acquisition of some more jet fighter planes to replace out-of-date types, which will be put out of commission. It is possible for these new aircraft to be manufactured — under licence — completely in Switzerland, moreover, a great many other firms will be kept busy with the manufacture of constituent parts.

As regards the acquisition of an adequate supply of weapons for anti-tank defence, things have not progressed so far. Up to the present, the Swiss Army possesses various kinds of weapons for anti-tank defence, which are very excellent, but which for the most part are only effective at short or medium range. Defence at a longer distance, and against heavy and super-heavy tanks, has still to be built up. For this purpose, tanks of our own, are clearly indicated. Switzerland has been striving, for a number of years

past, to acquire a suitable type of tank from abroad. Until a short time ago, however, she was only able to obtain light tanks, of which a certain number were purchased last year. But, it is not sufficient to merely acquire these tanks; there are also the crews to be trained. As soon as these have been given a basic training, then there is the tactical co-operation with other arms of the services to be practiced, all of which takes a long time. There would now appear to be a possibility of obtaining a medium-weight tank of very up-to-date construction, from abroad. The preliminary decisions have already been taken by the technical authorities, so that the Federal Council will soon be approaching Parliament with a request for the necessary credits. But, in this case also, as the matter concerns an extremely costly weapon, as well as the expenditure required for its maintenance and for the training of its crew, what is desirable will have to take a back seat behind what can be realised, so that it will be necessary to remain within the framework of what is possible in regard to the number and use made of such medium tanks. The particularities of the Swiss Army and the conditions required for our national defence, will hardly lead to our setting up a tank division of our own. What is much more likely is that we will content ourselves with using tanks as a supporting weapon for our Infantry and for other arms of the service, and will introduce it into the Swiss Army for the purpose of strengthening the existing means of defence.

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### HOME AFFAIRS.

by PIERRE BÉGUIN.

**"When individual liberties are in question".**  
(Telephone tapping by the Police.)

Here in Switzerland, it is very seldom that sentences passed by the Courts give rise to public discussions. Our justice is independent and it provides very serious guarantees of impartiality. Nevertheless, it is a fact that, quite recently, two decisions of the Federal Tribunal, which is the supreme judiciary body in the country, provoked polemics in the Press.

The first of these decisions concerns listening-in to conversations by telephone, on the part of the police or by order of the Courts. Such tapping of telephone wires takes place here, the same as elsewhere. It is provided for in the Law on Postal Traffic. It constitutes an exception to the guarantee of secrecy which is given by the Administration of Posts, Telegraphs and Telephones in regard to their activities, as a whole. It is readily admitted that such listening-in is legitimate when it is a matter of tracing a criminal or of discovering the perpetrator of some offence. There would not appear to be any reason, based on any principle, why a man, on whom falls serious suspicion and against whom it has been possible to collect a number of presumptions in respect of illegal activities, should benefit from the guarantee of secrecy. In a case like this, public security must be given preference to individual liberty.

If this question has suddenly become topical, it is because of the fact that the PTT refused to allow a magistrate to listen in to the telephone conversations of a lady who was in no way inculpated, but who was known to have friendly relations with a delinquent who had managed to hide himself and thus to escape from a rightful arrest.

The PTT upheld the principle that only the conversations of the delinquent himself could be tapped. It must be said that this attitude taken by the PTT is extremely reassuring. It goes to prove that in this country, we are still a very long way off from being subjected to a régime which is abusive in this respect. However, the Federal Tribunal was of the opinion that these scruples were excessive and that in this particular case, the tapping of wires would have been legitimate. This was enough to cause voices to be raised, clamouring for additional guarantees to be given to telephone subscribers. There would appear to be no doubt that the Law will have to be revised on this point.

The other affair is of quite a different order. It concerns a journalist who wrote a severe criticism of a movie film, and since then has found himself debarred from entering the cinema where it had been shown. The Federal Tribunal decided that the owner of the cinema was in no way obliged to extend a welcome to every Tom, Dick and Harry. No doubt, this conception is well-founded on private Law. Everyone is free to conclude a contract.

Nevertheless, in this particular case, there is something more to it. There has occurred, indubitably, an infringement in respect of the liberty of the Press, in the sense that at least one newspaper

is prevented from exercising its right to criticism and reviewing. It is prevented from playing its natural role. Moreover, in this way a general menace hangs over the Press, in the sense that such a decision on the part of the Courts will have the effect of rendering critics prudent and depriving them of frankness of expression.

This aspect of the question has not been examined by the Federal Tribunal, the appeal not having demanded it. But, one is inclined to ask oneself if an appeal in Common Law would have proved successful. As a matter of fact, the liberty of the Press is only guaranteed against any encroachment on the part of the State, and not on that of private individuals. Here also, our legislation suffers from a deficiency, a gap, which should be filled. This is what public opinion desires, and it is a very good thing that it is still so keen to take up the defence of the rights of the individual. It constitutes a healthy sign for our liberal democracy.

**SWISS LEGATION COMMUNIQUE.**  
**Reparation of wrong done under the national-socialist regime.**

A West German law came into force on October 1st, 1953, which provides for the *reparation of wrong done to people under the national-socialist regime* because of their political creed, race, religious belief or ideology.

Is entitled to claim under this new law whoever,

regardless of nationality, was persecuted on the above-mentioned grounds at any time between the 30th of January, 1933, and May 8th, 1945, and thereby suffered damage to life, body, health, freedom, property, fortune, or affecting his professional and economic outlook. In this connection comes into consideration any action directed against the victim of persecution on the order or with the sanction of a Reich or local Government office, of a public body, of the NSDAP, their branches or affiliated bodies.

To be qualified to claim the victim of persecution must however have had his domicile or permanent residence on the territory of the German Federal Republic or of West Berlin on January 1st, 1947. Should one entitled to claim have died before the 1st of January, 1947, or have emigrated, been deported or expelled, it will then be sufficient that he had his last domicile or permanent residence in the said territories.

For damage to land compensation will be granted irrespective of the victim's domicile or permanent residence if the piece of ground is situated in the Federal Republic or West Berlin. The right to compensation is in principle inheritable.

Compensation will be paid only on application. Those who are now resident outside Germany (Federal Republic or West Berlin) have to submit their claims until October 1st, 1955.

The Swiss Legation in London and the Swiss Consulate in Manchester, will gladly give further details to Swiss nationals interested.

## CONFRERIE VAUDOISE

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