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# THE TRUTH ABOUT POLLUTION IN SWITZERLAND

## The facts

Much has been printed lately about water pollution in Switzerland, especially about our lakes which, to the great disappointment of tourists, are no longer "crystal clear", as they used to be.

Unfortunately, it is true: most of our lakes and many rivers are badly polluted. We try here to review the situation, the types of action considered (or already taken) and the legal aspects of this problem.

Lake Constance rates among the world's worst polluted lakes and there is very little time left, if any, for the German and Swiss governments to remedy the situation after decades of disastrous neglect, in spite of an existing—but seemingly powerless—International Lake Constance Commission. If international action is not forthcoming, this lake might—according to some pessimistic estimates—very well die even before the year 2000! Lake Geneva is quite sick, too, although French and Swiss authorities had already begun to show concern about growing pollution 12 years ago by signing a co-operation agreement in 1963.

Despite the corrective measures instituted, mainly on the Swiss side, the oxygen level has reached an alarming low, the water is getting progressively less transparent. The reason is a now classical one: increasing eutrophication due to an excess of nitrates and phosphates. A few months ago, France and Switzerland agreed on a five-year programme of continuing research (biological and chemical) in order to gain an exact picture of the situation. This project will require about 20 monitoring stations—all over the lake—which will perform some 30,000 analyses a year! The cost of this extended research programme is estimated at approximately 5 million Swiss Francs (i.e. 3.75 mio. SF and 1.25 mio. FF), which amount evidently does not include investments for the waste water treatment plants already built (on the Swiss side) or yet to be erected. Nevertheless, it has been established that the "patient" can be saved, and the two countries are agreed that this must be done.

The Italo-Swiss lakes (Lago di Lugano and Lago Maggiore) likewise are in bad condition. In many places swimming is prohibited, in others it is considered dangerous (bacterial pollution). Here again, an international agreement between the two countries involved appears absolutely necessary to save the lakes.

The Lake of Zurich is already on the way to recovery, which is good news indeed. At tremendous cost it has been possible to achieve a real improvement: swimming is again permitted everywhere and the water is gradually getting clearer. The other lakes (Neuchâtel, Biel, Morat and beautiful Lake Lucerne) are still in relatively good shape, though signs of pollution (algae) are also visible.

As to the rivers, ecological neglect has taken a heavy toll of the fish population. The recent accidental industrial poisoning of the Aar has caused the loss of eight tons of fish! The increase of water temperature in rivers used for cooling purposes near nuclear power stations presents another problem. It is imperative that a solution be found as these power stations are essential to cover our energy needs. As late as last spring, an increase in the river temperature of up to 30°C. was thought tolerable. This was obviously too much for the ecological balance of the Rhine and the Aar which are already subject to heavy industrial pollution. Future power plants, namely Leibstadt, Kaiser-augst, Gösgen, will have to be equipped with special cooling towers.

## What has been achieved so far?

## What more must be done?

At the beginning of 1971, 366 waste water treatment plants were in operation (investment costs: 758 mio. SF), 89 plants under construction (418 mio. SF), and 103 projected (approximately 215 mio. SF). Most of these facilities are two-stage plants (mechanical and biological treatment). Three-stage plants, providing additional chemical treatment of the sewage, are still the exception, for instance, those being built (or already completed), in which the Canton of Zurich has invested 67 million dollars. In plants of this type it is usually possible to eliminate 80 per cent of the phosphate against 30 per cent in the two-stage plants.

In Geneva, which ranks first among the Cantons, 97 per cent of the waste waters are treated. Presently, 46.4 per cent of the Swiss population live in communities equipped with waste water treatment plants but—according to a communication of the "Eidg. Amt für Umweltschutz"—only 40 per cent benefit directly from these installations. As regards disposal of solid waste, adequate disposal facilities exist for about half of the population. It is expected that with persistent efforts and strict compliance with the

new federal law (see below), the goal of clean water will be attained in the early 1980s. The price to be paid, however, will be tremendous for a small nation like ours: approximately 10 billion Swiss Francs (total cost, including sewers, etc.).

## The law

On June 6th, the people of Switzerland accepted, by a large majority, the new constitutional article 24 specifies concerning environmental protection. In a related move, the "Federal Agency for Environmental Protection" was created, which absorbed the former "Agency for Water Protection". Thus, water pollution is no longer considered separately from other environmental problems. On the other hand, both houses (one in March and the other one in June) have endorsed—except for a few points where their opinions diverged slightly—the proposed new law on Protection of Water from Pollution which, after clarification of these points, will, in all probability, replace, early next year, the law passed 16 years previously. In fact, it was necessary to close the gaps of the 1955 law, which left the jurisdiction almost entirely to the Cantons. It proved not sufficient and was soon outdated. Important points had to be determined, such as:

How far should the jurisdiction of the Confederation extend? (The following question raised endless debate in the Ständerat: "Should, as a rule, the federal authorities prevail when the Cantons do not take proper action, or only in exceptional cases?" Finally, the word "exceptionally" was eliminated). Who is responsible for damage? Those who cause it or the property owner, even if he is unaware of the consequences of his actions? What are the penalties for infringements? Who will foot the bill for this huge undertaking—the communities, the Cantons or the Confederation (it will be the taxpayer in any event!)?

Article 1 of the new law states clearly—as did, for that matter, the old one—that all waters, public or private, fall under the jurisdiction of the law. This has provoked the fire of quite a few personalities who argued that this tenet violates the basic democratic principle of our legal system which holds that the state may interfere in private matters only if a public interest of a very serious nature is at stake. On the other hand, the responsibilities and powers of the Confederation will be increased considerably. Not only is

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it entrusted with the task of co-ordination but has the right to take over if the Cantons do not live up to the provisions of the law.

Chapter II provides general instructions relating to the prevention of pollution. In this connection, however, the two houses reached slightly different conclusions, and a few points will have to be clarified during the current parliamentary session. Here, in short, are the principal decisions:

It is illegal to introduce directly or indirectly into the water any kind of substances (solid, liquid, gaseous) which might cause pollution. Ducts and seepage responsible for pollution will have to be eliminated within a maximum of 10 years. Building permits will only be issued in zones where satisfactory sewerage is guaranteed.

An important point (one of those which require clarification) is the possible prohibition of the manufacture and sale of products that cannot be eliminated adequately (this pertains notably to all phosphate-containing detergents).

One of the most controversial issues is the liability clause of the law, particularly Article 34, which needs further clarification. As originally presented to Parliament, Article 34 stated:

“Wer durch Betrieb, seine Anlagen oder durch seine Handlungen oder Unterlassungen ein Gewässer verunreinigt, haftet für den dadurch entstandenen Schaden”. This would mean that the law applied to anybody who causes water pollution, regardless of “guilt”. This statement, as could be expected, has given rise to long discussions and criticism. Whereas the motorist carries compulsory liability insurance, the owner or manager of a plant or home does not have such coverage. While it might be possible to collect for damages from a large enterprise, it is doubtful that the same would apply to private persons, as the extent of the liability may be staggering. Furthermore, it must be determined how the Cantons and the Confederation can be held responsible.

The “Nationalrat” advocated a less strict version of Article 34, giving some consideration to the notion of guilt. However, this recommendation was rejected by both the “Ständerat-Kommission” and the “Ständerat” itself at its second reading of the law. It appears possible that this time the Nationalrat might concur.

The penalties for infringements are quite high: in cases of neglect, they provide for fines of up to 20,000 Swiss Francs and prison terms of up to six months. In view of the complexity of the problem, its relationship to other issues equally important to the country, it seems that one of the great difficulties will be the enforcement of the law.

(*Bulletin of the Swiss Embassy in Washington*)

# TECHNICAL AND ECONOMIC ITEMS by courtesy of OSEC

## THIRD INTERNATIONAL MECHANICAL HANDLING FAIR

Continually increased output through rationalisation is a matter of vital importance for economic progress. Modern technology makes possible considerable improvements in the rationalisation of transport both inside and outside firms as well as of reloading, trans-shipment and storage; in industry, mechanical handling appliances save money and labour; they are also useful to transport firms, shops and even craft-workers. Owing to the vast range of appliances available both in Switzerland and abroad, it has become increasingly difficult of recent years to gain an overall picture of the market, make comparisons and choose the most suitable equipment for any given job. Only a specialised trade fair offers such opportunities. The Third International Mechanical Handling Fair will be held in Basle from 3rd to 12th February, 1972. The first two fairs, held in 1966 and 1968, showed clearly that this type of event answers a very definite need.

## A SWISS INVENTOR TO THE AID OF MOTORISTS

A Lausanne firm (Vaud, Switzerland) won a gold medal at the last International Inventors Exhibition in Brussels, for its presentation of an ingenious remote-controlled sump-plug, avoiding any need for a lift, pit or dirty work. This small device, called “Cédimatic”, is inserted in place of the original sump-plug; it is opened from a distance by means of a cable with handle, thus enabling the motorist to change the oil of his car himself, or save precious time by having his oil changed at the petrol station while filling up with petrol. Apart from the fact that this also cuts out the need to make an appointment with one's garage, or immobilise one's car for an inconvenient length of time, this device helps motorists comply with the recommendations of automobile manufacturers and oil producers, who advise changing the oil while still warm, so as to ensure proper drainage of the sump and complete removal of the acids that are harmful to the engine.

## PROCEEDS FROM TAXES IN SWITZERLAND

In Switzerland, the total proceeds from taxation have trebled within a period of 10 years, while the proportion of taxation in the gross national product has increased by about a third during the same period. The taxes lev-

ied by the government in 1969 totalled 14,424 million francs, i.e. 17.9 per cent of Switzerland's gross national product. Ten years earlier, this proportion amounted to only 14.5 per cent. Cantonal taxes have increased the most. Totalling 23.96 billion in 1969, they accounted for 30.5 per cent of Switzerland's total tax receipts as opposed to 27.7 per cent in 1959. The figure for the proportion of communal taxes remained practically the same: 25.5 per cent (36,79 billion) in 1969. This trend has had an effect on the apportionment of the total proceeds from taxation according to the various types of tax. There is in fact a falling off in the amount of indirect taxes in favour of direct taxes: whereas income tax and capital levy as a whole in 1959 accounted for 62.7 per cent of the total receipts from taxation, the proportion increased considerably during recent years, amounting in 1969 to 65.2 per cent, i.e. a level not reached since 1946. On the other hand, the part played by taxes on consumption in the total figures amounted only to 34.8 per cent in 1969 as compared with 37.3 per cent in 1959. It is the first time this figure has been less than 35 per cent since the end of the second world war.

## WHERE THE SWISS GO

According to the Federal Aliens Police, Swiss emigration has been on the increase again. On January 1, 1971, there were 311,392 Swiss registered with their consular representations, compared to 308,172 at the beginning of 1970. During this year, 18,322 Swiss left their country or “Heimat” as they are wont to think of it, once they have cleared the frontier. On the other hand, 15,000 compatriots have returned.

The emigrants come from all walks of life. Two-thirds left in order to work, but one-fifth belonged to the “professions”. No more danger of brain drain!

The preferred destination of the Swiss sounds somewhat like a political or cultural programme. The countries of their choice are headed by Germany, South Africa, Canada, Australia, followed by Great Britain, Spain, Austria and the Netherlands. For the first time again, an increasing number went to France and Italy. On the other hand, emigration to Latin America has almost come to a standstill—with the exception of Argentina, Brazil and Mexico. New Zealand, another popular destination, evens out with an equal number of Swiss emigrating and returning, the United States shows a slightly negative balance which has not occurred for years.