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COMMENT

A SWISS-AMERICAN TREATY THAT WILL BENEFIT THE SWISS IMAGE

A treaty of mutual judicial assistance which might put an end to persistent hints that Swiss banks are storing the Mafia's money has been concluded on 25th May. This treaty was signed in Berne on the Swiss side by Dr. Albert Weitnauer, presently Ambassador in London and previously Delegate to Commercial Agreements, and on the US side by Walter J. Stoessel, Assistant Secretary of State for European Affairs, and Mr. Shelby Cullom Davis, American Ambassador in Berne. The Treaty, which is the first judicial assistance agreement ever signed by the US, will have to be ratified by Congress and by the Swiss Parliament. It was finalised after negotiations which were protracted over five years and which required a compromise between two very different legal systems. Dr. Weitnauer took part in the final stage of the talks. The treaty is defined in a 100-page document.

Its central point is that the principle of Swiss banking secrecy is safeguarded, while the concern of the American side to obtain, for judicial purposes, information normally kept secret under Swiss law, is satisfied under certain well-defined conditions.

Although the agreement covers every field of judicial co-operation, the clauses with a bearing on banking secrecy have caused the most interest because the Swiss numbered account has a worldwide "reputation" and, more practically, because it has become an instrument of tax evasion or conversion of illegal funds for organised crime. As Dr. Weitnauer put it after signing the Treaty, "International co-operation also exists, alas, among criminals". This truth has become a growing feature of crime as a whole, and has done more than anything else to bring Swiss banks in the limelight and, occasionally, into disrepute.

Swiss banking secrecy will be lifted under three conditions: If the request by the American side concerns the investigation of a "serious offence"; if the "disclosure is of importance for obtaining or proving facts which are of substantial significance for the investigation"; and if "reasonable but unsuccessful efforts have

been made in the US to obtain the evidence or information in other ways".

Both sides agree to assist each other in "investigations of court proceedings in respect of offences, the punishment of which falls, or would fall, within the jurisdiction of the judicial authorities of the requesting State". The treaty also covers assistance in returning any property or assets taken from the requesting State by means of such an offence.

The main stumbling block of the talks was the fact that fiscal offences, which is the usual way American gangsters can be trapped, are not considered as illegal in Switzerland. It was therefore necessary to prove that these acts were linked to others indictable under Swiss law. The negotiators also had to take account of individual State laws in America. Under many state systems, it would be necessary for inspectors to enquire on Swiss territory. This will be tolerated when proved absolutely necessary. The interrogation will be carried out under Swiss ethical norms and within the framework of a Swiss-led enquiry.

Another important hitch pertained to the disclosure of information derived from opening numbered accounts. The Swiss could not obtain the promise that such facts would be kept secret as under the American Constitution everything must be told in an open court. But the Swiss received assurances that such facts would not be used as evidence against anyone in an unrelated case.

The accord had to be redrafted several times at the insistence of Swiss business circles. Some members of the *Vorort* (equivalent to the British CBI) would have liked to see an additional guarantee against American justice causing troubles to Swiss firms in the US. It was feared that the Americans, urged by some protectionist compulsion, might charge these firms with harbouring the funds of criminal organisations and infringing antitrust laws. But these fears were considered as exaggerated, particularly in view of the fact that the Americans would have to supply the necessary evidence.

The agreement will be welcome by all as embodying Switzerland's participation in an international fight against crime. In view of growing criticism against the consequences of banking secrecy (which are applied in many other

countries but perhaps not so stringently) the time had come for Switzerland to make some practical concessions leaving principles intact.

The insistence that both sides should be convinced that criminal offences have been committed is a must. Although it is fashionable to condemn Swiss banks as the cause of millions of pounds and dollars of lost fiscal revenue, this collective and lofty assessment disregards the legitimate interests of those who have earned money by their efforts and who ask why they should surrender sizeable portions of it to the State. This is why exceptions to banking secrecy must only concern criminal investigations and not tax evasion (or "avoidance"). It is not the future of the Swiss banking establishment which is at stake (although it has amply benefitted by its secrecy laws, it can survive and prosper without them) but the material interests of thousands of people who wish to keep some money of their own in security.

Whatever one's ideology may be, ownership seems a legitimate thing in today's prosperous West. One can imagine the inconvenience of an Anglo-Swiss judicial assistance agreement which would provide for bank-account disclosures for fiscal offences. Thousands of Britons and Swiss residents would find their livelihood in jeopardy. British Treasury sleuths are already a serious menace to Britons owning real-estate abroad, and some even managed to break in a few numbered accounts last year with the connivance of Swiss bank employees. Admittedly, it is immoral for millionaires in famished countries to store their assets in a Swiss bank, but honest, hard-working citizens, particularly if they are foreign residents and already pay high taxes, surely have a right to keep some money where they know it is safe. Seen from that angle, Swiss banking secrecy is a blessing to the international community.

SWISS EVENTS

SWISS ARRESTED ON CURRENCY CHARGES IN ALGERIA

Two Swiss have been arrested and arraigned before a special Algerian Court on charges of having illegally exported Algerian Dinars. Three Swiss — one man and two women — were originally arrested, but one of the women is believed to have been set free. With six Frenchmen and an Italian, they were accused of setting up a currency-ring based in Geneva so as to sell Algerian Dinars abroad. The Algerians claimed that they had bought Dinars cheaply in the country to sell them abroad to expatriate Algerians wishing to invest their capital in their homeland, or to companies operating in Algeria but unwilling to transfer funds to their accounts with Algerian banks. Algeria, being very chary with its money, forbids

all exports and imports of its own currency. The three Swiss had smuggled 500,000 Dinars (£50,000) last December in a suitcase with a double-lid. They were caught during a second attempt last April. They are likely to be sentenced to very long terms of imprisonment.

Switzerland has important claims with East Germany

In a recent report on the activities of Switzerland's first ambassador to East Germany, Mr. Hans Miesch, the *Schweizer Illustrierte* said that millions of francs worth of debts due to Switzerland were outstanding in the Democratic Republic.

The mass-circulation weekly claimed that the official debt alone, which was converted into Swiss francs at the end of World War 1, was worth 43 million francs at the end of the second world war. Although this debt had been contracted by the Weimar Republic and the 2nd Reich, most of the money and bonds involved were now in East Germany, wrote *Schweizer Illustrierter*. The magazine added that interest calculations had been abstracted from this sum. There were other liquid assets, mainly securities, of undetermined value, which the Swiss would like to retrieve. There were moreover a number of properties, such as the "Schweizer Haus Friedrichstadt", a stone's throw away from Checkpoint Charlie, and the "Haus der Schweiz", equally in Berlin. Both these buildings, built by the Bank Leu (Zurich) had extensive commercial premises bringing

hard currency to the East German State.

Repayment of loan has been one of the main issues discussed during the talks preparing for the re-establishment of diplomatic relations. Nearly all western

states have similar claims with East Germany.

The article added that there were presently 3,000 Swiss living in East Germany, 1,500 double-nationals and 1,500 pure Swiss.

COOP-MIGROS PRE-EMPTIVE WARFARE

The "Coop" chain of supermarkets has launched a price war against "Migros", its main competitor. Each of the two organisations publish turnovers of over four billion francs and account for over half of the Swiss food retail market. Migros generally has a slight edge on the Coop. It was founded by a financial genius and politician, who was Switzerland's consumer champion: Gottlieb Duttweiler. The Coop developed in reaction by attracting a growing number of formerly independent businesses and merging them into larger surface units. The Coop issues stamps which one can stick in a booklet (if one is sufficiently orderly) and obtain a welcome 22-francs refund once it is filled in. This means that prices at the Coop are slightly higher than at the Migros, although many housewives feel the advantage is more than outweighed, psychologically at least, by the pleasure of collecting the reward of a well filled booklet, and having a free shopping list once in a while.

Both the chains, which have business comparable or even larger than similar British organisations (Tesco, Sainsbury etc.) sell many products under their own brands. They manufacture these goods in large factories and pass individual contracts with commodity-producing nations. This is particularly true of Migros. Duttweiler broke the importers association monopoly by seeking his own sources of supply. Migros has signed important and long term contracts with countries producing bananas, coffee and other colonial commodities.

One field where the factory-retail complex has dealt a crushing blow to the small shop-owner has been *bread*. In the latest stage of their competitive struggle, Coop has undercut Migros by slashing the price of the pound (½ kg) of bread from 75 to 40 cents, with the added benefit of Coop stamps. This policy has been pursued in Geneva, where competition is particularly stiff and conditions are favourable to making the best available

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use of modern industrial bakeries which produce bread as good, and sometimes better, than the one sold by individual bakers.

There are 160 bakers in Geneva and a further 40 shops sell bread without producing it. Naturally, they have their own organisation, which bitterly protested against the Coop move. Mr. Leo Schurmann, the official prices watch dog, asked them not to increase their prices by 3 per cent. This order proved superfluous in a situation where the prices of competition are knocked down by 45 per cent.

There is nothing the small retailers can do in the long run to hold out against the large organisations. An industrial bakery can produce several thousands of loaves where a small baker can only produce a few hundreds. Bread has been produced industrially in Britain longer than it has in Switzerland, and this is why the problem has been brought to the fore. But the growth of Swiss supermarkets is as advanced as anywhere in Europe. The small shops that remain are all members of organisations known as *Lebensmittelverein* which rely on common sources of supply. Competition is no longer between the supermarket and the village grocer (even *he* has been hit by the Migros Van that comes at least once a week on the villager's doorstep) but between the supermarket themselves. This competition is practically centered on the two giants Migros and Coop which are ever-present in the daily lives of the Swiss. A very enterprising chain store called Denner AG, which has taken issue with the Government on several price-fixing controversies and launched two initiatives pertaining to consumer protection, is rather far behind and another important affair, USEGO, has had to reorganise following a financial crisis. The price-lowering effect of competition can really be said to come into play in the healthy struggle between the only two supermarket giants. By halving the price of bread, the Coop does more to affect the life of the Genevese than any federal decree. In fact, one has the best of both worlds because of this competition, and also because there is no chance of the two organisations joining forces in order to

win more advantages: they are non-profit businesses with a consumer-orientated philosophy. But this fortunate state of things doesn't seem to prevent prices from growing inexorably: neither firm is able to sell a kilogram of entrecote for less than 36-40 francs.

Nestlé's suffers strike in Peru

Nestlé's Peruvian branch, known as *Perulac*, suffered a five-week strike with political implications during April and May.

The workers of the Maggi plant in Lima went on strike for a week at the beginning of May as they were dissatisfied with terms offered in a renewed collective contract. The unionised employees of two other *Perulac* plants outside Lima staged a strike in a gesture of solidarity with their comrades in the capital. When the Nestlé management refused to pay the strikers for the lost week, but remitted wages to those who hadn't taken part in the movement, a second, and

much longer walk-out was staged by workers in the two plants concerned. After they had received an injunction to return to work on 2nd May, work was resumed in only one of the plants. 400 employees in the other were still on strike at the end of May. Meanwhile, an official of the International Federation of Workers in the Foodstuffs Industry came to the strikebound factories to promise outside support to the strikers. Nestlé duly informed the Peruvian Government, which jailed and later expelled the official concerned.

The Geneva-based Federation attacked Nestlé for discriminating against unionised and non-union employees. The French CFDT Union also hit at Nestlé for having brought the Peruvian Government in the conflict and secured the expulsion of a union official.

Talks were in progress at the end of May between delegates of the *Perulac* labour force and Nestlé's central management in Vevey.

ROCHE SOLDIERS ON

It is reasonable to assume that the British Government is not held in great favour at the headquarters of Hoffman-La Roche in Basle.

The Swiss company's British operations have suffered further brushes with the British authorities as the Patent Court was asked on 23rd May to grant compulsory licenses to make *Mogadon* and related products to a London firm called DDSA. An Italian firm called Ravizza had made a similar application. In effect, firms were seeking permission to use products developed by Roche and for which patents had by no means expired. They were seeking to legalize patent infringement - something which must have made Roche directors gnash their teeth. Such legalised infringements are possible under a Section of the Patents Act introduced in the mid-sixties under the prompting of Mr. Enoch Powell to prevent any company from having a monopoly on a particular range of drugs, and allowing others to break in that market.

It had already been disclosed, at the time the Department of Health ordered Roche to slash the prices of *Librium* and *Valium*, that DDSA had obtained compulsory licenses for these two products and that Berk, another British firm, had been authorised to manufacture *Valium* in 1971. Despite these licenses, the two companies together had not managed to grab more than one per cent of British market(!) Roche had no illusions about the outcome of the DDSA and Ravizza applications. At the time of writing the issue had not been settled, but the decision was expected to be made within a week.

Roche had just lost an appeal against Berk. The Welwyn Garden City firm complained that Berk, who had begun marketing *Valium* last June, had used

the same colour for the product, thereby causing a possible confusion between their pills and Roche's. This was dismissed on the grounds that patients always refer to the "white" and "yellow" pills for convenience whereas the origin of the pill was a minor consideration in their minds. Moreover, the origin was visible on the label.

To make matters worse, the Department of Health and Social Security have been asking Roche to reduce the price of *Mogadon* (sales between £1 million and £2 million a year in the UK) and of *Nobrium*.

Campaign in the offing over the Trans-Helvetic Canal

The supporters of the Trans-Helvetic Canal of Canton Vaud are sure that the wind has turned in their favour. In their recent AGM, held at the end of May at Lausanne, they took stock of the situation and noted with satisfaction that both chambers of Parliament had accepted to leave the issue open. On 6th March, the National Council accepted a motion to pursue feasibility studies on the opening of the Rhine and its affluent the Aar to heavy navigation up to Yverdon, on the south-western tip of Lake Neuchatel. While most eastern cantons object to the scheme, those in the west of the country, particularly Vaud, see it as a welcome boost to their economy.

The supporters of the Canal are of course far from attaining their objectives. Following the 6th March debate in the National Council, the Government will be given two years during which to submit detailed proposals. Plenty of water will flow through the Rhine and the Aar during that time. Meanwhile, negotiations are progressing with the Germans, who have an interest in the future of the two

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rivers since these delimit the border between the two countries.

Switzerland's anti-canal organisation, appropriately called "Aqua Viva" since its main concern is to preserve the cleanliness of Swiss waters, is preparing to launch a powerful campaign. The organisation claims 350,000 members.

Plastic dustbins rejected in Geneva

The Swiss dustmen have been forced by rationalisation into being the most selective in Europe. Anyone wishing to get rid of an old suitcase, a large heap of newspapers, a bundle of cloths — anything in fact which in England would be accepted as the source of a welcome bonus to the low wages of municipal workers — would find these wares left lying on the pavement. Swiss dustmen only evacuate garbage contained in a special dustbin marketed by the firm *Ochsner* and equipped with a special lid adapting to the latch of disposal lorries. Some years ago, a storm was caused in Zurich by the dustmen's refusal to take large waste-bags marketed by Migros. Any rubbish not contained in the standard dustbin had to be carried away personally to the disposal plant. A similar inconvenience annoyed the Genevese recently when they learnt with displeasure that a new plastic dustbin, also manufactured *Ochsner*, would not do. The matter was raised in the cantonal parliament. The State Council (Government) replied that of the two type of dustbins sold by *Ochsner*, one called "Genève" and the other "Villes Suisses", only the former, in metal, was acceptable. The others, owing to the inadequate shape of their

lids, would have increased the time required by municipal workers to empty them. The lessons of F. W. Taylor have obviously not been lost on Geneva's Executive.

The Soviets reject Mr. Hans Schaffner's appointment in a UN Commission

The Soviets have complained to the General Secretary of the United Nations about the appointment of a German and a Swiss personality to a new UN study committee on the influence of transnational campaigns. The Soviets said that, while their relations with Bonn and Berne were excellent, they could not see why persons from non-members of the UN should sit at a UN-Commission.

The Swiss person concerned was none other than Mr. Hans Schaffner, former Head of the Department of Public Economy, the most important in the federal administration. Mr. Schaffner had directed the Department for many years and his strong personality had left a lasting mark. He was succeeded by Mr. Ernst Brugger, actual head of the Department.

Mr. Kurt Waldheim, the UN General Secretary, has not yet disclosed whether he would take head of Soviet objections. In either case, it will have been apparent that Switzerland's non-membership to the UN can cause embarrassment from time to time. Switzerland partakes in the activities of several UN agencies, but not in those of the General Assembly.

Mr. Schaffner is already working as a permanent expert for the Organisation for Economic and Cooperation and Development (OECD).

HOW MUCH DO BANK TRANSFERS COST?

The Union Bank of Switzerland's monthly brochure of "Business Facts and Figures" contained the startling information that the time, work and materials required to execute a bank transfer (be it in the form of a regular credit advice, a correspondent cheque, a standing order or a credit advice using giro forms filled out by the customer) bring the cost of each transfer generally to between, five and ten Swiss francs.

This astounding cost is explained by the following analysis: a payment order, as a rule, passes through the following stations: incoming mail department/internal mail instructions register, central book-keeping department, account control, payment transactions/clearing central, registration and outgoing mail department. If the costs of executing a transfer order are broken down into different categories according to personnel, depreciation on equipment, and office space expenses, it can be seen that personnel costs rank first at 50-60 per cent. The cost share of equipment ranges, according to the degree of automation, between 15 and 30 per cent.

Although it considers the recent increase in cashless payment transactions as gratifying, the UBS stressed that the banks should keep a close check on costs. At the usual turnover commission of 0.5 per thousand, costs are covered only when transactions involves 10,000 francs or more. But almost two-thirds of transactions are for smaller sums and therefore executed at a loss.

This has made efforts at rationali-

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sation and a review of the charge structure mandatory. The acute shortage of labour has made the need for this even more pressing. Customers can help by using cheque and giro transfer types more frequently instead of the labour-intensive and therefore costly credit order. High costs connected with tracing operations could be avoided if clients affixed the account number of the transfer recipient as in the case of postal cheque transfers.

Depending on business sector and branch location, banks are increasingly compelled to restrict the execution of special instructions such as additional copies of advice, foreign language duplicates and supplementary mailing instructions. As every sixth transfer involves such instructions, the rationalizing effects of modern equipment are cancelled out.

Swiss GNP per head rises by 4.1 per cent

The Swiss Gross National Product per head has risen by 4.1 per cent last year. The GNP is the sum total of all the goods and services produced in a country during a year. Referred to individual inhabitants and to the currency's real value, it is an appropriate measure of prosperity. The Swiss are therefore 4.1 per cent better off now than they were this time last year. According to OECD figures, Switzerland is the fourth most prosperous nation in the world.

SWISS ABROAD

A book on the Swiss of Italy has been published by the Swiss Chamber of Commerce in that country. Three contributors — Mr. Georges Bonnant, General Consul in Milan; Mr. Hermann Schütz, Milan Correspondent of the *Neue*

Zürcher Zeitung, and Mr. Emilio Steffen, President of the Swiss of Italy — had attempted to assess Switzerland's influence on the cultural and economic life of Italy. Called *Svizzeri in Italia, 1848-1972*, the book stresses that it is not only the *Italians* who emigrate to Switzerland. The Swiss drifted south well before their own economy attracted less well-off mediterranean workers like a magnet. In fact, the Swiss of Italy form a flourishing colony which is perhaps the

most important abroad after the Swiss community in France. Referring to the tensions brought about by the "over-foreignization" issue in Switzerland, an Italian journalist wrote that the figures and facts recalled by the book *Svizzeri in Italia* proved with eloquence that traditions of friendship and co-operation which has brought these two people together lent an absurd character to political conflicts over Switzerland's alien population.

Tourist News

New Accommodation List for the Swiss Jura Region

The Swiss Jura, a region still hardly touched by tourism, is ideal for quiet, family hiking and riding holidays. "Pro Jura" tourist office has just recently issued a brochure which will prove indispensable to travellers. It is divided into eight regions giving all kinds of accommodation possible varying from simple flats and bungalows to large country houses with heated swimming pools. Leisure activities such as hiking, riding, fishing, etc., are also described. Another chapter deals with accommodation in youth hostels, holiday camps, huts, etc. There are five motels in the Jura. Camping is permitted in 13 areas. This brochure and the hotel and restaurant guide are both obtainable at "Pro Jura", CH-2740 Moutier.

Farm Holidays Now Possible in Switzerland

If you want to discover what it's like living in the country for a while, you can now spend your holidays on a Swiss farm known as "Rüti". The farm in question is 300 years old and located at Abtwil in the countryside of Appenzell. The town of St. Gall is only 3 miles away and Lake Constance is quite nearby, too. One week's full board and lodging costs Fr. 167 for an adult and Fr. 104 for a child.

Travel through Switzerland on Public Transport with the Regional Holiday Season Ticket

There are several regional holiday tickets available to people travelling around Switzerland from May till the end of October. Tickets for the Montreux/Vevey, Bernese Oberland, Lake of Lucerne and Grisons regions are valid for 15 days. These allow for 5 freely-chosen days of unlimited travel and half-price travel for the remaining days. The regions of Locarno/Ascona and Lugano in the Ticino also offer a 7 day general season ticket for unlimited travel. Holders of Swiss Holiday Tickets obtain the Regional Holiday Season tickets with a 25 per cent reduction. These tickets are issued by the stations on the lines on which the season ticket entitles to unlimited travel. Exchange vouchers may be purchased from the Swiss National

Tourist Office (SNTTO) and from more important travel agencies outside Switzerland.

Excursions to Switzerland's Biggest Mountain Crystal Cave

The "Sandbalm" cave, Switzerland's biggest mountain crystal cave, was excavated 200 years ago in the Göschenalp valley (in the Gotthard region) at a height of 5,205 ft. above sea level. Nowadays, you can still walk along more than 750 ft. of its length; seams of quartz, calcite and chloride are noticeable all around. The cave is open to the public on certain days from June to September. The excursions are headed by a skilled expert who informs participants about the mineralogy and geology of the region. Applications to be made at: "Post-reisedienst", CH-6487 Göschenen.

New Quality Signs on Swiss Hotels

For some time now, there's been a new sign at the entrance to Swiss hotels and restaurants — a golden ball encircled by a ring bearing the title "Swiss Union of the Associations of Former Pupils of Hotel Schools" (Union suisse des associations d'anciens élèves d'écoles hôtelières). The sign guarantees the best reception and service available. The Union was founded in 1971 and has 3,000 members, all former students of hotel schools at Lausanne, Glion, Zurich, Lucerne and Geneva.

Genolier — New Convalescent Centre for Exhausted Managers

An ultra-modern clinic for the curing of the ills of modern civilization has just been opened near to Genolier above Lake Geneva in canton Vaud (only 15 minutes away from Geneva airport). It is the first of its kind in Switzerland and Europe but resembles more a luxury hotel than a hospital. Each sick room has a balcony with a view of the lake, bathroom, telephone, radio and television. The clinic has physio-, hydro- and electrotherapy rooms for rehabilitation treatment after operations, heart attacks and accidents; sounder patients can use the gymnastic hall, sauna and swimming pool with underwater massage, etc. Cost: Fr. 170 to 225 per day excluding medical care.

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