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Autor: Peter, Theodora / Jorio, Marco
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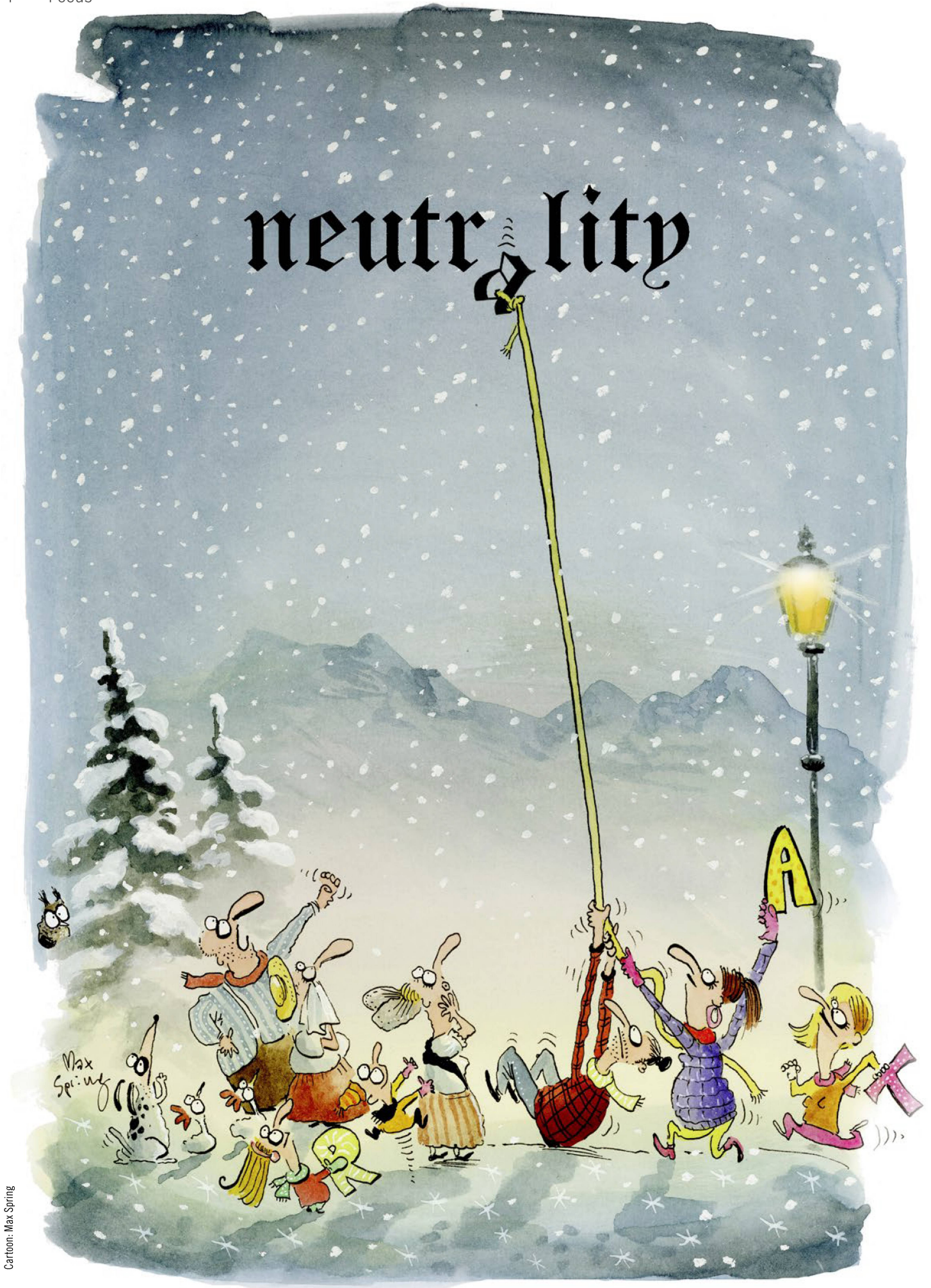
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neutrality



As war rages in Europe, Switzerland is wrestling with its neutrality

Switzerland has been practising neutrality for longer than virtually any other country. But is it in keeping with the times? The political debate on the issue was reignited by Russia's invasion of Ukraine. Sooner or later, the underlying question will be decided at the polls.

THEODORA PETER

Neutrality is as much a part of Switzerland's identity as direct democracy is. Switzerland does not get involved in foreign conflicts, but helps out in humanitarian crises and acts as an intermediary. This understanding of its role met with a mixed reception on the international stage in the past. There were words of encouragement for its willingness and efforts to promote peace, and criticism for staying on the sidelines and profiteering – whether during the Second World War or during apartheid.

Switzerland's self-image as a non-partisan nation has been under the microscope once again since Russian troops marched into Ukraine in February this year. After initially hesitating, Switzerland also adopted the severe sanctions of the European Union (EU) to a hitherto unprecedented extent. "Playing into the hands of an aggressor is not being neutral," argued Swiss Federal President Ignazio Cassis (FDP) as he explained the Federal Council's position after war broke out, and referred to breaches of international humanitarian law by Russia. Conversely, the government expressly

ruled out supplying weapons to Ukraine. As a neutral country under the Hague Convention of 1907, Switzerland may not favour any specific warring party.

'Cooperative' and 'active' neutrality

There have been various concepts and notions of neutrality for centuries, as historian Marco Jorio illustrates in his article ("Which neutrality?", page 7). Recently, Federal President Cassis proclaimed 'cooperative neutrality' at the World Economic Forum in Davos in May. In a speech delivered to the international public, the foreign minister emphasised that Switzerland was campaigning as a neutral country both for the fundamental values it holds dear and for globally shared values. "Switzerland therefore stands alongside the nations that refuse to look on passively while the foundations of democracy are attacked." In addition, Switzerland is also willing to commit to a 'stable security architecture', which must be multilateral in order to exist. Cassis thus argued for Switzerland's role as

a neutral intermediary accepted by all sides.

Former Foreign Minister Micheline Calmy-Rey (SP) had already coined the term 'active neutrality' during her term of office (2003–2011). The country has transitioned from a "neutrality born of necessity, dictated by its security requirements, to an active neutrality based on the rights of the people", the federal minister wrote in her 2020 book "Die Neutralität: Zwischen Mythos und Vorbild" ("Neutrality: Between Myth and Role Model"). In this book, Calmy-Rey even describes Switzerland joining the United Nations in 2002 and its 2011 application (approved by the Swiss Federal Council) for a non-permanent seat on the UN Security Council as a paradigm shift. Switzerland will assume its seat on the Security Council in 2023/2024.

Christoph Blocher launches neutrality initiative

One party that stands in stark opposition to the active extension of Swiss neutrality is the Swiss People's Party (SVP). In the view of the SVP, adopting the EU's sanctions against Russia

in particular is tantamount to a 'breach of neutrality'. Switzerland joined the war itself out of 'pure opportunism' and thereby sacrificed its credibility as an intermediary, in the words of SVP doyen, Christoph Blocher. To prevent the country getting 'sucked into wars' in the future, Blocher and several fellow party members from the SVP launched a popular initiative designed not only to enshrine Switzerland's 'comprehensive, perpetual and armed neutrality' in its Constitution, but also to codify the fact that Switzerland would neither impose sanctions on warring nations nor join any defence alliances. On 8 November, the collection of signatures for the initiative began.

Until now, neutrality has been described in the Swiss Federal Constitution in only basic terms. The Parliament and Federal Council are bound, under the Constitution, to take "measures to protect the external security, independence and neutrality of Switzerland". The Constitution dictates that Swiss foreign policy should be devoted to "alleviat[ing] need and poverty in the world and promot[ing] respect for human rights and democracy, the peaceful co-existence of peoples as well as the conservation of natural resources". This phrasing leaves a lot of political room for manoeuvre, which is something that Blocher wants to restrict via an additional article on neutrality.

Developing international collaboration

It will be a few years yet until the public gets to vote on any additions to the Federal Constitution. However, now

that the petition has been launched, the SVP has brought the issue of neutrality to the table in time for the next Swiss general election in 2023. The initiative is receiving active support from the Pro Schweiz (Pro Switzerland) organisation, which sees itself as carrying on the mission of the Campaign for an independent and neutral Switzerland (Auns) to reject any attempts to bring Switzerland closer to the EU.

The remaining political parties see the SVP's position on neutrality as outdated. The prevailing view is that more international collaboration is needed with regard to the war in Ukraine, instead of isolation. The Liberals (FDP) are not even ruling out a rapprochement with NATO. In addi-

tion, there are calls for a relaxation of the strict rules on exporting Swiss munitions. Supplying weapons directly to a warring party may be out of the question, but Swiss politicians view it as problematic if countries like Germany are unable to give Ukraine tank ammunition purchased from Switzerland. A commission from the Council of States is currently examining potential exceptions to this 'ban on re-exports'. The conventional purpose of the ban is to prevent Swiss weapons from falling into the 'wrong' hands.

Also a matter of solidarity

The Federal Council is adhering to its traditional policy of neutrality, as it

What sort of neutrality?

MARCO JORIO

"No-one gets it anymore," the moderator cried almost in despair during a political discussion programme on Swiss TV about neutrality, as the politicians around the table bandied about concepts of neutrality peppered with adjectives. In the public debate too, a confusing mix of terms like 'integral', 'differential' and 'cooperative' neutrality can be heard. The list of these so-called adjectival neutralities demonstrates that neutrality is not a fixed concept. "Neutrality changes its hue as events develop," Swiss Foreign Minister Marcel Pilet-Golaz observed during the Second World War.

Although an internationally recognised law of neutrality has existed since 1907, this law lays down only a few scant principles governing the rights and duties of neutral parties during war. The principle of neutrality developed from this law and has been applied autonomously by every

neutral country in war and peace in order to lend credibility to national neutrality. This principle is often more overt than the law on neutrality. The various flavours of neutrality include 'perpetual' neutrality, as practised in Switzerland for 400 years, and 'occasional' neutrality, which arises only in one specific war and is applied by virtually all countries in virtually all wars. Neutrality can be armed (Switzerland, Austria) or unarmed (Costa Rica); it can be recognised by international law (Switzerland, Austria) or adopted by the country in question but not recognised by international law (Ireland).

But even the perpetual, armed neutrality practised by Switzerland and recognised by international law (since 1815) has changed. Prior to the First World War, neutrality had exclusively military connotations. During the First World War, both sides waged a merciless economic war where even neutral parties found them-



Dr Marco Jorio is a historian (specialising in Recent History and Swiss History). He was a project manager and editor-in-chief of the Historical Dictionary of Switzerland for 30 years. He has recently authored a history of neutrality, which is to be published in the near future.

selves dragged in against their will. Switzerland was forced to submit virtually all its foreign trading to the scrutiny of the two warring alliances. This gave rise to the concept of economic neutrality.

After the war, Switzerland joined the League of Nations. However, Switzerland was not prepared to renounce its military neutrality. Some tough negotiations led to the London Declaration of 1920, where the country was allowed to accept eco-

nomie sanctions, albeit not military ones. This variety of neutrality was then named 'differential neutrality'. When it emerged in the 1930s that the League of Nations was in no position to safeguard world peace, Switzerland distanced itself from the League in 1938 with the slogan "Back to integral neutrality". The League of Nations conceded that Switzerland was no longer bound by the League's sanctions.

This 'integral neutrality' was pursued by Switzerland during the Second World War and the Cold War, and this very inflexible and legally formalised position has become successively supplanted since the 1960s. For example, Switzerland joined the European Council, pursued an idealistic human rights policy and participated actively in the negotiations at the Conference on Security and Co-operation in Europe (CSCE, today: OSCE). Since Switzerland joined the UN 20 years ago,

it has returned to a type of 'differential neutrality'. In contrast to 1920, however, Switzerland was not granted any formally neutral status when it joined the UN. Switzerland has nonetheless unilaterally declared that it intends to maintain its neutrality. Now, the UN charter restricts neutrality and requires Switzerland to adopt the sanctions imposed by the UN. In addition, however, Switzerland's Law on Sanctions from 2002 states that the country will also follow the sanctions that the OSCE and its main trading partners apply. This has now happened with the EU sanctions against Russia following the latter's military aggression. As to whether the concept of 'cooperative neutrality' introduced by Federal President Cassis will ever become a reality, only time will tell.

Neutrality in the 'Historical Dictionary of Switzerland': revue.link/neutral



Cartoon: Max Spring

affirmed once again this autumn. In particular, the government regards the recent adoption of EU sanctions against Russia as being compatible with neutrality. Furthermore, the Federal Council intends to cooperate more closely with foreign powers on security and defence issues, both with the EU and with NATO. Although Defence Minister Viola Amherd (The Centre) has categorically ruled out joining NATO, the Swiss Army should still be able to participate in the military alliance's defence exercises. "We should be more than just free-loaders," Amherd stressed in a newspaper interview. Switzerland needs partnerships if it is to be able to count on support from abroad in the event of an emergency. This type of coop-

eration is always 'give and take'. Finally, it is also about contributing to solidarity and stability in Europe.

Now that we are facing a war in Europe, former certainties about lasting peace and well-being are starting to wobble, even in Switzerland. The world is an unstable one, and Switzerland must find a new place in it.

"The Neutrality of Switzerland"
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"Neutralität: Zwischen Mythos und Vorbild".
Micheline Calmy-Rey. NZZ Libro (2020)