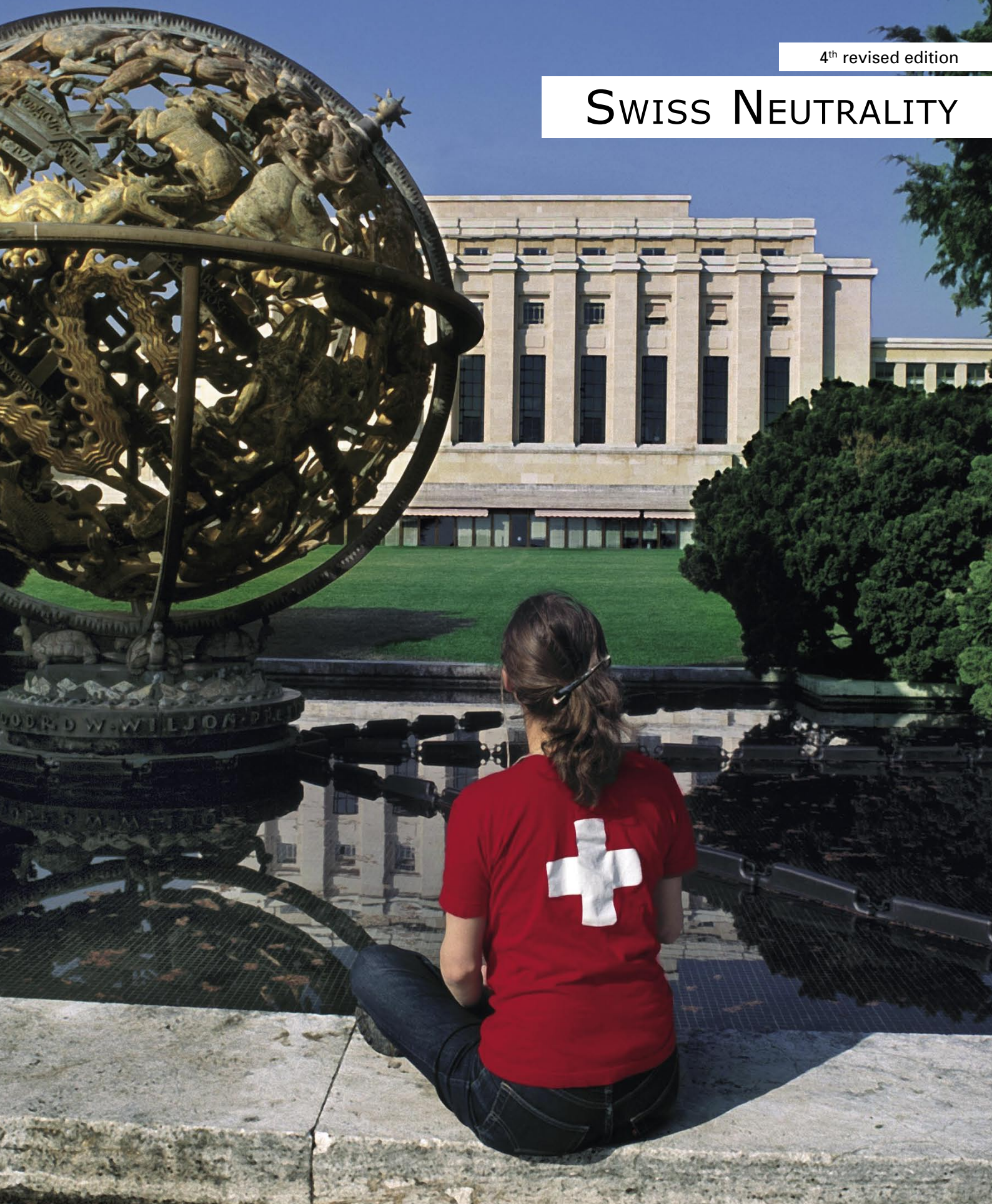


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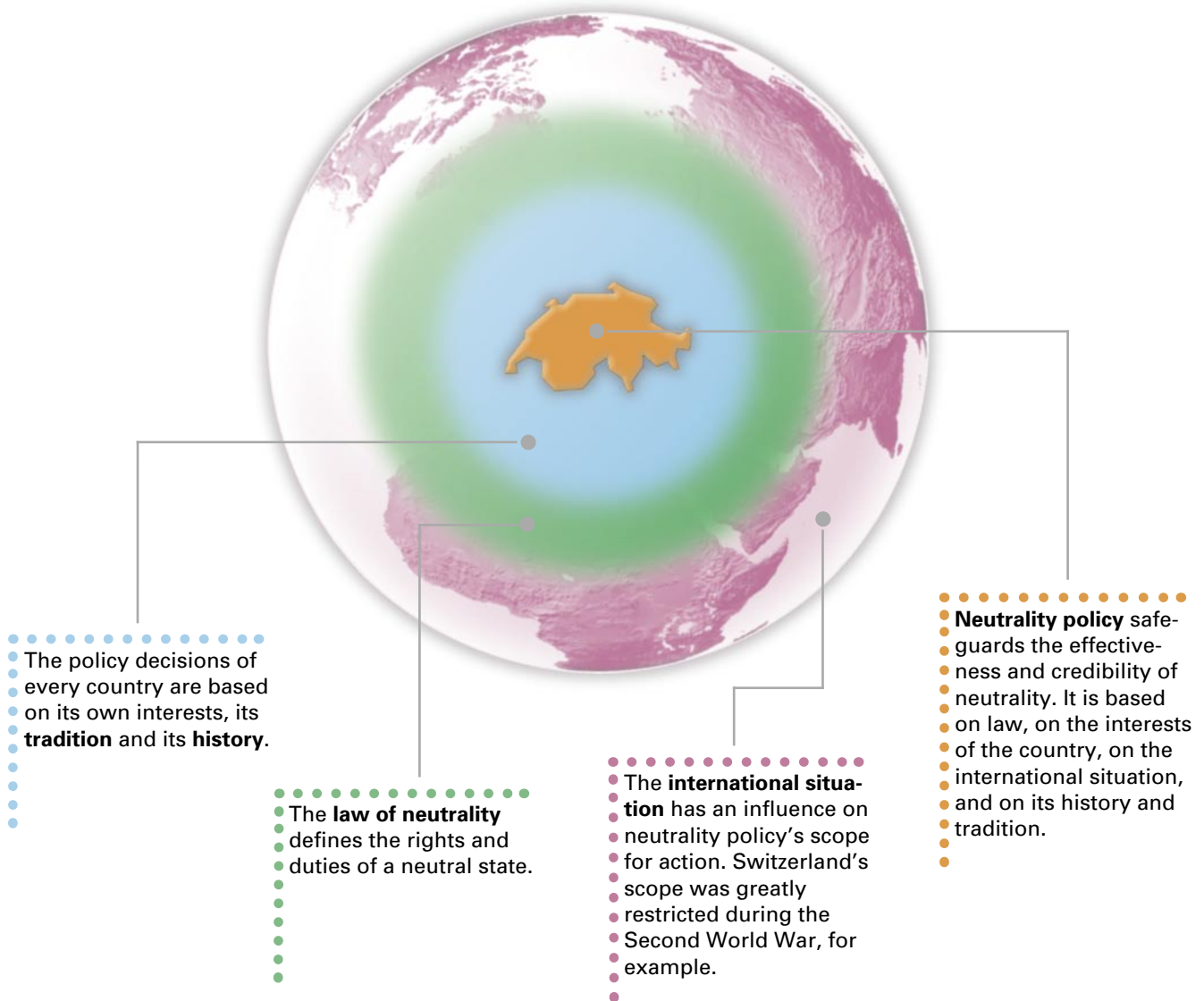
SWISS NEUTRALITY



*A brochure published by the Federal Department of Defence,
Civil Protection and Sports (DDPS) in conjunction with the
Federal Department of Foreign Affairs (DFA).*

ELEMENTS OF NEUTRALITY

The decisive factors governing our policy of neutrality are the national interest, the body of law on neutrality, the international situation as well as our tradition and history.



i The term “neutral” is derived from the Latin: “ne uter” – neither one nor the other. A power is neutral when it does not take sides in a war. Switzerland’s neutrality is self-determined, permanent and armed.

TRADITION

Active neutrality

History not only taught Switzerland to keep out of foreign conflicts, it also taught it the importance of active solidarity.

Switzerland's involvement here ranges from humanitarian internment (example Bourbaki Army) to the world-wide engagement of the International Committee of the Red Cross (ICRC) and from the Good Offices of diplomacy to the ceasefire observers in Korea and the Swiss company (SWISSCOY) in Kosovo.

Internal cohesion

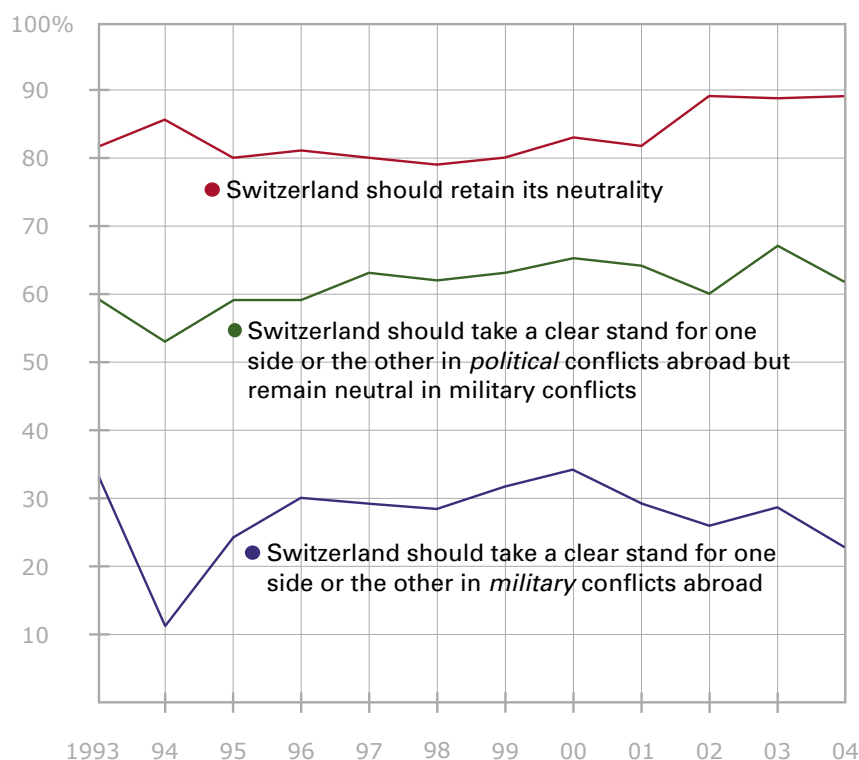
In Switzerland, a country with several cultures, languages and religions, neutrality has also always served to guarantee internal cohesion whereby the principle of neutrality was also applied to conflicts within the Confederation.

A shift away from neutrality to an active foreign policy in the 16th century (religious conflicts), for example, would have led to unbearable tensions. In the 19th and 20th centuries, siding with Germany or France would have precipitated the Confederation into a national crisis.

Without external neutrality, internal cohesion would be unthinkable.

Opinions of Swiss citizens on neutrality and solidarity

Long-term public opinion polls (approval rates)



Symbol of humanitarian tradition: Seat of the International Committee of the Red Cross (ICRC) in Geneva

Source: Annual "security" studies by the Swiss Military College at the Federal Institute of Technology in Zurich

HISTORY

Originally neutrality was a kind of emergency stop-gap. However, over the course of history, it brought clear advantages and is therefore firmly rooted in Switzerland's self-perception.

In the Federal Agreement of 1815 and in the constitutions of 1848, 1874 and 1999, neutrality became a foreign policy norm for the authorities.

This maxim was always flexibly adapted to the circumstances and applied according to the interests of the country.

Battle of Marignano

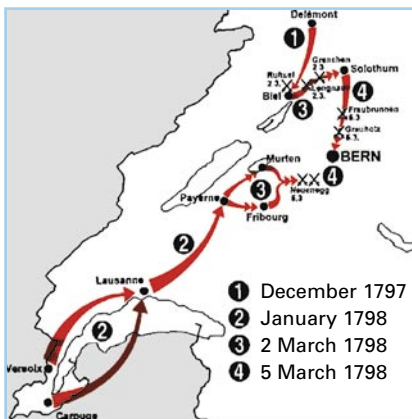
1515

A confederate army of 20,000 men encountered the military limits of federal power politics at the battle of Marignano. Francis I of France concluded a landmark peace with the conquered in 1516. This peace formed the contractual basis of Switzerland's reticence in foreign policy for centuries. Unity in foreign policy matters was impossible in the period of denominational tensions anyway.

The French conquer the canton of Graubünden but are driven back beyond Zurich by the Austrians. After the second Battle of Zurich, the French re-conquer eastern Switzerland. The Austro-Russian army under Alexander Suvorov is forced to leave Switzerland via Prugel, Panixer and Sankt Luzisteig. The civilian population suffers greatly and imposed burdens of war are severe. The Directoire of the Helvetic Republic demands from France the restoration of Swiss neutrality. For power political reasons this is refused.

French occupation

1798



The four stages of the French invasion of Switzerland (present borders)



Suvorov at the Gotthard Pass

Battle of Beresina

1812

After the French conquest of 1798, there was no neutrality for Switzerland for 16 years. After France's unsuccessful Russian campaign in 1812, the Swiss had to secure the retreat of the remainder of Napoleon's "Grande Armée" at Beresina.

Invasion of the French forces in March 1798. France imposes a military alliance on the Helvetic Republic whereby neutrality has to be abandoned.

Switzerland as a battlefield

1799

The major European powers fight to gain control of the Alpine transit routes. Switzerland becomes a theatre of war.



In the services of Napoleon at Beresina

The Swiss against Napoleon

1815

Swiss forces take part in the fight against Napoleon's troops, including the siege of Hüningen. In the wake of this final military operation of Swiss forces abroad, the powers in Paris recognise Switzerland's permanent neutrality and guarantee its territorial integrity.

Taking in the Bourbaki Army

1871



Soldiers of the Bourbaki Army are taken care of by Swiss soldiers

In the Franco-Prussian War, Switzerland declares its willingness to intern General Charles Bourbaki's defeated French eastern army (93,000 men). Switzerland's credible application of armed neutrality and other Swiss initiatives (founding of the Red Cross in 1863) leads to widespread international recognition of its neutrality.

The Hague Conventions

1907

Switzerland signs the Hague Conventions on Rights and Duties of Neutral States (peace conference in The Hague see page 11).

Switzerland during the First World War

1914



Swiss soldiers in the trenches during World War I

After 1915, Switzerland is completely surrounded by war. The warring parties are convinced that Switzerland will not tolerate outflanking manoeuvres by any of the respective opponents through its territory. They therefore respect Swiss neutrality and Switzerland's borders. The traces of defences then built at Hauenstein und on Mont Vully remind us of how credibly neutrality was practised during the First World War.

Escorts abroad

1919



August 1919: Swiss military escort in front of the Russian Church in Warsaw

Armed escorts of the Swiss Army protect the transportation of goods (e.g. textiles) to Eastern Europe. This did not compromise Swiss neutrality as the escorts were provided with the agreement of all the governments concerned.

HISTORY

Differential neutrality

1920

Switzerland joined the League of Nations and Geneva became the seat of the League. Swiss neutrality is recognised. Switzerland is willing to support economic sanctions imposed by the League.

Integral neutrality

1938

The League of Nations' unsuccessful sanctions against Italy cause Switzerland to abandon differential neutrality in favour of integral neutrality, that is to also refrain from imposing economic sanctions.

Beginning of the Second World War

1939

At the beginning of the Second World War, the Federal Council confirms Switzerland's neutrality and this is recognised by the belligerents. Switzerland mobilises its forces to assert its independence and neutrality.



General Guisan's swearing-in before the Federal Assembly on 30 August 1939

Switzerland after 1945

"Neutrality and solidarity": Federal Councillor Max Petitpierre coins the leitmotif of Swiss foreign relations in the post-war period. He thereby re-establishes greater recognition of neutrality.

Missions abroad

1953

In 1953, with the agreement of all parties, Swiss observers are sent to the Demarcation Line in Korea. This effectively marks the beginning of active neutrality. Up to the present day, Switzerland has been involved in a variety of peace-keeping missions abroad.

CSCE – Final Act

1975

Thanks to its recognised diplomatic engagement and consistent position, Switzerland achieves explicit recognition of the right of states to neutrality in the Helsinki Final Act of the CSCE. In 1995, the CSCE becomes the OSCE which participates in peace-keeping measures – also with Switzerland's support.

Referendum on Switzerland's accession to the UN

1986

In its dispatch the Federal Council explains that accession "will be considered only, if Switzerland is able to retain its existing permanent neutrality". The Federal Decree on Switzerland's Accession to the UN, lays down that in the event of Swiss accession to the UN, the Federal Council will give a "solemn statement explicitly confirming that Switzerland will retain its permanent and armed neutrality". In 1986, a majority of 75% of the Swiss people voted against joining the UN.

Economic sanctions

1990

After the Iraqi invasion of Kuwait, the UN Security Council imposed sanctions on Iraq. The Federal Council declared autonomous implementation of economic sanctions to be compatible with neutrality. This was again a differential neutrality similar to that during the 1920s, although this term is no longer applied. But Switzerland did not participate in military sanctions. Subsequently, however, Switzerland did adopt other sanctions (e.g. against Libya, Haiti and Yugoslavia).



Gulf War 1990/1991

Neutrality report

1993

In its 1993 neutrality report, the Federal Council sets out how it intends to operate neutrality under the changed geo-political situation. According to the report, neutrality alone cannot protect our country against new dangers such as terrorism, organised crime and destruction of the environment. Switzerland is, therefore, obliged to extend its foreign and security policy without compromising its neutrality. Switzerland "will exercise its neutrality in a way that allows it to take the necessary military precautions for its own defence, also with respect to new threats. Depending on the threat, this could also entail international cooperation in the preparation of defensive measures." (p. 89)

Bosnia

1995

Following the war in Yugoslavia, Switzerland allows the transit of military personnel and equipment belonging to the international peace force (IFOR/SFOR) bound for Bosnia and Herzegovina. Their mission is also in Switzerland's interests.

As a contribution to international law and order, such permission is compatible with neutrality. It is sanctioned by a UN Security Council mandate.



Swiss Tiger combat aircraft identifies an American IFOR transport plane over the Alps

Partnership for Peace (PfP)

1996

PfP is a NATO initiative launched in 1994. Switzerland has been participating in this programme since 1996. PfP seeks to intensify security policy and military cooperation in Europe. Switzerland's participation in PfP is compatible with neutrality as there is no requirement for NATO membership and no obligation to provide military support in the event of armed conflict. Therefore, the following is maintained in Switzerland's presentation document of 30 November 1996: "Switzerland is committed to permanent and armed neutrality. It does not intend to abandon its neutrality. It does not wish to join NATO."

HISTORY

Integration Report

1999

Quote from the Federal Council's integration report: "Our country's membership of the European Union is compatible with our neutrality as long as the EU is no military alliance." (p. 380)

Security Policy Report 2000

1999

In its Security Policy Report 2000 the Federal Council states: "For the future it is important that neutrality does not become an obstacle to ensuring our security. Even under most stringent application of neutrality law, we have considerable scope which must be used more than in the past in the sense of a participative foreign and security policy." (p. 34)

Kosovo

1999

During the Kosovo crisis, Switzerland rejected NATO requests for military overflights and the transit of military goods through its territory. As NATO's military operation took place without a UN mandate, the law of neutrality had to be observed. Like the other neutral European states, Switzerland also adopted the non-military sanctions of the UN and the EU against Yugoslavia. These sanctions do not violate the law of neutrality. At the same time, Switzerland provided humanitarian support in areas of tension. The Swiss Air Force transported refugees, wounded and relief goods in Albania (Operation ALBA) on behalf of the UNHCR and the Swiss disaster relief corps.



Humanitarian air force operation (Operation ALBA) during the Kosovo war

After the war, an international peace-keeping force was stationed in Kosovo. Its mission was based on a UN mandate. Switzerland permitted the transit of military goods for KFOR and participated in KFOR with a contingent of voluntary military personnel (SWISSCOY).

Foreign Policy Report

2000

Modern threats, risks and dangers call for greater international cooperation: "For this reason security through cooperation forms the leitmotif of the new Swiss security policy. It is against this backdrop that the Federal Council continued to pursue the strategy already presented in the 1993 neutrality report and reaffirmed in the Security Policy 2000 Report. Basic retention of neutrality coupled with the consistent use of any scope of action are appropriate means for making a useful contribution to security and peace in the world." (p. 297)

Partial revision of the Swiss Military Act

2001

On 1 September of the same year, the partial revision of the Military Act accepted by plebiscite enters into force. The revised Military Act regulates Swiss participation in peace support operations of the UN and the OSCE and provides the basis for arming Swiss peace support forces abroad for self-protection. Switzerland's involvement is "compatible with neutrality law and Switzerland's policy of neutrality" (Federal Council dispatch relating to the partial revision of the Swiss Military Act, p. 485). Swiss participation in combat operations for peace enforcement is, however, excluded by the Military Act.

Attacks in the USA

2001



New York after the attacks: Ground Zero

“Achievements and values such as peace, liberal society and tolerance have suffered a severe setback due to this gigantic act of hate. Nevertheless, these are values we continue to believe in.” Federal President Moritz Leuenberger’s words refer to the terrorist attack on America of 11 September 2001.

On 13 February 2002, the Federal Council in its response to a motion from the National Council placed the event in a security policy context: “The validity of the basic principle of Swiss security policy, security through cooperation with full regard to permanent and armed neutrality, has been confirmed by these events (...): Terrorism especially is a phenomenon that ignores national borders and one that we can only hope to conquer through international cooperation.”

Switzerland’s accession to the UN

2002

On 3 March, 54.6% of the Swiss people voted for Switzerland’s accession to the UN which takes place accordingly on 10 September. Switzerland is the first country whose membership of the UN was decided directly by its people. In its accession statement Switzerland affirms: “Switzerland is a neutral state whose status is based on international law. Even as a member of the UN, Switzerland remains neutral.” Switzerland is called upon to participate in UN economic sanctions and may not obstruct military sanctions decided by the UN Security Council. Switzerland is free to decide whether and to what extent it wants to provide the UN with resources and forces for respective humanitarian and military operations. Switzerland and the UN pursue the same objective: to promote and guarantee peace and security in the world. It is therefore in our country’s interests to support the UN through its policy of active neutrality and practical solidarity.

War in Iraq

2003

The war conducted by a coalition led by the USA against the Saddam Hussein regime was not based on a UN mandate. Therefore, the classic form of the law of neutrality was applicable for Switzerland. The Federal Council consequently prohibited overflights across Swiss territory with the exception of humanitarian and medical evacuation flights. Furthermore, the Federal Council made the export of war material to the warring parties subject to an authorisation requirement.

When the war was over, the law of neutrality was no longer applicable. The measures taken during the conflict were subsequently lifted.



Saddam Hussein after his arrest

THE LAW OF NEUTRALITY

The law of neutrality forms part of international law. The essential rights and duties of a neutral state are laid down in the Hague Conventions of 1907.

At national level, neutrality is cited in the Federal Constitution as an instrument for safeguarding independence.

Armed neutrality and independence



1647: First table listing authorised strengths of units assigned to safeguarding neutrality

Wil 1647 / Munster 1648:

Influenced by the Thirty Years' War, the Congregation of Wil decides to create a joint federal army to safeguard Swiss neutrality.

In 1648, Johann Rudolf Wettstein (mayor of Basel) achieves recognition abroad of Switzerland's independence in the Westphalian town of Munster.

Neutrality receives international recognition



1815: Representatives of the major powers redraw the political map of Europe

Vienna and Paris in 1815: neutrality is recognised under international law.

In the Paris Agreement of 20 November 1815, the major European powers recognise Switzerland's permanent neutrality and guarantee its territorial integrity.

Federal Constitution: neutrality as an instrument



Photograph of the Federal Constitution of 1848

Bern in 1848: Neutrality is not an end in itself.

For the authors of the Federal Constitution, neutrality is simply a means of safeguarding independence. It was therefore not included in the constitution's article of purpose (article 2). However, the Federal Council and Federal Assembly must monitor compliance with and observance of neutrality.

The law of neutrality is laid down

The Hague in 1907: The Hague Conventions.

The rights and duties of neutral states in wartime are laid down for the first time in writing in The Hague Conventions of 18 October 1907.

The most important obligations are:

- Non-participation in war
- Self-defence
- Impartiality towards belligerents (concerns the export of war material)
- No mercenaries for belligerents
- Denial of territory to belligerents

The most important right is that of territorial inviolability.

The law of neutrality of 1907 still applies. The situation today, however, is characterised mainly by internal conflicts. The law of neutrality is not applicable to these cases.



The Russian Czar Nicholas II gave the first impetus for The Hague Conferences

New Federal Constitution

Bern in 1999: Neutrality and revision of the Constitution.

Neutrality remains unaffected by the amendment of the Federal Constitution decided by the people. As before, the Federal Council and Federal Assembly are responsible for safeguarding neutrality (articles 173 and 185).



The Federal Constitution is amended in Parliament

Swiss neutrality as a model

Vienna in 1955: Switzerland as example.

As a prerequisite for the State Treaty, Austria declares its willingness to exercise permanent neutrality as practised by Switzerland.



1955: The people of Vienna celebrate the State Treaty

THE LAW OF NEUTRALITY

What forms of security policy involvement are compatible with the law of neutrality?

The law provides neutral states with a good deal of scope in peacetime. Measures aimed at peace promotion give no cause for concern and military cooperation with foreign partners is possible.

The limit of what is legally permissible is exceeded when the neutral state undertakes to provide assistance for another in the event of war.

Summary of security policy activities

Economic sanctions



- Implementation of economic sanctions imposed by the UN
- Participation in economic sanctions imposed by other international actors (e.g. EU)

Assessment according to the law of neutrality

Compatible with neutrality if the sanctions have been decided by the UN Security Council.

Compatible with neutrality because economic sanctions are not covered by the law of neutrality (exception: war material).

Peace support



- Granting of transit rights for peace-support operations
- Participation in peace-support operations
- Participation in peace enforcement operations with military means

Assessment according to the law of neutrality

Compatible with neutrality if operations are based on a mandate of the UN Security Council or are carried out with the consent of the conflicting parties.

Compatible with neutrality if operations are based on a mandate of the UN Security Council or are carried out with the consent of the conflicting parties.

According to the neutrality report of the Federal Council, this is compatible with neutrality if the operation is carried out on the basis of a mandate of the UN Security Council and the international community acts almost unanimously against the law-breaker. The Military Act, however, rules out participation in peace-enforcement combat operations.

International cooperation



- Training cooperation with foreign partners
- Armament cooperation with foreign partners

Assessment according to the law of neutrality

Compatible with neutrality as long as no assistance obligation is entailed in the event of war.

Compatible with neutrality as long as no assistance obligation is entailed in the event of war. In the event of war, the law of neutrality requires that belligerents are treated equally.

.....

Participation in international programmes or membership of international organisations

- Participation in the Partnership for Peace programme / membership of the Euro-Atlantic Partnership Council
- Membership of international organisations such as the OSCE, the Council of Europe
- Membership of the United Nations (UN)

Assessment according to the law of neutrality

Compatible with neutrality because the PfP partnership entails neither NATO membership nor an assistance obligation.

Compatible with neutrality because there is no assistance obligation in the event of war.

Compatible with neutrality because no obligation is entered into to act contrary to the provisions of neutrality.



- European Union (EU) membership

Compatible with neutrality as long as the EU has no binding mutual military assistance obligation for all members.

- NATO membership

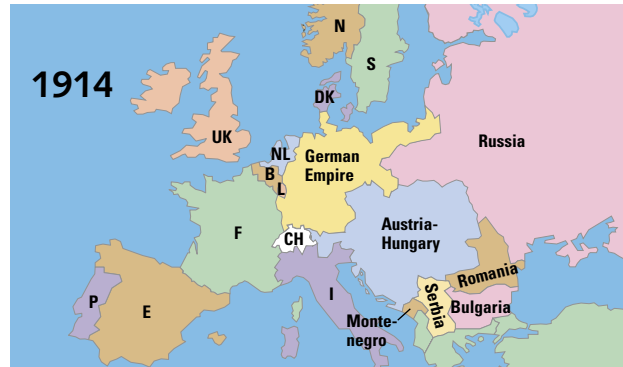
Incompatible with neutrality because NATO membership includes the obligation to provide mutual assistance in the event of war.

SITUATION

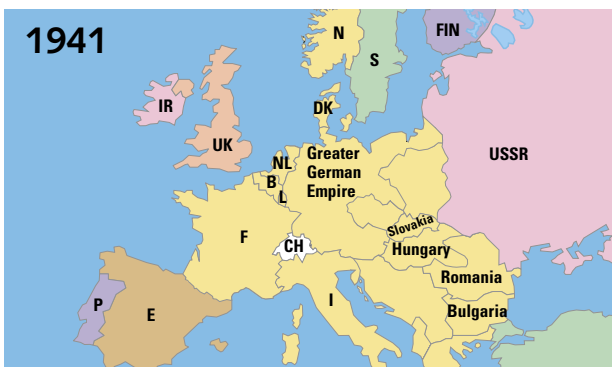
The world is changing. Our policy of neutrality changes with it. New situations call for new answers. In every age, neutrality had its specific significance. The following maps reveal how the power situation around Switzerland has changed.



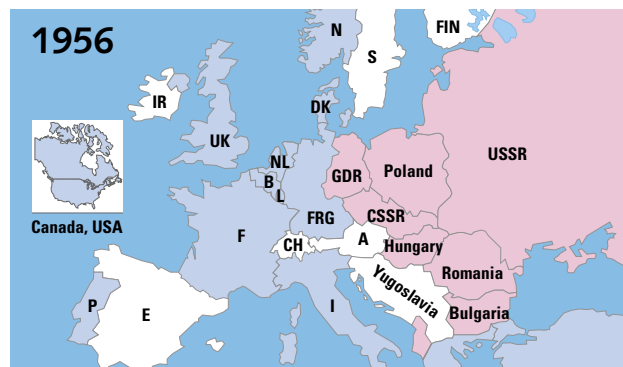
1815: The map of Europe was redrawn at the Congress of Vienna. Switzerland lies at the centre of the major powers' field of tension. These recognise Switzerland's permanent neutrality.



1914: Europe on the eve of the First World War. Switzerland lies on the extended line of conflict between France and Germany.



1941: Europe prior to the German attack on the Soviet Union. Switzerland is surrounded by the territories dominated by Germany and Italy.



1956: The Cold War. Strategically speaking, Europe forms the zone of conflict between two ideologically opposed alliances: the military alliances of NATO and the Warsaw Pact. Switzerland remains committed to autonomous national defence.

NATO countries
 Warsaw Pact
 Neutral and non-aligned states






2004: Undivided Europe. The EU and NATO ensure that Europe joins together. Democracy and the rule of law are gain ground. Switzerland commits itself to promoting peace.

NATO countries
 Neutral and non-aligned states
 Others

Neutral and non-aligned states in Europe

Apart from Switzerland, Ireland, Sweden, Finland and Austria are regarded as neutral or non-aligned states. A comparison of the models:

Country	Basic data	Form of neutrality	Membership	Possible development	Participation in international operations (status: mid-2004)
 Sweden	Neutral since 1855; Reason: negative experience with former Swedish power politics.	Sweden sees itself as non-aligned.	European Union (EU), participation in Pfp, OSCE, UN, Council of Europe.	NATO membership not to be expected in the near future.	Some 1,000 persons (including Kosovo, Congo, Middle East, Afghanistan, Eritrea/Ethiopia).
 Finland	Neutral since 1955; Reason: geopolitical situation.	Since 1995, Finland regards itself as non-aligned. It places great value on its autonomous defensive capability.	European Union (EU), participation in Pfp, OSCE, UN, Council of Europe.	NATO membership not to be expected in the near future.	Some 1,000 persons (including Kosovo, Eritrea/Ethiopia, Afghanistan, Middle East).
 Austria	Neutral since 1955; Reason: State Treaty.	Neutrality according to the Swiss model. Understood as non-aligned since 2001.	European Union (EU), participation in Pfp, OSCE, UN, Council of Europe.	NATO membership is conceivable in the medium term.	Some 1,000 persons (including Kosovo, Middle East, Bosnia-Herzegovina, Cyprus).
 Ireland	Neutral since 1938; Reason: To put distance between itself and its neighbour.	Self-determined neutrality also serves to maintain maximum scope of action.	European Union (EU), participation in Pfp, OSCE, UN, Council of Europe.	Not likely to seek NATO membership even in long term.	Some 800 persons (including Liberia, Kosovo, Bosnia-Herzegovina, Middle East, Afghanistan).
 Switzerland	Neutral since 1516, recognised under international law since 1815; Reason: foreign policy instrument of a small state; national cohesion.	Self-determined permanent and armed neutrality.	EFTA, participation in Pfp, OSCE, UN, Council of Europe.	Switzerland does not seek NATO membership.	Some 250 persons (including Kosovo, North and South Korea, Afghanistan, Georgia, Middle East).

SITUATION

Changing forms of conflict during the 20th century:

Until the beginning of this century, war was considered to be a legitimate means of pursuing national interests. With the founding of the League of Nations and the United Nations (UN), war was outlawed.

Today, many conflicts are no longer between states, but primarily occur within them. The law of neutrality is not applicable in such cases. However, the situation may constantly change with the emergence and disappearance of states. Furthermore, conflicts are becoming increasingly complex and unpredictable through the participation of both non-state and state actors with a background of extremism, terrorism or organised crime and through the collapse of state power. Asymmetrical forms of power are often predominant.

The most important conflicts from 1995 to 2003

The following list shows examples of conflict situations throughout the world. The main conflicts between states are marked in **bold**.

Europe

Albania
Armenia–Azerbaijan
Bosnia and Herzegovina–former Yugoslavia
Croatia–Serbia
Cyprus
Georgia
Macedonia
Moldavia
Russian Confederation
Serbia–NATO (Kosovo)
Spain (Basque Provinces)
Turkey
United Kingdom (Northern Ireland)

Asia

Afghanistan
Bangladesh
Cambodia
China
East Timor
India
India–Pakistan
Indonesia
Iraq–USA
Israel–Lebanon
Israel (Palestine)
Laos
Lebanon
Myanmar
Nepal

North Korea–South Korea

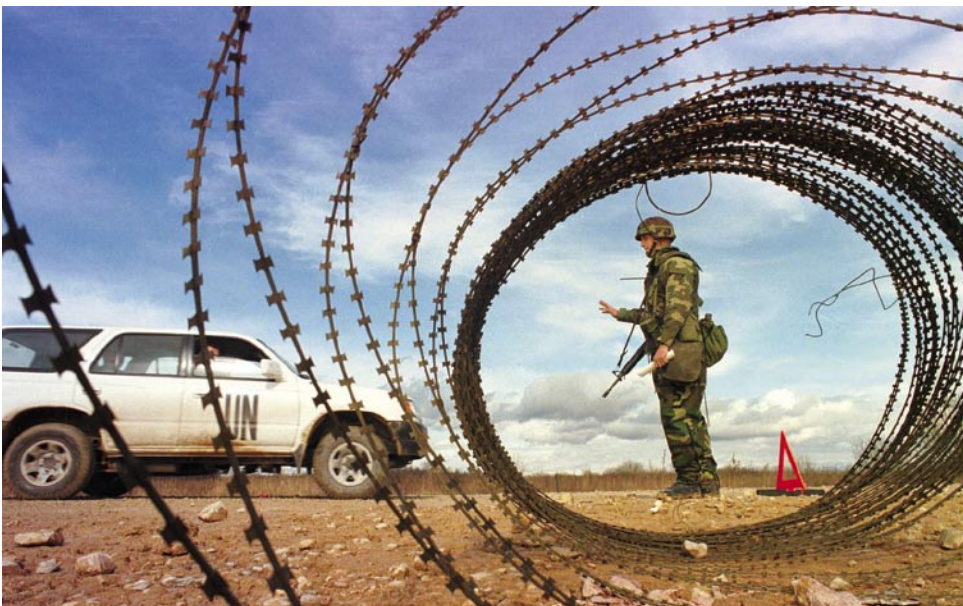
Papua New Guinea
The Philippines
The Solomon Islands
Sri Lanka
Tajikistan
Uzbekistan
Yemen

America

Colombia
Ecuador–Peru
Guatemala
Haiti
Mexico
Peru
Venezuela

Africa

Algeria
Angola
Burundi
Central African Republic
Chad
Comoros
Congo Brazzaville
DR Congo
Egypt
Ethiopia–Eritrea
Guinea-Bissau
Ivory Coast
Liberia
Madagascar
Morocco
Mozambique
Nigeria
Ruined
Senegal
Sierra Leone
Somalia
Sudan
Uganda



Organisations for resolving conflicts

Since the Second World War, various organisations and cooperation forums have been set up, which as far as possible, help to prevent conflicts and secure peace. Some neutral states are also represented in these organisations and play an active role in resolving conflicts.

UN

The UN is the universal association of states for safeguarding world peace.

The UN Security Council carries the main responsibility for ensuring peace and security. Based on the UN Charter, it decides on measures for resolving crises.

These include measures carried out with the agreement of the conflicting parties but also coercive economic and military measures.

OSCE

The Organisation for Security and Cooperation in Europe seeks to promote security and peace, human rights and democracy as well as cooperation in Europe through preventive diplomacy. It is the only organisation to which all European countries belong. The OSCE promotes peace particularly through missions to areas of crisis and by conducting and supervising elections.

NATO

This defence alliance consists of 26 European and North American states. NATO has retained its original key task of defending its member states against military attack. It is also prepared to uphold or enforce peace with military means beyond the territory of the Alliance.



Session of the UN Security Council

PfP / EAPC

NATO launched the Partnership for Peace (PfP) programme in 1994 in order to foster peace through greater cooperation with non-NATO countries. In addition to the 26 NATO member states, 20 other European states (including Switzerland) participate. They are all members of the Euro-Atlantic Partnership Council (EAPC) founded in 1997, which acts as a security policy forum.

EU

The European Union (EU) was founded as an economic organisation, but contributed considerably to ensuring the understanding and peace of its 25 member states. The EU seeks to establish a common foreign and security policy.

Council of Europe

The Council of Europe is an organisation of 45 European states to which Switzerland also belongs. Its main tasks are: to protect human rights, the rule of law and democracy.

POLICY OF NEUTRALITY

Political tact is called for:

The Federal Council applies the law of neutrality and takes into account neutrality policy considerations in reaching its decisions. Decision-making always requires an assessment of the current situation.

The following four case studies aim to briefly illustrate what considerations led to what decisions.

World War II

The greatest war on earth to date embroiled two of Switzerland's neighbours in 1939 and (with the exception of Liechtenstein) all of them by 1940. The operation plans we know of today envisaged Germany conquering Switzerland.

Considerations

Situation / environment

Switzerland was faced with simultaneously having to prepare its military defences and ensure its economic survival. For the period between 1940 and 1944, the country was surrounded by territory dominated by the Berlin–Rome axis.

The law of neutrality

The neutral state has the right to territorial inviolability and, at the same time, is obliged to safeguard its territorial integrity.

History

In 1939, Switzerland formally declared its neutrality in accordance with the Hague Conventions. This declared neutrality was largely respected by the belligerents.

Tradition

To the leaders of the generation of 1939, neutrality seemed to be the coherent continuation of the policy of the First World War and of the Franco-Prussian War of 1870/71.

Decisions

Applied policy of neutrality

To make its neutrality credible, Switzerland mobilised up to 450,000 men and women for national service. It was thus made perfectly clear that there would be a dear price to pay for anyone wishing to enter the country by force. In retrospect, Switzerland's refugee policy should have been more generous.

1991 Gulf War

In 1990, Iraq invaded Kuwait. The UN Security Council imposed economic sanctions and authorised an international coalition led by the United States to take coercive military action against Iraq. First, Saudi Arabia's defences were reinforced and Kuwait was liberated in 1991.

Considerations

Situation / environment

Switzerland was called on to adopt the UN's economic sanctions against Iraq. The request was also made to grant overflight rights to the US-led coalition forces.

The law of neutrality

In terms of neutrality law, there is nothing to prevent a country from participating in economic sanctions. The same is also true at least in terms of overflight rights for humanitarian purposes. At the same time, the Federal Council orders an in-depth examination of the compatibility of neutrality law with the adoption of UN military sanctions.

History

In the 1920s Switzerland already practised "differential neutrality". Although it joined in economic sanctions then, it did not participate in further measures of the League of Nations.

Tradition

Traditionally, Switzerland has sought to strengthen international law and promote security and peace.

Decisions

Applied policy of neutrality

Switzerland adopted economic sanctions against Iraq. Permission for overflights was not granted to fighter formations. The coalition, however, was allowed to fly over Switzerland on humanitarian missions.



1999 Kosovo War

In spring 1999, the conflict between Serbs and Albanians in Kosovo escalated. Hundreds of thousands were forced to flee, primarily Kosovo-Albanians. Massacres ensued. NATO intervened without a UN Security Council mandate in order to end the human rights violations by force. At the end of May, a political agreement was achieved. Kosovo formally remained a part of Yugoslavia. Refugees returned home. Under UN mandate, the KFOR international peace-keeping force is stationed in Kosovo.



Considerations

Situation / environment

For Switzerland, the human rights violations in Kosovo are unacceptable. It must reckon with becoming the main country of choice for refugees seeking asylum. Switzerland has a great interest in humane conditions being established in Kosovo so that refugees are able to return to their country.

The law of neutrality

Granting transit rights for combat operations was out of the question because NATO had no explicit UN mandate for such activities. But there was no reason why Switzerland should not participate in humanitarian operations and international economic sanctions. After the war, transit rights could be granted because the deployment of the KFOR peace-keeping force was based on a UN mandate and had been approved by Yugoslavia. Swiss participation in KFOR was therefore compatible with neutrality.

History

Switzerland's involvement in and around Kosovo is in line with its previous policy. Switzerland is fulfilling its neutrality obligations and making use of its scope to practise active solidarity.

Tradition

Neutrality has never prevented Switzerland from vigorously advocating respect for human rights.



Decisions

Applied policy of neutrality

Switzerland is involved in the humanitarian initiative, "FOCUS", in Yugoslavia and provides humanitarian assistance to refugees in Albania ("ALBA") and Macedonia. The Federal Council refused to give NATO transit rights for combat operations. It supported the non-military sanctions against Yugoslavia. After a UN Security Council mandate was passed, Switzerland took part in KFOR and granted transit rights.

2003 War in Iraq

In March 2003, a coalition force led by the US launches an attack against Iraq. On 19 March 2003 the US President, George W. Bush, declares: "The people of the United States and our friends and allies do not intend to bow to a unjust regime that threatens the peace with weapons of mass destruction." Further reasons stated for the attack are that the Iraqi regime supports terrorism and that a liberated Iraq would promote democracy in the Middle East. The coalition occupied the country and took Saddam Hussein prisoner; the situation remains unstable and is characterised by violence.



Considerations

Situation / environment

In his speech to the Federal Assembly, Federal President Pascal Couchepin observes: "No-one can deny that the Iraqi leadership very much has itself to blame for the war in its country." He is thereby referring to the Iraqi regime's repeated and severe breaches of international law and human rights violations.

The law of neutrality

The coalition led by the US launches its attack against Iraq without a UN mandate. Switzerland therefore has no other option but to consistently apply neutrality. However, the President of the Confederation also points out that neutrality and solidarity are indivisible: "If armed conflicts between states are imminent or break out, Switzerland is not obliged to join in. In accordance with its self-perception, Switzerland must do all it can to prevent the outbreak of hostilities, to protect victims, to help re-establish peace and to fight the causes of violence."

History

The strong emphasis on the UN as a source of legitimacy under international law corresponds with Switzerland's official rationale developed with the Korea mission in 1953 and which was consolidated during the 1990s and with Switzerland's accession to the United Nations.

Tradition

Neutrality by no means entails renouncing freedom of speech. The President of the Confederation was clearly underlining the brutality of Saddam Hussein's regime: "In 1988, he crushed an uprising of Kurdish fellow citizens and gassed thousands."



Decisions

Applied policy of neutrality

Switzerland immediately founded the *Humanitarian Issues Group Iraq* to provide an international forum for humanitarian issues. It issued overflight permits for humanitarian and medical evacuation flights only. Furthermore, the Federal Council made arms exports to the countries conducting the war subject to the law of neutrality (see page 11).

NEUTRALITY: SUMMARY

“I fear that a fair neutrality will prove to be a bitter pill for our friends, ‘though necessary to keep us from the calamities of war.”

Thomas Jefferson (1743–1826), 3rd President of the United States of America

SEVEN KEY POINTS

Instrument

1 Neutrality is a successful instrument of Swiss foreign and security policy. It has proved its worth in two world wars.

Security

3 Neutrality repeatedly has to be brought in line with the changing security policy situation. Abandoning neutrality would only be an issue if the benefit of a new form of security were greater than the loss of the old.

Backing

2 Neutrality enjoys great support among the population. Over the centuries it has made a significant contribution to keeping the country together. Neutrality is part of the tradition, history and self-perception of our country and its citizens.

Limits

4 International law lays down clear limits for a policy of neutrality. Accession to a military alliance is impossible.



Scope

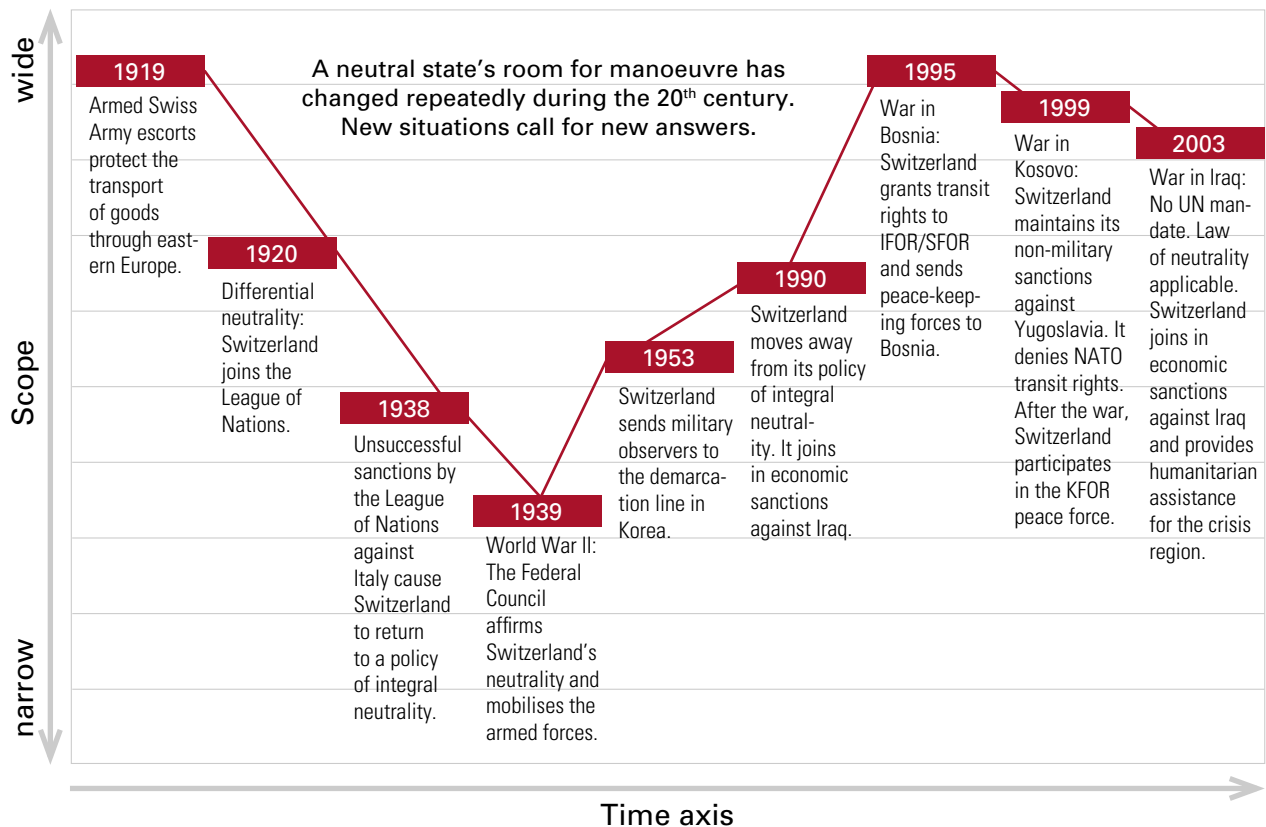
5 For many generations, neutrality has provided a good deal of scope. Since 1953 for our involvement in Korea, for example. Or for participation in international economic sanctions. Or for participation in the Partnership for Peace programme. Or for the arming of soldiers for self-defence abroad. Or as a UN member.

Consequences

6 One of the consequences of neutrality is foregoing defence in an alliance. On the other hand, this prevents our country from being drawn into foreign conflicts.

Appropriate to the situation

7 Neutrality is practised actively, with solidarity and in a manner appropriate to the situation. In that way it is understood and respected.





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Suggestions, comments

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