

JANUARY 2023

UKRAINE'S AMMO SHORTAGE RAISES TENSIONS BETWEEN GERMANY AND SWITZERLAND



UKRAINE'S AMMO SHORTAGE RAISES TENSIONS BETWEEN GERMANY AND SWITZERLAND

**WRITTEN BY:
ALESSANDRA DE MARTINI**



WRITTEN BY

ALESSANDRA DE MARTINI

EDITED BY

JAMES EDWARD COLOMBO

Ukraine hunts for Ukrainian Gepards

Switzerland's long-standing condition of neutrality is globally well-known. This status has been enforced since the Treaty of Paris in 1815, but many scholars date the origins of Switzerland's neutrality back to 1515 when 10,000 Swiss soldiers lost their lives in the 16-hour Battle of Marignano and the government afterwards decided to stay neutral in European conflicts, avoiding the risks of being on the losing side in any war (Cafiero, 2022).

Yet, such neutrality has lately been interpreted by neighbouring Germany as a "failure to provide assistance" (Mackenzie, 2022) to Ukraine against the latest Russian attack. The accusation refers to the renewed denial received from Bern to issue the licence allowing the re-export of Swiss munitions to Ukraine. Last month, Switzerland specifically prevented the delivery to Ukraine of 12,400 35 mm rounds intended for the German Gepard twin-cannon anti-aircraft tracked defence system, also known as "Cheetah" flak guns (Reuters, 2022). A previous shipment of Gepards was gifted to Ukraine by the German army in the first months of the conflict, as they were part of a restock delivered by the Swiss company Oerlikon-Bührle decades ago. The Cheetah has proved to be very effective against Russian cruise missiles and Iranian drones of the Shahed-131 and Shahed-136 series. Therefore, the Ukrainian troops urgently seek a refit.

The Swiss argument

The Swiss government replied to the critics by appealing to its national laws, according to which the licence for re-selling or donating Swiss-made munitions cannot be conceded if the defence equipment is re-exported to conflict zones. For the same reason, last June, Switzerland refused a Danish request to send 22 Swiss-made Piranha III tanks to Ukraine (Reuters, 2022). Several Swiss politicians agreed with this decision. Swiss Minister of the Economy Guy Parmelin, for example, wrote to the German company Lambrecht that "equal treatment arising from the law of neutrality does not allow Switzerland to approve a request for the export of war material from Switzerland to Ukraine as long as this country is involved in an international armed conflict" (Mackenzie, 2022). Jean-Luc Addor, a parliamentarian from the nationalist right-wing UDC party which holds the majority in the Swiss coalition government, said on Swiss radio that "if our country is still neutral then we must say no to the export of these munitions, even if the Ukrainian government says they will serve to protect grain exports and thereby avoid a famine in Africa" (Mackenzie, 2022).

The Swiss newspaper *Sonntags Zeitung* added that Switzerland also sends ammunition to Ukraine from Britain. However, this is a different situation. The Federal Department of Economy, Education and Research (DEFR) explained that, according to Swiss federal law, exporting individual parts and assemblies of weapons to foreign private companies does not require a government licence. In the British case, the decision to export weapons to Ukraine is therefore exclusively up to the national authorities, as it concerns British finished products with only Swiss components (Keystone, 2022).

Bern should, however, consider other political and economic aspects of this decision besides preserving the country's neutrality. The first consequence is Germany's threat to stop buying Swiss weapons (Eigenmann, Haefliger, 2022). Berlin is the largest importer of Swiss-made weapons, with CHF 123.4 million (\$125.4 million) spent on them in 2021 (Secrétariat d'Etat à l'économie, 2022), and some politicians are looking to leverage that. The German government is also concerned that, in the event of an attack against a NATO member, Switzerland could claim its neutrality and not send armaments. For this reason, the Chairwoman of the Bundestag's Defence Committee declared that "Germany must no longer depend on the federal government" for weapons supplies (Keystone, 2022). Secondly, there is rising dissent within the government, as all Swiss politicians do not share strict neutrality. Among its opposers, Philippe Matthias Bregy, a centrist party member, said that as "the Ukrainians are defending European values, in this particular case, the Federal Council must give its permission". He supported his statement by relying on an article included in the Swiss constitution which states that "the Federal Council has the right to do whatever it takes in its foreign policy to defend the interests of Switzerland" (Mackenzie, 2022).

Thirdly, the global opinion on Switzerland might be damaged. The country is, in fact, not new to criticism from the public for its choices. For instance, after World War II, the government was blamed for shutting the borders to Jewish refugees in the name of neutrality. More recently, the country's financial institutions have often been involved in international investigations for having ties with war criminals and countries accused of human rights violations (Turuban, 2022). Since the Russian invasion of Ukraine, society has been divided between those favouring Swiss neutrality and those calling for harsher measures against Russian crimes. Meanwhile, Western states clearly stated their non-neutrality in the conflict and are now calling on Switzerland for a decision.

Swiss military commitment worldwide

The global opinion may also be jeopardized by the evidence of Swiss weapons' ongoing use against civilians in war zones in Afghanistan and Yemen, as a recent joint investigation by various Swiss public broadcasters has demonstrated (ma RTS, 2022). Swiss-made military aircraft have been used in Afghanistan by the Taliban. Swiss Sig Sauer 551 assault rifles are also currently being used by Saudi Arabian forces against Houthi rebels in Yemen, and in 2021 the Swiss parliament rejected a total ban on arms sales to Saudi Arabia. Swiss politician Babtiste Hurni considers his country's behaviour in this regard affected by hypocrisy (Turuban, 2022). "Saudi Arabia wasn't considered a war zone, although we knew it was extremely unstable" Mr Hurni argued (Carter, 2022).

Switzerland has also been part of security pacts with NATO and the EU for many years. Accordingly, the Defence Ministry Spokeswoman Carolina Bohren affirmed that the country is interested in joining PESCO cyber projects. However, such cooperation would not come with any obligations that would compromise Swiss neutrality (Bondolfi, 2022). Switzerland's involvement in NATO's Partnership for Peace Programme does not include any legal commitment.

Conclusion

As far as Ukraine is concerned, Switzerland is supplying CHF100 million (\$101.6 million) worth of humanitarian aid to help restore drinking water supplies and repair the energy supply infrastructures damaged by Russian strikes. Bern has implemented virtually all the EU's sanctions on Russia, freezing hundreds of Russian oligarchs' and government officials' assets, denying Russian planes access to Swiss airspace, and banning individuals within Putin's inner circle from visiting the country (Cafiero, 2022).

However, unlike in other neutral European states, Russia's invasion of Ukraine did not foster any debate about Switzerland moving closer to NATO. At the same time, "if Switzerland were the subject of an armed attack, neutrality would be null, the country would defend itself militarily and could also join forces with other countries", confirmed the Defence Ministry Spokeswoman Bohren (Bondolfi, 2022). On June 7, the President of Switzerland's FDP liberal party Thierry Burkart filed a motion requiring that certain countries with similar values and export rules to Switzerland should be allowed to export Swiss-produced weapons and ammunition to third parties. If the motion is adopted, a change in the law will, however, still take quite a long time to be applied to future weapons sales.

In conclusion, Switzerland is interested in increasing cooperation with NATO and PESCO. It will not hesitate to enter a war if attacked, but at the same time, the country has no intention of jeopardising its current neutrality.

References

Bondolfi S. (2022, March 17). Switzerland will remain neutral – until it's attacked. Swissinfo.ch. Retrieved on 14 November from https://www.swissinfo.ch/eng/politics/switzerland-will-remain-neutral--until-it-s-attacked/47437652?utm_campaign=teaser-in-article&utm_content=o&utm_medium=display&utm_source=swissinfoch

Cafiero G. (2022, September 12). Why Switzerland is breaking away from 500-year-old neutrality. TRTWORLD. Retrieved on 14 November 2022 from <https://www.trtworld.com/opinion/why-switzerland-is-breaking-away-from-500-year-old-neutrality-60704>

Carter D. (2022, November 3). Switzerland blocks German shipment of ammunition to Ukraine. The Brussels Times. Retrieved on 14 November 2022 from <https://www.brusselstimes.com/316699/switzerland-blocks-german-shipment-of-ammunition-to-ukraine>

Eigenmann D., Haefliger M. (2022, October 29). German politicians threaten to end arms purchases in Switzerland. Tages Anzeiger. Retrieved on 14 November 2022 from <https://www.tagesanzeiger.ch/deutsche-politiker-drohen-mit-ende-der-ruestungskaeufe-in-der-schweiz-884674471661>

Mackenzie C. (2022, November 9). As Swiss block ammo transfer for Ukraine, tensions with Germany grow. Breaking Defence. Retrieved on 14 November 2022 from https://breakingdefense.com/2022/11/as-swiss-block-ammo-transfer-for-ukraine-tensions-with-germany-grow/?_hsmi=233203612&_hsenc=p2ANqtz-8LKPGVqamUU8OTsFOAdFCd4HEIbylWEhvK0Rf940egUrm1Of5oba7sjnTOmg-JX61reWxMcVBDbNcnlzU90mkhkEEotQ

Ma RTS. (2022, February 26). When Swiss war material kills. Ma RTS. Retrieved on 14 November 2022 from <https://www.rts.ch/info/suisse/12886649-quand-le-materiel-de-guerre-suisse-tue.html>

Schulze P. (2022, April 25). Niente munizioni svizzere per l'Ucraina. Swissinfo.ch. Retrieved on 14 November 2022 from <https://www.swissinfo.ch/ita/esportazioni-munizioni-svizzere-ucraina-armi-berna-respinge-richiesta-germania/47543030>

Reuters. (2022, November 3). Swiss again reject German request to re-export Swiss ammunition to Ukraine. Reuters. Retrieved on 14 November from <https://www.reuters.com/world/europe/swiss-government-rejects-german-request-re-export-swiss-ammunition-ukraine-2022-11-03/>

Reuters. (2022, June 1). Swiss veto Danish request to send armoured vehicles to Ukraine. Reuters. Retrieved on 14 November 2022 from <https://www.reuters.com/world/europe/swiss-veto-danish-request-send-ukraine-armoured-vehicles-tv-2022-06-01/>

Secrétariat d'Etat à l'économie. (2022, March 25). Exportation de matériel de guerre en 2021. Confédération suisse. Retrieved on 14 November 2022 from <https://www.admin.ch/gov/fr/accueil/documentation/communiques.msg-id-87704.html>

Ticinonews. (2022, November 6) Munizioni, Berlino guarda ad un'alternativa alla Svizzera. Ticinonews. Retrieved on 14 November 2022 from <https://www.ticinonews.ch/svizzera/munizioni-berlino-guarda-ad-unalternativa-alla-svizzera-369581>

Turuban P. (2022, March 4). Investigation exposes the use of Swiss arms in war zones. Swissinfo.ch. Retrieved on 14 November 2022 from <https://www.swissinfo.ch/eng/investigation-exposes-the-use-of-swiss-arms-in-war-zones/47394434>