

# The Losembe affair : a Swiss dilemma

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# THE LOSEMBE AFFAIR: A SWISS DILEMMA

At the end of an exceptionally long weekly meeting, the Federal Council decided to accede to a demand submitted by the government of Zaire regarding the extradition of Mr. Batwanyele Losembe, a former minister of General Mobutu's administration, wanted in Zaire for embezzlement of public funds.

Mr. Losembe has resided for some time in Switzerland, where he has been allowed to remain in freedom under bail. The Swiss Cabinet's position was rather delicate. It was bound to accede to an extradition demand lodged within the established framework of international co-operation in judicial matters. On the other hand, Swiss law protects the individual from extradition measures resulting in possible dangers to his life.

Mr. Losembe had appealed to the Federal Council claiming that he was wanted in Zaire for political offences and that, should he be repatriated, he would be tried by a special court and executed. After careful examination, the Federal Council rejected the first claim and therefore agreed to the extradition. But it will now fall to the Federal Court in Lausanne—in accordance with the separation of judicial and executive powers—to

decide whether Mr. Losembe would effectively be in danger of death in Zaire.

The final decision thus rests with the Federal Court and a commentator has compared the Federal Council to Pontius Pilate. This jest may be a little offensive, but it is true that if the Federal Court returns a negative decision, then the Swiss Government will be in a position to turn down the Zairian demand behind the cover of our political and legal institutions.

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## NEW SPEED LIMITS TO BE SEVERELY ENFORCED

The new law which will forbid Swiss motorists from exceeding 100 km-h for the next three years has already given rise to the question of whether such stringent speed limits should be observed while overtaking. Police authorities in Neuchatel have agreed that a motorist may overtake a lorry moving at over 80 km-h or a truck with trailer moving at over 60 km-h (their respective speed limits) provided this presents no danger. Motorists are held to slow down to 100 km-h or less as soon as they have cleared these heavy vehicles.

This sensible provision has been rejected outright by Mr. Oscar Schürch, Head of the Police Division of the Department of Justice and Police. He said that if the new regulations were to be "credible", they should suffer no exceptions. This had also been the opinion of Mr. Kurt Furgler, Head of the said Department, which was responsible for working out the new temporary road regulations. It will be for the Cantons to decide on the overtaking issue. No other Canton has so far considered amending the application of the new law, but they may well be pressed by the public to do so.

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## SWISS INVESTMENTS IN ITALY

Mr. Fiorentino Sullo, the Italian Minister for Regional Development, met Mr. Nello Celio, Head of the Finance Department, at the beginning of this month. It is thought the two men discussed the prospects of Swiss investments in Italy, particularly in the poor areas of the south known as the Mezzogiorno.

Switzerland is the third investor in Italy after the U.S. and Great Britain. It has over a hundred billion liras tied down in plant and equipment, most of which is invested in the prosperous northern part of the country. The Italian government would like to see more Swiss money going to the south, but recent experiments have ended in failure because of poor labour relations. Despite various incentives and a fairly good infrastructure, the Swiss aluminium giant Alusuisse has decided to close down a plant new in the area and sell another to an Italian combine. They had suffered 300 labour stoppages in 1971 and managed to produce only at 60 per cent of capacity.

An agreement had been reached during a meeting last summer between Italian and Swiss officials in Rome, whereby the basis for Swiss investment plans in southern Italy should be worked out by the end of last November. However, nothing concrete has so far been achieved.

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## NEW EAST-GERMAN EMBASSY IN BERNE

Following the establishment of diplomatic relations between Switzerland and East Germany at the end of last year, the East Germans have temporarily set up their Embassy in Berne at No. 28, Junkergasse in a building shared by the Monaco diplomatic mission. The temporary premises also house the East-German Consulate.

East Germany has received several offers concerning a definite site for its future Embassy but has not yet taken any decision on this matter.

# BUSINESS INVOLVEMENT IN SOUTH AFRICA

A 446-page study on the involvement of Swiss business in South Africa has just been published by the "Centre Europetiens monde" in Geneva. This publication highlights the contradictions between the lofty ideals of the Swiss Confederation and people so often expressed on political platforms at home and abroad, and the hard expediency of Swiss business.

Speaking at the 1968 International Labour Organisation Conference at Teheran, Ambassador Paul Lindt claimed: "The image of a society based on apartheid is abhorrent to the humanitarian and democratic traditions of my country".

Commenting on this declaration, Mr. Willy Spubler, then Head of the Political Department, said: "I support without any reservation everything the Ambassador said".

Yet Swiss business has heavy stakes in South Africa, which is Switzerland's first African trading partner. Switzerland is the fourth investing country in the Union and her firms necessarily have to operate within the establishment of apartheid, or race segregation.

The "Centre Europe-tiers Monde" Document is an independent research effort with obvious gaps due to the difficulty of obtaining reliable information on such a ticklish issue. Its authors have gathered their data by enquiring with Swiss firms established in South Africa, by studying their Annual and other reports, by comparing their prospectuses, by consulting the *Neue Zürcher Zeitung* and examining South African papers. The result of their efforts is a sobering document which may perhaps impress shareholders of the firms concerned. Some might wonder whether they are not supporting a society prospering on contract-labour and barbed-wire compounds for African workers.

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## SWISS GIRLS IN GREAT BRITAIN

(For Information, Advice or Help)

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