

# National Council does not want to deal with Sky Shield – refusal to work?

by *politbeobachter.ch*

“What happened so far ...”: On 7 July 2023, the head of the DDPS, *Viola Amherd*, signed the declaration of intent to join *Sky Shield* and the additional declaration by Switzerland and Austria at the D-A-CH meeting in Bern. The security policy commissions learned of the signing of the declaration of intent from the media. After the Federal Council approved the declaration of accession on 10 April 2024, the *Security Policy Commission* was informed of the Federal Council’s decision on 14 May 2024 and consulted on it.

Where is the problem? If Sky-Shield is a collective security organisation, the decision to join is subject to a mandatory referendum and the decision to join is made by the electorate (Art. 140. para. 1 let. B Cst.). If Sky Shield is merely a contract for the efficient procurement of defence equipment, the Federal Council may decide independently (Art. 109b Military Code).

So, what is the Sky Shield again? With the *European Sky Shield Initiative* (ESSI), European NATO states want to better protect themselves against attacks by projectiles, missiles or aircraft. The aim of the initiative is therefore to strengthen the European pillar in NATO’s joint air defence. Twenty-two states are participating, but neighbouring countries such as France, Italy and Spain are not taking part.

What was decided: Contrary to the recommendation of the security policy commission, the majority of the National Council does not want a subsequent parliamentary decision on joining Sky Shield. It thus approves *Viola Amherd*’s approach.

## What the political observer thinks about it:

The short version: The National Council is not fulfilling its responsibility and is failing to rein in the Federal Council, which has clearly overstepped its authority.

The long version: When a member of the National Council takes office, they are sworn in. The sentence “I swear to uphold the constitution and the laws and to conscientiously fulfil the duties of my office” is read out. The new council mem-

bers reply, “I swear”. Why did so many not remember their oath that morning?

We don’ know. We followed the debate in the public gallery live and raised our eyebrows several times. “The aim of the initiative is to strengthen the European pillar in NATO’s joint air defence,” said the German Ministry of Defence. Is that the objective of a procurement organisation that wants to negotiate favourable rates for itself? Hardly.

The audacity with which *Viola Amherd* also claimed in the National Council debate that it was merely a procurement project is disturbing. She justified the Federal Council’s decision to join Sky Shield by stating that the *ESSI memorandum of understanding* is not a treaty in the strict sense of international law, but she did point out several times how important the rule of law and strict adherence to the legal basis are to her. For this reason, she sees no reason to voluntarily hand the matter over to parliament for discussion (and for the sake of better support in parliament and among the population).

Why does the head of the DDPS completely ignore Art. 140 Bas. 1 lit. B of the Federal Constitution and insist on the exclusive applicability of the Military Code on procurement issues (Art. 109b)? What is the knowledge of our Federal Council regarding the hierarchy of norms? Does *Viola Amherd* seriously believe that the air defence systems being procured will not share radar data with neighbouring countries and can be operated autonomously? If so, they would be almost useless from a military point of view. In Valais, the canton *Viola Amherd* comes from, one would say: “Preaching water while drinking wine.”

Conclusion: What else is Sky-Shield but an organisation for collective security or a suprana-

### See also the following articles in ‘Swiss Standpoint’ on the topic of ‘Neutrality or NATO’:

<https://swiss-standpoint.ch/news-detailansicht-en-schweiz/swiss-neutrality-or-war-alliance-with-nato.html>

<https://swiss-standpoint.ch/news-detailansicht-en-schweiz/the-federal-council-ignores-the-country-s-neutrality.html>

<https://swiss-standpoint.ch/news-detailansicht-en-schweiz/in-dire-straits.html>

tional community (with the aim of collective security)?

The Federal Council and the National Council are too uncritical of the DDPS's rapprochement with NATO. The Federal Council decision of 20 November shows where this is heading. Switzerland is to participate in NATO's next *Crisis Management Exercise* (CMX) in the first quarter of 2025. This will involve staff officers from the Swiss Army taking part in a NATO Article 5 exercise. In practice, this means that senior officers from the Swiss Army will take part when NATO simulates a Russian attack and tests its defences. After all, we want to be prepared. "That's how it's done!"

Source: <https://politbeobachter.ch/nationalrat-will-sich-nicht-mit-sky-shield-befassen-arbeitsverweigerung/>,  
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**Additional information on this article:**

<https://www.parlament.ch/press-releases/Pages/mm-sik-n-2024-05-14.aspx>

<https://www.parlament.ch/de/ratsbetrieb/suche-curia-vista/geschaeft?AffairId=20243474>

<https://www.bmvg.de/de/aktuelles/european-sky-shield-die-initiative-im-ueberblick-5511066>

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<https://weltwoche.ch/story/der-nato-suendenfall/?postcomments>

<https://www.plattformj.ch/artikel/227098/>