

# DOMESTIC SECURITY REPORT SWITZERLAND 2005

## Summary

Focal points 2005	84
Overall assessment	85
Measures	86

## Focal points 2005

### Attacks by Islamist terrorists in London

On 7 July 2005, four suicide bombers blew themselves up on London's public transport network. They killed 48 passengers and injured more than 500 people. Together with the bombings in Madrid, the attacks confirmed the new force of the threat to Europe by Islamist terrorism. In many places, small cells of violent jihad activists are evolving, which owing to their limited capacity are only able to select targets in their vicinity.

Up until the attacks in Madrid in 2004, most of the violent Islamist activists considered Europe a region of retreat and a place for planning the logistical support of attacks, rather than an area of terrorist operations. However, especially since the attacks in London, Europe has also become an arena for Islamist terrorism.

*Europe – The new arena for Islamist terrorism.*

### Islamist activities in Switzerland

Switzerland was not a target of Islamist terrorism in 2005. However, it must be assumed that jihadis could be residing in the country. In view of recent developments in jihadi ideology, terrorist attacks in Switzerland – an integral part of the European field of operation – are becoming an increasing possibility.

*Switzerland – An integral part of the European field of operation.*

### Right-wing extremism

There were 111 incidents in 2005 that were motivated by right-wing extremism. Also, the number of right-wing concerts has particularly increased over the past few years.

Parts of the extreme right have renounced violence. However, the damage caused by right-wing activists, especially injury caused to people, is considerable. Appearances by right-wing extremists such as on 1 August on the "Rütli", or confrontation with opposing groups, required the deployment of greater police forces and in some instances and places endangered public law and order in Switzerland. However, such incidents did

*Threat to local safety requires deployment of greater police forces.*

not pose a threat to national security on the whole; but the number of right-wing motivated attacks against asylum facilities and foreigners slightly increased in 2005. The threat right-wing activism poses thus persists.

### Violence by left-wing activists

Once again left-wing activists showed greater preparedness to use violence; their willingness at least to inflict bodily harm, especially on the security forces, has risen.

Left-wing extremists have lost their most important platform through their self-inflicted isolation within the globalisation movement and as a result of consistent intervention by the police, especially at unauthorised events. Their reaction has been to increase, and place new emphasis on, their demands, and to change their tactics. The left-wing scene has devised a two-fold strategy: on the one hand their criticism of the globalisation process, especially of the World Economic Forum, is now no longer limited to certain events but expressed the whole year round. On the other hand, old and new issues are increasingly being pushed into the foreground, such as the renewed emphasis on the "Fight against Fascism" and alleged police repression.

*Focus on the "Fight against Fascism" and alleged police repression.*

In some instances and places, left-wing violence endangered public law and order, but did not pose a threat to Switzerland's domestic security.

### Proliferation

In 2004, the Service for Analysis and Prevention (SAP) at the Federal Office of Police (fedpol) started investigating Swiss involvement in Dr. Abdul Qadeer Khan's nuclear technology network. Dr. Khan is considered the father of the Pakistani atomic bomb. The investigations were especially focused on Swiss exports in connection with Libya's nuclear programme. The Office of the Attorney General of Switzerland began proceedings in October 2004 on suspected violation of the Goods Control Act and the War Materials Act. The investigations resulted in the arrest of three members of one and the same family.

*Ongoing investigations into the Khan network.*

In October 2005, the State Secretariat for Economic Affairs (seco) laid a further charge with the Attorney General's Office for violations of the Goods Control Act and the War Materials Act. The charge involved a Swiss company that exported, or attempted to export, goods to proliferation-relevant purchasers in a Middle-Eastern country.

## Organised crime

Criminal groups from south-eastern Europe, especially from Macedonia, Albania and Kosovo, continued to play a significant part in the evolution of crime in Switzerland. The significance of Serbian groups – a trend that has been consistent in the last two to three years – continued to grow. Furthermore, criminal groups from the Commonwealth of Independent States remained a serious threat to Switzerland's economy, its financial centre and its democratic institutions.

## Hooliganism

In 2005, there were approximately 400 people in Switzerland known to have intentionally caused violence at sporting events. A further 600 were occasionally involved in violent confrontations and in damage to property.

The hard core of the hooligan scene is well-organised and sought confrontation mainly with people of the same conviction. A more significant threat to public security was posed in 2005 by or-

ganised groups consisting mostly of young people who sought violent confrontation not only with opposing supporters but also with innocent bystanders and the police. According to the observations of the police, the brutality of the violence has increased and the perpetrators have become younger.

## Money laundering

Once again the repressive fight against money laundering in Switzerland in 2005 took place under special circumstances: the more complex cases especially revealed that the predicate offence was often committed abroad, and Switzerland was only used to deposit the crime proceeds. In presenting evidence during criminal proceedings, Switzerland therefore largely relied on the cooperation of the country in which the predicate offence has been committed. If evidence of the predicate offence was insufficient, the proceedings in Switzerland collapsed. Moreover, many cases were dealt with by means of mutual legal assistance, or for technical reasons were delegated to the state in which the predicate offence had been carried out. As a result of this, the statistics on convictions are not truly representative of the repressive fight against money laundering. Switzerland's law enforcement agencies often make an important contribution to the international fight against money laundering.

*Repressive means for fighting money laundering – Special circumstances in Switzerland.*

# Overall assessment

## A general picture of Switzerland's domestic security

According to the annual survey by the Swiss Federal Institute of Technology in Zurich released in spring 2005, the Swiss invariably feel safe in their country; the attacks in Madrid in March of the previous year had done little to change this. This feeling is not unrealistic because the Swiss, even in 2005, still lived in a comparatively safe environment. Nevertheless, it must be said that negative trends could not be halted: youth violence continues to

*Switzerland – A comparatively safe environment.*

be on the increase, and there is a growing tendency towards violence in the right and left-wing scene, in the area of hooliganism and in human trafficking.

## Islamist terrorism

The trend to smaller independent Islamist terrorist cells continued in 2005. One such cell was responsible for the attacks in London, which from a terrorist's point of view were successful. There has been no hard evidence up to now to suggest that terrorist acts have been planned in Switzerland. However, it is assumed that there are

Islamist activists in Switzerland who aspire to such acts. The threat situation can change quickly and at any time.

The trend towards smaller independent cells and the attacks in London illustrate that never before has it been more difficult to trace terrorists before an attack is launched. It is not surprising, therefore, that since 2005 the debate over the instruments liberal democracies and constitutional states may use for combating such threats has grown fiercer. The objective is to find a practicable solution; on the one hand the state must have sufficient and efficient instruments at its disposal to ensure the safety of its citizens; on the other hand these instruments should not betray a state's achievements, its principles and its ideals, if one

*Islamist terrorists – Largely free to act and make decisions independently.*

therefore, that since 2005 the debate over the instruments liberal democracies and constitutional states may use for combating such threats has

wants to avoid playing into the hands of its opponents.

## Organised crime in Europe

National security agencies still face the challenge of focussing the necessary attention on, and directing their efforts at, the threat organised crime represents to domestic security. There is increasing evidence of links between terrorist groups and other areas of crime such as petty crime as well as organised crime. In view of the transnational character of these forms of crime, national and international cooperation remains the key to success in combating organised crime.

*National and international cooperation – The key to fighting organised crime successfully.*

## Measures

### Further ban on Al Qaeda

At the end of November 2005, the Federal Council extended the ban on the terror organisation Al Qaeda and its associate organisations for a further three years until 31 December, 2008. The ban includes not only all activities by the organisation itself, but also all activities in support of the organisation.

### Preventive measures against extremist preachers

Fedpol systematically imposes entry bans on Islamist extremists. The bans apply to activists who have been convicted abroad, to suspected members of terrorist groups and to hate-preachers; for example an Egyptian cleric who wanted to participate in the annual conference of the Muslim umbrella organisation "Swiss Muslims League" in September 2005 was prevented from taking part when the Swiss authorities imposed a ban on his entering the country.

Furthermore, the refusal of work permits for imams from abroad who want to carry out their duties in religious centres in Switzerland serves as a means of preventing the dissemination of extremist Islamist propaganda. A work permit

may be refused not only on account of the background of the applicant, but – as of recently – also if the position of the centre is generally extremist. In November 2005, the Federal Court upheld a decision by the canton of Geneva to refuse a work permit to a Turkish imam who had been employed by an Islamic centre, the reason being the unconstitutional remarks made by the centre's director. In such matters regarding work permits, the security authorities are consulted.

*Keeping extremist preachers from working and out of the country.*

### Changing circumstances in the fight against terrorism

The current ideological tendency of Islamist terrorists to conduct violent jihad individually on the local level means principally that terrorist attacks can be carried out possibly anywhere, including Switzerland. The more independently jihadis *Domestic Security Act II.* act, the more difficult it becomes to identify them before the act is committed. Identifying jihadis before they strike requires what most European countries have done in the last few years; that is to extend the means of intelligence to anticipate such acts.

If Switzerland does not follow this development, it will not only lose its credibility towards its partners in the international fight against terrorism, but it also risks turning from an area of retreat into an area of agitation for Islamist extremism and terrorism. The current amendment of the Federal Act on Measures for Safeguarding Domestic Security (known as the Domestic Security Act II, for short) takes these changing circumstances into account. The Federal Council plans to put forward its draft legislation to the Federal Parliament in 2006.

## Measures against violence at sporting events and violent propaganda

Currently there is nothing to suggest that violence at sporting events – mainly in football and hockey games – has decreased; rather, the police have noticed an upsurge in violence. The amendment of the Federal Act on Measures for Safeguarding Domestic Security (Domestic Security Act I), which is to be passed by the Federal Parliament in spring 2006, should bring remedial action. The revised legislation should provide the cantonal security agencies with additional tools such as exclusion orders, exit restrictions, registration orders and preventive detention to help prevent violence at sporting events. Furthermore, hooligans that are known to the police for causing violence at sporting events will be registered in a newly-established national database.

The amendment of the Domestic Security Act I also includes a further clause on confiscating propaganda material that incites to violence. As a preventive measure, it is planned that such material be confiscated, regardless of the quantity, by means of an administrative order.

## Measures regarding UEFA EURO 2008

In June 2008, the European football championship UEFA EURO 2008 will take place in Austria and Switzerland. To this end, a Swiss-Austrian working group on security was established in March 2004. Identical project groups in both countries are working on a national security plan that is based on a framework concept drawn up by Switzerland and Austria. This concept should guarantee uniform safety standards in all areas. The draft was passed on a ministerial level at the end of September 2005.

The national security plan in Switzerland is being devised jointly by the federal, cantonal and municipal authorities, and should be implemented in keeping with the original fields of competence of the different governmental levels. Basically, the cantons and the cities where the football matches will be taking place are responsible for implementing the security measures. The organiser of the event is responsible for safety inside the stadiums. In addition to their responsibilities in the field of domestic security, the federal authorities will also be responsible for coordinating the measures.

*The Swiss federal government, the cantons and the cities pledge to guarantee security.*

During the course of 2006, the Federal Parliament will deliberate a change to the decision on the contributions by the federal government to the UEFA EURO 2008. This bill will regulate, amongst other issues, the financing of the security measures by the federal government, the cantonal authorities and the municipalities where the matches will be taking place.

## Right-wing extremism in the Swiss army

In August 2005, the Swiss army's specialised unit for extremism was removed from the Federal Department of Defence, Civil Protection and Sports and incorporated into the Service for Combating Racism. This contact and coordination unit investigates extremist-motivated incidents within the army. It also conducts work in the fields of prevention, communication and awareness.

## The Federal Police Information Systems Act

The purpose of the Federal Police Information Systems Act (FPI) is to unify the legal frameworks of the federal police databases. A police index should in future allow authorised offices to check the database for persons who are known to the federal or cantonal police and, in the affirmative, to find out which police authority is involved. This is an improvement over the current system which requires each authority to be individually contacted for any information on a person. During the consultation procedure the reaction to the first draft of the new FPI was mostly positive; the idea of a police index was especially welcomed.

*Legal basis for federal police databases.*

## Non-proliferation

Switzerland has ratified all international agreements on weapons of mass destruction and is a member of all four export control regimes, whose objective is to control the use of goods that have a civilian and military purpose. These regimes are: the Nuclear Suppliers Group, the Australia Group (on biological and chemical weapons), the Missile Technology Control Regime, and the Wassenaar Arrangement on Export

*Prophylax – A successful prevention and awareness programme.*

Controls for Conventional and Dual-Use Goods and Technologies. In 2005, the seco refused authorisation for 15 export applications, a threefold increase over 2004. Around two-thirds of these applications involved so-called catch-all-cases; that is goods that are not subject to authorisation but were registered with the seco because they were intended for a high-risk end user.

In autumn 2004, fedpol (SAP) started visiting Swiss companies as part of its prevention and awareness programme called Prophylax. The purpose of Prophylax is to systematically approach and open a dialogue with Swiss companies that manufacture sensitive products such as tool machines, measuring instruments or chemical products that could be exported to high-risk countries. By December 2005, fedpol had visited 150 companies throughout Switzerland.

## Organised crime

In October 2005, the Federal Council put forward its draft legislation on the ratification of the United Nations Convention against Transnational Organised Crime and both additional protocols against the trafficking of persons and smuggling of migrants. These agreements represent a further important development in international criminal law and a milestone in international cooperation against transnational organised crime. The creation of minimum standards in regulations and measures is a significant precondition for strengthening international cooperation. The signatory states have committed themselves to outlawing the participation in a criminal organisation and money laundering. Moreover, they must examine whether the act of corrupting foreign officials, actively or passively, should be punishable. A further point of the convention is the criminal, civil or administrative prosecution of companies, and the confiscation of illegally acquired assets.

## Fighting corruption

Switzerland's measures for fighting corruption compare favourably internationally; in fact, they are above average and oriented towards international agreements and standards. Moreover, the appropriate regulations are currently being expanded accordingly. Another step towards increased prevention and repression has also been made with the legislative implementation of the Council of Europe's Criminal Law Convention on Corruption. From 1 July, 2006, not only active corruption, but also passive corruption by private persons (Article 4a Federal Act against Unfair Competition) and the passive corruption of foreign and international officials (Article 322septies Swiss Criminal Code) will be considered illegal. Finally, corporate liability will be extended to include private sector participation in corruption (Article 100quater paragraph 2 Swiss Criminal Code).

*Prevention and repression – Improving the fight against corruption.*

However, new legislation on its own is not sufficient to prevent corruption. Combating corruption successfully requires police and judicial authorities who are familiar with the issues, the necessary personnel resources to conclude the often time-consuming and lengthy investigations, and also the protection of employees and other individuals who report corrupt practices.

## Human trafficking

In 2005 Switzerland took a number of crucial steps to combat human trafficking and achieved some success on the cantonal and national level. On 11 March, 2005, the Federal Council put forward its draft legislation on the ratification of the Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography. The draft legislation is currently being debated by the Federal Assembly. At the same time, Article 196 of the Swiss Criminal Code on human trafficking is being amended. Besides trafficking for the purpose of sexual exploitation, the new legislation will also make trafficking to exploit labour and the removal of human organs punishable offences. Moreover, a one-time offender will also be liable for punishment for human trafficking. And the new law on foreign nationals will include a clause granting residence permits to victims of human trafficking.

## New legislation on foreign nationals

Under Article 116 of the new legislation on foreign nationals (Aliens Act) human trafficking will qualify as a felony. Human trafficking will also be listed as a felony in the Federal Act on the Surveillance of Post and Telecommunications and in the Federal Act on Covert Investigations. Elevating human trafficking to the status of a felony means that in future law enforcement agencies will have greater investigating and prosecuting competence.

Increasing the penalty for smuggling on a commercial basis is expected to have a preventive effect. Furthermore, incorporating new offences such as illegal transit, transit smuggling, bogus marriages or deception of officials, will help combat forms of smuggling that are more difficult to detect.

## Electronic communication networks

The year 2005 saw the completion of the consultation procedure on the report and preliminary drafts for the revision of the Swiss Criminal Code and the Military Criminal Code. The drafts under review regard the criminal responsibility of providers (Preliminary Draft A) and federal jurisdiction in prosecuting crimes committed by means of electronic communication networks (Preliminary Draft B). The Federal Department of Justice and Police (FDJP) intends to submit the results of the consultation proceedings and new draft legislation pertaining to Article 344 of the Swiss Criminal Code (electronic communication networks) to the Federal Council in 2006. Under the new legislation, the Office of the Attorney General of Switzerland and the Federal Criminal Police would thus be empowered to conduct initial investigations into criminal offences committed by means of electronic communication networks in such cases where it has not yet been determined which canton is responsible. Regarding Preliminary Draft A, the Federal Council has yet to decide on the further course of procedure.

## Weapons Act

Switzerland's joining of the Schengen Agreement means that the Weapons Act needs to be extended in a number of essential respects; thus, the unauthorised possession of firearms becomes a punishable offence, the trading of firearms between private individuals requires a certificate

of purchase as is the case in commercial trading, and firearms imported into Switzerland or manufactured in the country have to be marked so they can be traced back to the original source. Finally, the licensing practice will be standardised throughout Switzerland.

Apart from these changes, which have already been agreed upon, the Federal Council has proposed further reforms. Under these reforms, imitation guns, air guns, blank cartridge guns and airsoft guns are to be placed in the same category as normal weapons and would therefore be subject to the same legal regulations. However, this only applies if the weapon has endangering potential; for example if it could be mistaken for a real one or if it has a certain muzzle power. Likewise, selling weapons anonymously, for instance over the Internet or through advertisement, would become illegal under new legislation. It has further been proposed to prohibit the improper carrying of dangerous objects. It would thus be possible for state security forces to confiscate baseball bats, metal pipes, bicycle chains and other objects carried in public before they can be used to injure people or commit offences. However, this would only apply if it is obvious that such objects are meant for use as weapons.

The draft also includes legislation on the exchange of data between fedpol and the army. Under proposed legislation, fedpol would be responsible for establishing a national office to evaluate tracing data on firearms. The amendment under review does not contain any reforms limiting hunting or shooting sports, however.

## Cooperation between intelligence services

When planning for the years 2003 through 2007, the Federal Council defined its ninth objective – safeguarding security – in some detail: accordingly, Switzerland's security policy instruments must fully interact with each other and be flexible. Besides, the instruments for safeguarding domestic security were further strengthened in 2005 with the introduction of numerous police and judicial measures. One of these measures was the decision taken by the Federal Council on 22 June 2005 that in future the Strategic Intelligence Service (SIS) at the Federal Department of Defence, Civil Protection

*Weapons Act substantially amended and improved.*

*SAP and SIS – Joint evaluation and analysis forums.*

and Sports, and fedpol's SAP (FDJP) should work together more closely in the fields of terrorism, organised crime and nonproliferation. To this end, three joint evaluation and analysis forums were established at the beginning of 2006. At the same time the Federal Council also decided to implement a project that had been aimed at establishing the staff of the Federal Council Security Committee. The purpose of this staff is to strengthen the leadership of the Confederation in security policy matters. The staff began work on 1 October, 2005.

## International cooperation

In the popular vote on 5 June, 2005, the Swiss people agreed to Switzerland's joining of the Schengen and Dublin Agreements. The Federal Council has strengthened international police cooperation through a series of agreements. The parliamentary draft on cooperation with Europol was passed by the Federal Council in January 2005 and subsequently ratified by Parliament before coming into force on 1 March, 2006. By approval of the Federal Council, several bilateral police cooperation agreements have been signed with Latvia, the Czech Republic, Romania, Slovenia, Macedonia and Albania. These agreements form the legal basis for consolidating and further improving certain areas of cooperation that already exist through Interpol, such as the exchange of police intelligence, the coordination of operational measures, the establishment of joint working groups and joint training modules while at the same time taking into account data protection regulations.

Furthermore, in April 2005 the Federal Council passed the parliamentary draft on an agreement with Liechtenstein on cooperation in con-

nection with Swiss information systems for fingerprinting and DNA profiling.

## Preventing the misuse of lost and stolen passports

All over the globe, lost and stolen passports or other documents are used time and again to commit offences or to avoid law enforcement. An Interpol database should put a stop to this. Switzerland was one of the first countries to take advantage of the automated document comparison facility in December 2005: Linking up its national database to Interpol's database makes it possible to immediately check and compare document numbers. The system, which was developed under the overall leadership of fedpol, can be used by authorised offices in Switzerland and can considerably curb the misuse of travel documents.

## Biometric data in the Swiss passport

International factors have made the introduction – initially as a pilot project – of biometric data in Swiss passports necessary in order to guarantee the freedom of travel to Swiss citizens and to ensure the high security standard of the Swiss passport as compared internationally. The facial photograph and the fingerprints of the holder are among the main biometric information. The Ordinance on Documents for Swiss Nationals is currently being revised. It will serve as a basis for incorporating the electronic photograph into Swiss passports within the framework of a pilot scheme. By decision of the Federal Council dated 15 September 2004, the revision only concerns the project phase and is limited to a period of five years. ■



## **IMPRESSUM**

---

### **REDAKTION**

Dienst für Analyse und Prävention,  
Abteilung Analyse

---

### **REDAKTIONSSCHLUSS**

Ende Januar 2006

---

### **KONTAKTADRESSE**

Bundesamt für Polizei  
Nussbaumstrasse 29  
CH-3003 Bern  
E-Mail: [info@fedpol.admin.ch](mailto:info@fedpol.admin.ch)  
Telefon 031 323 11 23  
[www.fedpol.admin.ch](http://www.fedpol.admin.ch)

---

### **KONZEPTION, GESTALTUNG**

Martin Sommer, Romano Hänni, Basel

### **DIGITALER UMBRUCH**

Werner Druck AG, Basel

---

### **VERTRIEB**

BBL, Verkauf Bundespublikationen, CH-3003 Bern  
Art.-Nr. 410.111.d  
[www.bbl.admin.ch/bundespublikationen](http://www.bbl.admin.ch/bundespublikationen)

---

### **WEITERFÜHRENDE BERICHTE**

#### **UND INFORMATIONEN**

Website des Bundesamtes für Polizei:  
[www.fedpol.admin.ch](http://www.fedpol.admin.ch)

---

### **COPYRIGHT**

Bundesamt für Polizei 2006.  
Auszugsweiser Nachdruck der Texte mit  
Quellenangabe gestattet.

---