

TERRORISM: LEST WE FORGET SWITZERLAND

*But **Taiwo Akinola**, an Intelligence expert thinks the war on terror is not holistic enough. In as much as he appreciates the various efforts being made to stamp out terrorism and make the world free, he warns that a more dangerous, but subtle act, such as financial terrorism is being perhaps, and for obvious reasons, deliberately down played.*

A total war on terror would be to him to also scrutinise and punish terrorist activities by States. And of much concern to him in this essay, is the State-sponsored financial terrorism policy of the Swiss Government which has for years made eunuch of third world economies, their polities and led to incalculable deaths and hunger of many.

Mr.Akinola concludes his essay by calling for the declaration of Switzerland as a terrorist State and be sanctioned accordingly.

Executive Summary

The world community is besieged with many critical problems such as availability of small weapons which fuels civil wars, failed states, piracy, drug trafficking, racketeering and poverty; wrong economic policies, credit crunch and terrorism.

Unarguably, one of the greatest threats to human community at this time is terrorism- an inhuman act which can be committed by non-State actors and State actors alike. In reaction the world community is currently involved in wars on many fronts to root out terrorists and its supporting infrastructures.

One issue stands out in the sustainability of this world crisis. Terrorism is dependent on the circulation of illegal monies- which cannot not take

place if there are no dirty financial institutions or channels to act as vehicles. Intelligence reports indicate that the war on terror is not holistic enough. In particular it indicates that the financial terrorism being perpetuated by a state such as Switzerland, though subtle- but in terms of intensity and scope makes the greatest contribution to the sustainability of terrorism, and other world crisis.

The Swiss State knowingly supports and promotes financial terrorism as a State policy and it is the basis for her economic and security strategy. Over the years, it has built a reputation as a State-sponsored world centre for tax evasion, fraud accounting, money laundering for terrorist, racketeering, and above all, a staunch ally of corrupt third world leaders and a great beneficiary of third world corruption.

For so long, the powerless developing countries have been the victims of the Swiss State's acts of terrorism. And in recent times, developed countries like the United States, Germany and France have protested loudly that the Swiss finance terrorism threatens their national security:

- In 2001, the United States learnt that the Swiss had protected the bank that handled finances for Osama Bin Laden and in 2009, an action by the US Justice Department against the Swiss banking giant UBS earned the United States close to \$1 billion.
- Switzerland holds a third of the world's "off shore" money- crooks who patronised the State's policy of economic terrorism.
- Through their collusion with corrupt politicians, civil servants, the business elite and corrupt multinational corporations to loot and hide the proceeds of their ill-gotten gains, the Swiss state have plunged third world nations into debts, poverty, misery, malnutrition, diseases, economic meltdown, infrastructural decay and political instabilities which has caused the deaths of millions of people, including women and children, with millions yet starving and suffering in those countries. It has led to the killing of more

people, destroyed more properties than Al-Qaeda has, and have caused more wars than the Taliban. This is indeed a crime against humanity.

- If the International Criminal Court for crime against humanity can try anti-peace leaders, such as Slobodan Milosevic, Ratko Mladic, Charles Taylor, who use guns to kill, why can it not try some of the Swiss politicians and banks executives who are responsible for those inhuman and criminal policies which have lead to greater atrocities? The attached article from an intelligence expert shows that the law against terrorism supports such move and its execution is long overdue.
- The Swiss State, her institutions and citizens knowingly export, aid and abet criminality and terrorism against all other States for its own benefits.
- Switzerland is a rogue State- experts such as Richard Murphy, director of Tax Research LLP says: "The idea that Switzerland has a clean economy is a joke; it is a dirt-driven economy". Lord Adusei says "Switzerland can best be described as economic vampire, parasite and predator feeding on the economies of poor African and third world countries".

Action:

The sad thing about the parasitic behaviour of the Swiss State is that it is supported by almost all the citizens of that country. The Swiss Bankers Association claims that four-fifths of the nation supports banking secrecy- 'revealing a society deeply embedded in a culture of criminality and exploitation, where the illicit acts as a shield protecting the illicit in a terribly respectable manner'. The implication is that the Swiss State cannot be trusted on its own to act responsibly without the supervision of the international community. The international community can no longer afford to abdicate its responsibilities while the Swiss State dehumanises many more millions of people as it has done over a century.

- We call for the world community to support the campaign for the declaration of Switzerland as a terrorist State and be sanctioned accordingly.

Actions

- [Sign the attached petition using the Comments feature](#)
- Support picketing of the Swiss Embassies worldwide.
- Ask for more actions.

Introduction

Unarguably, one of the greatest threats to human community at this time is terrorism, an inhuman act which can be committed by non-State actors and State actors alike. Currently, the Allied Forces led by the US are in Iraq and Afghanistan taking terrorists head on in seemingly endless war, while the west as a whole is combing its streets, households, campuses to fish out new breed terrorists from their cells.

Switzerland is indisputably a prosperous nation with a gross domestic product (GDP) higher than that of some larger western European nations. The question arises: Why would Switzerland without any natural resources, a country that chose to do mercenary military slaughtering for centuries for foreign powers, that sent its daughters abroad as scullery maids and its sons as chimney sweeps be today the world's richest nation with the lowest taxes in the world, yet have the most sophisticated, meticulous infra-structure of any nation?

The answer is simple: over the years, Switzerland has built a reputation as a State - sponsored world centre for tax evasion, fraud accounting, money laundering, racketeering, and above all, a staunch ally of corrupt third world leaders and a great beneficiary of third world corruption. From these actions, it is evident that the Swiss State, her institutions and citizens knowingly export; aid and abet criminality and terrorism against

all other States for its own benefits. We also know that States which support such actions do directly get involved in assassinations and other criminal activities. These may account for the mysterious disappearance and actual deaths of opponents of corrupt third world leaders.

For so long, the powerless developing countries have been the victims of the Swiss State's acts of terrorism. And in recent times, developed countries like the United States, Germany and France too, have increasingly begun to feel the impact of the threats from the Swiss State. Their campaign has witnessed an open row between the German Finance Minister and members of the Swiss Parliament. These nations claim they are losing billions of dollars annually through tax evasion and other illegal financial activities and that the moneys that criminals launder through Swiss banks finance terrorists who threaten their national security.

In 2001, the United States learnt that the Swiss had protected the bank that handled finances for Osama Bin Laden. One of them, the Bahrain International Bank, had funds transiting through non-published accounts of Clearstream, which has been described as a "bank of banks" and was involved in one of Luxembourg's major financial scandals.

In 2009, an action by the US Justice Department against the Swiss banking giant UBS earned the United States close to \$1 billion. Western governments have realised that dirty money in many forms received by Switzerland encourages corruption, terrorism, drug trafficking which are now recognised as a serious problems in West Africa, and racketeering to tag alongside and deny the world's poor the chance to escape poverty. Consequently, many of them migrate as refugees and commit crimes in these countries.

If you commit crimes for a living, Switzerland is the place to put your money. Corrupt leaders, ranging from the Philippines' Ferdinand Marcos to Nigeria's Sani Abacha, have used Swiss banks to hide their loots.

In an article entitled 'Switzerland: A Parasite Feeding on Developing World', posted on www.ghanapundit.blogspot.com on June 17, 2009, Lord Adusei, an anti-corruption campaigner observes that:

The cost of Switzerland's collusion with the corrupt entities in Africa and the third world affects the poor people in those poor countries who are denied the right to good life- a denial of their fundamental human rights. They are denied basic necessities of life such as safe drinking water, basic health and sanitation facilities, electricity, housing and even food. Over one million people in those poor countries die of malaria, 90% of them from Africa with most of the victims being children. Millions of others also die of starvation, hunger, malnutrition, polio, measles, tuberculosis and the six killer diseases. These destructions are bestowed on them because they happen to have corrupt leaders and a counterpart crook State ready to protect their looted funds. ¹

The international community also picks part of the cost arising as a result of the Swiss's financial terrorism. As moneys meant for development are stolen and stashed in Swiss banks, aid agencies from developed countries are forced to give additional aids running into millions of dollars, while millions of the victims seek refuge in those developed countries. The Swiss financial terrorism has caused the deaths of millions with millions yet starving and many more suffering. In the 21st century, there is no justification for these sufferings. Switzerland cannot continue to be a willing accomplice in crimes involving the deaths of millions of people including children and women. This is by every known standard an act of direct terrorism as well as aiding it. The Swiss have killed more people, destroyed more properties than Al-Qaeda has, and have caused more wars than the Taliban. This is a crime against humanity.

Defining Terrorism

For greater clarity, it is pertinent at this juncture to examine the meaning of terrorism and who a terrorist is. The term "terrorism" comes from a Latin word 'terrere', which means "to frighten", to fear, to panic, horror, insecurity, fright, dread, alarm. Acts carried out to cause any of these are terrorists' acts.

The word "terrorism" is politically and emotionally charged. As such, it prevents many countries to fully recognise the reality about State's involvement in terrorism. Denying that States can commit terrorism is generally useful, because it exonerates some states in a variety of situations in their roles as the 'police man' of the world.²

The disadvantage is that it might also get hostile States such as Switzerland off the hook - which is why there, has to be a list of States that are said to "sponsor" terrorism while not actually committing it themselves. This is the probable reason a small State like Switzerland has for so long been allowed to unleash the worst form of terrorism on the rest of the world. The reality is that there are States such as Switzerland which is directly involved in terrorism via its economic policy and so actively promotes it. Consequently, this has seen more people dead, maimed or turned into 'living dead' than the First and the Second World Wars combined, while the world still looks on.

Despite this problem of definition, to many countries, acts of terrorism are legally distinguished from criminal acts done for other purposes. Moreover, common principles amongst legal definitions of terrorism provide an emerging consensus as to the meaning and also foster co-operation between law enforcement personnel in different countries. Some such definitions are so broad like the United Kingdom's Terrorism Act 2000 which defines terrorism as the use or threat of action where:

- (a) the action falls within subsection (2); (b) the use or threat is designed to influence the government or to intimidate the public or a section of the public and; (c) the use or threat is made for the purpose of advancing a political, religious or ideological cause;
- (2) Action falls within this subsection if it: (a) involves serious violence against a person; (b) involves serious damage to property; (c) endangers a person's life, other than that of the person committing the action; (d) creates a serious risk to the health or safety of the public or a section of the public or; (e) is designed seriously to interfere with or seriously to disrupt an electronic system.

This is a type of psychological violence or intimidation and an economic warfare.

In order to accommodate the various definitions of "terrorism", the United Nations currently has 12 piecemeal conventions and protocols on terrorism. The League of Nations Convention (1937) defines terrorism as:

"All criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons or a group of persons or the general public". The UN Resolution language (1999): "Strongly condemns all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed; 2. Reiterates that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstance unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them". (GA Res. 51/210 Measures to eliminate international terrorism). The United Nations Security Council Resolution 1373 issued under Chapter VII of the UN Authority and the (UN Security Council Resolution 1566, The General Assembly Resolution 49/60, entitled: "Measures to Eliminate International Terrorism," adopted on December 9, 1994,)³ refer to it as: criminal acts, including against civilians, committed with

the intent to cause death or serious bodily injury, or taking of hostages, with the purpose to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a government or an international organization to do or to abstain from doing any act.

Academic Consensus Definition defines terrorism as "an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group or State actors, for idiosyncratic, criminal or political reasons... depending on whether intimidation, coercion, or propaganda is primarily sought," (Schmid, and Jongman 1988).⁴ The **Supreme Court of India** adopted Alex P. Schmid's definition of terrorism in a 2003 ruling (Madan Singh vs. State of Bihar), defining acts of terrorism veritably as 'peacetime equivalents of war crimes.'⁵ while SAJID DAWAR defines terrorism as "The act or threat of violence by any individual, group, organization aimed to secure predetermined ends through illegal channels".⁶

The United States, under the Federal criminal code. 18 U.S.C. §2331 the United States defines terrorism as:

...activities that involve violent... or life-threatening acts... that are a violation of the criminal laws of the United States or of any State and... appear to be intended (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping...."⁷

The European Union employs a definition of terrorism for legal/official purposes which is set out in Act 1 of the *Framework Decision on Combating Terrorism* (2002).⁸ This provides that terrorist offences are certain criminal offences set out in a list comprised largely of serious offences against persons and property which:

"given their nature or context, may seriously damage a country or an international organisation where committed with the aim of: seriously intimidating a population; or unduly compelling a Government or international organisation to perform or abstain from performing any act; or seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation."

Key points about terrorism

- The key point about terrorism, on which almost everyone agrees, is that it's politically motivated. This is what distinguishes it from, say, murder or football hooliganism. It has been proven beyond any shadow of doubt that the Swiss's financial terrorism is State and politically driven.
- Since the events of September 11, 2001, specific approach to addressing problems of terrorism in binding international treaties has improved. This is not only because States wish for political reasons to be seen to be taking action on a broad front against terrorism by adding to international and national prohibitions on terrorism. It has also become a matter of some legal importance. Following the events of September 11, the UN Security Council, in a binding resolution (Resolution 1373), obliged Member States of the UN to take a wide range of actions to prevent and punish terrorist acts and to attack the support structures of terrorism.
- Former Secretary-General Kofi Annan too stated that there are several Conventions on terrorism by non-State actors: (a) They define a particular type of terrorist violence as an offence under the convention, such as bombing, financing, etc...; (b) require State Parties to penalise that activity in their domestic laws; (c)

identify certain bases upon which the parties responsible are required to establish jurisdiction over the defined offence; (d) create an obligation on the State in which a suspect is found to establish jurisdiction over the convention offence and to prosecute if the Party does not extradite pursuant to other provisions of the convention. ⁹

- Andrew Byrnes suggested in 2002 that these conventions – all of which are described by the United Nations as part of its panoply of anti-terrorist measures share three principal characteristics:

(a) they all adopted an "operational definition" of a specific type of terrorist act that was defined without reference to the underlying political or ideological purpose or motivation of the perpetrators of the act - this reflected a consensus that there were some acts that were such a serious threat to the interests of all that they could not be justified by reference to such motives;

(b) they all focused on actions by non-State actors (individuals and organisations) and the State was seen as an active ally in the struggle against terrorism - the question of the State itself as terrorist actor was left largely to one side; and

(c) they all adopted a criminal law enforcement model to address the problem, under which States would co-operate in the apprehension and prosecution of those alleged to have committed these crimes.¹⁰

The case for declaring Switzerland a terrorist State:

The news that on 20th November, 2009, the Swiss authorities convicted Abba, one of the sons of the late Nigerian military dictator, General Sani Abacha, for graft and ordered \$350 million worth of assets to be seized from him is indeed a welcome development for not only Nigeria, but for the developing world whose limited resources are siphoned to Swiss

criminal banks which benefit most from such ill-gotten wealth. This came in addition, that due to the pressure from the US, the Swiss bank will release some information on a category of crooks that patronise Switzerland's so-called "off-shore" banking sector- these are accounts in Swiss banks held by foreigners who don't live there. Switzerland holds a third of the world's "off shore" money- who patronised the State's policy of economic terrorism. It is also good news for the developed world where money laundering fuels acts of terrorism, a factor which affects the world's collective security.¹¹ But will the US and Europe succeed in their fight against banking secrecy in Switzerland?

The actions taken by the Swiss is just a tip of the iceberg of what is possible if there is a strong and co-ordinated action by the international community. The Swiss criminality in this area goes back to many centuries. Financial terrorism is its main economic activities at home; 'its regular trade mark'; its primary export to the rest of the world and this crime is State-sponsored. Without sustained pressure from the rest of the world, the Swiss State cannot be expected to voluntarily desist from committing this crime against humanity.

Abacha, who died in June 1998, was suspected of having siphoned over \$3 billion from Nigeria between his coming to power in November 1993 and his death four-and-a-half years later. Under heavy pressure from the Nigerian government, some \$700 million of his loots, which were stashed in Swiss banks, have since been returned by Switzerland to the Nigerian authorities out of the estimated \$3 billion in embezzled State funds sent abroad by Abacha during his four and a half years' rule. In a 2002 report, the Swiss Federal Banking Commission said 19 banks had dealings with Abacha and did not report suspicions of money laundering to the Swiss authorities. Six banks - three branches of Crédit Suisse Plus, Crédit Agricole Indosuez, Union Bancaire Privée and MM Warburg - were singled out for failing to run adequate checks on new accounts, including those

opened by General Abacha's two sons. So when will Nigeria collect its balance?

Lord Adusei in the article quoted earlier also observes that:

The major victims of the State - sponsored Swiss banking illegalities are practically developing countries, and Africa in particular, seems to have suffered the most. The Swiss economic policy has helped bleed trillions of dollars in illicitly generated money out of Africa and the rest of the developing world. 'The activities of Swiss banking institutions and real estate companies have plunged third world nations into debts, poverty, misery, malnutrition, diseases, economic meltdown, infrastructure decay and political instabilities through the help they give to corrupt politicians, civil servants, the business elite and corrupt multinational corporations who collude and connive with the corrupt entities to loot and hide the proceeds of their ill-gotten gains'.

Adusei goes further to add, "Many third world countries, especially those in Africa lack the infrastructure needed to run successful economies. They lack schools, hospitals, roads, harbours, rail infrastructure, irrigation facilities, electricity, clean water, telecommunication, sanitation facilities because of the loots. Many children are orphaned and malnourished and many do not have access to education and healthcare because money meant for all that are stolen and kept in Swiss banks. There has not been a single corrupt politician or dictator in Africa, Latin America and Asia who has not had dealings with these crooked banks. While third world countries continue to struggle to provide the basic necessities of life, the Swiss economy is awashed with money that could save millions from hunger, starvation and diseases."

Now let's take a critical look at the source of the Swiss economy, which sustains her robust standard of living and banking system.

Introduction to Switzerland

Switzerland is ranked number one as the world's largest private banking centre with over 500 major banking institutions. It is estimated that around 35% of all the private wealth globally is held in Switzerland. Recent years have seen the Swiss banking services market move to sophisticated services, a competitive prices for large professional clients.¹²

Switzerland is situated in Central Europe where it formed a buffer between four major European powers; is bordered by Germany to the north, France to the west, Italy to the south, and Austria and Liechtenstein to the east. Switzerland is a landlocked country whose territory is geographically divided between the Jura, the Central Plateau and the Alps; altogether it covers an area of 41,285 km² (15,940 sq mi) and its population is only approximately 7.8 million people. It is one of the richest countries in the world by per capital gross domestic product, with a nominal per capita GDP of \$67,384.¹³ Zürich and Geneva have respectively been ranked as having the second and third highest quality of life in the world.¹⁴

This introduction will set you thinking and force readers to ask the important question: What does this small population on this small piece of one of the world's most rugged terrains manufacture or export to the rest of the world to get so wealthy and to accommodate 500 or more major banks? Yes, they produce the best Chocolate and Cheese in the world. But what else?

The State is made up of three main ethnic nationalities; the majority German, French, and Italian, and a very small number of the Romansh.

The Swiss therefore, do not form a nation in the sense of a common ethnic or linguistic identity. The strong sense of belonging to the country is founded on the common historical background, such as making money from playing the big States against one another, shared values as pirates and the wishes of the powerful countries surrounding it.

As a buffer between four major European powers, each of the powers would have liked to control the territories. Although, some attempts had been made in the past, but each had been unsuccessful as the majority of the powers did not want or would not allow any of them to control it. In the past, its strategic importance was more than now. Its territory held a good passage to the Alpine waterway - the most important trade route on the European continent before the advent of Aeroplane. The rugged terrains also have military importance; difficult to attack, easy to defend from within and whichever of the major powers holds the territory could seriously influence the balance of power in that geo-politics and therefore becomes a threat to the interest of others. Because of this, it was in the interest of the majority of the parties to have a neutral and a stable Swiss State.

This situation provides this small State with some advantages in playing up the bigger powers and on many occasions, it recklessly exploited this position. It also became a lawless and reckless place where criminals from each of the countries could reside and where all things were possible. Because of this history, the Swiss Confederation has a long record of neutrality—it has not been in a state of war internationally since 1815—and was one of the last countries to join the United Nations and one of the least interested to join the European Union. Switzerland remained neutral as a country in the 'Thirty Years War', but private mercenary troops recruited in Switzerland played some roles and the financial activities by the Swiss added to the intensity and the scope of

the war. In 1648, the Treaty of Westphalia finally officialised Switzerland's independence from the Holy Roman Empire.

History of Swiss Banks

Switzerland's tradition of financial wrongdoing goes back at least to the 17th century. In the wake of the World War I, as many European currencies became unstable, the 'neutral', Swiss franc attracted depositors. France incensed by Swiss's sharp practices raided a Swiss bank's office in Paris and revealed the names on its accounts. As a result the Swiss State passed a law in 1934 making such disclosures criminal offence. Years later, Swiss banks both sheltered the assets of German Jews and accepted looted Nazi gold.¹⁵

But the history which shaped Swiss's sharp practices goes much further and this may explain why there are so many private unethical banks in Switzerland.

Within two decades of the victory of the First Crusade (1095-1099), a group of knights led by Hugues (Hugh) de Payens offered themselves to the Patriarch of Jerusalem to serve as a military force.¹⁶ Their mandate was to protect Christian pilgrims who were en route to the Holy Land to visit the shrines sacred to their Faith. Between AD 1118 - 1120, King Baldwin II granted the group quarters in a wing of the Royal Palace on the Temple Mount.¹⁷ In the year 1127 the Cistercian abbot Bernard of Clairvaux,¹⁸ reorganised and promoted the group and this allowed more men and some, of them of noble birth to give their land and other valuables to join the ranks of the Templar Order.¹⁹

The Templars were not permitted by their rule, to own much of anything personally, but the Order as a whole had no such restriction. Such gifts, including lands were put to immediate use to generate additional wealth. Over the years, the Templars rose from their humble beginnings to

become the wealthiest of the Crusading Orders - eventually garnering the favour of the Church and the collective European monarchs. This wealth, generated in the West was put to immediate use in the East to buy arms and raise armies.

However, after two centuries of defending the Christian Faith, the Order was becoming a threat to some of the powerful rulers and the king of France, Philip IV²⁰ - known as Philip le Belle (the Fair) - sought to destroy them. Regardless of his motivations, Baphomet Philip was successful in ridding the Templars of their power and wealth and urged all fellow Christian leaders to do the same thing- Philip had the Templars arrested on October 13, 1307. The Templars were tortured and forced to give confessions. Although the Templars were not found guilty of the crimes they were charged with, it was felt that the reputation of the Order had fallen to so low a state as to warrant dissolving the Order. In 1312 the Templars were officially dissolved by Pope Clement V.²¹ On March 18th, 1314 the last Grand Master of the Knights Templar, Jacques de Molay was burnt at the stake.²²

Some of the Templars were tipped off and they escaped with much of their gold. Some sought refuge in Portugal, England, Scotland and Canada. Others found a new life in the east, among the monastic orders intent on subduing the pagan Slavs and Balts. But the bulk of them moved to Switzerland, a more lawless country where the hands of the law could not easily reach them. There, they were fundamental in shaping up the characteristic of the Swiss State and most importantly its banking institutions. The Templars were the first to create a bank which accepted 'travellers' cheques'-deposit money with them in, say, Napels in Italy and receive a receipt and cash it in Jerusalem. Is it just a coincidence that Switzerland is famous for its banking secrecy and still operates like the Templars? The Swiss flag is also a mirror image of the crusaders flag.²³

Every year since 2000, developing countries receive about \$100-billion in aid annually from the developed countries with about \$10-billion of it allocated to Africa. But the same developed countries headed by Switzerland siphoned about \$900- billion from these poor countries (\$150-billion from Africa) in the form of tax evasion, embezzlement, fraud accounting, debt servicing and corruption.

The World Bank's Stolen Asset Recovery initiative estimates the cross-border flow of proceeds from criminal activities, corruption and tax evasion at between \$1 trillion and \$1.6 trillion per year, about half of which comes from developing and transitional economies. Global Financial Integrity corroborated the position of the World Bank assessment as it concluded that:

"\$900-billion is secreted each year from underdeveloped economies, with an estimated \$11.5 trillion currently stashed in havens. More than one quarter of these hubs belong to the UK, while Switzerland washes one-third of global capital flight".²⁴

The Africa Union says 25 percent of GDP of African States is lost to corruption every year amounting to more than \$150-billion a year.²⁵

The negative impact of that has been increasing the cost of goods by as much as 20%, deterring investment, holding back development and preventing the people from escaping poverty- thereby turning most Africans to 'living dead'. The fact as pointed out by GFI is that the money that denies poor countries the chance to escape poverty is used to better the lots of Swiss citizens.

Lord Adusei again observes:

"Over the last couple of years a number of Swiss banks have been accused of accepting money from dictators like Sani Abacha, Mobutu,

Lansana Conte, Gnassingbe Eyadema, Arap Moi, Omar Bongo, Obiang Nguema, Blaise Campore, Denis Sassou Nguesso, Eduardo dos Santos, Saddam Hussein, Ferdinand Marcos, Baby Doc Duvalier, Hosni Mubarak, Yoweri Museveni, Augusto Pinochet, Gaddafi and the evil genius Ibrahim Babangida without due diligence and without questioning the source of their wealth”.

He goes further:

Again the Arab daily newspapers, Asharq Al-Awsat and Al-Hayat reported that former Prime Minister Dr. Iyad Allawi told them in interviews that Saddam Hussein admitted he invested stolen Iraqi money which the Iraqi Governing Council estimated at \$40 billion in Switzerland, Japan and Germany, among others, under fictitious company names. Directors of those shell companies would deposit 5% in company bank accounts, and the money was effectively laundered.²⁶ Yet, one million Iraqis died during the UN Oil for Food Programme while money that could have saved them was accepted by Swiss Banks and their corrupt counterparts in Japan and Germany.

Also, after 18 years of legal wrangling, Switzerland agreed to let the people of Philippines receive only \$684m looted by Ferdinand Marcos and kept by her crook banks. As usual, no interest has been paid.²⁷ Switzerland kept close to \$700m of such money, while children were starving to death and hospitals were closing down for lack of drugs and electricity.

Furthermore, between August 2001 and 2004, Peru recovered nearly over \$180 million stolen by her former spy chief Vladimiro Montesinos from several jurisdictions including Switzerland, Cayman Islands and the United States. In May 2007, an agreement between the governments of the United States, Switzerland and Kazakhstan allowed for the repatriation of \$84 million denied the people for many years. Again it took Switzerland 12 years to return \$74m of the \$110m stolen by Raul Salinas to the government of Mexico without any interest payment. Switzerland still has

in her possession the money looted by the dictator 'Baby Doc' Duvalier 24 years after the poor people of Haiti rejected him.²⁸

Also, when Mobutu died in 1997, Swiss newspapers and the international media reported that the country might be home to at least \$5 billion of Mobutu's stolen assets. But as expected, the Swiss State declared that Mobutu's stolen assets in the country totalled something just under \$8m and this was after they had sold his villa for \$2 million. In spite of that under declaration, the Swiss authorities have not shown any interest in returning this money and it's not treating it as an investment to its economy which should attract interest at recognised business rates. Yet wars, malnutrition and lack of investment have destroyed many lives in the Democratic Republic of Congo, the country which is the rightful owner of the money.

Defence by the Swiss State

Recently Switzerland has mounted fierce counter campaign to portray herself as a clean, responsible and non terrorist country. Speaking in Geneva Ambassador Paul Seger, a senior Swiss diplomat says, "Switzerland no longer deserves its reputation as a safe haven for the ill-gotten gains of corrupt dictators". He said the government had returned \$1.6 billion (SFr1.9 billion) of stolen funds in recent years, but also admitted that "incidents such as the Marcos, Abacha or Montesinos affairs reinforce the international perception that there are still more assets to be returned".²⁹

The Swiss State which sheltered the assets of German Jews and accepted looted Nazi gold, has also set up a \$1.25 billion compensation fund for Holocaust victims. This action has not been extended to the rest of the

world who would prefer to have their monies back with interest. This will definitely bankrupt the Swiss lawless State.

In pursuit of cheap publicity, Switzerland has also repatriated a token of the money her banks criminally accepted at the expense of poor nations and Swiss political leadership is using it to score cheap political point instead of being ashamed of it. Mali has received just \$2.5 million out of the estimated \$5 billion deposited in that country by Mali's corrupt political leaders. That is not enough to be an interest on the actual amount. Argentina has also received \$4.5 million from Switzerland in a bribery case.³⁰

The fact is that the world knows that Switzerland is not sincere about returning the moneys illegally held by her institutions with the backing of the state, nor is it going to desist from the same irresponsible terrorist act. The bulk of the money is still kept by the Swiss State:

The 2003 investigation by the international risk consultancy firm Kroll on behalf of the government of Kenya into allegations of corruption on the part of its former Head of State, suggested that up to \$2 billion may have been stashed in Switzerland. Credit Suisse - Zurich and Citibank- Geneva came up several times as the banks where most of the loots are being kept. "During the beginning of December 2003, Philip Moi made his move through Zara. She left the country for Italy, from where she visited Leichtenstein and Lugano located inside the Swiss canton of Tieino. It is believed that Tieino, though a remote area, consists of over 100 banks. Zara/Rosanna Moi, Philips Italian wife, estimates Philip's worth to be USD750 million."³¹

During the trial of the disgraced Elf executives, they claimed that they paid Omar Bongo \$50 million a year for concession rights in his oil rich,

but economically impoverished country. The executives claimed the millions of dollars were transferred into Bongo's Swiss bank accounts. Switzerland has refused to comment on this money. Now that Bongo is dead, Switzerland is not talking about returning it.

In 2007 the Swiss federal prosecutors abandoned an investigation into suspected money laundering activities involving the former prime minister of Madagascar. As a result, a Swiss bank will refund SFr2.8 million (\$2.3 million) to Tantely Andrianarivo, but not to the Madagascar government, which has demanded the money back to be used to help millions of people languishing in poverty.³²

This parasitic behaviour is supported by almost all its citizens

The sad thing about the parasitic behaviour is that it is supported by almost all the citizens of that country. The Swiss Bankers Association claims that four-fifths of the nation supports banking secrecy, 'revealing a society deeply embedded in a culture of criminality and exploitation, where the illicit acts as a shield protecting the illicit in a terribly respectable manner'.³³

An ongoing case involving a Swiss in Nigeria who is well connected with the Swiss Embassy in Nigeria is also illustrative:

This Swiss national who lives in Lagos admitted to having misappropriated over N1 billion from one of the members of Igbinedion family. Asked if he did not realise this could cause problem for him? He said he had blackmailed the Nigerian businessman into submission. Asked how he had achieved that? He said he had written to the UN Security Council and the Inspector General of Police and Chief Justice in Nigeria that the man should be held responsible if he is assassinated. The same Swiss had observed during a discussion that 'Nigerians are lazy and only likes to

make money from politics and even oil is regarded as a difficult business'. The author agrees with this thesis. He further observed that Nigeria is a crooked country, to which the author accepted, but added that the Swiss citizens and State have a longer history and more immerse in this practice than Nigerians. The same Swiss had made a bid for a contract in Lagos and won. But when the potential share holders asked him to show his expenses in a form of financial statement; he claimed that he had spent N70 million in securing that contract and the bulk of the money was paid to the staff of the Lagos State Ministry of Justice and they gave part of it to the Commissioner in-charge of the Ministry and to the Governor. He was not doing any work in Nigeria and could not have been able to account for how he got N70 million.

Investigation by persons who at least, know four members of that cabinet who were involved in the decision to award the contract reveals that some staff at the ministry took some bribe in the region of 5 million Naira. But it was nowhere near 40-50 million Naira and the Commissioner for Justice and the Governor of Lagos state were not involved. He correctly revealed that they constituted themselves into 'consultants' to give "insiders information" about other companies involved in bidding for the contract and gave information about the thinking of senior managers in different departments who they also claimed to have influenced with the money. This eventually allowed the Swiss man's company to be one of the two companies that won the contract, while the remaining 14 companies lost out in the bid. Asked if he realised that what he did was illegal and that he was helping to corrupt another society? He said he did not think so and that he was in Nigeria to make money by 'all means necessary'. This is the characteristic of a typical Swiss in Africa.

Nigeria no doubt is a lawless state and there are corrupt Nigerians. But her corruption is a product of her internal balance of power problem - a lack of authentic ownership of the state system leads to political and

moral corruption which breeds inefficiency. The market for Nigerians who defrauded foreigners through bogus claims started in the 1980's. *It was* led by Nigerians who do not have foreign accounts, but were in positions to steal money from the State. They sought foreigners with foreign accounts for a share of the transferred money. In most cases, the Nigerian State was the victim, followed by the Nigerian actors. This is because moneys were often lost to the foreign actors who often disappeared with them. It was such people who made quick money from duping Nigerians; who told their friends that Nigeria was a place to make quick money. But in the late 1990's up till now, especially in small deals, but not deals involving illegal bunkering of oil and gas, or the transfer of money by the big construction companies - the Nigerian actors have turned the table, while some foreign actors are now making losses from such deals. This is not a State policy and the Nigerian State has never aided or abetted these crooks. However, it's not efficient in stopping them. This is the difference between the Nigerian and the Swiss's case.

Switzerland on the other hand is the most stable multi-ethnic State in the world - a factor which ought to have made her a model for African multi-ethnic States. But the State supports and promotes financial terrorism as a State policy and it is the basis for her economic and security strategy. As Lord Adusei has rightly noted:

"Various categories of persons including presidents, prime ministers, corrupt dictators, wealthy business men, and drug dealers have all used and benefited from the banking secrecy laws of Switzerland. As a result her economy has been described as an underground economy, a deposit box for dirty money and a "dirt-driven economy"."³⁴

Here is a proof that this is a State - run policy implemented by its agencies. Or what else in Swiss economy attracts so many crooks to its

banks? Has it got a production base which can sustain all those banks? Is it not because of its criminality? Why is it that it is patronised by all those corrupt dictators with little to show for the billions of dollars that they have received from the sale of oil, gas, gold, diamond, timber and other resources?

There are well known experts who also believe Switzerland is a rogue State. Richard Murphy, director of Tax Research LLP says: "The idea that Switzerland has a clean economy is a joke; it is a dirt-driven economy".

Adusei asserts:

"Her economy is dirt-driven because her financial institutions (a vital sector of her economy) have been implicated in a number of corruption scandals involving corrupt third world leaders and their associates. In fact, Switzerland can best be described as economic vampire, parasite and predator feeding on the economies of poor African and third world countries. The Swiss Bankers Association claims that four-fifth of the nation supports banking secrecy laws. This law is the foundation of all the corruption, embezzlement, tax evasions and all the criminal enterprises that we see in the world.

SUMMARY ON POSITIONS OF INTERNATIONAL LAW

- If we scrutinize the meaning of terrorism based on the League of Nations Convention's (1937) definition, the Swiss Financial terrorism and economic sabotage falls under "All criminal acts directed against a State and intended or calculated to create a state of terror in the minds of particular persons or a group of persons or the general public". This position is accommodated in by the UN Resolution language (1999) which "Strongly condemns all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed"; It adds that such acts

are... "unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them". (GA Res. 51/210 Measures to eliminate international terrorism).

- Under the UN Security Resolution 1566, the Swiss's financial acts of terrorism can be construed as designed to cause Africa to abstain from developing and ending poverty.
- Based on the consensus academic definition by Schmid –[1988]³⁵ the Swiss State acts of terrorism is "an anxiety-inspiring method of repeated violent action, employed by (semi-) clandestine individual, group or State actors, for idiosyncratic, criminal or political reasons:.. .. The immediate human victims of violence are generally chosen randomly (targets of opportunity.... from a target population. Again, an act of 'violence'.

The definition by SAJID DAWAR that terrorism means "aggressive, brutal, fighting, hostility, cruel, sadistic and sadism, vicious, violent behaviour' also accommodates the Swiss aggressive, brutal, inhuman, greedy behaviours which show a lack of respect for humanity.

- Again if we judge the attitude of the Swiss State based on the definition of terrorism as defined by the European Union as contained in Act 1 of the *Framework Decision on Combating Terrorism* (2002). as acts "committed with the aim of: "seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country" of countries and the international economic system]; the Swiss State and its banking institutions are guilty of committing terrorism against the international community and against humanity in general.
- If we evaluate the actions of the Swiss State based on the definition of terrorism as defined by the United Kingdom, actions which "(a)

involves serious violence against a person," is used to "(b) "for the purpose of advancing a political, ideological cause". It "(c) involves serious damage to property"; "(d) endangers a person's life, other than that of the person committing the action, (e) creates a serious risk to the health or safety of the public or a section of the public or (f) is designed seriously to interfere with or seriously to disrupt an electronic system."; the Swiss State and its banking institutions, its politicians and national planners are guilty of committing terrorism against humanity.

Following the events of September 11, the UN Security Council, in a binding resolution (Resolution 1373), obliged Member States of the UN to take a wide range of actions to prevent and punish terrorist acts and to attack the support structures of terrorism. There is a need for the international system to take a wide range of actions to prevent and punish the Swiss's terrorist acts and attack the support structures of terrorism such as its banks.

Former Secretary-General Kofi Annan too stated that there are several Conventions on terrorism by non-State actors. They (a) define a particular type of terrorist violence as an offence under the convention, such as bombing, financing, etc...; (b) require State Parties to penalise that activity in their domestic law; (c) identify certain bases upon which the parties responsible are required to establish jurisdiction over the defined offence; (d) create an obligation on the State in which a suspect is found to establish jurisdiction over the convention offence and to prosecute if the Party does not extradite pursuant to other provisions of the convention. ^[20] The Swiss State has not done any of those. Instead it is sponsoring it as a State policy. A state which is aiding and abetting economic terrorism and sponsors it as a sustainable State policy cannot claim to be a responsible member of the international community. It has to be penalised in order to serve as a deterrent to other States which may wish to behave irresponsibly.

CONCLUSION

The US-led Allied Forces used force to remove Saddam Hussein as the leader of Iraq and the State was engaged in war because he was said to have been financing terrorism without 'a weapon of mass destruction'. The Taliban in Afghanistan were toppled from power because they were engaged in terrorism. The State of Libya was bombed by America over alleged involvement in terrorism. Is the Swiss State being exempted from such punitive punishment because it is a European State?

The Swiss leaders are not sensitive to the fact that their past and present actions have 'led millions of people who could have lived, died of poverty, malnutrition, starvation and diseases'. It has robbed millions of others of their dignity and self-respect and instead turned them into 'living dead. For example, while more than 800 million Indians live in abject poverty, with little access to education, health, water and sanitation, the Indian Bharatiya Janata Party, BJP estimated during the May 2009 election campaign that the nation had lost close to \$1.4 trillion most of it stashed in foreign banks, notably in Switzerland. The Swiss's policy amounts to "act by any individual, group, organization aimed to secure predetermined ends through illegal channels". Sajid Dawar, a scholar, defines such action as an act of terrorism.

There is a need to disarm the Swiss State by forcing her to tear down her banking secrecy laws and her corrupt financial infrastructure that are responsible for the deaths and hunger of millions of people. There is an urgent need for the United Nations to bring crippling sanctions against the Swiss State and other options should not be ruled out.

Switzerland has had it both ways with her hypocrisy and double standard. On one hand, her politicians condemn corruption in Africa and the third world, but she yet operates an economic policy based on the fortunes her

banks make from corruption and her State is the champion of corrupt and inhuman practices. It promotes corrupt practices and harbours money for terrorists.

One is tempted to ask why the International Criminal Court for crime against humanity has, at least not tried some of the Swiss banks executives including their politicians? There is no difference between characters such as Hitler, Milosevic, Ratko Mladic, Charles Taylor, who use guns to kill and the Swiss Bank officials and State which kill millions by harbouring moneys that are used to finance international terrorism and accepting to hide money that could be used to save others from hunger, starvation, malnutrition, diseases and provide them with drugs, water, shelter, schools and electricity- factors which cause wars and destabilise societies.

If the international community is interested in justice, the yardstick for measuring it must be universal; it must not be based on colour, continent or economic power. The case against the Swiss State is proven and it presents a challenge for humanity.

This paper makes a compelling case for declaring the Swiss State a terrorist one and to be made to face the consequences of her actions. The Swiss State cannot be trusted on its own to act responsibly without the supervision of the international community. The international community can no longer afford to abdicate its responsibilities while the Swiss State dehumanises many more million people as it has done over a century.

Citizens of each State should picket Swiss embassies, they should write letters to the international bodies and Swiss State authorities. They should stop doing business with the Swiss State until such a time when Switzerland is ready to act as a responsible member of the international community by abrogating her banking secrecy laws and doing away with her corrupt financial infrastructure that are responsible for the deaths and hunger of millions of people.

It is time for Switzerland to stop her banks from accepting looted funds from Africa and the third world that make so many face starvation, hunger and death. The banks must be called to order and should be tasked to employ due diligence in dealing with their clients, especially the dictators and their associates from Africa and the third world. The state should be made to come up with a more realistic economic policy that rewards hardwork and sincerity and promotes goodwill amongst mankind.

Finally, it is time for the international community to act to get Switzerland not only to stop corruption, but to repatriate all the stolen moneys to their rightful countries with interest, punish the leading political and professional offenders at the international Criminal Courts and get the State to apologise for these crimes.

Already, a group of **'World Concerned Citizens against Swiss Financial Terrorism'**, [WCCASFT] has embarked on the crusade of enlightening the rest of the world about this reality.

I COMMEND THIS PAPER TO HUMANITY.

END

Taiwo attended the London Diplomatic Academy, he is a National Intelligence Analyst and a Director of Africa Security Development.

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