

1540 COMMITTEE MATRIX OF SWITZERLAND

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State: SWITZERLAND
 Date of Report: 22 October 2004
 Date of First Addendum: 19 September 2005
 Date of Second Addendum: 15 December 2007
 Date of Third Addendum: 4 December 2013
 Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 9 March 1977	
2	Nuclear Weapons Free Zone/ Protocol(s)			
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Ratified 15 October 2008	
4	Convention on Physical Protection of Nuclear	X	Deposit 9 January 1987	

	Material (CPPNM)			
5	2005 Amendment to the CPPNM	X	Deposit 15 October 2008	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 1 October 1999	
7	Chemical Weapons Convention (CWC)	X	Deposit 10 March 1995	
8	Biological Weapons Convention (BWC)	X	Deposit 4 May 1976	
9	Geneva Protocol of 1925	X	Deposit 12 July 1932	
10	Other Conventions/Treaties	X	State party to 16 of the 19 universal legal instruments against terrorism, including the following relevant to resolution 1540 (2004): 1997 International Convention for the Suppression of Terrorist Bombings 1999 International Convention for the Suppression of the Financing of Terrorism 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation 2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf	
11	International Atomic Energy Agency (IAEA)	X	Since 1957	
12	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
13	Other Arrangements	X	Nuclear Suppliers Group (NSG) Zangger Committee (ZC) Australia Group (AG) Missile Technology Control Regime (MTCR) Wassenaar Arrangement (WA) Proliferation Security Initiative (PSI) Global Initiative to Combat Nuclear Terrorism, (GICNT)	
14	General statement on non-possession of WMD	X	State reports that it does not maintain any nuclear, chemical or biological weapons or their means of delivery	
15	General statement on commitment to disarmament and non-proliferation	X	State reports its strong affirmation that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery constitutes a threat to international peace and security The State's commitment to non-proliferation is set out in Art 7 of the Federal Act on War Materials of 13 December 1996	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reports that it does not provide any form of support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery	

17	Other ¹	X	Member of: Organization for Security and Co-operation in Europe (OSCE) Financial Action Task Force (FATF) INTERPOL World Customs Organization (WCO) World Health Organisation (WHO) World Organisation for Animal Health (OIE) International Maritime Organisation (IMO) Partner country of the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	
2	acquire	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	
3	possess	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	
4	stockpile/store	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	
5	develop	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	
6	transport	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	
7	transfer	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	
8	use	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	

9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34 Swiss Penal Code of 21 December 1937, Art. 25 (Complicity)
10	assist in abovementioned activities	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34 Swiss Penal Code of 21 December 1937, Article 25 (Complicity)
11	finance abovementioned activities	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7, 8b, 8c (prohibition of direct and indirect financing of the development, manufacture or acquisition of prohibited war material) Swiss Penal Code of 21 December 1937, Article 260quinquies (Financing terrorism, implementing the Convention for the Suppression of the Financing of Terrorism)	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34, 35b Swiss Penal Code of 21 December 1937, Article 260quinquies
12	abovementioned activities related to means of delivery ²	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7 (in its 2007 report, Switzerland has clarified explicitly that means of delivery would fall under the general provisions of Art 7 and Art 34 whenever they would be used in connection with a WMD programme)	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34
13	involvement of non-State actors in abovementioned activities	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34
14	Other	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7 also prohibits the import, export, brokerage, transit, disposition and addresses extraterritorial applicability	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials ³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework			Enforcement: civil/criminal penalties and others			Remarks		
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W*		N W	C W			B W
1	Measures to account for production	X	X	X	<p>NW: Ordinance on Safeguards of 21 March 2012, Sections 2 - 7 IAEA Safeguards Agreement (INFCIRC/264)</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Chap. 5</p> <p>BW: Epidemics Act of 18 December 1970, Section V Containment Ordinance of 9 May 2012 Chemicals Act of 15 December 2000, Art. 19 (also applies to microorganisms)</p>	X	X	X	<p>NW: Ordinance on Safeguards of 21 March 2012,, Section 8</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 41</p> <p>BW: Epidemics Act of 18 December 1970, Art. 35 Para 1f; Chemicals Act of 15 December 2000, Chap. 7</p>	
2	Measures to account for use	X	X	X	<p>NW: Ordinance on Safeguards of 21 March 2012, Sections 2 – 7 IAEA Safeguards Agreement (INFCIRC/264)</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Chap. 5</p> <p>BW: Epidemics Act of 18 December 1970, Section V Containment Ordinance of 9 May 2012 Chemicals Act of 15 December 2000, Art. 19</p>	X	X	X	<p>NW: Ordinance on Safeguards of 21 March 2012, Section 8</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 41</p> <p>BW: Epidemics Act of 18 December 1970, Art. 35 Para 1f; Chemicals Act of 15 December 2000, Chap. 7</p>	

3	Measures to account for storage	X	X	X	<p>NW: Ordinance on Safeguards of 21 March 2012, Sections 2 - 7 IAEA Safeguards Agreement (INFCIRC/264)</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Chap. 5</p> <p>BW: Epidemics Act of 18 December 1970, Section V Containment Ordinance of 9 May 2012 Chemicals Act of 15 December 2000, Art. 19</p>	X	X	X	<p>NW: Ordinance on Safeguards of 21 March 2012, Section 8</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 41</p> <p>BW: Epidemics Act of 18 December 1970, Art. 35 Para 1f Chemicals Act of 15 December 2000, Chap. 7</p>
4	Measures to account for transport	X	X	X	<p>NW: Ordinance on Safeguards of 21 March 2012, Sections 2 - 7 IAEA Safeguards Agreement (INFCIRC/264)</p> <p>CW: Major Incidents Ordinance of 27 February 1991, Art. 10, 18, 19; Chemicals Act of 15 December 2000, Art 19 allows for measures for specific substances</p> <p>BW: Major Incidents Ordinance of 27 February 1991, Art. 10, 18, 19; Epidemics Act of 18 December 1970, Section V Containment Ordinance of 9 May 2012 Chemicals Act of 15 December 2000, Art. 19</p>	X	X	X	<p>NW: Ordinance on Safeguards of 21 March 2012, Section 8</p> <p>CW: Chemicals Act of 15 December 2000, Chap. 7</p> <p>BW: Epidemics Act of 18 December 1970, Art. 35 Para 1f of the Chemicals Act of 15 December 2000, Chap. 7</p>
5	Other measures for accounting	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003, Art. 11 Ordinance on Nuclear Energy of 10 December 2004, Art. 21 Radiological Protection Act of 22 March 1991, Art. 36</p>	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003, Art. 93 Radiological Protection Act of 22 March 1991, Art. 44</p>

				<p>CW: Chemicals Act of 15 December 2000, Art 25 (institutions dealing with dangerous goods have to nominate a person responsible for Health and Safety who can provide authorities with all necessary information)</p> <p>BW: Chemicals Act of 15 December 2000, Art. 25 (institutions dealing with dangerous goods have to nominate a person responsible for Health and Safety)</p>			<p>CW: Chemicals Act of 15 December 2000. Chap. 7</p> <p>BW: Chemicals Act of 15 December 2000, Chap. 7</p>		
6	Measures to secure production	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003 Ordinance on Nuclear Energy of 10 December 2004 Ordinance on the Threat Assumptions and Security Measures for Nuclear Installations and Nuclear Materials of 16 April 2008</p> <p>CW: Major Incidents Ordinance of 27 February 1991, Annex 2.1, 3.1 and 4.1; Chemicals Act of 15 December 2000, e.g. Art. 19 which allows for measures for specific substances</p> <p>BW: Epidemics Act of 18 December 1970, Section V Containment Ordinance of 9 May 2012; Major Incidents Ordinance of 27 February 1991, Annex 2.2, 3.2 and 4.2 Chemicals Act of 15 December 2000, e.g. Art. 19</p>	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003, Chapter 9 Ordinance on Nuclear Energy of 10 December 2004, Art. 78</p> <p>CW: Chemicals Act of 15 December 2000, Chap. 7</p> <p>BW: Epidemics Act of 18 December 1970, Art. 35 Para 1f Chemicals Act of 15 December 2000, Chap. 7</p>
7	Measures to secure use	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2001 Ordinance on Nuclear Energy of 10 December 2004 Ordinance on the Threat Assumptions and Security Measures for Nuclear Installations and Nuclear Materials of 16 April 2008</p>	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003, Chap. 9 Ordinance on Nuclear Energy of 10 December 2004, Art. 78</p>

				<p>CW: Major Incidents Ordinance of 27 February 1991, Annex 2.1, 3.1 and 4.1; Chemicals Act of 15 December 2000, e.g. Art. 19</p> <p>BW: Epidemics Act of 18 December 1970, Section V Containment Ordinance of 9 May 2012 Major Incidents Ordinance of 27 February 1991, Annex 2.2, 3.2 and 4.2 Chemicals Act of 15 December 2000, e.g. Art. 19</p>			<p>CW: Chemicals Act of 15 December 2000, Chap. 7</p> <p>BW: Epidemics Act of 18 December 1970, Art. 35 Para 1f Chemicals Act of 15 December 2000, Chap. 7</p>			
8	Measures to secure storage	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2001 Ordinance on Nuclear Energy of 10 December 2004 Ordinance on the Threat Assumptions and Security Measures for Nuclear Installations and Nuclear Materials of 16 April 2008</p> <p>CW: Chemicals Act of 15 December 2000, Art. 21</p> <p>BW: Epidemics Act of 18 December 1970, Section V Containment Ordinance of 9 May 2012 Major Incidents Ordinance of 27 February 1991, Annex 2.2, 3.2 and 4.2 Chemicals Act of 15 December 2000, e.g. Art. 19</p>	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003, Chap. 9 Ordinance on Nuclear Energy of 10 December 2004, Art. 78</p> <p>CW: Chemicals Act of 15 December 2000, Chap. 7</p> <p>BW: Epidemics Act of 18 December 1970, Art. 35 Para 1f Chemicals Act of 15 December 2000, Chap. 7</p>	
9	Measures to secure transport	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2001 Ordinance on Nuclear Energy of 10 December 2004 Ordinance on the Threat Assumptions and Security Measures for Nuclear Installations and Nuclear Materials of 16 April 2008 Ordinance on the Transport of Dangerous Goods by Road (SDR) of 29 November 2002 in</p>	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003, Chap. 9 Ordinance on Nuclear Energy of 10 December 2004, Art. 78 SDR, Section 3 RID, Art 8, 9, 10</p>	

10	Other measures for securing			X	BW: Epidemics Act of 18 December 1970, Art. 29a Ordinance on the Handling of Organisms in the Environment of 10 September 2008 (Permit for the release of microorganisms into the atmosphere)			X	BW: Epidemics Act of 18 December 1970, Art. 35 Para 1g	
11	Regulations for physical protection of facilities/ materials/ transports	X	X	X	NW: Nuclear Energy Act of 21 March 2003, e.g. Art. 22 and 23; Ordinance on Nuclear Energy of 10 December 2004, e.g. Art. 9 and Annex 2; Ordinance on the Threat Assumptions and Security Measures for Nuclear Installations and Nuclear Materials of 16 April 2008 Ordinance on the Security Guards of Nuclear Installations of 9 June 2006; Ordinances on transports as mentioned above CW: Chemicals Act of 15 December 2000, Art. 21 Major Incidents Ordinance of 27 February 1991, Annex 2.1. BW: Epidemics Act of 18 December 1970, Section V Containment Ordinance of 9 May 2012, Annex IV	X	X	X	NW: Nuclear Energy Act of 21 March 2003, Chap. 9 SDR, Section 3 RID, Art 8, 9, 10 CW: Chemicals Act of 15 December 2000, Chap. 7 BW: Epidemics Act of 18 December 1970, Sect. VIII	
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X	X	NW: Nuclear Energy Act of 21 March 2003, Chapter 3 (materials), Chapter 4 (installations) Ordinance on Nuclear Energy of 10 December 2004 CW: Chemicals Act of 15 December 2000, Chap. 2, Art. 18 Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Chap. 4, 5	X	X	X	NW: Nuclear Energy Act of 21 March 2003, Chapter 9 Ordinance on Nuclear Energy of 10 December 2004 CW: Chemicals Act of 15 December 2000, Chap. 7 Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 41	

				<p>BW: Containment Ordinance of 9 May 2012, Art. 10 Epidemics Act of 18 December 1970, Art. 5 (laboratories handling blood products or transplants need a license); C</p>				<p>BW: Art. 50 of the Chemicals Act of 15 December 2000</p>	
13	Reliability check of personnel	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003, Art. 24 Ordinance on Security Background Checks in the Area of Nuclear Installations of 9 June 2006 (PSPVK) Ordinance on Security Checks of Persons of 4 March 2011 (PSPV)</p> <p>CW: Ordinance on Security Checks of Persons of 4 March 2011 (PSPV) Chemicals Act of 15 December 2000, Art. 24 authorises to introduce personal and professional criteria which need to be fulfilled in order for a person to work with certain substances. The Chemical Risk Reduction Ordinance of 18 May 2005, as well as other specialized ordinances, also demand stringent controls of the professional qualification of employees dealing with dangerous goods.</p> <p>BW: Ordinance on Security Checks of Persons of 4 March 2011 (PSPV) Chemicals Act of 15 December 2000, Art. 24, authorises to introduce of personal and professional criteria which need to be fulfilled in order for a person to work with these substances.</p>	X	X	X	<p>NW: Nuclear Energy Act of 21 March 2003, Chap. 9</p> <p>CW: Chemicals Act of 15 December 2000, Chap. 7</p> <p>BW: Chemicals Act of 15 December 2000, Chap. 7</p>
14	Measures to account for/secure/ physically protect means of delivery								

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Nuclear Energy Act of 21 March 2003, Art. 70 Ordinance on Nuclear Energy of 10 December 2004, Art. 6	X	Federal Office for Energy Federal Nuclear Safety Inspectorate, ENSI (responsibility for the nuclear safety and security of Swiss nuclear facilities)	
2	IAEA Safeguards Agreements	X	Safeguards Agreement, in force 06 September 1978 Additional Protocol, in force 01 February 2005	X	Ordinance on Safeguards of 21 March 2012	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Notification pursuant to GC (47)/RES/7.B	X	On requirements for handling and transport of radioactive sources, see the Radiation Protection Ordinance of 22 June 1994 (e.g. Art.75-78)	
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	X	Notification pursuant to GC (48)/RES/10.D	X	Notification pursuant to GC (48)/RES/10.D	
5	IAEA Incident and Trafficking Database	X	Participates in the ITDB	X	Participates in the ITDB	
6	Other Agreements related to IAEA					
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other	X	Member of the European Nuclear Security Regulators Association (ENSRA)			

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 6	X	The Swiss "National Authority CWC", chaired by the Division for Security Policy within the Federal Department for Foreign Affairs (FDFA) and complemented by the State Secretariat for Economic Affairs SECO within the Federal Department of Economic Affairs (DEA), the International Relations Defence (IR D) and SPIEZ LABORATORY within the Federal Department of Defence, Civil Protection and Sport (DDPS).	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 5	X	Spiez Laboratory is the focal point for the submission of declarations of the Swiss industry. The Laboratory processes the information and forwards it to the OPCW	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials	X	Chemicals Act of 15 December 2000 Chemicals Ordinance of 18 May 2005 Chemical Risk Reduction Ordinance of 18 May 2005	X	Chemicals Act of 15 December 2000 Chemicals Ordinance of 18 May 2005 Chemical Risk Reduction Ordinance of 18 May 2005	
5	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work	X	Federal Act on Non-human Gene Technology of 23 March 2003 Containment Ordinance of 9 May 2012 (also applies to “genetically modified organisms”)	X	Federal Act on Non-human Gene Technology of 23 March 2003, Chapter 3 (enforcement) and Chapter 6 (criminal provisions)	
2	Other legislation/ regulations related to safety and security of biological materials	X	Ordinance on the Protection of the Workforce from Risks related to Exposure to Microorganisms of 25 August 1999 Ordinance on the Handling of Organisms in the Environment of 10 September 2008	X	Ordinance on the Protection of the Workforce from Risks related to Exposure to Microorganisms of 25 August 1999, Art. 17	
3	Other	X	Ordinance on the Notification of Communicable Human Diseases of 13 January 1999 Federal Act on the Control of Animal Epidemics of 1 July 1966 Ordinance on the Control of Animal Epidemics of 27 June 1995 Swiss Federal Law on the Agriculture of 29 April 1998 Ordinance on Plant Protection of 27 October 2010 Federal Act on the Protection of the Environment of 7 October 1983 Accident Insurance Act of 20 March 1981	X	The Federal Office for the Environment has issued a series of guidelines (“enforcement aids” / “Aides à l'exécution”) on various biosafety-related issues	

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?	National legal framework					Enforcement: civil/criminal penalties, and measures of implementation, etc					Remarks
	YES			if YES, source document	YES			if YES, source document			
	N W	C W	B W		N W	C W	B W				
1 Border control	X	X	X	NW/CW/BW: Customs Act of 18 March 2005 Goods Control Act of 13 December 1996, Article 11 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 26	X	X	X	NW/CW/BW: Customs Act of 18 March 2005, Section 8 (penalties) Customs Ordinance of 1 November 2006 Customs Ordinance of the Swiss Customs Administration of 4 April 2007 Goods Control Act of 13 December 1996, Section 4 and Art. 22 (enforcement), Section 5 (penalties) Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 27			
2 Technical support of border control measures	X	X	X	NW/CW/BW: Customs Act of 18 March 2005, Section 6 ("data protection and administrative assistance") Customs Ordinance of the Swiss Customs Administration of 4 April 2007 Goods Control Act of 13 December 1996, Art. 19 ("Administrative assistance within Switzerland")	X	X	X	NW/CW/BW: Customs Administration uses an Advanced Cargo Information System for risk assessment, pre-screening and preliminary criminal investigations			
3 Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7 (prohibition to broker and to assist) Goods Control Act of 13 December 1996 (Art. 3e, 4, 5 provide the legal basis for additional brokering controls)	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34			

4	Enforcement agencies/authorities	X	X	X	<p>NW/CW/BW: Goods Control Act of 13 December 1996, Art. 11 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 26</p>	X	X	X	<p>NW/CW/BW: Customs authorities</p>	
5	Export control legislation in place	X	X	X	<p>NW: Federal Act on War Materials of 13 December 1996, Article 7 Goods Control Act of 13 December 1996 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997 Ordinance on Safeguards of 21 March 2012 Federal Act on the Implementation of International Sanctions of 22 March 2002</p> <p>CW: Federal Act on War Materials of 13 December 1996, Article 7 Goods Control Act of 13 December 1996 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997 Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013 Chemicals Law, Article 19 Federal Act on the Implementation of International Sanctions of 22 March 2002</p> <p>BW: Federal Act on War Materials of 13 December 1996, Article 7</p>	X	X	X	<p>NW: Federal Act on War Materials of 13 December 1996, Articles 33 and 34 Goods Control Act of 13 December 1996 , Section 5 Federal Act on the Implementation of International Sanctions of 22 March 2002, Section 5</p> <p>CW/BW: Federal Act on War Materials of 13 December 1996, Articles 33 and 34 Goods Control Act of 13 December 1996, Section 5 Chemicals Act of 15 December 2000, Chap. 5 Federal Act on the Implementation of International Sanctions of 22 March 2002, Section 5</p>	

				<p>Goods Control Act of 13 December 1996 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997 Chemicals Law, Article 19 Federal Act on the Implementation of International Sanctions of 22 March 2002</p>					
6	Licensing provisions	X	X	X	<p>NW: Goods Control Act of 13 December 1996, Section 2 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Chap. 2 and 3</p> <p>CW: Goods Control Act of 13 December 1996, Section 2 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Chap. 2 and 3 Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 13-15</p> <p>BW: Goods Control Act of 13 December 1996, Section 2 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Chap. 2 and 3</p>	X	X	X	<p>NW/CW/BW: Goods Control Act of 13 December 1996, Section 5</p>
7	Individual licensing	X	X	X	<p>NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 3-7</p>	X	X	X	<p>NW/CW/BW: Goods Control Act of 13 December 1996, Art. 7, Section 5 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 27</p>

				<p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 21</p>			<p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 21</p>		
8	General licensing	X	X	X	<p>NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 8-12</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 22-24</p>	X	X	X	<p>NW/CW/BW: Goods Control Act of 13 December 1996, Art. 7, Section 5 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 27</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 22</p>
9	Exceptions from licensing	X	X	X	<p>NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 13</p> <p>CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 14, 15</p>	X	X	X	<p>NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 20 (licensing authority can request proof that license exemption applies)</p>
10	Licensing of deemed export/visa	X	X	X	<p>NW/CW/BW: Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code) for Schengen Visa Federal Act on Foreign Nationals of 16 December 2005 for national Visa</p>	X	X	X	<p>NW/CW/BW: Public security concerns (including WMD proliferation and terrorism) are taken into account in visa-screening procedures. Inter-agency consultation procedures apply</p>
11	National licensing authority	X	X	X	<p>NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 3, 26</p> <p>CW: Ordinance on the Control of Chemicals Usable</p>	X	X	X	<p>NW/CW/BW: State Secretariat for Economic Affairs (SECO)</p>

				for Civil and Military Applications of 21 August 2013, Art. 4					
12	Interagency review for licenses	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 16 CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 4	X	X	X	NW/CW/BW: On applications of fundamental, in particular political significance: SECO; Federal Department of Foreign Affairs; Ministry of Defence, Civil Protection and Sport; Federal Department of the Environment, Transport, Energy and Communications; and Federal Intelligence Service
13	Control lists	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 1, Annex 1 (items controlled by AG, WA, NSG and MTCR and Annex 3 (WA Munitions list)) CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 1, Annex	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Annex 2 and 3 CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Annex
14	Updating of lists	X	X	X	NW/CW/BW: Goods Control Act of 13 December 1996, Art. 22 CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 3	X	X	X	NW/CW/BW: Goods Control Act of 13 December 1996, Art. 22 CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 3
15	Inclusion of technologies	X	X	X	NW/CW/BW: Goods Control Act of 13 December 1996, Article 3 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 2	X	X	X	NW/CW/BW: Goods Control Act of 13 December 1996, Article 3 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 2

16	Inclusion of means of delivery	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 1 (Control list contains MTCR controlled items)	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Annex 2 and 3
17	End-user controls	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 4, 5	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 4
18	Catch all clause	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 4	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 4 Goods Control Act of 13 December 1996, Art. 15
19	Intangible transfers	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 2	X	X	X	NW/CW/BW: Goods Control Act of 13 December 1996, Art. 14
20	Transit control	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7 (prohibition) Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 25 CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 18	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34 Goods Control Act of 13 December 1996, Section 5
21	Trans-shipment control	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 25	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34 Goods Control Act of 13 December 1996, Section 5

					CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 18				
22	Re-export control	X	X	X	NW/CW/BW: Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 3 CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 9	X	X	X	NW/CW/BW: Goods Control Act of 13 December 1996, Art. 7, Section 5 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Art. 27
23	Control of providing funds	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7, 8b, 8c Federal Act on Combating Money Laundering and Terrorist Financing in the Financial Sector of 10 October 1997	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34, 35b Ordinance on the Money Laundering Reporting Office of 25 August 2004 (The Money Laundering Reporting Office Switzerland (MROS) at the Federal Office of Police (fedpol) is Switzerland's Financial Intelligence Unit, FIU)
24	Control of providing transport services	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34
25	Control of importation	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 7 Ordinance on the Control of Export, Import and Transit of Dual Use Goods and Specific Military Goods of 25 June 1997, Article 22-24 CW: Ordinance on the Control of Chemicals Usable for Civil and Military Applications of 21 August 2013, Art. 10, 13, 16	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34

26	Extraterritorial applicability	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34 (an act committed abroad with respect to Art. 7 is an offence irrespective of the law of the place of commission if it violates international law agreements to which Switzerland is a contracting party and the offender is Swiss or is domiciled in Switzerland)	X	X	X	NW/CW/BW: Federal Act on War Materials of 13 December 1996, Article 34	
27	Other									

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	See above (OP 3 c/d, field 13)	
2	Control lists - other	X	Ordinances implementing international sanctions (based on Federal Act on the Implementation of International Sanctions of 22 March 2002, Art. 2) contain lists of persons etc.	
3	Assistance offered	X	State reports that it is willing to assist other States through capacity-building in particular areas where it has relevant experience. Switzerland is notably active in the framework of the CWC. Switzerland is also active in offering nuclear, biological and chemical protection capacity-building	
4	Assistance requested			
5	Point of Contact for assistance	X	Task Force Nuclear Disarmament and Non-Proliferation, Division for Security Policy, Directorate of Political Affairs, Federal Department of Foreign Affairs Permanent Mission of Switzerland to the United Nations Permanent Mission of Switzerland to the OSCE, the United Nations and the International Organisations in Vienna	
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry	X	Police authorities introduced a prevention programme called "Prophylax" which is designed to enhance the vigilance of enterprises working in the fields which are critical from the proliferation standpoint. Close cooperation with industry associations and publication of "red flags" list on the internet	
8	Work with and inform the public	X	All legislation is available on the internet and the State Secretariat for Economic Affairs publishes an annual Foreign Trade Report in which Export Control Authorities report on their activities during the past year	
9	Point of Contact	X	See above (field 5)	
10	Other ⁴			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.