

THE GOVERNMENT OF THE SWISS CONFEDERATION

**INITIAL REPORT ON MEASURES UNDERTAKEN TO IMPLEMENT THE ARMS
TRADE TREATY, IN ACCORDANCE WITH ITS ARTICLE 13(1)
27 April 2016**

This Initial Report may be made publicly available	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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**SECTION A.
INFORMATION RELATED TO BINDING OBLIGATIONS IN THE TREATY**

1. NATIONAL CONTROL SYSTEM AND LIST

<p>A. Overview of legislation and ordinances governing the national control system [Article 5(2)] (please list below. If the national control system is governed in whole or part by other means than legislation or ordinances, please indicate these also)</p>		
<p>1. <i>The Federal Act on War Material (War Material Act, WMA) and the corresponding War Material Ordinance (WMO),</i> 2. <i>The Federal Act on the Control of Dual-Use Goods and of Specific Military Goods (Goods Control Act, GCA) and the corresponding Goods Control Ordinance (GCO),</i> 3. <i>The Federal Act on the Implementation of International Sanctions (Embargo Act, EmbA) and corresponding ordinances,</i> 4. <i>The Federal Act on Weapons, Accessories and Ammunition (Weapons Act, WA) and the corresponding Ordinance on Weapons, Accessories and Ammunition (Weapons Ordinance, WO).</i></p> <p>Acts and ordinances can be found at: https://www.admin.ch/opc/en/classified-compilation/19960753/index.html https://www.admin.ch/opc/en/classified-compilation/19980112/index.html https://www.admin.ch/opc/fr/classified-compilation/19960740/index.html https://www.admin.ch/opc/fr/classified-compilation/19970295/index.html https://www.admin.ch/opc/en/classified-compilation/20000358/index.html https://www.admin.ch/opc/fr/classified-compilation/19983208/index.html https://www.admin.ch/opc/fr/classified-compilation/20081148/index.html (Official versions in DE, FR & IT; EN, if available, is an unofficial translation).</p> <p>Additional voluntary information: <i>In 1923, Switzerland and Liechtenstein concluded a Treaty under which the Principality of Liechtenstein became part of the Swiss customs territory. In accordance with this Treaty, Swiss customs legislation – as well as any other Swiss Federal legislation whose application is necessary for the proper functioning of the customs territory (such as export control legislation) – is applicable in Liechtenstein. The Swiss Authorities are charged with controlling the Principality's border to Austria as well as with the assessment of exports, imports and transits of arms from, to and through Liechtenstein.</i></p>		
<p>B. The national control system includes the following:</p>		
		Yes No
i)	competent national authorities (further specified below) [Article 5(5)]	<input checked="" type="checkbox"/> <input type="checkbox"/>
ii)	a control list [Article 5(2)]	<input checked="" type="checkbox"/> <input type="checkbox"/>
iii)	one or more national points of contact to exchange information on ATT implementation [Article 5(6)]	<input checked="" type="checkbox"/> <input type="checkbox"/>
<p>If 'No' to any of the items above, please provide background below.</p>		

C. The national point(s) of contact has (have) been notified to the Secretariat of the Treaty [Article 5(6)] (if 'No', please clarify below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
D. The national control list covers the following:		Yes	No
i)	Battle tanks [Article 2(1a)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Armored combat vehicles [Article 2(1b)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Large-caliber artillery systems [Article 2(1c)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Combat aircraft [Article 2(1d)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v)	Attack helicopters [Article 2(1e)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
vi)	Warships [Article 2(1f)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
vii)	Missiles and missile launchers [Article 2(1g)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
viii)	Small arms and light weapons [Article 2(1h)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
The national control list also includes the following, in order to enable the application of Articles 3 and 4:		Yes	No
ix)	Ammunition/Munitions for the conventional arms covered in Article 2(1) [for the application of Article 3]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
x)	Parts and components in a form that provides the capability to assemble the conventional arms covered in Article 2(1) [for the application of Article 4]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If 'No' to any of the items above, please provide background below			
E. The national control list has been provided to the Secretariat of the Treaty [Article 5.4] (if 'No', please elaborate further below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

2. PROHIBITIONS

A. The national control system prohibits authorization of transfers as defined by Article 2(2), of conventional arms covered under Article 2(1) and items covered under Articles 3 and 4, in the circumstances specified in Articles 6(1) to 6(3) (if 'No' in any respect, please elaborate below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p><i>Together with the instrument of ratification the Federal Council has also deposited an interpretative declaration which specifies how Switzerland intends to interpret and apply several key provisions of the treaty. The interpretative declaration is available at https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=XXVI-8&chapter=26&lang=en</i></p> <p><i>On article 6 of the ATT the declaration reads: "It is the understanding of Switzerland that the term "grave breaches of the Geneva Conventions of 1949, attacks directed against civilian objects or civilians protected as such, or other war crimes as defined by international agreements to which it is a party" in Article 6, paragraph 3, encompasses acts committed in international and in non-international armed conflicts, and includes, among others, serious violations of Common Article 3 to the Geneva Conventions of 1949; as well as, for States Parties to the relevant agreements, war crimes as described in the Hague Convention IV of 1907 and its Regulations, the Additional Protocols of 1977 to the Geneva Conventions and the Rome Statute of the International Criminal Court of 1998.</i></p> <p><i>It is the understanding of Switzerland that the term "knowledge" in Article 6, paragraph 3, in light of the</i></p>			

object and purpose of this Treaty and in accordance with its ordinary meaning, implies that the State Party concerned shall not authorize the transfer if it has reliable information providing substantial grounds to believe that the arms or items would be used in the commission of the crimes listed.”

B. International agreements to which the country is a Party, and which are considered relevant for the application of Article 6(2)

(please list below)

Switzerland considers the following international agreements particularly relevant for the application of Article 6(2):

- *Charter of the United Nations;*
- *Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, 10 October 1980, including protocols I to V, in particular:*
 - *Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II, as amended on 3 May 1996) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects*
 - *Amendment of 21 December 2001 to Article I of the Convention from 10 October 1980 on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects;*
- *Convention of 18 September 1997 on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction;*
- *Convention of 30 May 2008 on Cluster Munitions;*
- *United Nations Convention against Transnational Organized Crime and the Protocols thereto, 15 November 2000;*
- *Protocol from 31 Mai 2001 against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime;*
- *United Nations Convention against Corruption, concluded in New York on 31 October 2003.*

International agreements with regard to international humanitarian law and human rights law may also be of relevance to article 6.2.

C. International agreements to which the country is a Party, and which are considered relevant for the application of Article 6(3)

(please list below)

Switzerland considers the following international agreements particularly relevant for the application of Article 6(3):

- *Convention from 9 December 1948 on the Prevention and Punishment of the Crime of Genocide.*
- *Rome Statute of the International Criminal Court, 17 July 1998;*
- *Convention with Respect to the Laws and Customs of War on Land and its annex, 29 July 1899;*
- *Convention with Respect to the Laws and Customs of War on Land and its annex, 18 October 1907;*
- *Convention on Hospital Ships, 21 December 1904 (with final act);*
- *Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field. Geneva, 12 August 1949 (with annexes);*
- *Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, Geneva, 12 August 1949 (with annexes);*
- *Geneva Convention relative to the Treatment of Prisoners of War, 12 August 1949 (with annexes);*
- *Geneva Convention relative to the Protection of Civilian Persons in Time of War, 12 August 1949 (with annexes);*
- *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977 (with annexes).*
- *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977;*
- *The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, 14 May 1954;*
- *The Hague Protocol for the Protection of Cultural Property in the Event of Armed Conflict, 14 May*

1954;

- *Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict, 26 March 1999;*
- *Convention on the Safety of United Nations and Associated Personnel, 9 December 1994.*

3. EXPORTS

A. The national control system includes the following:		Yes	No
i)	an authorization or licensing system for arms exports [Article 5(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	prohibition assessment guidelines [Article 6]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	export assessment criteria [Article 7]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	a risk assessment procedure [Article 7]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If 'No' to any of the items above, please provide background below			
B. National export controls apply to the conventional arms covered under Article 2(1), and the items covered under Articles 3 and 4 (if 'No', please provide further information below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
C. The national control system includes measures to ensure that all export authorizations are detailed and issued prior to export [Article 7(5)] (if 'No', please provide further information below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
D. The national risk assessment procedure includes all the criteria described in Article 7(1)(a) and (b), and Article 7(4) (if 'No' in any respect, please elaborate below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p><i>The risk assessment procedure of the Swiss Confederation is based on Art. 22 of the Federal Act on War Material (War Material Act, WMA) and specified in Art. 5 of the Federal Ordinance on War Material (War Material Ordinance, WMO). It takes into account i.a. the criteria described in Art. 7(1)a and b as well as Art. 7(4) ATT.</i></p> <p>Art. 22 WMA: Manufacture, brokerage, export and transit The manufacture, brokerage, export and transit of war material for recipients abroad shall be authorized if this is not contrary to international law, international obligations, and the principles of Swiss foreign policy.</p> <p>Art. 5 WMO: Licensing criteria for export trade</p> <p>¹ In the granting of a license for export trade and for contracts under Article 20 WMA, the following is taken into account:</p> <ol style="list-style-type: none">the maintenance of peace, international security and regional stability;the situation in the country of destination, in particular with regard to respect for human rights and the non-use of child soldiers;the efforts made by Switzerland in the area of development cooperation, and in particular the possibility that the country of destination is listed as one of the least developed countries on the current OECD-DAC list of countries in receipt of development aid;the conduct of the country of destination towards the international community, in particular with regard to compliance with international law;the position of the countries which are participating with Switzerland in international export control regimes. <p>² Licenses shall not be granted for export trade and for contracts under Article 20 WMA if:</p> <ol style="list-style-type: none">the country of destination is involved in an internal or international armed conflict;the country of destination violates human rights in a systematic and serious manner;[empty]in the country of destination there is a high risk that the exported war material will be used against the civilian population; orin the country of destination there is a high risk that the exported war material will be passed on to an undesirable end recipient.			

³In derogation from paragraphs 1 and 2, a license may be granted for individual weapons in Category 1 of Annex 1 with the ammunition pertaining thereto, provided the weapons are used exclusively for private or sporting purposes.

⁴In derogation from paragraph 2 letter b, a license may be granted if there is a low risk that the exported war material will be used to commit serious violations of human rights.

In accordance with its interpretative declaration "It is the understanding of Switzerland that the term "overriding risk" in Article 7, paragraph 3, encompasses, in light of the object and purpose of this Treaty and in accordance with the ordinary meaning of all equally authentic language versions of this term in this Treaty, an obligation not to authorize the export whenever the State Party concerned determines that any of the negative consequences set out in paragraph 1 are more likely to materialize than not, even after the expected effect of any mitigating measures has been considered".

E. The competent national authority(-ies) for the control of exports

[Article 5(5)]

(please specify below)

The State Secretariat for Economic Affairs (SECO) is the licensing authority. Decisions are taken in agreement with the relevant offices of the Federal Department of Foreign Affairs (FDFA).

F. The national control system allows appropriate information about an export authorization to be made available, upon request, to the importing State Party and/or to the transit or trans-shipment States Parties

[Article 7(6)]

(if 'No' please elaborate below)

Yes

No

4. IMPORTS

A. The national control system includes measures that allow the regulation, where necessary, of imports of conventional arms covered under Article 2(1).

[Articles 6(1) to 6(3) and Article 8(2)]

(if 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)

Yes

No

The import of war material requires a license from the State Secretariat for Economic Affairs SECO. The import of firearms, which fall into the scope of the Weapons Act, are licensed by the Federal Office of Police (fedpol).

The procurement activities for war material by or on behalf of the Swiss Armed Forces are exempted from the licensing requirements.

Manufacturers who hold an initial license for trading war material may apply for a general import license (GIL) for the import of individual parts, assembly packages or anonymous components of war material, provided the parts concerned do not fall within the scope of application of the Weapons Act of 20 June 1997 and therefore into the jurisdiction of the Federal Department of Justice and Police. The licensing authorities may at any time demand from the licensee information on the nature, quantity, customs clearance data and end use of goods that are or have been imported or transported in transit in terms of a GIL.

Trading companies who have an initial license for the trade in firearms can apply for a General Import License (GIL) for the import of non-military firearms. They announce their actual imports by the end of each calendar year to the Federal Department of Justice and Police.

These requirements apply to all items on the national control list.

If 'Yes', please also answer the following question

B. The competent national authority(-ies) for the regulation of imports

[Article 5(5)]

(please specify below)

1. *The State Secretariat for Economic Affairs (SECO) controls the import of War Material within the scope of the War Material Act;*
2. *The Federal Office of Police (fedpol) controls the import of explosives, pyrotechnic devices, propellant powder and firearms as well as their accessories, ammunitions, parts and components within the scope of the Weapons Act.*

<p>C. The national control system allows for the provision, pursuant to national law and upon request, of appropriate and relevant information to assist an export assessment by a potential exporting State Party [Article 8(1)] (if 'No', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

5. TRANSIT & TRANS-SHIPMENT

<p>A. The national control system includes measures that allow the regulation, where necessary and feasible, of transit of conventional arms covered under Article 2(1) [Articles 6(1) to 6(3) and Article 9] (if 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
<p><i>According to the War Material Act, the transit of war material through Swiss territory or airspace has to observe international law, Switzerland's international obligations and the principles of Swiss foreign policy. This includes, in particular, respect of Swiss neutrality.</i></p> <p><i>The transit of war material by land or water is subject to the same legal requirements as the export of war material. Transits through Swiss airspace by a private aircraft with war material on board take into account the criteria used to assess exports of war material (Art. 5 WMO).</i></p> <p><i>In the case of transit through Swiss airspace with a governmental vessel, the Federal Office of Civil Aviation (FOCA) is the licensing authority; a licensing decision is based on international law and the principles of Swiss neutrality.</i></p> <p><i>These requirements apply to all items in the national control list.</i></p>			
<p>B. The national control system includes measures that allow the regulation, where necessary and feasible, of trans-shipment of conventional arms covered under Article 2(1) [Articles 6(1) to 6(3) and Article 9] (if 'Yes', please provide further information below on the nature of control measures and confirm whether they apply to all items in the national control list. If 'No', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
<p><i>Transshipment is treated like transit. The above mentioned requirements apply to all items on the national control list.</i></p>			
<p>C. Control measures for the regulation of transit and/or trans-shipment cover : (If 'Yes' to (ii) or (iii), please indicate in the free text field how enforcement is conceived - systematic control or only when information is available?)</p>	Yes	No	
i)	Transit / trans-shipment through land territory (including internal waters)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Transit / trans-shipment through territorial waters	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Transit / trans-shipment through national air space	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><i>For each transit request an application has to be submitted to the competent Swiss authority which decides on a case-by-case basis applying the regulations set out above. No transit is granted without the relevant authorization.</i></p>			
<p>D. The competent national authority(-ies) for the regulation of transit and trans-shipment [Article 5(5)] (please specify below)</p>			
<ul style="list-style-type: none"> ▪ <i>The State Secretariat for Economic Affairs (SECO) is the licensing authority. Decisions are taken in agreement with the relevant offices of the Federal Department of Foreign Affairs (FDFA).</i> ▪ <i>The Federal Office of Civil Aviation (FOCA) and the Federal Department of Defense Civil Protection and Sport are the licensing authorities for transit through Swiss airspace with governmental vessels. Decisions are taken in consultation with the relevant offices of the Federal Department of Foreign Affairs (FDFA).</i> 			

6. BROKERING

<p>A. The national control system includes measures that allow the regulation, pursuant to national laws, of brokering of conventional arms covered under Article 2(1) [Articles 6(1) to 6(3) and Article 10] (if 'Yes', please provide further information below on the nature of control measures and confirm that they apply to all items in the national control list. If 'No', please elaborate below)</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>
<p><i>Anyone who on Swiss territory wishes to broker war material as defined in the National Control List on a professional basis for recipients abroad, irrespective of the location of the war material, requires an initial license (Art. 9 para. 1 WMA). Anyone who on Swiss territory wishes to broker war material for a recipient abroad, without operating his own production plant for the manufacture of war material in Switzerland, requires, in addition to an initial license in terms of Article 9, a specific license for each individual case.</i></p> <p><i>The Federal Council may invoke exceptions for certain countries; exemptions currently exist for countries mentioned in Annex 2 of the WMO.</i></p> <p><i>The requirements for brokering apply to all items on the national control list.</i></p>		
<p>B. The definition of brokering used in national legislation [Articles 6(1) to 6(3) and Article 10] (please specify in particular if there are extraterritorial elements in the definition, for instance the activities of national residents abroad, or transfers that take place between two third countries)</p>		
<p>Art. 6 para. 3 lit. a and b WMA "Brokerage" is:</p> <ul style="list-style-type: none"> a. the creation of the essential requirements for the conclusion of contracts relating to the manufacture, offer, acquisition or passing on of war material, the transfer of intellectual property, including know-how, or the granting of rights thereto, insofar as they relate to war material; b. the conclusion of such contracts if this service is provided by third parties. <p><i>The definition applies only to activities of a person or legal entity on Swiss Territory. The brokering of controlled goods between two third countries through brokering activities on Swiss Territory is covered.</i></p>		
<p>C. The competent national authority(-ies) for the regulation of brokering [Article 5(5)] (please specify below)</p>		
<p><i>The State Secretariat for Economic Affairs (SECO) is the licensing authority. Decisions are taken in agreement with the relevant offices of the Federal Department of Foreign Affairs (FDFA).</i></p>		

7. DIVERSION

<p>A. Measures foreseen in the national control system to prevent the diversion of conventional arms covered by Article 2(1) [Article 11(1)]</p>		<p>Yes</p>	<p>No</p>
<p>i)</p>	<p>assessing the risk of diversion of an export [Article 11(2)] (if 'No', please provide background below)</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>ii)</p>	<p>cooperation and information exchange, where appropriate and feasible and pursuant to national law, with other States Parties [Article 11(3)] (if 'No', please provide background below)</p>	<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p>B. The national control system includes appropriate measures to be taken, pursuant to national law and in accordance with international law, when a diversion of transferred conventional arms under Article 2(1) has been detected [Article 11(4)] (if 'No', please elaborate below)</p>		<p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p>
<p><i>The granting of a license for the export of finished products or for individual parts or assembly packages to a foreign government or a company acting on behalf of a foreign government requires a non-re-export declaration from the government of the country of destination. The requirement for a non-re-export</i></p>			

declaration is waived if the case involves individual parts or assembly packages of negligible value.

By issuing the non-re-export declaration, the country of destination confirms not to export, sell, lend, or gift the war material or to transfer it in any other way to third parties abroad without the consent of the Swiss Confederation.

If there is an increased risk in the country of destination that the war material to be exported could be passed on to an undesirable end-recipient, the licensing authority may stipulate that it has the right to verify compliance with the non-re-export declaration on the territory of the recipient country (Post-Shipment-Verifications). In the case of export of substantial volume, a non-re-export declaration in the form of a diplomatic note from the country of destination is required.

If there is evidence that the non-re-export declaration has been violated, the licensing authority may take precautionary measures. It may also revoke licenses already issued.

8. RECORD KEEPING

A. The national control system includes provisions for maintaining records regarding: [Article 12(1)] (mandatory to retain records for one of the two options below)		Yes	No
i)	issued authorizations for the export of conventional arms covered under Article 2(1) of the Treaty [Article 12(1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	actual exports of conventional arms covered under Article 2(1) of the Treaty [Article 12(1)] (if 'No' to both (i) and (ii), please elaborate below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
B. Records are kept for a minimum of 10 years [Article 12(4)] (if 'No', please elaborate below)			
		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

9. REPORTING

A. The national control system allows for the provision of information as required by Article 13(3) (if 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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10. ENFORCEMENT

A. Measures are in place that provide the ability to enforce the national laws and regulations that implement the provisions of the Arms Trade Treaty [Article 14] (if 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>The State Secretariat for Economic Affairs SECO is the responsible transfer control authority. Controls at the border are in the responsibility of the Federal Customs Administration (Art. 19 WMO). The Central Office for Combating the Illegal Trade in War Material within the Federal Department of Defense, Civil Protection and Sport participates in enforcement and in the prevention of offences and shall report violations of the provisions of the WMA to the competent prosecution authorities. The Office of the Attorney General is responsible for legal prosecutions.</i>		
B. National legislation allows the provision to another State Party of jointly agreed assistance in investigations, prosecutions and judicial proceedings in relation to violations of national measures established pursuant to this Treaty [Article 15(5)] (if 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

11. INTERNATIONAL COOPERATION

A. Cooperation is possible with other States Parties of the Treaty with a view to its effective implementation, where such cooperation is consistent with national law and security interests [Article 15(1)] (if 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

12. INTERNATIONAL ASSISTANCE

A. National regulations and policy allow for the provision - upon request and if in a position to do so - of implementation assistance as set out in Article 16(1) (if 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

13. DISPUTE SETTLEMENT

A. National regulations and policy allow for consultations and, by mutual consent, cooperation in the settlement of disputes regarding the interpretation or application of the Treaty by at least one of the means outlined in Article 19(1) (if 'No', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>In accordance with article 36 of the Statute of the International Court of Justice the Swiss Confederation declared that it recognizes as compulsory ipso facto and without special agreement, in relation to any other State accepting the same obligation, the jurisdiction of the International Court of Justice in all legal disputes concerning:</i> <i>(a) the interpretation of a treaty;</i> <i>(b) any question of international law;</i> <i>(c) the existence of any fact which, if established, would constitute a breach of an international obligation;</i> <i>(d) the nature or extent of the reparation to be made for the breach of an international obligation.</i>		

SECTION B.
INFORMATION RELATED TO NON-BINDING PROVISIONS IN THE TREATY

States Parties are obliged according to Article 13(1) to provide information on the measures listed below, to the extent that such measures have been undertaken to implement the Treaty. On a voluntary basis, more information may also be provided

1. NATIONAL CONTROL SYSTEM AND LIST

F. Arms for recreational, cultural, historical and sporting purposes are included in the national control list [Article 2(1)(h) & Preamble, 13th para]	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If 'No', please provide further information below, for instance whether a separate set of controls are applied to these types of arms		
<i>Hand guns and small arms of any caliber as well as accessories and specially designed components are included in the national control list. An exception is made for:</i>		
<ul style="list-style-type: none"> <i>a. Clearly recognizable hunting and sports weapons (e.g. as per ISSF standard) that cannot also be used as military weapons in the same form;</i> <i>b. Single-shot firearms and muzzle-loading firearms;</i> <i>c. Small arms and repeating rifles for rim fire ammunition;</i> <i>d. Antique weapons for which usable ammunition is no longer produced or which are no longer available on the public market.</i> 		
<i>The export of weapons listed in lit. a, b, c and d are however controlled by the Goods Control Act.</i>		
G. Additional categories not listed under Section A1.D are included in the national control list [Article 5(3)] (If 'Yes', please specify below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>The Swiss national control list comprises a wider set of items than Art. 2 (1) ATT in fulfilment of Art 5(3) ATT.</i>		
H. Control list definitions are supplemented by more detailed definitions not in the control list itself [Article 5(3)] (If 'Yes', please provide further information below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>The Swiss National Controls List is based on the Wassenaar Arrangement's Munitions List and contains detailed explanatory and technical notes defining the listed items and categories.</i>		
I. The national control list is publicly available [Article 5(4)] (if 'Yes', please provide information below as to how your control list is made publicly available - if available on the open internet please provide the hyperlink)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>The National Control List can be found in Annexes 1 to the War Material Ordinance: https://www.admin.ch/opc/en/classified-compilation/19980112/index.html</i>		
J. Additional voluntary information about non-obligatory aspects of a national control system (please elaborate below - for instance regarding inter-agency coordination structures, training systems for relevant officials, transparency and accountability mechanisms, outreach to private actors such as industry, or any ongoing / planned review or change of the national control system or parts thereof)		
<i>The Swiss Confederation pursues a restrictive, responsible and transparent policy on the export of war material.</i>		
<i>In addition to the ATT reporting requirements, statistics are available about annual war material exports per recipient country, per category, per category and recipient country and per continent. Furthermore, Switzerland reports on the export of small arms and light weapons: https://www.seco.admin.ch/seco/fr/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/exportkontrollen-und-sanktionen/ruestungskontrolle-und-ruestungskontrollpolitik--bwrp-/zahlen-und-statistiken0.html (available in DE, FR & IT).</i>		
<i>The Swiss Confederation conducts outreach to industry and participates in capacity building as well as outreach activities in support of partner countries and governments.</i>		

2. PROHIBITIONS

<p>D. Additional voluntary information relevant to prohibitions under Article 6 (please elaborate below)</p>	
<p>Art. 22 of the War Material Act states that manufacture, brokerage, export and transit of war material for recipients abroad shall be authorized, if this is not contrary to international law, international obligations, and the principles of Swiss foreign policy.</p> <p>In addition, Art. 5 of the Swiss War Material Ordinance foresees the following prohibitions:</p> <p>Licenses shall not be granted for export trade and for contracts under Article 20 WMA if:</p> <p>a) the country of destination is involved in an internal or international armed conflict;</p> <p>b) the country of destination violates human rights in a systematic and serious manner;</p> <p>c) [empty]</p> <p>d) in the country of destination there is a high risk that the exported war material will be used against the civilian population; or</p> <p>e) in the country of destination there is a high risk that the exported war material will be passed on to an undesirable end recipient.</p> <p>³ In derogation from paragraphs 1 and 2, a license may be granted for individual weapons in Category WM 1 of Annex 1 with the ammunition pertaining thereto, provided the weapons are used exclusively for private or sporting purposes.</p> <p>⁴ In derogation from paragraph 2 letter b, a license may be granted if there is a low risk that the exported war material will be used to commit serious violations of human rights.</p>	

3. EXPORTS

<p>G. The national risk assessment procedure includes the consideration of risk mitigation measures that could be undertaken to mitigate identified risks [Article 7(2)] (if 'Yes' please elaborate below, including an indication of types of risk mitigation measures that are most often used)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p><i>End-User Certification</i> <i>Post-Shipment-Verification</i> <i>Confidence-building measures</i></p>		
<p>H. The national control system allows exports of controlled equipment without a license or under simplified procedure under certain circumstances [for instance temporary exports or exports to trusted partners] (if 'Yes' please provide further information below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>The following categories of persons are exempted from applying for a license when importing/exporting weapons (see Art. 9 et seqq. WMO):</p> <ul style="list-style-type: none"> - Marksmen and hunters provided they furnish credible evidence that they are participating abroad in a shooting competition, in shooting or other training or in a hunt and that they will thereafter re-import the weapons in question. - Security agents employed by the Swiss authorities for official, pre-arranged foreign visits, provided the weapons are subsequently re-imported. - Members of Swiss police forces and employees of the Federal Customs Administration for professional or training-related journeys abroad, provided the weapons are subsequently re-imported. - Security guards for airlines accompanying passenger flights to foreign destinations. - Swiss military units and their members do not require a license for the export or re-import of war material that they take abroad for the purposes of international missions or training. - Foreign military units and their members that enter Switzerland for training purposes do not require a license for the import or re-export of the war material that they bring with them for this purpose. 		
<p>I. The national risk assessment procedure includes other criteria <u>not</u> mentioned in the articles cited in 3.D above (if 'Yes' please specify below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>Art. 5 WMO: Licensing criteria for export trade ¹In the granting of a license for export trade and for contracts under Article 20 WMA, the following is taken into account:</p> <p>a. the maintenance of peace, international security and regional stability;</p> <p>b. the situation in the country of destination, in particular with regard to respect for human rights and the</p>		

<p><i>non-use of child soldiers;</i></p> <p><i>c. the efforts made by Switzerland in the area of development cooperation, and in particular the possibility that the country of destination is listed as one of the least developed countries on the current OECD-DAC list of countries in receipt of development aid;</i></p> <p><i>d. the conduct of the country of destination towards the international community, in particular with regard to compliance with international law;</i></p> <p><i>e. the position of the countries which are participating with Switzerland in international export control regimes.</i></p> <p>²Licenses shall not be granted for export trade and for contracts under Article 20 WMA if:</p> <p><i>a. the country of destination is involved in an internal or international armed conflict;</i></p> <p><i>b. the country of destination violates human rights in a systematic and serious manner;</i></p> <p><i>c. [empty]</i></p> <p><i>d. in the country of destination there is a high risk that the exported war material will be used against the civilian population; or</i></p> <p><i>e. in the country of destination there is a high risk that the exported war material will be passed on to an undesirable end recipient.</i></p> <p>³<i>In derogation from paragraphs 1 and 2, a license may be granted for individual weapons in Category WM 1 of Annex 1 with the ammunition pertaining thereto, provided the weapons are used exclusively for private or sporting purposes.</i></p> <p>⁴<i>In derogation from paragraph 2 letter b, a license may be granted if there is a low risk that the exported war material will be used to commit serious violations of human rights.</i></p>		
<p>J. Measures to exercise control over exports are applicable also to other categories of conventional arms than those covered in Articles 2(1), 3 and 4 [Article 5(3)] (if 'Yes', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p><i>The risk assessment and other export control measures apply to all goods contained in the national control list.</i></p>		
<p>K. An export authorization can be reassessed if new relevant information becomes available [Art 7(7)] (if 'Yes', please provide further information below. Are there also legal provisions for suspension or withdrawal of a license?)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p><i>Import, export and transit licenses are valid for one year. If exceptional circumstances occur, they can be reassessed and may be suspended or revoked (Art. 19 WMA).</i></p>		
<p>L. Information / documentation included in an application for an export authorization (please specify below)</p>		
<p><i>The application must entail detailed information about the goods in question; indicate quantity and value, the end-user, the final destination as well as the companies involved in the transfer. Further documents that may be required are i.a. import licenses, end-use-certificates (EUC), import certificates as well as further guarantees like the right to conduct Post-Shipment-Verifications (PSV).</i></p>		
<p>M. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for an export authorization [Article 5(5)] (please specify below)</p>		
<p><i>The State Secretariat for Economic Affairs SECO decides on export licenses in agreement with the responsible offices of the Federal Department of Foreign Affairs. Additional consultations are conducted with the responsible offices of the Federal Department of Defense, Civil Protection and Sport in the case of security policy or procurement policy matters; the Federal Intelligence Service in the case of significant licensing proceedings. If deemed significant to foreign policy and/or security policy, export requests must be submitted to the Federal Council (the Swiss Government) for a decision (Article 29 paragraph 2 WMA). If the offices involved are unable to agree on a license application, the application is also submitted to the Federal Council for a decision. In cases of minor significance or where there are precedents for the decision, the offices involved may waive the requirement for a joint decision and authorize the State Secretariat for Economic Affairs SECO to take a decision without consultation (Art. 14 WMO).</i></p>		
<p>N. The national control system allows a State of final destination to request information concerning pending or actual export authorizations pertaining to it [Article 8(3)] (if 'No', please elaborate below)</p>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p> </p>		

O. Additional voluntary information relevant to national export controls (please specify below - for instance on the control of re-exports.)		
<i>Re-exports are treated as exports.</i>		

4. IMPORTS

D. Imports of conventional arms subject to control are under specific circumstances permitted without regulation or under simplified procedure (if 'Yes' please provide further information below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p><i>A simplified procedure exists for the commercial import of certain small arms. Swiss traders can acquire a General Import License, which they can use to import an unspecified quantity of firearms within the scope of the Weapons Act. This simplified procedure is not possible for weapons within the scope of the War Material Ordinance.</i></p> <p><i>For the non-commercial import of certain small arms, an individual license is required. Some exceptions exist with regard to the temporary import of certain small arms onto Swiss territory (sports, military cooperation, etc. as specified in Art. 9 et seqq. WMO) or the re-import of temporarily exported firearms. Foreign military units and their members that enter Switzerland for training purposes do not require a license for the import or re-export of the war material that they bring with them for this purpose.</i></p> <p><i>The Federal Office for Defense Procurement does not require an import license for procurement activities for the Swiss Armed Forces.</i></p>		
E. Measures to regulate imports are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (if 'Yes', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>Measures to regulate imports apply to all goods contained in the national control list.</i>		
F. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for an import authorization (when such an authorization is required) [Article 5(5)] (please specify below)		
<ol style="list-style-type: none"> 1. <i>The State Secretariat for Economic Affairs (SECO) of the Swiss Confederation controls the import of War Material in agreement with the relevant offices of the Federal Department of Foreign Affairs (FDFA);</i> 2. <i>the Swiss Federal Office of Police (fedpol) controls the import of explosives, pyrotechnic devices, propellant powders and firearms as well as their accessories, ammunitions, parts and components;</i> 3. <i>The Federal Department of Foreign Affairs (FDFA).</i> 		
G. Information / documentation required for an import authorization (please specify below)		
<i>The application must include detailed information about the goods in question, indicate quantity and value, the end-user, the final destination, the companies involved in the transfer as well as the country of origin. Further documentation (i.e. export- or transit permit of the exporting state) may be required when appropriate.</i>		
H. Additional voluntary information relevant to national import controls (please specify below)		
<i>The import of war material shall be authorized if it is not contrary to international law or national interests (Art. 24 WMA).</i>		

5. TRANSIT & TRANS-SHIPMENT

E. Transit / trans-shipment of controlled equipment is permitted without regulation or under simplified procedure under certain circumstances (for instance in a free trade area) (if 'Yes' please provide further information below)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
F. National control of transit and/or trans-shipment goes beyond the fulfillment of obligations under Article 6 of the Treaty	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

(if 'Yes', please specify the additional scope of control and indicate whether the additional control applies to all items in the national control list)		
<i>Each transfer is subject to an individual risk assessment. A transit by land or water has to comply with the same criteria as an export. The transit of war material through Swiss airspace by a private vessel takes into account the same criteria used to assess an export. The transit of war material through Swiss airspace by a governmental vessel takes into account international law and Swiss neutrality.</i>		
G. Measures to regulate transit and/or trans-shipment are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (if 'Yes', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>Measures to regulate transit apply to all goods contained in the National Control List, which is based on the Wassenaar Arrangement's Munitions List.</i>		
H. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for a transit or trans-shipment authorization (when such an authorization is required) [Article 5(5)] (please specify below)		
<i>Transit requests through Swiss territory by land or on water are decided by the State Secretariat for Economic Affairs SECO in agreement with the responsible offices of the Federal Department of Foreign Affairs. Additional consultations are conducted with the responsible offices of the Federal Department of Defense, Civil Protection and Sport in the case of security policy or procurement policy matters; the Federal Intelligence Service in the case of significant licensing proceedings.</i>		
<i>Transit requests through Swiss airspace by a private aircraft with war material on board are decided by the State Secretariat for Economic Affairs (SECO) in agreement with the responsible offices of the Federal Department of Foreign Affairs. If deemed significant to foreign policy and/or security policy, transit requests must be submitted to the Federal Council (the Swiss Government) for a decision (Article 29 paragraph 2 WMA).</i>		
<i>In the case of transit through Swiss airspace with a governmental vessel, the Federal Office of Civil Aviation (FOCA) is the licensing authority; decisions are taken in consultation with the relevant offices of the Federal Department of Foreign Affairs, the State Secretariat for Economic Affairs and the relevant offices of the Federal Department of Defense, Civil Protection and Sport. Outside office hours, the Federal Department of Defense, Civil Protection and Sport is the licensing authority. If deemed significant to foreign policy and/or security policy, transit requests through Swiss airspace with a governmental vessel are submitted to the Federal Council (the Swiss Government) for decision.</i>		
I. Information / documentation required in an application for a transit / trans-shipment authorization (please specify below)		
<i>The application must include detailed information about the goods in question, indicate quantity and value, the end-user, the final destination, the companies involved in the transfer as well as the country of origin. Further documents that may be required are i.a. import licenses, end-use-certificates (EUC), import certificates as well as further guarantees like the right to conduct Post-Shipment-Verifications (PSV).</i>		
J. Additional voluntary information relevant to national transit / trans-shipment controls (please specify below)		

6. BROKERING

D. National brokering controls contain exemptions (for instance for national armed forces or defense industry) [Articles 6 & 10] (if 'Yes', please provide further information below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>Anyone who on Swiss territory wishes to broker war material for a recipient abroad, without operating his own production plant for the manufacture of war material in Switzerland, requires, in addition to an initial license in terms of Article 9, a specific license for each individual case.</i>		
<i>The Federal Council may invoke exceptions for certain countries; exemptions currently exist for countries mentioned in Annex 2 of the WMO.</i>		
<i>Exemptions exist for the Federal Office for Defense Procurement for the Swiss Armed Forces or activities by</i>		

<i>armaments companies, which relate to the procurement of war material for the Swiss Armed Forces.</i>		
E. National brokering controls go beyond the fulfillment of obligations under Article 6 of the Treaty (for instance regulating brokering in other situations) (if 'Yes', please specify the additional scope of control)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>Anyone who on Swiss territory wishes to broker war material for a recipient abroad, without operating his own production plant for the manufacture of war material in Switzerland, requires, in addition to an initial license a specific license for each individual case (exceptions may be granted for certain countries of destination).</i>		
<i>The brokerage of war material for recipients abroad shall be authorized if this is not contrary to international law, international obligations, and the principles of Swiss foreign policy.</i>		
F. Measures to regulate brokering are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (if 'Yes', please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>Measures to regulate brokering apply to all goods contained in the national control list.</i>		
G. Apart from the competent national authority, the following ministries or government authorities may be involved in the decision-making process for a control measure related to brokering [Article 5(5)] (please specify below)		
<i>The State Secretariat for Economic Affairs SECO decides on licenses in agreement with the responsible offices of the Federal Department of Foreign Affairs. Additional consultations are conducted with the responsible offices of the Federal Department of Defense, Civil Protection and Sport in the case of security policy or procurement policy matters; the Federal Intelligence Service in the case of significant licensing proceedings. If deemed significant to foreign policy and/or security policy, export requests must be submitted to the Federal Council (the Swiss Government) for a decision (Article 29 paragraph 2 WMA). If the offices involved are unable to agree on a license application, the application is submitted to the Federal Council for a decision. In cases of minor significance or where there are precedents for the decision, the offices involved may waive the requirement for a joint decision and authorize the State Secretariat for Economic Affairs SECO to take a decision without consultation (Art. 14 WMO).</i>		
H. Information / documentation required in an application related to brokering (please elaborate below)		
<i>The application must entail, if appropriate, detailed information about the goods in question, indicate quantity and value, the end-user, the final destination, the companies involved in the transfer as well as the country of origin.</i>		
I. Additional voluntary information relevant to national brokering controls (please specify below)		
<i>The manufacture, brokerage, export and transit of war material for recipients abroad shall be authorized if this is not contrary to international law, international obligations, and the principles of Swiss foreign policy (Art. 22 WMA). In the granting of a license for export trade and for contracts under Article 20 WMA, the following is taken into account: (a) the maintenance of peace, international security and regional stability; (b) the situation in the country of destination, in particular with regard to respect for human rights and the non-use of child soldiers; (c) the efforts made by Switzerland in the area of development cooperation, and in particular the possibility that the country of destination is listed as one of the least developed countries on the current OECD-DAC list of countries in receipt of development aid; (d) the conduct of the country of destination towards the international community, in particular with regard to compliance with international law; (e) the position of the countries which are participating with Switzerland in international export control regimes (Art. 5 para. 1 WMO). Licenses shall not be granted for export trade and for contracts under Article 20 WMA if: the country of destination is involved in an internal or international armed conflict; the country of destination violates human rights in a systematic and serious manner; in the country of destination there is a high risk that the exported weapons will be used against the civilian population; or in the country of destination there is a high risk that the exported weapons will be passed on to an undesirable end recipient (Art. 5 para. 2 WMO). In derogation from paragraphs 1 and 2, a license may be granted for individual weapons in Category WM 1 of Annex 1 with the ammunition pertaining thereto, provided the weapons are used exclusively for private or sporting purposes (Art. 5 para. 3 WMO). In derogation from paragraph 2 letter b, a license may be granted if there is a low risk that the exported war material will be used to commit serious violations of human rights (Art. 5 para. 4 WMO).</i>		

7. DIVERSION

C. Measures included in the national control system to prevent the diversion of conventional arms covered by Article 2(1) [Article 11(1)] :		Yes	No
iii)	establishment of mitigation measures [Article 11(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	provision, upon request, of end use / end user documentation to the exporting State [Article 8(1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v)	requirement for end use / end user assurances from an importing State (or industry) [Article 8(1)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
vi)	examination, where appropriate, of parties involved in a transfer [Article 11(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
viii)	requirement, where appropriate, for additional documentation, certificates, assurances for a transfer [Article 11(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ix)	exchange of relevant information with other States Parties on effective measures to address diversion, as well as on illicit activities and actors [Articles 11(5) & 15(4)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
x)	reporting through the Secretariat to other States Parties on measures taken to address diversion of transferred conventional arms covered under Article 2(1) [Articles 11(6) & 13(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
xi)	other measures [Article 11(1)] (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Conduct of Post-Shipment-Verifications and other confidence-building measures.</i>			
D. Measures included in the national control system, to be taken when a diversion of transferred conventional arms has been detected [Article 11(4)]		Yes	No
i)	alerting potentially affected States Parties	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	investigative and law enforcement measures at the national level	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	using international tracing mechanisms to identify points of diversion	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	other measures (if 'Yes', please specify below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>If there is evidence that the non-re-export declaration has been violated, the licensing authority may take precautionary measures (e.g. temporary stop of delivery, request for information, on-site inspections). Licenses can be reassessed and may be suspended or revoked (Art. 19 WMA).</i>			
E. Measures taken to prevent or address diversion are applicable also to other categories of conventional arms than those covered in Article 2(1) [Article 5(3)] (if 'Yes', please elaborate below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>Measures taken to prevent or address diversion apply to all goods contained in the national control list.</i>			
F. Additional voluntary information relevant to the prevention of diversion of conventional arms (please specify below - for instance regarding measures in place to avoid diversion in the context of the international movement of conventional arms referred to in Article 2(3) of the Treaty)			

8. RECORD KEEPING

C. The national control system includes provisions for maintaining records regarding :		Yes	No
i)	imports of conventional arms covered under Article 2(1) of the Treaty into national territory as final destination [Article 12(2)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	authorizations for the transit and/or trans-shipment through national territory of	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	conventional arms covered under Article 2(1) of the Treaty [Article 12(2)]		
iii)	authorizations related to the conduct of brokering activities included in the scope of the national control system (for instance relating to a register of brokers) [Article 10]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. Records cover other categories of conventional arms than those specified in Article 2(1) (if 'Yes', please elaborate below)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Switzerland publishes export statistics on its website, which cover all categories specified in the national control list (available in DE, FR and IT): https://www.seco.admin.ch/seco/fr/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/exportkontrollen-und-sanktionen/ruestungskontrolle-und-ruestungskontrollpolitik--bwrp-/zahlen-und-statistiken0.html			
E. Additional voluntary information relevant to national record keeping (please specify below - for instance types of information preserved in national records for exports and imports respectively)			

9. REPORTING

B. Additional voluntary information relevant to national reporting (please specify below, for instance if national reports are publicly available - if available on the open internet please provide the relevant hyperlink)
Reports are publicly available in DE/FR/IT at: https://www.seco.admin.ch/seco/fr/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/exportkontrollen-und-sanktionen/ruestungskontrolle-und-ruestungskontrollpolitik--bwrp-/zahlen-und-statistiken0.html

10. ENFORCEMENT

C. National measures have been taken to prevent, in cooperation with other States Parties, the transfer of conventional arms covered under Article 2(1) of the Treaty becoming subject to corrupt practices [Article 15(6)] (please elaborate below)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
223 ^{ter} et seq. of the Swiss Penal Code foresees penalties against bribery and corruption, including the bribing of foreign officials.		
D. Additional voluntary information relevant to national enforcement (please elaborate below - for instance measures taken to criminalize offences against national laws and regulations that implement the provisions of the Arms Trade Treaty and to prescribe legal penalties in these cases.)		
(Art. 33 WMA) Whoever willfully commits any of the following acts is liable to a term of imprisonment or to a fine of up to 1 million francs : the manufacture, import, transit, export, trade in, or brokerage of war material, or the conclusion of contracts for the transfer of intellectual property including know-how relating to war material, or for the granting of rights thereto without the relevant license or in violation of the conditions or requirements stipulated in a license; the provision of incorrect or incomplete information in an application when such information is essential for the granting of a license or the use of such an application that has been completed by a third party; the failure to report war material for import, export or transit or the making of an incorrect declaration in respect of its import, export or transit; the delivery, transfer or brokerage of war material for a recipient or destination other than that named in the license; the transfer of intellectual property, including know-how, relating to war material, or the granting of rights thereto to a recipient or destination other than that named in the license; the participation in financial dealings relating to an illegal war material transaction or the procurement funding for such a transaction as an intermediary. In serious cases the penalty is penal servitude for up to ten years. This may be combined with a fine of up to 5 million francs. If the act is committed through negligence, the penalty is imprisonment for up to six months or a fine of up to 100 000 francs. In the case of unauthorized import or transit, an act committed abroad is also a criminal offence.		

(Art. 34 WMA)

Any person who willfully commits any of the following acts without being able to claim an exemption under Article 7 Paragraph 2 WMA is liable to a **custodial sentence not exceeding ten years or to a monetary penalty**: the development, manufacture, brokerage, acquisition, surrender to another, imports, export, transit, stockpiling, or any other form of possession of **nuclear, biological or chemical weapons (NBC weapons)**; incitement to commit any of the acts listed above; or assisting in the commission of an act listed above. A custodial sentence may be combined with a monetary penalty. If the act is committed through negligence, the penalty is a custodial sentence not exceeding one year or a monetary penalty. An act committed abroad is an offence in terms of these provisions 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. Article 7 paragraphs 4 and 5 of the Criminal Code apply also.

(Art. 35 WMA)

Any person who willfully commits any of the following acts without being able to claim an exemption under Article 8 paragraph 2 WMA is liable to a **custodial sentence not exceeding ten years or to a monetary penalty**: the development, manufacture, brokerage, acquisition, surrender to another, import, export, transit, stockpiling, or any other form of possession of **antipersonnel mines**; incitement to commit any of the acts listed above a; or assisting in the commission of an act listed above. A custodial sentence may be combined with a monetary penalty. If the act is committed through negligence, the penalty is a custodial sentence not exceeding one year or a monetary penalty.

(Art. 35b WMA)

Any person who willfully commits any of the following acts without being able to claim an exemption under Article 8a paragraph 3 WMA is liable to a **custodial sentence not exceeding ten years or to a monetary penalty**: the development, manufacture, brokerage, acquisition, surrender to another, import, export, transit, stockpiling, or any other form of possession of **cluster munition**; incitement to commit any of the acts listed above; or assisting in the commission of an act listed above. A custodial sentence may be combined with a monetary penalty. If the act is committed through negligence, the penalty is a custodial sentence not exceeding one year or a monetary penalty (Art. 35a WMA). Any person who willfully fails to comply with the prohibition of financing under Articles 8b or 8c WMA without being able to claim an exemption under Article 7 paragraph 2, Article 8 paragraph 2 or Article 8a paragraph 3 WMA is liable to a custodial sentence not exceeding five years or to a monetary penalty. A custodial sentence may be combined with a monetary penalty. A person who merely accepts the possibility of an offence against the prohibition of financing under Articles 8b or 8c WMA does not commit an offence.

(Art. 36 WMA)

Any person who willfully commits any of the following acts is liable to a **fine not exceeding 100,000 francs**: the refusal to provide information, submit documents or permit access to business premises in terms of Articles 27 and 28 paragraph 1 WMA or provides false information in this connection; the violation in any other way of a provision of this Act or of an implementing regulation, the contravention of which is declared to be an offence, or the failure to comply with an order issued with notice of the applicability of the penalties in terms of this Article, unless the criminal conduct constitutes a different offence. Attempts and complicity are offences. If the act is committed through negligence, the penalty is a fine of up to 40 000 francs. The right to prosecute prescribes after five years.

(Art. 37 WMA)

In relation to **offences in commercial enterprises**, Article 6 of the Federal Act of 22 March 1974 on Administrative Criminal Law applies.

(Art. 38 WMA)

The court shall order the **confiscation** of the war material concerned, irrespective of the criminal liability of any person, if and to the extent that no guarantee of its lawful continued use is offered. The confiscated war material, together with any proceeds of sale, becomes the property of the Confederation subject to the reservation of the Federal Act of 19 March 2004 on the Division of Confiscated Assets.

(Art. 39 WMA)

Confiscated assets or rights to compensation become the property of the Confederation subject to the reservation of the Federal Act of 19 March 2004 on the Division of Confiscated Assets.

(Art. 40 WMA)

The **prosecution and judgement of offences are subject to federal jurisdiction**. The federal and cantonal licensing and control authorities, the cantonal and communal police and the customs authorities are obliged to report offences against this Act that they detect or which come to their knowledge in the course of their duties to the **Office of the Attorney General of Switzerland**.

11. INTERNATIONAL COOPERATION

B. Additional voluntary information relevant to participation in international cooperation

(please elaborate below - for instance in terms of the measures suggested in Article 15, or in terms of participation in international or regional cooperation in the transfer control area)

Switzerland actively participates i.a. in the Wassenaar Arrangement as well as bilateral exchanges on transfer control issues.

12. INTERNATIONAL ASSISTANCE

B. National regulations and policy allow the provision of financial resources to the voluntary trust fund established under Article 16(3) of the Treaty
(if 'No', please elaborate below)

Yes

No

C. Additional voluntary information relevant to the provision- or receipt of implementation assistance
(please specify below - for instance regarding assistance provision capacities or assistance needs.)

Switzerland has contributed financially and organisationally to the preparatory process of the ATT's First Conference of States Parties by supporting the sponsorship program as well as by hosting the final preparatory meeting in Geneva. Furthermore, Switzerland has supported capacity building projects and stands ready to continue its support by providing expertise as well as financial resources.

Switzerland participates in outreach- and capacity building projects related to arms transfer controls (e.g. the EU ATT Outreach Project, the Geneva Centre for Security Policy (GCSP), etc.). Switzerland also provides regional assistance to promote the effective and universal implementation of the ATT (with a particular focus on the African continent). Additionally, Switzerland supports ATT-related projects through its contribution to UNSCAR as well as other projects aiming at preventing the illicit trade and diversion of weapons (in particular: small arms and light weapons). Through the recently launched diplomatic initiative on the safe and secure management of conventional ammunition, Switzerland additionally puts emphasis on the issue of the illicit trade and proliferation of ammunition and supports related assistance projects.

13. DISPUTE SETTLEMENT

B. National regulations and policy allow for the settlement of disputes concerning the interpretation or application of the Treaty through recourse by mutual consent to arbitration as outlined in Article 19(2)
(if 'No', please elaborate below)

Yes

No

C. Additional voluntary information relevant to dispute settlement under the terms of the Treaty
(please specify below)