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Confédération suisse  
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Swiss Confederation

*Check against delivery*

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Arms Trade Treaty  
Working Group Meetings  
February 2022  
**Working Group on Effective Treaty  
Implementation  
Art. 9 ATT**

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**Topic 3: Measures to regulate the transit and trans-shipment of arms by land**

Mr. Facilitator

Let me first of all express Switzerland's gratitude for your much appreciated work in light of the unfavourable circumstances related to the COVID-19 pandemic.

The transit and trans-shipment of arms and its ammunition by land is subject to authorisation under Swiss national legislation. No distinction is made between transit by road and transit by rail. The licensing requirement and the licensing conditions are the same for both types of transport.

The application for transit and trans-shipment of arms by land is assessed by the national licensing authority in consultation with the Ministry of Foreign Affairs and together with other government agencies depending on the content of the application. The control at the border lies in the responsibility of the customs authority. It plays an important role, as it is empowered to check the goods and the transport documents of an arms transit and trans-shipment. If the customs authority finds irregularities during the check, it informs the national licensing authority. The licensing authority then carries out appropriate clarifications together with the customs authority and other stakeholders such as the exporting party or the importing party.

In principle, every arms transit and trans-shipment requires a licence. However, Switzerland has made provision to facilitate certain transits. For instance, persons carrying firearms in accordance with the European directive of 18 June 1991 for personal use (sport or similar) do not need a transit licence. No transit licence is also required for members of foreign military or police forces or customs authorities for professional or training-related transit journeys.

Thank you, Mr. Facilitator.

**Topic 4: Measures to regulate the transit and trans-shipment of arms by air**

Mr. Facilitator

In the case of transit and trans-shipment of arms by air, Switzerland distinguishes between state and non-state transits and trans-shipments. A license for transit and trans-shipment by



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foreign state aircraft with arms on board is granted in accordance with the rules of international law. On the other hand, the authorisation of transit and trans-shipment by means of non-governmental aircraft with arms on board is in principle assessed according to the same authorisation procedures as for transit by land.

As arms are dangerous goods in aviation, airlines must notify national aviation authorities of overflights with dangerous goods. For this reason, Switzerland has decided that applications for transit with arms through its airspace must be submitted to the national aviation authority, which are then passed on to the national licensing authority for assessment. This cooperation with the national aviation authority ensures that no overflights take place with arms on board without the appropriate authorisations.

However, if a transit by air has a stopover on a Swiss airport, the application must be made directly to the national licensing authority who will assess the application in consultation with the Ministry of Foreign Affairs and together with other government agencies depending on the content of the application.

Thank you, Mr. Facilitator.