Legal Framework to Implement International Non-Proliferation Rules and Norms in Switzerland

SECO and SPIEZ LABORATORY
September 2019
Agenda

1. SECO: Organisation, “Export Controls and Sanctions” Sections

2. Swiss National Authority CWC

3. International Treaties and Regimes (including the CWC)

4. Legal Implementation in Switzerland

5. Licensing of Dual-Use Goods (including chemicals)

6. Questions

➔ A glossary (abbreviations) is attached at the end of this presentation.
SECO: Export Controls and Sanctions

- EAER
- SECO
- Directorate of Foreign Trade
- Bilateral Economic Relations (BW), Export Controls & Sanctions

- BWEP: Export Control Policy Dual-Use
- BWIP: Industrial Products
- BWRP: War Material
- BWSA: Sanctions

Negotiations / legislation / industry inspections (CWC) Dual-Use Licensing
National Authority CWC
The Swiss National Authority CWC

The Presidency: FDFA

FDFA
Division for Security Policy (DSP)

EAER
State Secretariat for Economic Affairs (SECO)

The Swiss National Authority

DDPS
International Relations Defence (IR D)

DDPS
SPIEZ LABORATORY (LS)
The Swiss National Authority CWC

- **FDFA Division for Security Policy (DSP)**
- **EAER State Secretariat for Economic Affairs (SECO)**
- **DDPS International Relations Defence (IR D)**
- **DDPS SPIEZ LABORATORY (LS)**

The Presidency: FDFA

- DSP in Bern (Heads the NA)
- Swiss Embassy in The Hague (Permanent representation to the OPCW)
The Swiss National Authority CWC

- Responsible for legislation (e.g. Goods Control Act, Chemicals Control Ordinance)
- Lead in industry aspects of the CWC (e.g. inspections, industry cluster)
- Implementation of export control regulations (licensing)
The Swiss National Authority CWC

- Technical assistance and training for other States Parties under Art. X (Assistance and Protection against Chemical Weapons)
- In charge of Schedule 1 Inspections
The Swiss National Authority CWC

- Provides technical advice to Swiss delegations and the NA (incl. on inspections)
- Reporting centre for all CWC chemical industry declarations

Support to OPCW:
- Designated Laboratory
- OCAD data
- Ref. samples
- MOCK insp.
- etc.

The Presidency: FDFA

FDFA Division for Security Policy (DSP)

EAER State Secretariat for Economic Affairs (SECO)

The Swiss National Authority

DDPS International Relations Defence (IR D)

DDPS SPIEZ LABORATORY (LS)
International Level: Treaties and Export Control Regimes
International Treaties and Regimes

UNSCR 1540 (2004)

- NPT
- Safeguards Agreement
- CWC
- BWC

Bilateral Agreements

https://www.wassenaar.org/about-us/
National Level: Legal Implementation
Swiss Legal Implementation
Goods Covered

- Nuclear goods
- Dual-Use goods
- Specific military equipment
- Strategic goods
- Specific arms and explosives
- Catch-all (WMD)

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Licensing
Licensing: Goods Control Act

SECO: Export controls of industrial products (dual-use) and specific military goods (licensing) → [https://bit.ly/2IUAp02](https://bit.ly/2IUAp02)

Diagram:

- **Company**
  - License request (via ELIC)
  - SECO
    - Approval
    - Denial
    - No decision
  - Export Control Group
    - Approval
    - Denial
    - No decision
  - Federal Council
    - Approval
    - Denial
    - No decision
- Denial Notification
How to identify listed chemicals?


- **Overview (only CWC):** see National Authority CWC website ➔ [https://bit.ly/2kOIrRio](https://bit.ly/2kOIrRio)


- **Reminder:** reporting requirements (to Spiez Laboratory) and licensing requirements (to SECO) are separate requirements!
Questions?
# Glossary

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<th>Abbreviation</th>
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<td>AG</td>
<td>Australia Group</td>
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<td>BWC</td>
<td>Biological Weapons Conventions</td>
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<td>ChCO</td>
<td>Chemicals Control Ordinance</td>
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<td>CWC</td>
<td>Chemical Weapons Convention</td>
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<td>DDPS</td>
<td>Federal Department of Defence, Civil Protection and Sport</td>
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<td>EAER</td>
<td>Federal Department of Economic Affairs, Education and Research</td>
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<td>ELIC</td>
<td>Electronic Licensing System</td>
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<td>IAEA</td>
<td>International Atomic Energy Agency</td>
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<td>IMO</td>
<td>Ordinance concerning the export and brokering of dual-use internet and mobile communication surveillance goods</td>
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<td>International Relations Defence</td>
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<td>Zangger Committee</td>
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