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Federal Department of Economic Affairs,
Education and Research EAER
State Secretariat for Economic Affairs SECO
Export Controls and Sanctions
Controllo delle esportazioni di beni industriali

Export Controls of Unmanned Aerial Vehicles (UAVs), related equipment, components, technology and software

Industry Event Taskforce Drones, 28 February 2025



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Part 1:

Multilateral Export Controls, Controls on UAVs and the implementation in Swiss law

Seraina Frost, Co-Deputy Head of Export Controls of Industrial Goods, SECO



Objective of export controls

- States commit to **harmonised and responsible trade** with **dual-use goods** (commodities, technologies and software) and **conventional weapons**, as well the exchanging of information.
 - Prevention of the proliferation of **weapons of mass destruction** (nuclear, biological and chemical weapons) and their delivery systems; and
 - Prevention of **destabilising stockpiling of conventional weapons**.
- Contribution to the implementation of the legally binding Resolution 1540 of the UN Security Council.
- Export controls are **not an export ban** but protect legitimate global trade.



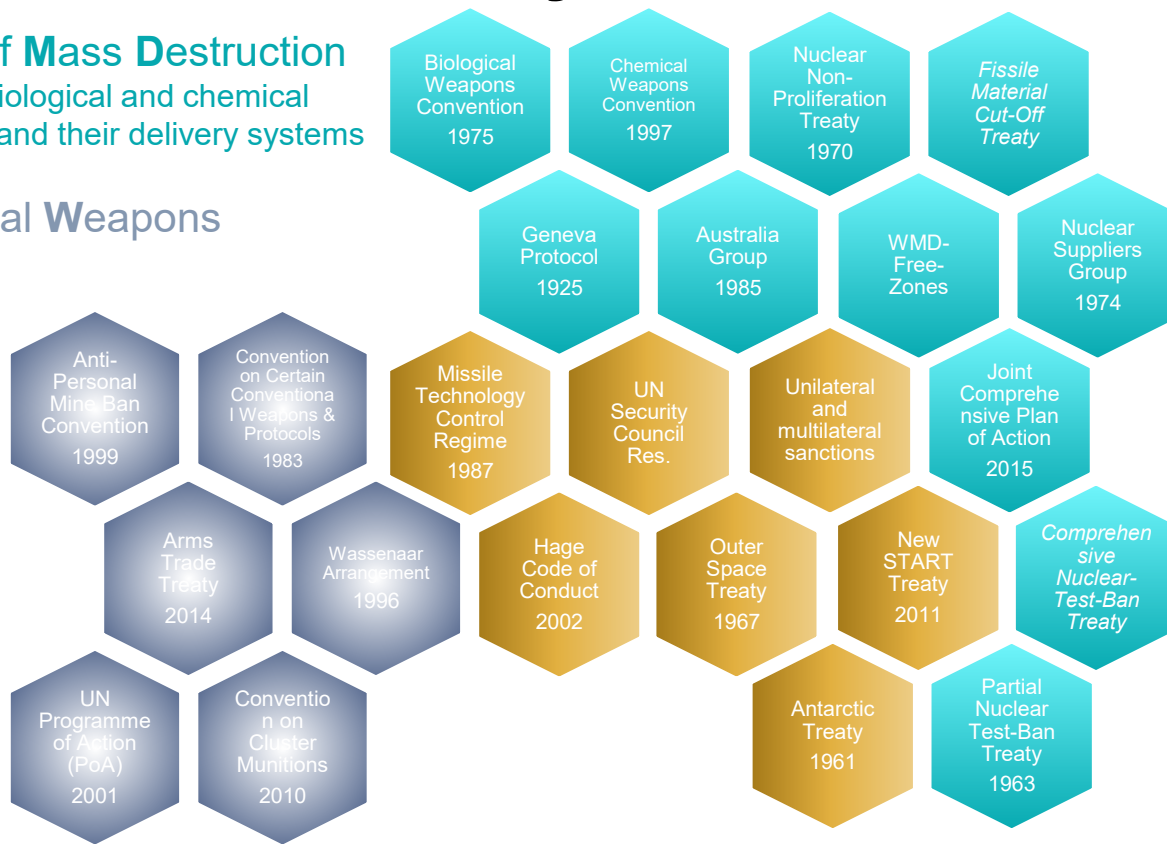
International Security Architecture

- **Weapons of Mass Destruction**

- nuclear, biological and chemical weapons and their delivery systems

- **Conventional Weapons**

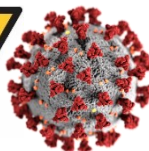
- **Overlap**





Multilateral Export Control Regimes

Nuclear Suppliers Group (NSG), 1974 (48 States)	Australia Group (AG), 1985 (42 States + EU)	Missile Technology Control Regime (MTCR), 1987 (35 States)	Wassenaar Arrangement (WA), 1996 (42 States)
• Non-proliferation of nuclear weapons; • Implements NPT non-proliferation provision	• Non-proliferation of biological and chemical weapons; • Reinforces BTWC and CWC non-proliferation	• Non-proliferation of ballistic missiles, cruise missiles, drones	• Prevention of destabilising accumulations of conventional arms
Controls nuclear goods (Trigger List) such as reactors, fissile material, enrichment and related dual-use goods (Dual-Use List)	Controls biological agents, chemicals, toxins and related equipment	Controls complete systems and subsystems, propulsion, propellants, composites and materials, instruments and navigation, flight control systems, avionics, launch support, computers, test equipment, simulators, stealth, radiation protection etc.	Controls conventional arms (Munitions List) such as tanks, warplanes, naval vessels, assault rifles, hand grenades; and related dual-use goods (Dual-Use List) such as special steels, machine tools, electronics, communications, sensors, lasers, navigation, aerospace, propulsion





WA - Dual-Use controls → 9A012, Annex 2 GCO

9. A. 12. a. "UAVs" or unmanned "airships", designed to have controlled flight out of the direct 'natural vision' of the 'operator' and having any of the following:
1. Having all of the following:
 - a. A maximum 'endurance' greater than or equal to 30 minutes but less than 1 hour; and
 - b. Designed to take-off and have stable controlled flight in wind gusts equal to or exceeding 46.3 km/h (25 knots); or
 2. A maximum 'endurance' of 1 hour or greater;

Technical Notes

For the purposes of 9.A.12.a.:

1. 'Operator' is a person who initiates or commands the "UAV" or unmanned "airship" flight.
2. 'Endurance' is to be calculated for ISA conditions (ISO 2533:1975) at sea level in zero wind.
3. 'Natural vision' means unaided human sight, with or without corrective lenses.



WA - military goods → ML10

ML10. "Aircraft", "lighter-than-air vehicles", "Unmanned Aerial Vehicles" ("UAVs"), aero-engines, "sub-orbital craft" and "aircraft" equipment, related equipment, and components, as follows, specially designed or modified for military use:

- c. Unmanned "aircraft" and "lighter-than-air vehicles", and related equipment, as follows, and specially designed components therefor:
 - 1. "UAVs", Remotely Piloted Air Vehicles (RPVs), autonomous programmable vehicles and unmanned "lighter-than-air vehicles";
 - 2. Launchers, recovery equipment and ground support equipment;
 - 3. Equipment designed for command or control;

Specific military goods
(GCO, Annex 3)



War material
(WMO, Annex 1)



MTCR controls → 9A112, Annex 2 GCO

1.A.2. Complete unmanned aerial vehicle systems (including cruise missiles, target drones and reconnaissance drones) capable of delivering at least a 500 kg "payload" to a "range" of at least 300 km.



Strong presumption of denial

19.A.2. Complete unmanned aerial vehicle systems (including cruise missiles, target drones and reconnaissance drones), not specified in 1.A.2., capable of a "range" equal to or greater than 300 km.



UAV related controls (Dual-Use):

- **Related equipment** (e.g. sensors, cameras, gyros, IMU, engines) and **components** (see: [Dual-Use Categories 6, 7, 9 or Munition List 10](#)).
- **Software**: specially designed or modified for the "development" and "production" of UAVs or related "technology " (see [9D or ML10](#))
- **Technology**: specially designed or modified for the "development" and "production" of UAVs or related "software" (see [9E or ML10](#))



Forms of technology

Technology takes the form of

- **Technical data** = e.g. blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions written or recorded on other media or devices such as disk, tape, read-only memories
→ *tangible or intangible technology*
- **Technical assistance** = e.g. instructions, skills, training, working knowledge and consulting services, may involve the transfer of 'technical data'
→ *intangible technology*
- Exempted from controls is it technology in **the public domain** or **basic scientific research**

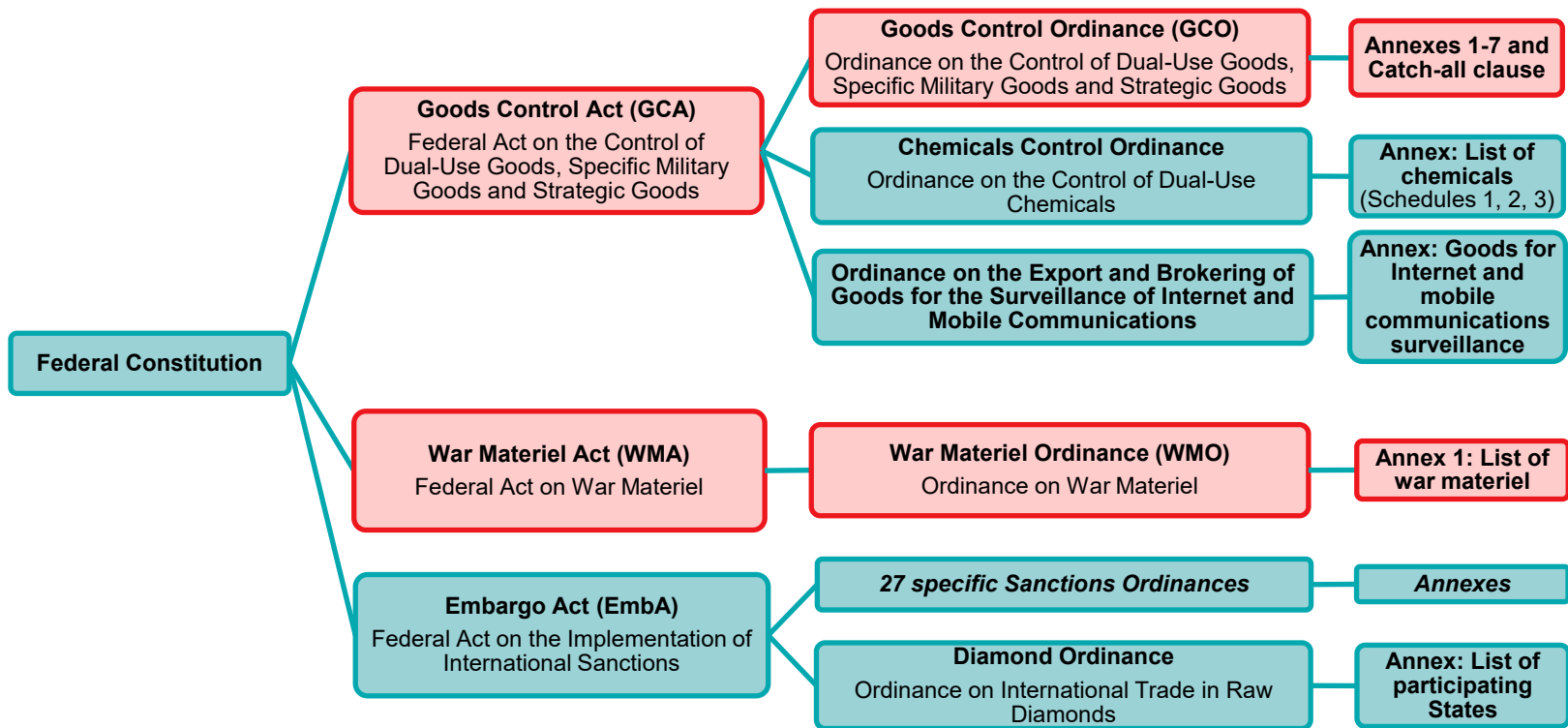


Technology decontrols

- **in the public domain**
 - technology which has been made available without restrictions upon its further dissemination (copyright restrictions do not remove technology or software from being in the public domain)
- **basic scientific research**
 - experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts, not primarily directed towards a specific practical aim or objective
- information required for patent applications
- minimum necessary for the construction, operation, maintenance or repair of goods not controlled or for which an export license has been granted



Implementation in Swiss Law





War Material Act / Goods Control Act

Leopard 2

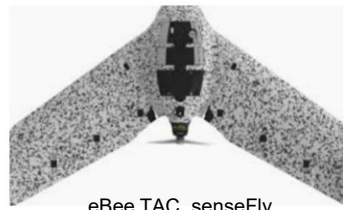


SIG 550 / STGW 90

War materiel =

weapons, weapons systems, munitions and military explosives and equipment, that has been specifically conceived or modified for use in combat or for the conduct of combat

eBee TAC, senseFly



Pilatus PC-21



Specific military goods =

goods that have been designed or modified for military purposes, [other than war materiel], together with military training aircraft equipped with suspension points

Starrag 5-Axes Machine tool



eBee X, senseFly



Dual-Use goods =

goods that may be used both for civilian and military purposes

Sources: War Materiel Act, Art. 5 / Goods Control Act, Art. 3

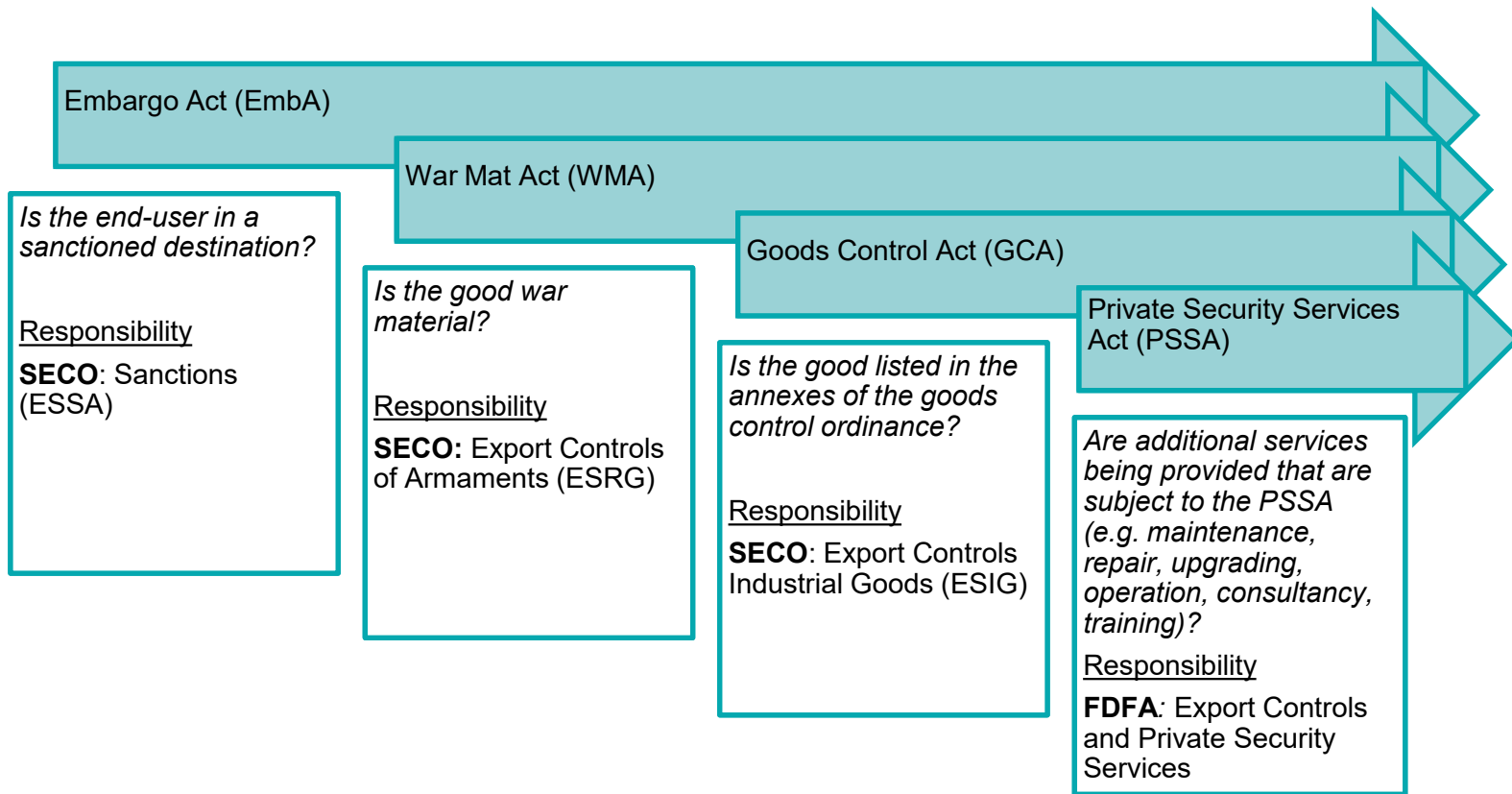


Links to relevant the acts, ordinances and annexes

- [Federal Act on the Control of Dual-Use Goods, Specific Military Goods and Strategic Goods](#)
- [Federal Act on War Materiel](#)



Cascade to determine controls





Part 2:

Licence Requirements and Procedures under the War Materiel Act / War Materiel Ordinance

Pascal Richter, Expert of Export Controls of Armaments, SECO



Purpose of controls of war materiel

– Art. 1 Purpose

This Act has as its aim the fulfilment of Switzerland's international obligations and the respect of its foreign policy principles by means of controlling the manufacture and transfer of war materiel and related technology, while at the same time maintaining an industrial capacity in Switzerland that is adapted to the requirements of its national defence.



Definition of war materiel

- Art. 5 Definition of war materiel

¹ The following are deemed to be war materiel:

- a. weapons, weapons systems, munitions and military explosives;
- b. equipment that has been specifically conceived or modified for use in combat or for the conduct of combat and which is not as a general rule used for civilian purposes.

² War materiel also includes individual components and assembly packages, which may also be partially processed, provided it is discernible that such components cannot be used in the same form for civilian purposes.

³ The Federal Council shall designate what is war materiel in an ordinance.





Classification WMO Annex 1

- List of War Materiel

Note:

The goods listed as the Annex to the War Materiel Ordinance originate from the «Munitions List» (ML) in the Wassenaar Arrangement. The numbers allocated to the individual items correspond to those in the ML. Any goods that are not listed below, but which are contained in the ML are deemed to be «special military goods» and are subject to the provisions of the Goods Control Act of 13 December 1996 (SR 946.202).

- Table of Contents

Expand table 

Item	Description of goods
ML 1	Hand guns and small arms of any calibre
ML 2	Weapons of any calibre (but excluding hand guns and small arms controlled by ML 1)
ML 3	Ammunition for the weapons controlled by ML 1, 2 or 12
ML 4	Bombs, torpedoes, rockets, and missiles
ML 5	Fire control equipment
ML 6	Armoured vehicles and other ground vehicles
ML 7	Tear gases and other irritants
ML 8	Military explosives, combustible substances and fuels
ML 9	Vessels of war
ML 10	Manned and unmanned aircraft including aero-engines
ML 11	Electronic equipment

ML 12	High velocity kinetic energy weapons systems
ML 13	Special armoured or protective equipment
ML 14	(Contains no war materiel; listed in order that numbering corresponds to ML)
ML 15	(Contains no war materiel; listed in order that numbering corresponds to ML)
ML 16	Forgings, castings and other unfinished products
ML 17	Miscellaneous equipment (robots, etc.)
ML 18	(Contains no war materiel; listed in order that numbering corresponds to ML)
ML 19	Directed energy weapons systems (e.g. laser systems)
ML 20	Cryogenic (low temperature) and superconductive equipment
ML 21	Software
ML 22	(Contains no war materiel; listed in order that numbering corresponds to ML)



Types of authorisation

Initial licence:

(withdrawn if not used)

Manufacturing

Trade

Brokerage

Single licence:

(2 years)

Export

Brokerage

Import

Transfer

Intangible
Transfers

Trade

Does not always
need a single
licence /
open-ended
period of time

General licence:

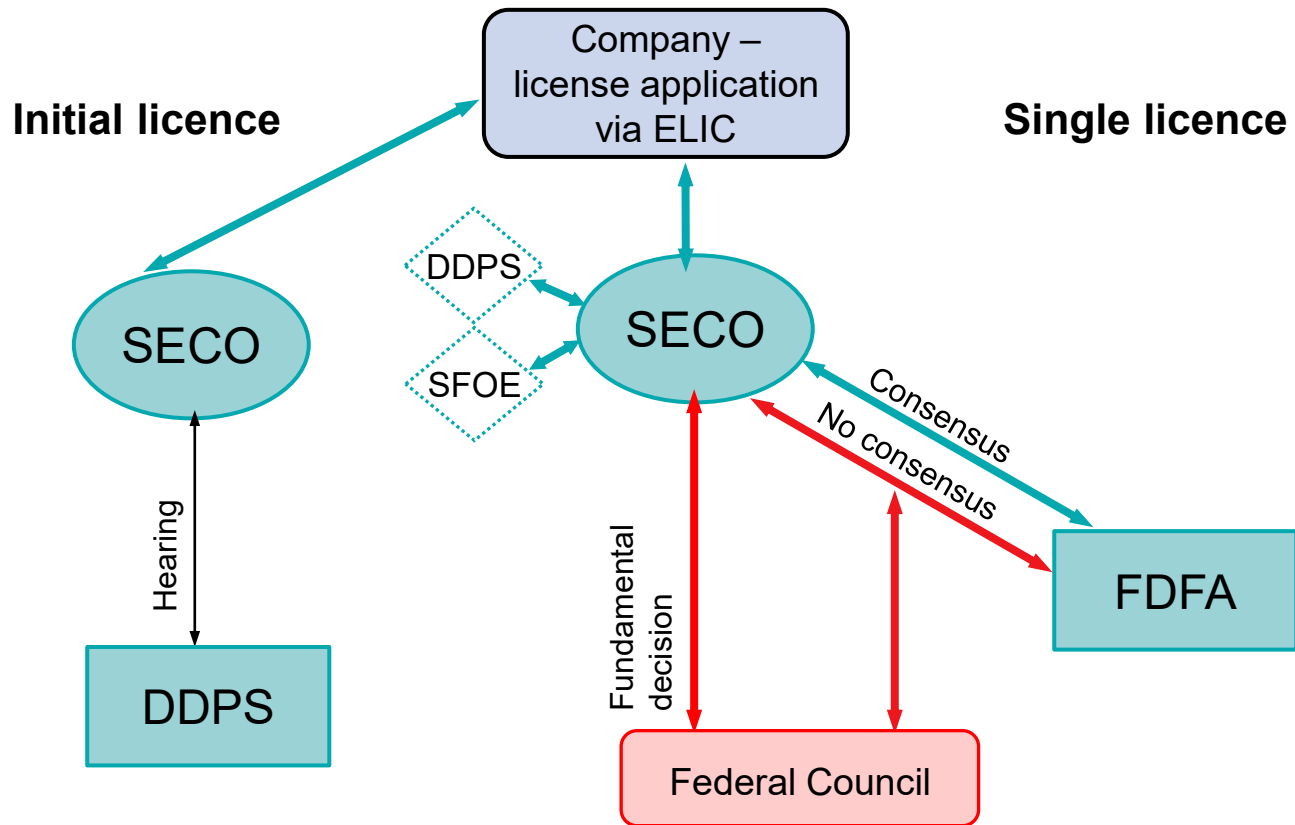
(2 years)

Import

Transit



Licensing procedure → war materiel





Documents to be presented

		Exports to a foreign governments or a company directly mandated by one	Exports to a non-government organisation or private company
Final product		End-User Certificate (EUC) CHF 0.- and more	Import permit or international import certificate (IIC)
Components		EUC CHF 100'000 and more	Import permit + confirmation of integration <u>Countries annex 2 WMO</u> Cost of production may not surpass 50% of cost of production of the final product <u>Countries outside annex 2 WMO</u> Cost of production may not surpass 50% of cost of production of the final product
Anonymous parts		None	None



Considerations / Reasons for refusal



Peace, Security, Stability



**Respect for human rights
in the destination country**



**Development cooperation
with the country**



**Compliance with
international law**



**Treatment of partner
countries**

Mandatory refusal of an export application

(Art. 22.a Para 2):

- Involvement in an internal or international armed conflict
- Serious and systematic violations of human rights
- High risk of use against the civilian population
- High risk of transfer to undesirable end-users



Countries with exemptions

(Art. 6 and 7 WMO, Annex 2)

25 Countries with exemptions for brokering, trade, import, transit and intellectual property rights/know how of war materiel are:

- Argentina
- Australia
- Austria
- Belgium
- Canada
- Czech Republic
- Denmark
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Japan
- Luxembourg
- Netherlands
- New Zealand
- Norway
- Poland
- Portugal
- Spain
- Sweden
- United Kingdom
- United States



Fees for war materiel

(Art. 22 GCO)

Initial licence	500 CHF
subsequent amendment, modification or reissue of an initial licence	250 CHF
import and export licences	0.8 percent of the value of the goods, but with the minimum fee being 50 CHF and the maximum 5000 CHF
brokerage, trading, general import and general transit licences as well as licences for contracts under Article 20 WMA	200 CHF
specific transit licences	100 CHF



Part 3:

Licence Requirements and Procedures under the Goods Control Act / Goods Control Ordinance

Bettino Andrea Feltscher, Co-Deputy Head of Export Controls of Industrial Goods, SECO



Classification GCO Annexes 2 and 3

ANHÄNGE 1 UND 2, GÜTERKONTROLLVERORDNUNG

LISTE DER GÜTER MIT DOPPELTEM VERWENDUNGSZWECK

Mit der Liste der Güter mit doppeltem Verwendungszweck im vorliegenden Anhang werden die international vereinbarten Kontrollen für Dual-Use-Güter — einschliesslich der Australischen Gruppe (*), des Trägertechnologie-Kontrollregimes (MTCR) (*), der Nuclear Suppliers Group (NSG) (*), des Wassenaar-Arrangements (*) und des Chemiewaffen-Übereinkommens (CWÜ) (*) — umgesetzt.

INHALT

Allgemeine Anmerkungen

Abkürzungen

Begriffsbestimmungen

Kategorie 0	Kerntechnische Materialien, Anlagen und Ausrüstung
Kategorie 1	Besondere Werkstoffe und Materialien und zugehörige Ausrüstung
Kategorie 2	Werkstoffbearbeitung
Kategorie 3	Allgemeine Elektronik
Kategorie 4	Rechner
Kategorie 5	Telekommunikation und „Informationssicherheit“
Kategorie 6	Sensoren und Laser
Kategorie 7	Luftfahrtelektronik und Navigation
Kategorie 8	Meeres- und Schiffstechnik
Kategorie 9	Luftfahrt, Raumfahrt und Antriebe

ANHANG 3 – LISTE DER BESONDEREN MILITÄRISCHEN GÜTER

Anmerkung 1: Begriffe in „doppelten Anführungszeichen“ sind definierte Begriffe. Vgl. die dieser Liste beigefügten Begriffsbestimmungen.

Anmerkung 2: Die Chemikalien sind in einigen Fällen mit ihrer Bezeichnung und CAS-Nummer aufgelistet. Bei Chemikalien mit der gleichen Strukturformel (einschliesslich Hydrate) erfolgt die Erfassung ohne Rücksicht auf die Bezeichnung oder die CAS-Nummer. Die CAS-Nummern sind angegeben, damit unabhängig von der Nomenklatur festgestellt werden kann, ob eine bestimmte Chemikalie oder Mischung erfasst ist. Die CAS-Nummern können nicht allein zur Identifikation verwendet werden, weil einige Formen der erfassten Chemikalien unterschiedliche CAS-Nummern haben und auch Mischungen, die eine erfasste Chemikalie enthalten, unterschiedliche CAS-Nummern haben können.

Anmerkung 3: Von den in diesem Anhang aufgeführten Gütern fallen die folgenden unter den Geltungsbereich des Bundesgesetzes vom 13. Dezember 1996 über das Kriegsmaterial (SR 514.51):

- Waffen, Waffensysteme, Munition sowie militärische Sprengmittel;
- Ausrüstungsgegenstände, die spezifisch für den Kampfeinsatz oder die für die Gefechtsführung konzipiert oder abgeändert worden sind und die in der Regel nicht auch für zivile Zwecke verwendbar sind.

Ebenfalls unter den Geltungsbereich des Kriegsmaterialgesetzes fallen nachfolgend aufgeführte Einzelteile und Baugruppen, auch teilweise bearbeitete, sofern erkennbar ist, dass diese Teile in derselben Ausführung nicht auch für zivile Zwecke verwendbar sind.

In Zweifelsfällen erteilt das Staatssekretariat für Wirtschaft SECO Auskunft.



Export Control Numbers

(Annex 2 GCO)

- A – Systems, Equipment and Components
- B – Test, Inspection and Production Equipment
- C – Materials
- D – Software
- E – Technology

Notes: *Examples of what is or is not controlled (“decontrol Notes”)*

Technical Notes: *Local definitions of terms and concepts*

Key of export control numbers:

9 A 0 12

Category 0-9

What kind of good

Which export control regime

Specific entry

0 – WA

1 – MTCR

2 – NSG

3 – AG



Catch-All Regulation

(Art. 3 Para 4 GCO)

- Applies to goods not listed in Annexes 2-5 of the GCO
- Licence requirement if the exporter knows, or has reason to believe that the goods are intended for the development, manufacture, use, transfer or deployment of weapons of mass destruction.



Goods Control Ordinance (GCO) – Type of licences

Single Licence	General Licence limited to dual-use, specific military goods and goods subject to national controls
for natural persons or legal entities that are domiciled or have their registered office or permanent establishment on the Swiss customs territory or in a Swiss customs-free zone.	for legal entities in Switzerland or Liechtenstein commercial register (Universities and public institutions are exempt from this requirement)
Supporting documents (GCO, Art. 5 Para. 2; Art. 8 let. a-d) • recipient company profiles; • product description • internal compliance programme ICP; • order confirmations; • contracts of sale or invoices; • an import certificate from the recipient state; • end-user certificates from the end recipient; • other documents ...	Supporting documents (GCO, Art. 11) • recipient or exporting company profiles; • product description • internal compliance programme ICP; • reports on the goods exported in terms of the general export license; • Other documents. Types: (GCO, Art. 12 and 13) • Ordinary general export licence • Exceptional general export licence



Countries eligible for ordinary general licence

(Art. 12 Para. 1 GCO; Annex 7 GCO)

- Argentina
- Australia
- Austria
- Belgium
- Bulgaria
- Canada
- Czech Republic
- Denmark
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Japan
- Luxembourg
- Netherlands
- New Zealand
- Norway
- Poland
- Portugal
- South Korea
- Spain
- Sweden
- Turkey
- United Kingdom
- United States



Internal Compliance Programme

Nachweis zum ICP - Internal Compliance Programme

(NUR FÜR JURISTISCHE PERSONEN)

weitere Informationen betreffend ICP:

https://www.seco.admin.ch/seco/de/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/exportkontrollen-und-sanktionen/elic/icp.html

Organisation	Ja	Nein
Besteht eine Deklaration der Geschäftsleitung, welche die Einhaltung der Vorschriften im Exportkontrollbereich als ein Element der Firmenpolitik zum Ausdruck bringt?	☐	☐
Besteht ein Organigramm, aus dem ersichtlich ist, welche Stellen für Exportkontrollen zuständig sind?	☐	☐
Welche Stelle ist in Ihrem Unternehmen für Exportkontrollen zuständig (Exportkontrollverantwortlicher)? 		
Wer ist Ansprechpartner für das SECO bei administrativen Fragen zur Exportkontrolle? 		
Wenn Sie einen der obigen Punkte mit "NEIN" beantwortet haben, geben Sie bitte an warum. 		
Geschäftsabwicklung	Ja	Nein
Bestehen Weisungen, wonach während der Auftragsabwicklung (Bestellung/Verkauf) von bewilligungspflichtigen Gütern der Anhänge zur Güterkontrollgesetzgebung resp. Anhang 1 der Kriegsmaterialverordnung die Kunden und/oder Endverwender anhand einer Checkliste (Red Flag: Know your customer / Check of end-user and end-use / Catch-all) zu überprüfen sind?	☐	☐
Bestehen Weisungen über die Auftragsabwicklung (Bestellung/Verkauf) von nicht kontrollierten Gütern, die für die Entwicklung oder Herstellung von Massenvernichtungswaffen oder deren Trägersystemen missbraucht werden könnten (Red Flag: Know your customer / Check of end-user and end-use / Catch-all)?	☐	☐
Wenn Sie einen der obigen Punkte mit "NEIN" beantwortet haben, geben Sie bitte an warum. 		
Ausbildung	Ja	Nein
Bestehen firmeninterne Ausbildungen zu Exportkontrollen?	☐	☐
Werden firmenexterne Ausbildungskurse zu Exportkontrollen besucht?	☐	☐

Controlling	Ja	Nein
Werden firmeninterne Audits zu Exportkontrollen durchgeführt?	☐	☐
Wird Ihre Produktpalette regelmässig auf die Bewilligungspflicht überprüft (Erfassung durch die Anhänge zur Güterkontrollgesetzgebung oder den Anhang 1 der Kriegsmaterialverordnung)?	☐	☐

Falls Sie alle Fragen mit "NEIN" beantwortet haben, begründen Sie hier bitte weshalb.

Die folgende Bestätigung ist von einer zeichnungsberechtigten Person (resp. den zeichnungsberechtigten Personen bei Kollektivunterschrift) zu unterzeichnen.

Ort und Datum: _____

Name/Funktion: _____

Unterschrift: _____

Name/Funktion: _____

Unterschrift: _____



End-User Certificates (EUC) for all end-users

End-user certificate (EUC) for dual-use goods

1. Name of supplier:
2. Description of the goods, software or technology:
3. Quantity:
4. Will the goods be incorporated? No ☐ Yes ☐
If yes, into which product:
5. The goods, software or technology will only be used for (end-use):
6. Will the goods be used for military purposes? No ☐ Yes ☐
If yes, the application must be specified:
7. Value in CHF:
8. Will the goods be distributed to third parties? No ☐ Yes ☐
If yes, specify the end-user and its address:

9. Full name and complete address of the end-user (incl. phone, fax, e-mail and website) and end-use location:

10. I (we) certify:
- That the goods will be used only for the purpose stated and not be used in any nuclear explosive activity or unsafeguarded nuclear fuel-cycle activity or for the design, development, production, storage or use of nuclear, chemical and biological weapons or their delivery systems and for facilities engaged in such activities; the goods will also not be used for the development and the production of anti-personnel mines and cluster munition;
 - That the goods will be delivered only to customers considered absolutely reliable in this regard;
 - That I (we) will not transfer the goods, technology or software to a third country without the consent of the Swiss State Secretariat for Economic Affairs SECO. However, no consent is necessary for the re-export to the following countries: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Great Britain, Hungary, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Spain, Sweden, Turkey and United States of America.

Place and date:

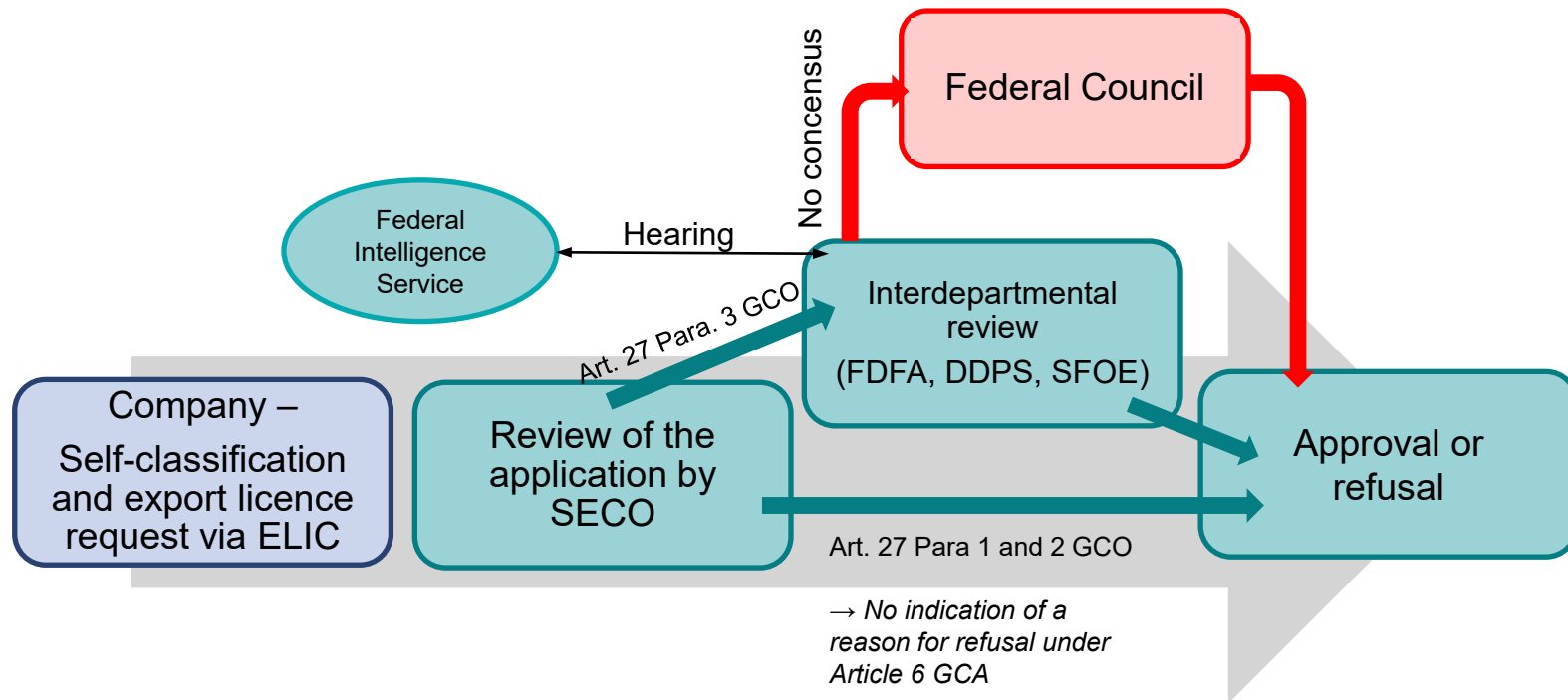
Original signature of the end-user or government official

(Name and job title of signer in block letters)

Company stamp or official seal:



Licensing procedures → Dual-Use Goods and Specific Military Goods





Refusals under GCA / GCO

Art. 6 Para. 1 GCO:

Licences shall be refused if there is reason to believe that the goods:

- are intended for the development, manufacture, use, passing on or deployment of Weapons of Mass Destruction (WMD)
- contribute to the destabilising conventional armament of a country
- do not remain with the declared end-user (diversion)

Art. 6 Para 2 GCO:

Licences shall also be refused if:

- a partner state has refused to export a similar item to the same end recipient;
- the state of origin notifies Switzerland that it requires consent for the re-export and this is not provided;
- the state of destination prohibits the import.



E-Licensing registration (ELIC)

www.elic.admin.ch



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
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Elic

Information zur Exportkontrolle

Anmeldung

[Passwort vergessen](#)

[Benutzername vergessen](#)

[Neues Benutzerkonto anlegen](#)

[Dokumentenprüfung](#)

Elic > Anmeldung

Anmeldung

Benutzername

Passwort

Anmelden

Login mit SuisseID

[Anleitung](#)



Login mit adminPKI

[Anleitung](#)



Staatssekretariat für Wirtschaft SECO

[Kontakt](#) | [Rechtliche Grundlagen](#)

ELIC-Helpline

+41 (58) 464 84 86

elic@seco.admin.ch



Considerations when working with foreign partners

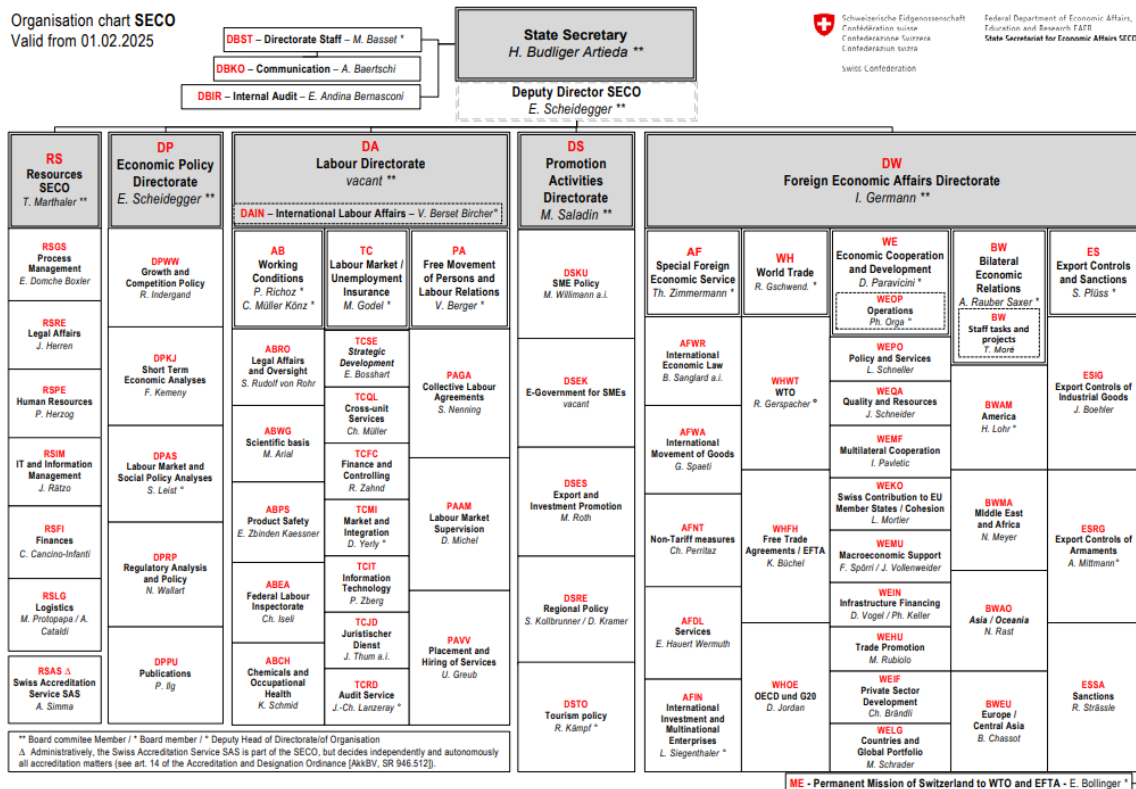
- Are your products on the control lists?
- Who is the end-user of your products? (*KYC principle*)
- Are you aware of the possible military end-use of your product?
- Is the export plausible (amount, purpose, necessity)?
- Which researchers are you working with? (*espionage*)
- Which employees are you hiring? (*extraterritorial controls; visa vetting*)
- Have you checked the sanctions lists? Sanctions are partly based on the export control lists but often go beyond.
- Keep your records!



Questions? Please approach us!

Organisation chart SECO

Valid from 01.02.2025



licensing@seco.admin.ch

armscontrol@seco.admin.ch

sanctions@seco.admin.ch