

Dual-use goods: when a Swiss export needs a licence

*Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland), Solicitor (Hong Kong),
Solicitor (England & Wales)*

Many products that Swiss companies sell every day can also be used for military purposes or for weapons of mass destruction: precision machine tools, sensors, electronics, certain chemicals and encryption software. Switzerland controls the export of these dual-use goods, and a company that sells them abroad, or trades them through Switzerland, must know whether a licence is required before it ships.

1 The legal framework

Swiss export controls on dual-use goods are based on the Goods Control Act (GCA) and the Goods Control Ordinance (GCO). The control lists in the annexes to the ordinance implement the lists agreed in the international export control regimes, in particular the Wassenaar Arrangement, the Nuclear Suppliers Group, the Australia Group and the Missile Technology Control Regime, and add a number of goods controlled on a national basis. Goods that fall under the War Material Act are subject to a separate and stricter regime.

2 When a licence is required

An export licence from the State Secretariat for Economic Affairs (SECO) is required for goods listed in the annexes to the ordinance. Even goods that are not listed can require a licence where the exporter knows, or has been informed by SECO, that they are intended for weapons of mass destruction or their delivery systems, or for a military end use in a country subject to an embargo. This catch-all rule means that the end use and the end user matter as much as the technical specification of the product.

3 More than physical exports

Controls also apply to the transfer of technology and software, including by e-mail or download, and in certain cases to brokering and transit. A Swiss trading company that arranges the sale of controlled goods between two foreign countries, without the goods ever reaching Switzerland, can therefore fall within the scope of the controls. Sanctions ordinances under the Embargo Act may add further prohibitions for specific countries, such as Russia and Belarus.

4 Classifying your products

The first step is to classify each product against the control lists, usually with the help of the manufacturer's technical data and, where necessary, a formal enquiry to SECO. Licence applications are submitted electronically through SECO's licensing system. A documented classification, end-user statements from the buyer and a check of the delivery route form the core of a compliance file that banks and auditors increasingly ask to see.

5 Consequences of a breach

Exporting controlled goods without a licence is a criminal offence under the Goods Control Act, and serious cases are punished with imprisonment. In practice, the commercial consequences are often felt first: goods are held at the border, banks stop payments, and counterparties terminate contracts. Foreign rules, in particular US export controls on US-origin goods and technology, can apply in parallel.

6 What pays off in practice

- **Classify your product range once** and keep the classification up to date when products or control lists change.
- **Obtain end-user statements** for sensitive goods and check them against sanctions lists.
- **Ask SECO early** when the classification is unclear, since a formal answer protects the company.

7 How Ressos Legal helps

I advise exporters and trading companies on the classification of goods, licence applications, internal compliance programmes and investigations under Swiss, European and US export controls, and I am the author of practitioner handbooks on Swiss export control law. [Contact me](#) for a first conversation.

For general information only. This article does not constitute legal or tax advice, does not replace advice on an individual case and creates no lawyer-client relationship. It reflects the legal position as of September 2026.

Online version: helveticaregister.com/dual-use-goods-swiss-export-licence