

Newsletter No.

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Switzerland Tightens Export Controls on Defence-Related Goods in Light of Iran Conflict

The Swiss Federal Council has reviewed the implications of the conflict in Iran for Switzerland's export policy on defence-related goods (*Rüstungsgüter*) as well as other controlled goods, and clarified its position on the application of the principle of neutrality.

In its [decision of 20 March 2026](#), the Federal Council declared that no new export licenses will be granted for war materiel shipments to states involved in the international armed conflict in Iran. This includes Israel and Iran, but also the United States. By contrast, exports of dual-use goods and special military goods remain permissible in principle but will be subject to enhanced scrutiny.



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1. Legal Background

Swiss export control law distinguishes between the following main categories of defence-related goods, subject to distinct regulatory frameworks and licensing requirements:

- **War materiel**, governed by the [War Material Act](#) (WMA) and the [War Materiel Ordinance](#) (WMO);
- **Special military goods and dual-use goods**, governed by the [Goods Control Act](#) (GCA) and the [Goods Control Ordinance](#) (GCO).

Exports may be limited or prohibited under these frameworks in light of Switzerland's policy of neutrality. The policy requires non-participation in hostilities, equal treatment of parties with respect to arms exports, and a prohibition on providing military support, while at the same time preserving Switzerland's domestic defence industry.

War Materiel:

"War materiel" includes weapons, ammunition and military equipment specifically designed for combat, as well as related components not suitable for civilian use (Article 5 WMA). The relevant goods are listed in Annex 1 WMO, which is structurally similar to the Common Military List of the European Union.

The WMA provides for a dual licensing requirement:

- a **basic license** for the manufacture of war materiel, as well as for trading and brokering activities; and
- a **specific license** for the export, import, transit, trade and brokerage of war materiel, as well as for the transfer of related intellectual property.

When assessing applications for specific licenses, the authorities consider, inter alia, the criteria set out in Article 22a WMA. These include, in particular, whether the destination country is involved in an armed conflict, seriously violates human rights, or whether there

is a high risk of misuse against civilians or diversion to an undesirable end-user. In such cases, licenses must be denied.

Special Military Goods and Dual-Use Goods:

"Special military goods" are goods designed or modified for military purposes which do not qualify as weapons, ammunition, explosives or other means of combat (Article 3(c) GCA). "Dual-use goods" are goods that may be used for both civilian and military purposes (Article 3(b) GCA). The relevant goods are listed in Annex 3 and Annex 2, Part 2 GCO.

Exports are subject to specific licensing

in each case, unless the exporter has obtained a general export license. When assessing applications for specific licenses, the authorities consider, inter alia, the grounds for refusal set out in Article 6 GCA and Article 6 GCO. These include, in particular, violations of international treaties and goods control frameworks, links to programs for weapons of mass destruction, or risks of contributing to regional instability or the escalation of an armed conflict.

Comparison of Frameworks:

This overview highlights that war materiel is subject to a significantly more stringent licensing framework than special military goods and dual-use goods. Under the WMA, export licenses must be denied for shipments to states involved in armed conflict, leaving less discretion to the authorities. This provides the basis for the Federal Council's decision to issue a general ban (only) on war materiel exports to parties of the conflict in Iran.

2. Sanctions Overlay

Applicable Swiss sanctions regimes based on the Embargo Act may independently prohibit exports and must therefore be considered alongside export control requirements.

In the present context, particular attention must be paid to the pre-existing [Ordinance on Measures against the Islamic Republic of Iran](#), which imposes restrictions and prohibitions on, inter alia, exports of dual-use goods and defence-related goods. Based on this framework, war materiel exports to Iran have been subject to significant restrictions even before the latest conflict. For regular updates on sanctions matters, refer to our sanctions newsletters [\[here\]](#).

3. Implications for Existing Export Licenses

The Federal Council stated in its press release that the war materiel export licenses already issued shall remain in force, as the deliveries thereunder are currently not considered to be relevant to the conflict. However, export activities under these licenses will remain subject to continuous review by an interdepartmental expert group, in particular with respect to the United States.

Exports of special military goods, dual-use goods and certain non-controlled goods affected by sanctions against Iran will likewise be subject to continuous monitoring by the Federal authorities. The preexisting restrictive approach towards shipments to Israel will be continued.

4. Assessment

The Federal Council's decision bans new war materiel exports from Switzerland to states involved in the conflict in Iran, including the United States. This means a more restrictive approach towards the United States than in previous international conflicts with U.S. involvement. For instance, during the Iraq war (as of 2003), private exports of war materiel to involved states remained permitted, provided that such exports (i) were not directly linked to military operations and (ii) did not exceed the

"courant normal", i.e. the average export volume of the preceding three years. It should be noted, however, that the regulatory framework on war materiel exports has been tightened in the meantime by introduction of the above-mentioned Article 22a WMA.

By contrast, the decision does not have direct implications for exports of special military goods and dual-use goods. Accordingly, no general prohibition on exports of such goods to the United States and other conflict parties (to the exception of Iran, which remains subject to sanctions measures) is expected. However, in light of the quickly evolving situation and ongoing regulatory review by the authorities, exporters should monitor developments closely and may need to adapt their compliance frameworks accordingly.

The Walder Wyss Newsletter provides comments on new developments and significant issues of Swiss law. These comments are not intended to provide legal advice. Before taking action or relying on the comments and the information given, addressees of this Newsletter should seek specific advice on the matters which concern them.

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