Research involving work with potential for military applications (so called “dual-use technologies”)

Background information about dual-use issues in engineering sciences can be found here.

By virtue of the Swiss Federal Act on the Control of Dual-Use Goods, Specific Military Goods and Strategic Goods (Goods Control Act, GCA, RS 946.202) and its ordinance (OCB RS 946.202.1), the export of the following goods are subject to the authorization of the Secretary of State for the economy (SECO):

1. dual-use goods, components, software, technology and information
2. nuclear goods, special military goods, strategic goods and other goods subject to national export controls
3. goods that you know or have reason to believe are intended for the development, manufacture, use, passing on or the deployment of nuclear explosive devices, biological or chemical weapons, and their delivery systems (NBC weapons)

save where the OCB provides for an authorization exception. For certain categories of nuclear goods, the export authorization is to be requested to the Swiss Federal Office of Energy (SFOE).

Professors and collaborators at EPFL must comply with these legal and regulatory measures (LCB and OCB). This legislation includes penal sanctions in the event of intentional infringement or negligence.

At EPFL, transfer of knowledge, software, demonstrators or prototypes that can fall under the scope of this legislation can occur in the context of technology transfer, international collaborations or research proposals, but also in informal personal contacts.

So, before transmission of information, research results, prototypes etc. to a company, person or entity (even academic) outside of Switzerland, it must be checked whether the data/information/material/software to be transmitted are subject to authorization. To do so, the following annexes to OCB need to be consulted:

- Annex 2 (part 1) – Nuclear Materials, Facilities and Equipment
- Annex 2 (part 2) – Dual-Use Goods
- Annex 3 – Specific Military Goods
- Annex 5 – Weapons and their components – Explosives

EPFL holds a general export license authorizing transfers of dual-use goods (Annex 2, part 2) and goods according to Annexes 3 and 5 to certain countries; the list of these countries appears in Annex 7 to the OCB. Please note: this general license is not valid for certain goods intended for internet or mobile communications surveillance (as defined in the applicable Ordinance, RS 946.202.3), and it does not relieve from the obligation to request an authorization for the export of NBC weapons (see definition above).

OCB and its annexes are available on the SECO website https://www.seco.admin.ch/seco/fr/home/Aussenwirtschaftspolitik_Wirtschaftliche_Zusammenarbeit/Wirtschaftsbeziehungen/exportkontrollen-und-sanktionen/industrieprodukte--dual-use-und-besondere-militaerische-gueter/rechtliche-grundlagen-und-gueterlisten--anhaenge-.html
In case of doubt, please contact the Legal Team at the Research Affairs: Françoise Chardonnens (francoise.chardonnens@epfl.ch).

Applications to SECO are submitted electronically via the Elic platform. EPFL has an Elic account (contact - francoise.chardonnens@epfl.ch or research@epfl.ch).

Some foreign laws on export control, including US laws, differ from Swiss laws in that they prohibit not only export to certain countries but also access to certain technologies, software and information for persons of certain nationalities. Professors and researchers at EPFL should therefore be especially cautious in the framework of international collaborations, including with US companies or institutes, and ensure in advance that the foreign legislation on export control is observed.

More detailed information on US and European foreign export control legislation can be found online on the following websites: