



UNITED NATIONS

National Report on the Implementation of the

**'United Nations Programme of Action to Prevent,
Combat and Eradicate the Illicit Trade in
Small Arms and Light Weapons in All Its Aspects'**

and the Implementation of the

**'International Instrument to Enable States to Identify
and Trace, in a Timely and Reliable Manner,
Illicit Small Arms and Light Weapons'**

Switzerland

31 December 2011

SECTION 1: POINTS OF CONTACT

Sources	Question	YES	NO	TBD
National Coordination Agency				
PoA II.4	1. Has your country established a National Coordination Agency or other body responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects?	X		
	<p>a) Name of agency: Inter-Departemental Working Group SALW Federal Department of Foreign Affairs (FDFA) Political Division IV Multilateral Peace Policy Section</p> <p>b) Address: Bundesgasse 32 3003 Berne, Switzerland</p> <p>c) Contact details: i) Contact person: ii) Telephone number(s): +41 31 325 97 81 iii) Fax number +41 31 324 90 69 iv) Email: pa4-multilaterale-friedenspolitik@eda.admin.ch</p>			
National Point of Contact				
PoA II.5, 24	2. Does your country have a National Point of Contact designated to act as a liaison on matters relating to the implementation of the UN <i>Programme of Action on Small Arms</i> (PoA)?	X		
	<p>2.1 Details: a) Name: b) Organization or agency: Federal Department of Foreign Affairs (FDFA) Directorate for Political Affairs Political Affairs Division IV Multilateral Peace Policy Section</p> <p>c) Address: Bundesgasse 32 3003 Berne, Switzerland</p> <p>d) Telephone number(s): +41 31 325 97 81 e) Fax number: +41 31 324 90 69 f) Email: pa4-multilaterale-friedenspolitik@eda.admin.ch</p>			
ITI 25	2.2 Is the National Point of Contact identified above also responsible for exchanging information and liaising on matters relating to the <i>International Tracing Instrument</i> (ITI)?		X	
ITI 25	2.3 If the answer to Question 2 is 'no', does your country have a National Point of Contact for purposes of exchanging information and liaising on all matters relating to the ITI?	X		
	<p>2.3.1. Details: For general information, contact the PoA National Point of Contact mentioned in 2.1. For tracing requests and technical matters contact the following agency: a) Name: b) Organization or agency: Federal Department of Justice and Police Federal Office of Police Central Office for Arms</p> <p>c) Address: Nussbaumstrasse 29 3003 Berne, Switzerland</p> <p>d) Telephone number(s): +41 31 324 54 00 e) Fax number: +41 31 324 79 48 f) Email: infozsw@fedpol.admin.ch</p>			

GGE Report para 63(ix)	3. Is the National Point of Contact identified above in either Q. 2 or 2.3 also responsible for exchanging information and liaising on matters relating to brokering in SALW?		X	
	3.1 If not, does your country have a focal point for purposes of exchanging information and liaising on matters relating to brokering in SALW?	X		
	<p>3.1.1 Details</p> <p>a) Name:</p> <p>b) Organization or agency: Federal Department of Economic Affairs (FDEA) State Secretariat for Economic Affairs (SECO) Bilateral Economic Relations</p> <p>c) Address: Holzikofenweg 36 3003 Berne, Switzerland</p> <p>d) Telephone number(s): +41 31 322 56 56</p> <p>e) Fax number: +41 31 322 27 49</p> <p>f) Email:</p>			

SECTION 2: MANUFACTURE

Sources	Question	YES	NO
Laws, regulations and administrative procedures			
	4. Are there any SALW manufactured in your country?	X	
PoA II.2	4.1. Does your country have laws, regulations and/or administrative procedures to exercise effective control over the manufacture of SALW?	X	
	<p>4.1.1 List laws, regulations and/or administrative procedures regulating the manufacture of SALW in your country.</p> <p>Since the Swiss Federal Authorities do not manufacture SALW, the relevant legislations are those applying to civilian SALW.</p> <p>Relevant laws and regulations:</p> <ul style="list-style-type: none"> - Federal Act on Weapons, Weapons Accessories and Ammunition (Weapons Act, WA), SR 514.54 - Ordinance on Weapons, Weapons Accessories and Ammunition (Weapons Ordinance, WO), SR 514.541 - Ordinance on Minimal Requirements for Business Premises of Arms Trading License Holders, SR 514.544.2 - Federal Act on War Material (WMA), SR 514.51 - Ordinance on War Material (WMO), SR 514.511 <p>4.1.2 Does your country license the manufacture of SALW?</p> <p>The production of firearms falls within the scope of WA and is subject to an arms trading license. What items are considered as firearms is defined in the WA. The manufacture of SALW which are not defined as firearms under the WA falls within the scope of the WMA. Anyone who intends to manufacture war material on Swiss territory on a professional basis requires an initial license. The initial license is granted to natural or legal persons if the applicant offers the required guarantee for the proper conduct of its business affairs and if the intended activity is not contrary to national interest. If at any time these conditions are no longer met, the license may be revoked.</p>	X	
PoA II.3	4.1.3 Is illegal manufacture of SALW considered a criminal offence in your country?	X	
	Violations of the WA are considered a criminal offence and will be prosecuted according to Article 33, para. 1(a) WA. Among other offences, the illegal manufacture of firearms and their components will be punished by imprisonment not exceeding three years or a fine. If done with intent and profit, such acts are punish-		

	<p>able by imprisonment not exceeding five years.</p> <p>Violations of the WMA are considered a criminal offence and will be prosecuted according to Article 33 WMA. Among other offences, the illegal manufacture of war material will be punished by imprisonment or a fine not exceeding one million Swiss Francs. In serious cases imprisonment up to ten years and a fine up to five million Swiss Francs can be pronounced</p>		
Marking at manufacture			
PoA II.7; ITI 8a	<p>4.2. Does your country require that SALW be marked at the time of manufacture?</p> <p>Since the Swiss Federal Authorities do not manufacture SALW, the relevant legislations concerning marking are those applying to civilian SALW. Article 18a, para. 1 WA requires manufacturers of firearms, essential components thereof, and weapons accessories to mark such items individually and thus render them identifiable and traceable. Article 18a, para. 2 WA also covers imported firearms, requiring them to be marked individually. Article 31 WO defines the markings to be applied.</p>	X	
ITI 8a	<p>4.2.1. What information is included in the marking (check relevant boxes)?</p> <p>a) Name of the manufacturer b) Country of manufacture c) Serial number d) Year of manufacture e) Weapon type/model f) Caliber g) Other</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
ITI 10	<p>4.2.2. What part of the SALW is marked?</p> <p>Article 18a, para. 1 WA requires manufacturers of assembled firearms, essential components thereof, and weapons accessories to mark such items individually and thus render them identifiable and traceable. Article 18a, para. 2 WA also covers imported firearms, requiring them to be marked individually. Article 31 WO defines the markings to be applied.</p> <p>4.2.3 Are there exceptions to the requirement to mark SALW at the time of manufacture?</p> <p>4.2.3.1 If so, describe</p>		X
Record-keeping by manufacturers			
PoA II.9; ITI 11	<p>4.3. Does your country require that manufacturers keep records of their activities?</p> <p>Since the Swiss Federal Authorities do not manufacture SALW, the relevant legislations concerning record-keeping are those applying to civilian SALW.</p> <p>Article 21 WA and Article 30 WO provide that manufacturers keep records on the manufacture, modification, acquisition and transfer of SALW for 10 years which have to be handed over to the cantonal authorities after this period of time. The competent cantonal authorities electronically store information on weapons manufacture and related matters. The statutory preservation period is of 20 years.</p> <p>Article 17 WMO provides that manufacturers keep records on manufacture, acquisition, sales, brokerage and transfers of war material for 10 years.</p>	X	
	<p>4.3.1. What information must be recorded (check relevant boxes)?</p> <p>a) Quantity of SALW manufactured b) Type or model of SALW manufactured c) Markings applied to manufactured SALW d) Transactions (e.g. sales of manufactured and marked SALW) e) Other: Personal data of buyer as well as stocks</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

ITI 12a	4.3.2. How long must manufacturing records be kept? a) Indefinitely b) 30 years c) Other: 10 years (see answer 6.3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Actions taken during the reporting period				
PoA II.6	4.4. During the reporting period, was action taken against groups or individuals engaged in illegal manufacturing of SALW (e.g. prosecution)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	4.4.1. Details. Enforcement of the WMA falls within the competence of the Confederation while the enforcement of the WA falls within the competence of the cantons. Investigations concerning illegal manufacture, trade, possession, stockpiling (among others), are carried out by the competent cantonal authorities (i.e. police, prosecutors etc.). The Central Office for Arms of fedpol within the Federal Department of Justice and Police (FDJP) operates a database of persons with confiscated weapons.			
International assistance				
PoA III.6	5. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	5.1 What kind of assistance do you require?			
	5.2 Has your country developed a project proposal for assistance?			

SECTION 3: INTERNATIONAL TRANSFERS

Sources	Question	YES	NO
Laws, regulations and administrative procedures			
PoA II.2, 12	6. Does your country have laws, regulations and/or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	6.1. List laws, regulations and/or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW. Weapons in the stockpiles of armed and security forces are decommissioned before their transfer and are hence also subject to the WA. Relevant laws and regulations: <ul style="list-style-type: none"> - Federal Act on Weapons, Weapons Accessories and Ammunition (Weapons Act, WA), SR 514.54 - Ordinance on Weapons, Weapons Accessories and Ammunition (Weapons Ordinance, WO), SR 514.541 - Ordinance on minimal requirements for business premises of arms trading license holders, SR 514.544.2 - Federal Act on War Material (WMA), SR 514.51 - Ordinance on War Material (WMO), SR 514.511 - Federal Act on the Control of Goods (CGA), SR 946.202 - Ordinance on the Control of Goods (CGO), SR 942.202.1 - Federal Act on the Implementation of International Sanctions (EmbA), SR 946.231 		
Licensing and authorization			
PoA II.11	6.2. Does a person or an entity who transfers SALW require a licence or other form of authorization to transfer SALW from/into your country? In accordance with Article 22a WA all transfers of SALW are covered by the provisions of WMA. In accordance with the WMA, the authorization requirements for the export of SALW consist of an initial license (Article 9 WMA) for general access to this activity and a specific license (Article 5 WMO) for each individual case. The specific	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	<p>export license is granted by SECO after consultation of the FDFA (Article 14, para. 2 WMO). If the offices involved do not reach an agreement, the license application will be submitted to the Swiss Federal Council for decision (Article 14, para. 4 WMO). In addition, the Federal Council decides on applications that are of substantial importance to foreign or security policy (Article 29, para. 2 WMA, Article 14, para. 3 WMO).</p> <p>In accordance with Article 25 WA an authorization from the Central Office for Arms is required to import firearms to Switzerland. The licensing authority for the import of SALW which are not firearms, such as heavy machine guns, is SECO. The import of war material requires a specific import license. Manufacturers who hold an initial license may apply for a general import license for the import of individual parts, assembly packages or anonymous components of war material (Article 9e, para. 1 WMO).</p> <p>The transit of SALW is regulated in a manner similar to export under the legislation on war material and on the control of goods. WMA stipulates that such transit is subject to authorization in the same way as exports and under the same conditions. The authorization criteria are identical to those which apply to decisions on exports. Exceptions to the normal procedures include persons travelling by air carrying firearms for their personal use and security agents accompanying official visits.</p>		
PoA II.3	<p>6.3. Is it a criminal offence to trade SALW without a licence or authorization, or to do so in a manner that is in contradiction to the terms of a licence or authorization, in your country?</p> <p>Violations of the WMA are considered a criminal offence and will be prosecuted according to Articles 33 and 36 WMA. Among other offences, the illegal trade of war material will be punished by imprisonment or a fine not exceeding one million Swiss Francs. In serious cases imprisonment up to ten years and a fine up to five million Swiss Francs can be pronounced.</p>	X	
PoA II.11	<p>6.4. Name the relevant international commitments that your Government applies or considers when assessing an application for export authorization.</p> <ul style="list-style-type: none"> - United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (A/CONF.192/15) - International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (A/CONF.192/15) - OSCE Document on Small Arms and Light Weapons (FSC.DOC/1/00) - OSCE Document on Stockpiles of Conventional Ammunition (FSC.DOC/1/03) - OSCE Principles on MANPADS, including FSC Decision No. 5/08 Updating the OSCE Principles for Export Controls of Man-Portable Air Defence Systems (FSC.DEC/07/3 and FSC.DEC/05/08) - OSCE Principles on the Brokering of Small Arms and Light Weapons (FSC.DEC/8/04) - OSCE Standard Elements of End-User Certificates and Verification Procedures for SALW Exports (FSC.DEC/5/04) - FSC Decision No. 11/08 Introducing Best Practices to Prevent Destabilizing Transfers of Small Arms and Light Weapons through Air Transport and on an Associated Questionnaire (FSC.DEC/11/08) 		
	<p>6.5. What kind of documentation does your country require prior to authorizing an export of SALW to another country?</p> <p>In general, an authorisation is granted only in case of deliveries to a foreign government or a company employed by a foreign government, and only if the latter has submitted an end-user certificate (Article 18 WMA). In the end-user certificate the foreign government states that the material will not be re-exported (non-re-export declaration). If the end-user is neither a state entity nor a company acting on behalf of a foreign government, the exporter has to demonstrate (Article 5a WMO) that either an import licence has been issued by the country of final destination or that no such licence is required. Additionally, for certain SALW (assault rifles, grenade launchers, sub-machine guns, and light machine guns; from 50 items upwards) a confirmation is required that the transferred weapons are to be sold only on the domestic market.</p>		

PoA II.12	<p>a) An end-user certificate (EUC) from the importing country</p> <p>i) What elements does an end-user certificate in your country contain (check relevant boxes)?</p> <p>1) Detailed description (type, quantity, characteristics) of the SALW or technology</p> <p>2) Contract number or order reference and date</p> <p>3) Final destination country</p> <p>4) Description of the end-use of the SALW</p> <p>5) Exporter's details (name, address and business name)</p> <p>6) End-user information (name, position, full address and original signature)</p> <p>7) Information on other parties involved in the transaction</p> <p>8) Certification by the relevant government authorities of the authenticity of the end-user</p> <p>9) Date of issue and register number and the duration of the EUC</p> <p>11) Other</p> <p>b) Other types of end-user documentation none</p>	<table border="1"> <tr><td>X</td><td></td></tr> <tr><td></td><td>X</td></tr> <tr><td>X</td><td></td></tr> <tr><td>X</td><td></td></tr> <tr><td>X</td><td></td></tr> <tr><td>X</td><td></td></tr> <tr><td>X</td><td></td></tr> <tr><td>X</td><td></td></tr> <tr><td></td><td>X</td></tr> <tr><td></td><td>X</td></tr> </table>	X			X	X		X		X		X		X		X			X		X	
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	6.6. When exporting, does your country place any restriction on re-export of SALW?	X																					
	<p>If so, what are the restrictions placed on re-export?</p> <p>As a general rule, an export license may be granted only if a declaration is provided by the foreign government stating that the material will not be re-exported (non-re-export declaration). In important cases, SECO stipulates the right to conduct Post-Shipment Verification (PSV). The checks shall ensure that the war material arrived at the intended destination and is used for the purposes stated in the export license. If the end-user is neither a state entity nor a company acting on behalf of a foreign government, the exporter has to demonstrate according to the WMO, that either an import license has been issued by the country of final destination or that no such license is required. Additionally, for certain SALW (assault rifles, grenade launchers, sub-machine guns, and light machine guns; from 50 items upwards) a confirmation is required that the transferred weapons are to be sold only on the domestic market.</p> <p>a) Re-export permitted only when there is prior notification</p> <p>b) Re-export permitted only when there is prior approval (X)</p>																						
PoA II.12	6.7. Does your country verify or seek to authenticate EUCs or other types of end-user documentation provided?	X																					
	<p>6.7.1 Details:</p> <p>Before granting an authorization, the respective non-re-export declaration will be assessed in a formal manner. If there is an indication for irregularities, further measures will be taken (incl. verification). The verification of information in EUCs is not regulated by law but subject to an internal directive on this matter. Switzerland requests confirmations stating that the material arrived at the intended destination on a case-by-case basis. In important cases SECO stipulates the right to conduct post-shipment verification (PSV) checks to ensure that the war material arrived at the intended destination and is used for the purposes stated in the export licence. The question of whether or not to launch a verification procedure is decided on a case-by-case basis.</p> <p>Switzerland established the Central Office for Combating the Illegal Trade in War Material within the Federal Department of Defense, Civil Protection and Sport (DDPS). This office is responsible in particular for checking the arrival of deliveries at the designated and approved destination. Checks include that the end-user is requested by Switzerland to confirm in writing that the exported weapons arrived as planned.</p>																						
	6.8. Does your country have measures in place aimed at preventing the forgery and misuse of EUCs or other types of end-user documentation?	X																					
	8.8.1 Details:																						

	The signatures are verified through diplomatic channel via the Swiss Embassy in the country of destination.		
	6.9. Does your country permit the export of SALW without a licence or under simplified procedure under certain circumstances?	X	
	6.9.1 If so, under what circumstances?		
	a) Peacekeeping		X
	b) Temporary exports	X	
	c) Equipment needed for training exercises	X	
	d) Equipment needed for repair		X
	e) Delivery of spare parts		X
	f) Other	X	
	<p>There's no simplification in procedure for SALW designated for peacekeeping missions. However, this element is taken into consideration during decision-making.</p> <p>No licences are required for a limited category of persons who export temporarily firearms and their ammunition (Article 9 WMO). Arms which are exported temporarily for exhibition or evaluation have simplified procedures only concerning the re-import (Article 9c WMO).</p> <p>Given the limited effectiveness of 'purely civilian' weapons, for instance sporting arms and the lower risk of their diversion, export control procedures are alleviated for firearms which are not considered as war material but remain subject to the WA. Firstly, the documentation must not be presented in any case but may be required by the Swiss licensing authority at its discretion. In practice, Switzerland generally authorises exports of non-war weapons to countries listed in Annex 4 to the CGO (see above) without further documentation. However, the exporters are obliged to keep complementary import licences of the recipient countries at SECO's disposal. Secondly, re-exports are allowed to the 29 countries in Annex 4 to the CGO without the prior consent of the SECO.</p>		
Post delivery controls			
	6.10. When exporting, does your country require a Delivery Verification Certificate (DVC) to confirm that SALW have reached their intended end-user or intended importer in the importing State?	X	
	The Central Office for Combating the Illegal Trade in War Material within the Federal Department of Defense, Civil Protection and Sport (DDPS) controls systematically if the exported SALW has reached its planned and approved destination (Article 20 WMO).		
	6.11. After exporting, does your country verify or seek to authenticate DVCs provided?	X	
	6.11.1. Details		
	Swiss authorities regularly verify the authenticity of the given documents.		
	6.12. When importing, does your country grant the right to exporting State to conduct physical check at point of delivery?	(X)	
	Certain weapons are subject to special inspection regulations stipulated by the manufacturer. For example, inspections of the STINGER model 94 light surface-to-air anti-aircraft guided missiles are subject to the provisions governing security controls defined by the US Department of Defense in February 1983. By acquiring this weapons system, Switzerland acknowledged the various provisions governing security, and at the same time undertook to strictly observe them.		

Marking at import										
ITI 8b	<p>6.13. Does your country require that SALW imported into your country be marked at the time of import?</p> <p>Article 18a, para. 1 WA requires manufacturers of firearms, essential components thereof, and weapons accessories to mark such items individually and thus render them identifiable and traceable. Article 18a, para. 2 WA also governs imported firearms, requiring them to be marked individually.</p> <p>The person who wants to import firearms has to make sure that the firearms are marked as required in Article 31 WO at the time of import.</p>	X								
ITI 8b	<p>6.13.1. Who is required to mark the SALW?</p> <p>The manufacturer of firearms. Since Switzerland only imports marked weapons, no import marking is applied.</p>									
ITI 8b	<p>6.13.2. What information is included in the marking on import (check relevant boxes)?</p> <p>a) Country of import</p> <p>b) Year of import</p> <p>c) Other</p>	<table border="1" style="width: 100%;"> <tr><td style="width: 80%;"></td><td style="width: 20%; text-align: center;">X</td></tr> <tr><td></td><td style="text-align: center;">X</td></tr> <tr><td></td><td></td></tr> </table>		X		X				
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ITI 8b	<p>6.13.3. Are there exceptions to the requirement to mark imported SALW?</p> <p>6.13.3.1. If so, describe.</p> <p>Since Switzerland only imports marked weapons, no import marking is applied. The Federal Council can allow the import of unmarked weapons for a maximum of one year for scopes specified in Article 31, para. 2 WO.</p>	X								
ITI 8b	<p>6.13.4. If SALW imported into your country do not bear a unique marking when they arrive, does your country require that they be given such a marking?</p> <p>6.13.4.1 Details: Every imported firearm has to be marked as specified in Article 31 WO (see 38).</p>	X								
Record Keeping										
PoA II.9; ITI 12	<p>6.14. Does your country require that exporters and importers of SALW keep records of their activities?</p> <p>Since the Swiss Federal Authorities do not manufacture SALW, the relevant legislations concerning record-keeping are those applying to civilian SALW.</p> <p>Article 21 WA and Article 30 WO provide that manufacturers keep records on the manufacture, modification, acquisition and transfer of SALW for 10 years which have to be handed over to the cantonal authorities after this period of time. The competent cantonal authorities electronically store information on weapons manufacture and related matters. The statutory preservation period is of 20 years.</p> <p>Article 17 WMO stipulates a book-keeping obligation for SALW. Brokers have to keep relevant documents available for inspection for a period of 10 years in order to substantiate records. On the part of the authorities, all granted licenses are kept in paper form for at least 30 years either by SECO or the Swiss Federal Archives (SFA).</p> <p>In addition, since 1998 all data are recorded electronically. According to Article 21 CGO all essential documents relating to the export of goods must be retained for 5 years from the date of customs clearance and must be submitted to the responsible authorities on request.</p>	X								
	<p>6.14.1. What information must be recorded (check relevant boxes)?</p> <p>a) Quantity of SALW traded</p> <p>b) Type or model of SALW traded</p> <p>c) Markings appearing on transferred SALW</p> <p>d) Transactions</p>	<table border="1" style="width: 100%;"> <tr><td style="width: 80%;"></td><td style="width: 20%; text-align: center;">X</td></tr> <tr><td></td><td style="text-align: center;">X</td></tr> <tr><td></td><td style="text-align: center;">X</td></tr> <tr><td></td><td style="text-align: center;">X</td></tr> </table>		X		X		X		X
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ITI 12b	i) Identity of buyer/seller	X	
	ii) Country SALW are to be delivered to or purchased from	X	
	iii) Date of delivery	X	
	e) Other:	X	
	6.14.2. How long must records of transfers be kept?		
	a) Indefinitely		
	b) 20 years		
	c) Other: Broker for 10 years; responsible agency for another 20 years	X	
Actions taken during the reporting period			
PoA II.6	6.15. During the reporting period, was action taken against groups or individuals engaged in transferring SALW illegally (e.g. prosecution)?		X
	There have been no violations of the WMA in 2010.		
	6.15.1 Details.		
International assistance			
PoA III.6	7. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures to exercise effective control over the export, import, transit or retransfer of SALW?		X
	7.1. What kind of assistance do you require?		
	7.2 Has your country developed a project proposal for assistance?		

SECTION 4: BROKERING (in accordance with FSC Decision 17/10)

Sources	Question	YES	NO
Laws, regulations and administrative procedures			
PoA II.14	8. Does your country have laws, regulations and/or administrative procedures governing brokering of SALW?	X	
	8.1. List laws and/or administrative procedures regulating SALW brokering in your country. Brokering activities of legal entities and persons domiciled in Switzerland intending to trade in firearms for business purposes are required to obtain a general trader's license (Article 17 WA). Brokering activities for recipients abroad fall within the scope of the WMA. Brokering on Swiss territory (regardless of nationality) of war material on a professional basis for recipients abroad, irrespective of the location of the war material, requires an initial license (Article 9, para. 1 WMA). No initial license is required for those acting as professional brokers for hand guns and small arms and holdings. Therefore a general trading license under the legislation on weapons. In addition to the initial license in terms of Article 9 WMA or the general trading license under the legislation on weapons, any brokering activity of war material on Swiss territory for a recipient abroad requires a specific authorisation for each individual case (Article 15, para. 1 WMA). No specific authorisation is required, if the person engaged in brokering activities operates his own production plant for the manufacture of the war material involved in the brokerage in Switzerland (Article 6, para. 1 WMO). In any case, the brokering of war material destined to the countries listed in Annex 2 to the WMO is not subject to a specific authorisation (Article 6, para. 2 WMO). All SALW brokers are registered either by fedpol or by SECO.		
	8.1.1 Are those laws and procedures part of the national export control system?	X	
	8.2. Does your country require registration of SALW brokers?	X	
	All SALW brokers are registered either by fedpol or by SECO.		

	<p>8.3. Does your country require a licence, permit or other authorization for each brokering transaction?</p> <p>Anyone who on Swiss territory wishes to broker war material for a recipient abroad, without operating his own production plant for the manufacture of war material in Switzerland, requires, in addition to an initial licence in terms of Article 9 WMA, a specific licence for each individual case (Article 15 WMA). Whoever manufactures war material in Switzerland in his own production plant may broker or trade abroad without a specific licence only if an initial licence for the brokerage or the trade of products analogous to those manufactured in the production plant has been granted. The brokering of war material destined to the countries listed in Annex 2 to the WMO is not subject to a specific authorization (Article 6 WMO).</p>	X	
GGE Report para 44	8.3.1 Are such applications for a licence, permit or other authorization considered for approval on a case-by-case basis?	X	
	8.3.2 Are there exceptions to the requirement to hold a licence or authorization for a brokering transaction?	X	
	<p>8.3.2.1 Details (e.g. if the transaction is on behalf of the police or armed forces or other government officials)</p> <p>No specific authorisation is required, if the person engaged in brokering activities operates his own production plant for the manufacture of the war material involved in the brokerage in Switzerland (Article 6, para. 1 WMO). In any case, the brokering of war material destined to the countries listed in Annex 2 to the WMO is not subject to a specific authorisation (Article 6, para. 2 WMO).</p> <p>8.3.3 What are the criteria for granting a licence, permit or other authorization?</p> <p>The manufacture, brokerage, export and transit of war material for recipients abroad shall be authorised if this is not contrary to international law, international obligations, and the principles of Swiss foreign policy.</p> <p>To grant specific licenses, the following criteria listed in Article 5 WMO are taken into account:</p> <ul style="list-style-type: none"> - maintenance of peace, international security and regional stability; - the situation in the country of destination, in particular with regard to respect for human rights and the non-use of child soldiers; - the efforts made by Switzerland in the area of development cooperation; - the conduct of the country of destination towards the international community, in particular with regard to compliance with international law; - the attitude of the countries which are participating with Switzerland in international export control regimens. <p>According to Article 5, para. 2 WMO licenses shall not be granted for export, trade and for contracts under Article 20 WMA if:</p> <ul style="list-style-type: none"> - the country of destination is involved in an internal or international armed conflict; - the country of destination violates human rights in a systematic and serious manner; - the country of destination is listed among the least developed countries on the OECD-DAC list of development aid recipient; - there is a high-riks in the country of destination that the exported weapons will be used against the civilian population; or - there is a high risk in the country of destination that the exported weapons will be passed on to an undesirable end recipient. 		
	8.4. Does your country have measures to validate the authenticity of documentation submitted by the broker?	X	

	<p>8.4.1 Describe those measures.</p> <p>The verification of submitted information or documents is not regulated by law but subject to an internal directive on this matter. The SECO relies on the expertise of the Federal Department of Foreign Affairs (FDFA) and its representatives abroad.</p>																								
	<p>8.5. Is it a criminal offence to engage in a SALW brokering transaction without a licence or authorization, or to do so in a manner that is in contradiction to the terms of a licence or authorization, in your country?</p>	X																							
	<p>8.6. Does your country share with other States such information as the disbarment of brokers and revocation of registration?</p> <p>Information about illegal arms trafficking, transfer and routes are exchanged within the European Firearms Expert Group (EFE) of which the Central Office for Arms of fedpol is a member.</p>	X																							
	<p>8.7. Does your country regulate activities that are closely associated with the brokering of SALW?</p>	X																							
	<p>8.7.1. If so which of the following activities are regulated (check relevant boxes)?</p> <p>a) acting as dealers or agents in SALW</p> <p>b) Providing technical assistance</p> <p>c) Training</p> <p>d) Transport</p> <p>e) Freight forwarding</p> <p>f) Storage</p> <p>g) Finance</p> <p>h) Insurance</p> <p>i) Maintenance</p> <p>j) Security</p> <p>k) Other services</p>	<table border="1"> <tr><td>X</td><td></td></tr> <tr><td></td><td>X</td></tr> <tr><td></td><td>X</td></tr> <tr><td></td><td>X</td></tr> <tr><td>X</td><td></td></tr> <tr><td>X</td><td></td></tr> <tr><td>X</td><td></td></tr> <tr><td></td><td>X</td></tr> <tr><td>X</td><td></td></tr> <tr><td></td><td>X</td></tr> <tr><td></td><td>X</td></tr> </table>	X			X		X		X	X		X		X			X	X			X		X	
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	<p>8.8. What penalties or sanctions does your country impose for illegal brokering activities?</p> <p>Article 33 WMA regulates offences against licensing and reporting obligations as following: Whoever willfully commits any of the following acts is liable to a term of imprisonment or to a fine of up to 1 million Swiss Francs:</p> <ul style="list-style-type: none"> - the manufacture, import, transit, export, trade in, or brokerage of war material, or the conclusion of contracts for the transfer of intellectual property including know-how relating to war material, or for the granting of rights thereto without the relevant licence or in violation of the conditions or requirements stipulated in a licence; - the provision of incorrect or incomplete information in an application when such information is essential for the granting of a licence or the use of such an application that has been completed by a third party; - the failure to report war material for import, export or transit or the making of a incorrect declaration in respect of its import, export or transit; - the delivery, transfer or brokerage of war material for a recipient or destination other than that named in the licence; - the transfer of intellectual property, including know-how, relating to war material, or the granting of rights thereto to a recipient or destination other than that named in the licence; - the participation in financial dealings relating to an illegal war material transaction or the procurement funding for such a transaction as an intermediary. <p>In serious cases the penalty is imprisonment for up to ten years. This may be combined with a fine of up to 5 million Swiss Francs. If the act is committed through negligence, the penalty is imprisonment for up to six months or a fine of up to 100 000 Swiss Francs. In the case of unauthorised import or transit, an act committed abroad is also a criminal offence.</p>																								

Actions taken during the reporting period			
	8.9. During the reporting period, was action taken against groups or individuals engaged in illegal brokering (e.g. prosecution)?		X
	8.9.1 Details. There were no criminal prosecutions nor other legal actions relating to illegal brokering activities.		
International Assistance			
PoA III.6	9. Does your country wish to request assistance in developing laws, regulations and/or administrative procedures to regulate SALW brokering?		X
	9.1. What kind of assistance do you require?		
	9.2. Has your country developed a project proposal for assistance?		

SECTION 5: STOCKPILE MANAGEMENT

Sources	Question	YES	NO
Laws, regulations and administrative procedures			
PoA II.17	10. Does your country have standards and procedures relating to the management and security of SALW held by the armed forces, police or any other body authorized to hold SALW? SALW of the Armed Forces, the military administration as well as the border and police forces are not subject to WA (Article 2). The responsibility is regulated in the respective legislation and regulations of the Armed Forces, the Supreme Customs Directorate and the various cantonal police authorities.	X	
PoA II.17	10.1. If so, which of the following provisions are included in these standards and procedures (check relevant boxes)?		
	a) Appropriate locations for stockpiles	X	
	b) Physical security measures	X	
	c) Control of access to stocks	X	
	d) Inventory management and accounting control	X	
	e) Staff training	X	
	f) Security, accounting and control of SALW held or transported by operational units or authorized personnel	X	
	g) Procedures and sanctions in the event of theft or loss	X	
	h) Other		
Surplus			
PoA II.18	10. Are there systems in place to conduct reviews stocks of SALW held by armed forces, police and other authorized bodies to identify surplus or obsolete SALW? On federal level (i.e. SALW of the Armed Forces) the Armed Forces Planning (AFP) is responsible for the management of the entire life cycle of SALW of the Armed Forces, from the definition phase right up to the actual disposal. Therefore, the AFP is the government agency authorised to define and identify SALW surplus stocks based on military criteria. On behalf of the AFP, armasuisse, a departmental unit of the DDPS, supervises system management throughout the entire life cycle, including the disposal process after decommissioning.	X	
	10. How often/frequently are these reviews conducted? Stocks of SALW are part of an annual review process and may be controlled at any time.		

PoA II.18	10.1. When stocks are identified as surplus, what actions does your country take with regard to the surplus (check relevant boxes)?		
	a) Officially declare as surplus b) Take out of service c) Record by type, lot, batch, and serial number d) Store separately e) Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PoA II.18	11. In disposing of the surplus stocks, which of the following methods may be used (check relevant boxes)?		
	a) Destruction b) Sale to another State c) Donation to another State d) Transfer to another state agency e) Sale to civilians f) Sale or transfer to legal entities (e.g. museums, private security companies etc.) g) Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PoA II.19	11.1. If (a) Destruction is checked for Q.26.a, which of the following methods are used (check relevant boxes)? Generally, SALW will be shredded		
	i) Burning or melting ii) Open-pit detonation iii) Cutting/shredding iv) Bending/crushing v) Dumping at sea vi) Burial on land vii) Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Actions taken during the reporting period			
PoA II.19	12. During the reporting period, has your country destroyed surplus stocks?		<input checked="" type="checkbox"/>
PoA II.20	12.1. How many SALW were destroyed? Include details on destruction. Since the enforcement of the WA falls within the competence of the cantons, the number of destroyed firearms is not recorded centrally.		
	12.2. Were any of these destruction activities carried out in public?		<input checked="" type="checkbox"/>
	12.3. Any further comments regarding destruction?		
International Assistance			
PoA II.29; III.6	13. Does your country wish to request assistance in developing standards and procedures?		<input checked="" type="checkbox"/>
	13.1. What kind of assistance do you require?		
	13.2. Has your country developed a project proposal for assistance?		
PoA III.6; 14	14. Does your country wish to request assistance in developing capacity for destruction of weapons?		<input checked="" type="checkbox"/>
	14.1. What kind of assistance do you require?		
	14.2. Has your country developed a project proposal for assistance?		

SECTION 6: CONFISCATION, SEIZURE & COLLECTION

Sources	Question	YES	NO								
Confiscation and seizure											
PoA II.23a	<p>15. During the reporting period, has your country found, seized or confiscated any SALW under its jurisdiction?</p> <p>Since the enforcement of the WA falls within the competence of the cantons, the number of seized firearms is not recorded centrally.</p>		X								
PoA II.23a	<p>15.1 How many SALW were found, seized or confiscated?</p> <p>See question 15.</p>										
PoA II.16	<p>15.2. What action was taken with respect to the SALW found, seize or confiscated (check relevant boxes)?</p> <p>See question 15</p> <p>a) Stored securely pending further action</p> <p>b) Marked</p> <p>c) Registered or recorded</p> <p>d) Destroyed</p> <p>e) Other</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> </table>									
Collection											
	<p>16. During the reporting period, did your country collect any SALW?</p> <p>Enforcement of the WA falls within the competence of the cantons. The cantons decide about campaigns to collect firearms.</p>		X								
PoA II.21	<p>16.1. What was the nature of the collection exercise?</p> <p>a) Buyback programme for civilian-held SALW</p> <p>b) Weapons amnesty for civilian-held SALW</p> <p>c) Disarmament, Demobilization & Reintegration (DDR)</p> <p>d) Weapons for Development (WfD) programme</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> </table>									
PoA II.16	<p>16.2 How many SALW were collected?</p> <p>16.3. What action was taken with respect to the SALW collected (check relevant boxes)?</p> <p>a) Stored securely pending further action</p> <p>b) Marked</p> <p>c) Registered or recorded</p> <p>d) Destroyed</p> <p>e)Other</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> <tr><td style="width: 50px; height: 20px;"></td><td style="width: 50px; height: 20px;"></td></tr> </table>									
PoA II.23a	<p>17. How many of the SALW found, seized, confiscated or collected, as reported in Questions 16.1 and 16.2 were destroyed?</p> <p>Almost all collected firearms are destroyed. They may be given to museums if they are of value. Confiscated firearms may be resold because their lawful owner must be reimbursed.</p>										
International Assistance											
PoA III.6	<p>18. Does your country wish to request assistance in building capacity for confiscation and seizure of the illicit SALW?</p>		X								
	<p>18.1. What kind of assistance do you require?</p>										
	<p>18.2. Has your country developed a project proposal for assistance?</p>										

SECTION 7: MARKING AND RECORD KEEPING

Sources	Question	YES	NO
Marking			
PoA II.8	19. Does your country enforce measures to prevent the manufacture, stockpiling, transfer and possession of any unmarked or inadequately marked SALW?	X	
	<p>19.1. Details</p> <p>Article 18a, para. 1 WA requires manufacturers of firearms, essential components thereof, and weapons accessories to mark such items individually and thus render them identifiable and traceable. Article 18a, para. 3 WA also governs imported firearms, requiring them to be marked individually.</p> <p>The person who wants to import firearms has to make sure that the firearms are marked as required in Article 31 WO at the time of import.</p>		
ITI 8d	20. Does your country take measures to ensure that all SALW in the possession of government armed and security forces for their own use are duly marked?	X	
ITI 8c	20.1. When government stocks are transferred to civilians or private companies in your territory, are such stocks marked to indicate that your country transferred the stocks?	X	
ITI 8e	21. Does your country encourage manufacturers of SALW to develop measures against the removal or alteration of markings?	X	
	<p>21.1. Details</p> <p>WA requires that markings be put in a manner that they cannot be removed or altered without mechanical treatment.</p>		
Record-keeping			
PoA II.9	22. Does your country have standards and procedures related to keeping of records for all marked SALW in its territory?	X	
	<p>22.1. What records relating to SALW are kept by the State (e.g. manufacturing, brokering, import and export licences granted, sales to other States, SALW held by State agencies such as the armed forces etc)?</p> <p>According to Article 21 WA manufacturers are required to keep records of manufacture, acquisition and transfer of SALW for ten years, and to hand over the record books to cantonal authorities after this period of time where they are kept for another period of 20 years. Non-compliance with this obligation is sanctioned in accordance with Article 33, para. 1 (d) WA.</p> <p>WMO Article 17 stipulates a ten years record-keeping duty for manufacturing, acquisition, sales and brokering of war material.</p> <p>Each canton has a competent authority which grants permission to individuals for the acquisition of weapons. Information about the weapons, purchaser and seller are kept in a computerised data-base for at least 30 years (Article 66, para. 2 WO).</p> <p>Data regarding the transfer of SALW of the Armed Forces to private property is kept for 20 years.</p>		
ITI 12a, b	22.2. How long does the State/government keep such records? See question 28.1		
ITI 13	22.3. In the event that they go out of business, are companies engaged in SALW activities (e.g. manufacturing, importing, exporting etc) required to submit all records held by them to the government?	X	

International Assistance			
PoA III.6; ITI 27	23. Does your country wish to request assistance in building capacity for record-keeping?		X
	23.1. What kind of assistance do you require?		
	23.2. Has your country developed a project proposal for assistance?		

SECTION 8: INTERNATIONAL TRACING

Sources	Question	YES	NO
Laws, regulations and administrative procedures			
PoA II.10; ITI 14, 24	24. Does your country have procedures in place to trace SALW? Tracing of firearms falls within the competence of the cantons.	X	
Tracing requests			
	24.1 Has your country ever issued an international tracing request regarding SALW? Requests of this kind are usually handled via Interpol.	X	
ITI 25; 31a	24.2. Which government agency is responsible for making a tracing request to another country? Federal Department of Justice and Police Federal Office of Police Central Office for Arms Nussbaumstrasse 29 3003 Berne, Switzerland Telephone number: +41 31 324 54 00 Fax number: +41 31 324 79 48 Email: infozsw@fedpol.admin.ch		
ITI 17	24.3. What information does the designated agency include in a tracing request? (check relevant boxes)		
	a) Circumstances under which the SALW was found	X	
	b) Reasons why the SALW is considered to be illegal or illicit	X	
	c) The intended use of the information being sought	X	
	d) Any markings on the SALW	X	
	e) Type/calibre of SALW	X	
	f) Other		
ITI 15	24.4. When receiving information related to SALW as a result of your country's tracing request, does your country have procedures in place to ensure that all restrictions placed on its use are respected, and the confidentiality of such information are guaranteed?	X	
Responses for tracing requests			
	24.5. Which government agency is responsible for responding to a tracing request from another country? See question 30.2 above		
	24.6. During the reporting period, how many tracing requests did your country receive? Generally, the tracing request is linked to a criminal offence. Therefore it comes via Interpol to the Federal Office of Police and is sent directly to the competent cantonal authority. Therefore the number of requests is not known.		
ITI 22	24.7. During the reporting period, did your country delay, restrict or refuse tracing requests?		
	a) Delayed		X
	b) Restricted		X
	c) Refused		X

ITI22	24.7.1 On what grounds? i) Release of the information would compromise ongoing criminal investigations ii) Violate legislation providing for the protection of confidential information iii) Requesting State cannot guarantee the confidentiality of the information iv) Reasons of national security consistent with the Charter of the United Nations		
Cooperation with INTERPOL			
PoA II.37; ITI 33	25. During the reporting period, has your country cooperated with the International Criminal Police Organization (Interpol)?	X	
ITI 35a ITI 35b ITI 35c	25.1. If so, in which areas? a) Facilitation of tracing operations conducted within the framework of the ITI. b) Investigations to identify and trace illicit SALW. c) Building national capacity to initiate and respond to tracing requests.	X X X	
PoA III.9	25.2. Does your country support/use Interpol's Firearms Tracing System (formerly known as IWeTS) for tracing SALW?	X	
International assistance			
PoA II.36; III.6; ITI 27	26. Does your country wish to request assistance in developing procedures to trace SALW?		X
	26.1. What kind of assistance do you require?		
	26.2. Has your country developed a project proposal for assistance?		
PoA III.10; ITI 28	27. Has your country considered providing assistance to examine technologies to improve the tracing and detection of illicit SALW, and measures to facilitate transfer of such technologies?	X	
	27.1. Details		

SECTION 9: INTERNATIONAL COOPERATION & ASSISTANCE

Sources	Question	RE- QUEST ED	RECEI- VED	PRO- VIDED
Assistance requested / received / provided				
PoA III.3, 6	28. During the reporting period, in addition to the assistance requested/received mentioned in the Sections 1-7 above, has your country requested / received / provided assistance to implement the PoA and ITI?			X
PoA III.16 PoA III.6 PoA III.7 PoA III.7 PoA III.18	28.1 If so, in what areas (check relevant boxes)? a. Establishing/designating National Coordination Agency/National Point of Contact b. Disarmament, demobilization and reintegration (DDR) c. Capacity-building and training on SALW issues d. Law enforcement e. Customs and borders (ONUCI) f. Action-oriented Research g. Children/youth h. Awareness raising			X X X X X
PoA III.15	i. Organized crime, drug trafficking and terrorism j. Other (e.g. ISACS, Regional Projects)			X

28.2. Details of each assistance activity provided/received:

a) The nature of the assistance:

i) financial

ii) technical

		X
		X

b) The amount of assistance provided/received (if financial):

Switzerland pursues a policy of combining in-kind, material and financial assistance. Since several government agencies are involved, it is not possible to quantify the amount of financial assistance provided.

c) A description of the assistance activity:

During the reporting period, small arms and ammunition experts of the Swiss Armed Forces supported assessment visits and project implementation Burundi and Mali. The Swiss Armed Forces also supported SALW destruction and disposal projects of the EAPC PfP Trust Fund in Albania and Jordan. Experts of the Swiss Armed Forces, together with partners from the Multinational Small Arms and Ammunition Group (MSAG), developed several small arms courses on implementation, policy and technical issues. In the framework of EUFOR AL-THEA, small arms and ammunition experts of the Swiss, Austrian and Swedish Armed Forces take the lead to build capacities for ammunition and weapons storage site management within the Armed Forces of Bosnia and Herzegovina. In all these projects, Switzerland applied principles found in the UNPoA.

Additionally, the Swiss Armed Forces provided expertise to the development of the International Small Arms Control Standards (ISACS).

From 2007 to 2010, the Swiss Federal Customs Administration supported the United Nations Operation in Côte d'Ivoire (ONUCI) Embargo Cell with customs advisors.

Non-exhaustive list of financial and other contributions from the Federal Department of Foreign Affairs:

- Financial contribution to UNODA for the implementation of the UN Programme of Action (e.g. PoA-ISS, regional meetings in view of BMS4)
- Financial support to UNODA / UNDP for the International Small Arms Control Standards (ISACS) project
- Financial support to UNODA for the development of technical guidelines on ammunition
- Financial support to the Small Arms Survey (SAS) for action-oriented research
- Promotion of the Geneva Declaration on Armed Violence and Development (e.g. financial support to its secretariat and regional meetings, contribution to UNDP TTF CPR and CSO organizations etc.)
- Financial support to UNDP and MAG for multi-year PSSM project in Burundi (implementation of the Nairobi Protocol)
- Increase transparency and information on SALW (e.g. financial contribution to NGO-lead project Gun.Policy.Org knowledge base)

d) The duration of the assistance provided/received:

Almost all above mentioned assistance activities are covered by a multi-year engagement.

e) State(s) or organization(s) that provided/received the assistance:

See c)

Any further comments on OSCE Document on SALW, PoA and ITI, including implementation challenges and opportunities?

Major implementation challenges were recognized in the implementation of the UN PoA:

- The lack of a proper assistance mechanism (similar to the assistance mechanism existing within the framework of the OSCE Document on Small Arms and Light Weapons and the OSCE Document on Stockpiles of Conventional Ammunition).
- The lack of Status of Forces Agreement for the personnel deployed

Such issues should urgently be addressed to facilitate the assistance provided to requesting nations.