

Federal Law on War Material (KMG)

of 13 December 1996 (status as of 26 November 2002)

Unofficial Translation

Article 7 Nuclear, biological, and chemical weapons

1. It shall be forbidden:

- a. to develop, manufacture, broker, procure, transfer to anyone, import, export, transit, or to store nuclear, biological or chemical weapons (NBC weapons) or otherwise be in possession of them;
- b. to incite anyone to commit an act mentioned at subparagraph a.;
- c. to facilitate the commission of an act mentioned at subparagraph a.

2. Acts do not fall within the scope of the prohibition, if they are intended:

- a. to permit the responsible agencies to destroy NBC weapons, or
- b. to provide protection against the effects of NBC weapons or to combat their effects.

3. The prohibition shall also apply to acts committed abroad, irrespective of the law applicable in the place where the acts were committed if:

- a. the acts violate international agreements to which Switzerland is party, and
- b. the perpetrator is Swiss or is domiciled in Switzerland.

Article 34 Offences against the prohibition on nuclear, biological, and chemical weapons

1. A maximum sentence of ten years' strict-regime imprisonment shall be imposed on any person who, intentionally and without being able to claim any of the exceptions mentioned in Article 7, paragraph 2:

- a. develops, manufactures, brokers, acquires, transfers to any person, imports, exports, transits, or stores nuclear, biological and chemical weapons (ABC weapons) or is otherwise in possession of them,
- b. incites anyone to commit acts as described in subparagraph a., or
- c. facilitates the commission of an act as described in subparagraph a.

2. Any prison sentence may be accompanied by a maximum fine of five million Swiss francs.

3. If the act is committed through negligence, a maximum sentence of 12 months' ordinary imprisonment or a fine of up to 500 000 francs shall be imposed.

4. Any act committed abroad shall be punishable under these provisions, irrespective of the law applicable in the place where it is committed if:

- a. the acts violate international agreements to which Switzerland is party, and
- b. the perpetrator is Swiss or is domiciled in Switzerland.