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Swiss Confederation

Federal Chancellery FCh

The Swiss Confederation a brief guide

2023

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CH info

"Just as important as the individuals who hold office are their remit and scope."

Federal Chancellor Walter Thurnherr

Dear Reader

Two new Federal Council members were elected in winter 2022, and parliamentary elections will be held in autumn 2023. It is important to fill political posts with good people. Particularly in times of crisis, having the right person in the job can make all the difference. However, just as important as the individuals who hold office are their remit and scope, the separation of powers, federalism and the political rights of the People.

For in this country, intelligence, courage, prudence and modesty are likely to be distributed as evenly across the population as is the case abroad. What sets us apart from other countries though – more than many in Switzerland and abroad realise – is our political system, where voters can seek amendments to the constitution at any time and prevent a law from coming into force if they can muster a majority of likeminded people. That is a tremendous achievement. You don't have to topple a government or dissolve Parliament to shift political course – all you have to do is stand on the street and gather signatures to trigger a referendum. Or, to put it more succinctly: other countries cling firmly to their constitution and change their governments. We hold on to our government and instead change the constitution. But that has not always been the case, nor did it happen 'just like that'. The 'Swiss Confederation – a brief guide' explains how it came about. Happy reading!

Walter Thurn

Federal Chancellor Walter Thurnherr
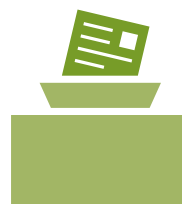
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Complementary resources to accompany the brochure:
- CH info app for smartphones and tablets
- Website www.ch-info.swiss
- Teaching material
- Barrier-free PDF for the visually impaired

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Switzerland

Democracy

Parliament

Government

Courts

Switzerland
Regardless of whether it is sewn or printed, the Swiss flag is the only national flag in the world that is square. Thanks to its symmetry, it is **impossible to hang it the wrong way round. On ships, however, the flag may also be rectangular. The colour, shape and rules governing its use are defined in a 90-page set of regulations.**

Switzerland

Switzerland is a small country with a population of 8.7 million people. It has 4 language regions and 26 cantons, which are largely independent and consist of numerous local authorities or communes. Multilingualism and federalism have their roots in the past, yet still shape Switzerland today. Its neutrality is recognised by all states of the world.

26 cantons
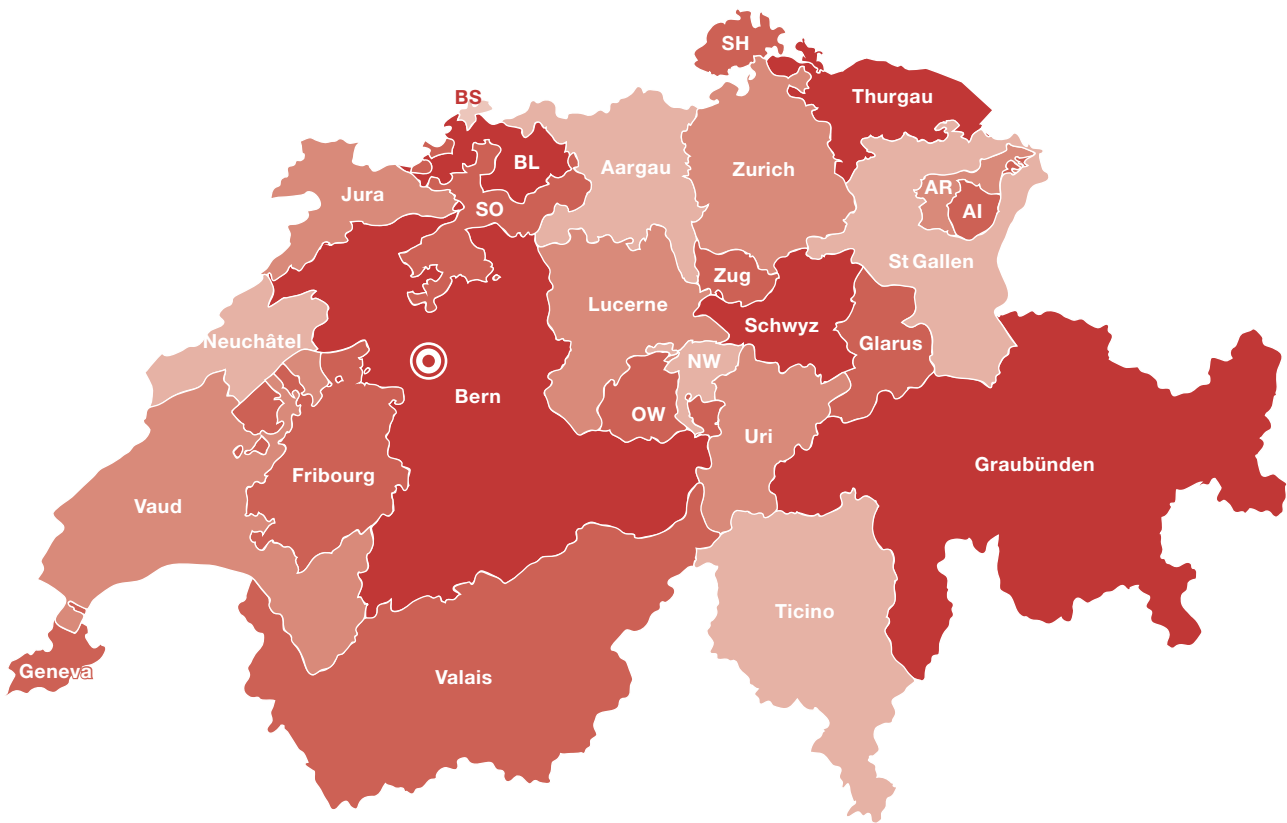
Statistics about Switzerland

AI	Appenzell Innerrhoden	NW	Nidwalden
AR	Appenzell Ausserrhoden	OW	Obwalden
BL	Basel-Landschaft	SH	Schaffhausen
BS	Basel-Stadt	SO	Solothurn

8.7 million people

There are 8.7 million people living in Switzerland, about a quarter of them without a Swiss passport. More than half of these foreign nationals were either born in Switzerland or have been living here for at least ten years. The majority of the foreign population comes from an EU country. The largest foreign national groups are from Italy (15 %), Germany (14 %) and Portugal (11 %).

■ **Swiss citizens 6.5 millions**
■ **Non-Swiss citizens 2.2 millions**

4 national languages

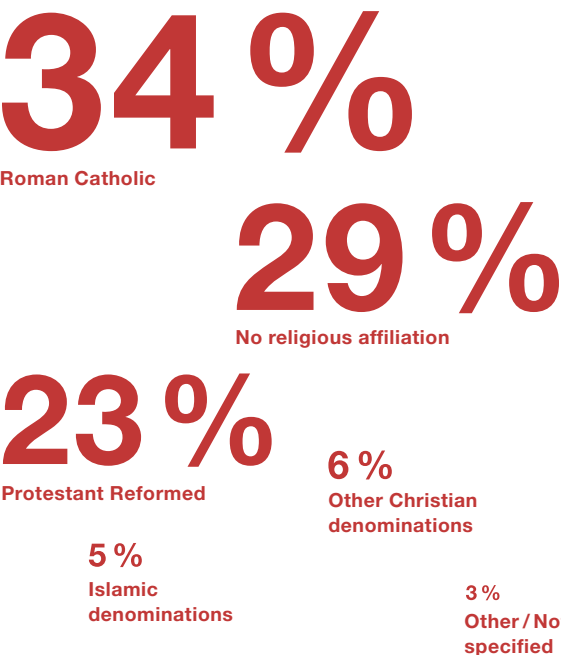Switzerland is a multilingual country. The four national languages are German, French, Italian and Romansh. 62 per cent of the population primarily speak (Swiss-) German, 23 per cent French, 8 per cent Italian and 0.5 per cent Romansh. For 23 per cent of the population, their mother tongue is not one of Switzerland's national languages. Many people state that they have two main languages, i.e. they are bilingual.

62% German
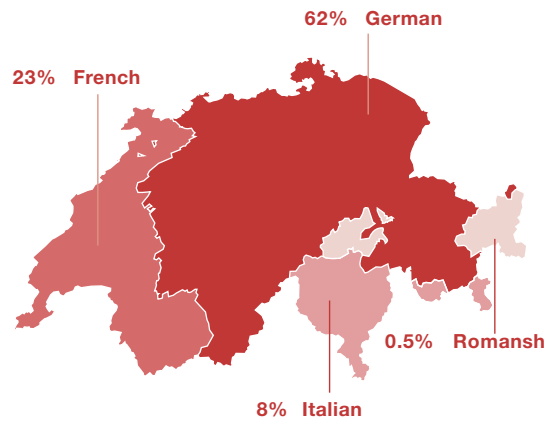**23% French**
0.5% Romansh
8% Italian

Christian majority

Switzerland is a Christian country. 63% of its population are either Catholic or Protestant (Reformed Evangelical). Freedom of religion in Switzerland also allows other religious communities to practise such faiths as Judaism, Islam and Buddhism. The number of people – particularly city dwellers – with no religious affiliation is growing.

34 %
Roman Catholic

29 %
No religious affiliation

23 %
Protestant Reformed

6 %
Other Christian denominations

5 %
Islamic denominations

3 %
Other / Not specified

High life expectancy

People in Switzerland are getting older and older and have fewer children than before. Average life expectancy is one of the highest in the world: it is 82 years for men and 86 years for women. Women have 1.5 children on average. The proportion of people over 64 years of age in the population has increased, while that of people under 20 years of age and 20 to 64 years of age has declined.

1950 1960 1970 1980 1990 2000 2010 2020

■ **Under 20 years**
■ **20 to 64 years**
■ **65 years and older**
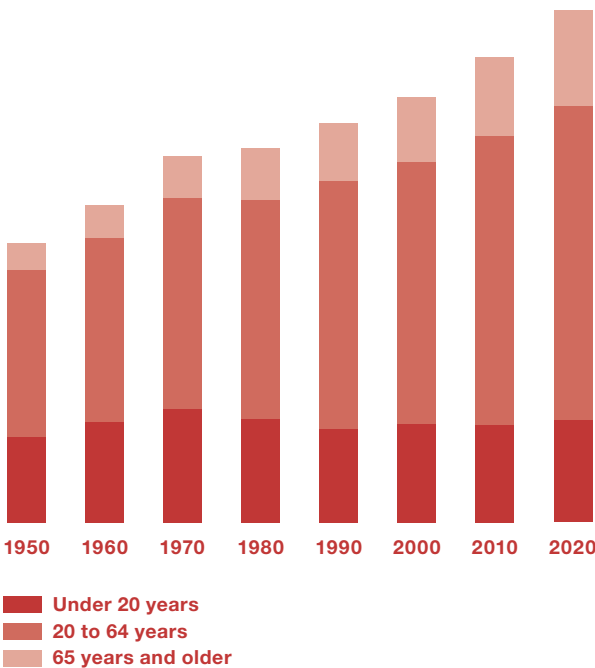
The history of Switzerland

Switzerland developed over the centuries from a collection of different alliances to a confederation of states and finally to the federal state we know today. Its national borders and neutrality were established and recognised internationally in 1815. Its political system dates back to the Federal Constitution of 1848. Since then the powers of the federal government, political rights and political diversity have increased significantly.

1847 – 1848
Sonderbund War
Liberals against conservatives

Diverging views on how the Confederation would be organised led to a civil war between liberal and Catholic conservative cantons. It was a war from which liberal forces emerged victorious.

1848
Federal Constitution
Democratic federal state

The Federal Constitution provided most citizens (men) with various rights and freedoms, including the right to vote and be elected. The bicameral system was introduced at federal level with the National Council and Council of States electing the Federal Council. Some powers were centralised. Switzerland developed into a unitary judicial and economic area.

1874, 1891
Expanded democracy
Initiative, referendum

The revised Federal Constitution transferred more tasks to the federal government and broadened democratic rights at federal level. The referendum was introduced in 1874 and the popular initiative in 1891. (→ p. 22)

1914 – 1918
First World War, General strike
Socialist ideas

Poverty and unemployment during the First World War and socialist ideas from the Russian Revolution culminated in a general strike in 1918.

1291
Old Confederation
Alliances

Shifting alliances between cities and outlying areas served to maintain internal political order and external independence. In 1291 the original forest cantons of Uri, Schwyz and Unterwalden entered into the first documented alliance. In the following centuries, the Confederation continued to grow through alliances and territorial conquests.

1798–1802
Helvetic Republic
Unitary state under foreign control

Following the French invasion in 1798, the Confederation was transformed into the Helvetic Republic: a unitary state ruled from Paris.

1803–1814
Mediation
Loose foreign control

After civil wars broke out between federalists and supporters of the Helvetic Republic, Napoleon ordered a constitution based on the Act of Mediation, which restored some autonomy to the cantons and set most of the cantonal borders.

1815
Federal Treaty
Neutrality and alliance of states

With the defeat of Napoleon, the great European powers recognised Swiss neutrality and set Switzerland's borders as they are today. The Federal Treaty of 1815 brought together the various federal alliances into a single confederation of states.

1919, 1929
Proportional representation
Towards consensus democracy

In 1919, the National Council was elected on a proportional basis and a second Catholic Conservative (CVP/The Centre today) entered the Federal Council. A member of the Farmers', Trades' and Citizens' Party (SVP today) entered the Federal Council in 1929.

1939–1945
Second World War
Inclusion of the left

Against the backdrop of the Second World War, the political forces from left to right moved closer together. In 1943 Parliament elected a Social Democrat into government, and in 1951 the left-wing party gained a second seat on the Federal Council. Since 1959, the Federal Council has comprised members from four political parties (→'magic formula' p. 51).

1971
Equal opportunities
Women's franchise

In February 1971, 66% of the electorate, then exclusively male, voted in favour of the women's franchise at federal level. Most cantons and communes also gave women the vote following this decision.

2000
Third Federal Constitution
Continuity and openness

The totally revised Federal Constitution regulated the division of tasks between the Confederation and the cantons. In 2000, Swiss voters approved the bilateral agreements between Switzerland and the European Union. Two years later they voted in favour of joining the United Nations. (→ p. 14/15)

Federalism

Switzerland is a federal state: state power is shared between the federal government, the cantons and the communes. The cantons and communes have broad scope in carrying out their responsibilities. Federalism makes it possible for Switzerland to exist as one entity – in spite of four linguistic cultures and varying regional characteristics.

1

Switzerland, which is also referred to as the Swiss Confederation, has been a federal state since 1848.

26

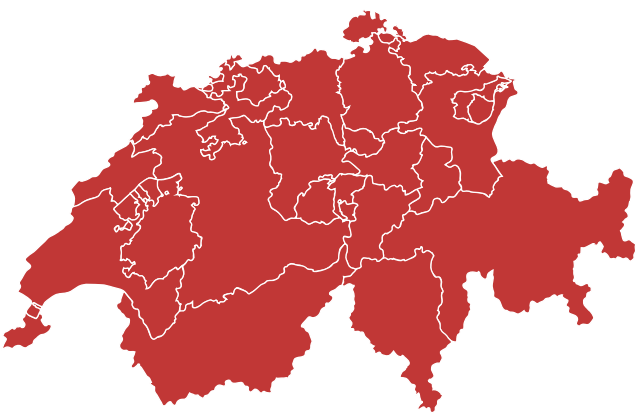**The Confederation is made up of 26 cantons.**

Confederation

The Federal Constitution defines the Confederation's tasks and responsibilities. These include Switzerland's relations with the outside world, defence, the national road network, and nuclear energy. Switzerland's Parliament, the Federal Assembly, is made up of the National Council and the Council of States; the government comprises seven federal councillors, and the Federal Supreme Court is responsible for national jurisprudence. The Confederation is financed among other means through direct federal tax.

Cantons

Each canton has its own parliament, government, courts and constitution. The cantonal constitution may not contradict the Federal Constitution. The cantons implement the requirements of the Confederation, but structure their activities in accordance with their particular needs. They have broad scope in deciding how to meet their responsibilities, for example in the areas of education and healthcare, cultural affairs and police matters. Each canton levies its own cantonal taxes.

85 % of the domestic population lives in urban areas.

11 % of all Swiss citizens live outside Switzerland: 788 000 'Swiss Abroad'.

Four cantons are officially multilingual: Bern, Fribourg and Valais have two official languages, Graubünden even has three.

People's assemblies (Landsgemeinde) are still held in the cantons of Appenzell Innerrhoden and Glarus.

The National Fiscal Equalisation system is an important instrument in ensuring Switzerland's cohesion and reflects its desire for solidarity. The economically stronger cantons and the federal government assist the financially weaker cantons.

2136

The 26 cantons are divided into 2136 communes.

Communes

Each canton determines itself the division of responsibilities between it and the communes. The responsibilities of the communes include local planning, running schools, social welfare and the fire service. Larger communes and cities have their own parliaments, and organise their own referendums. In smaller communes, decisions are made by the citizens at communal assemblies. Each commune levies a communal tax.

The smallest commune (Kammersrohr, SO) has a population of 33, the largest approximately 423,000 (City of Zurich).

An average of approximately 38 communes merge every year, thereby reducing the total number of communes.

When it comes to fulfilling their tasks, each canton starts with a different set of circumstances: there are smaller, larger, more urban, more rural and more mountainous cantons. The National Fiscal Equalisation system is designed to reduce the economic disparities between the cantons.

The federal government and seven of the cantons are net contributors: ZG, SZ, NW, GE, BS, ZH, OW.
The remaining 19 cantons receive equalisation payments.
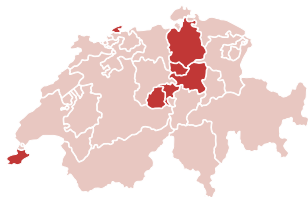
- ● **Net contributors (7)**
- ● **Net beneficiaries (19)**

In 2021, CHF 5.2bn flowed into the fiscal equalisation system: 3.5bn from the federal government, 1.7bn from the cantons.

3.5
1.7
5.2

The examples of Jura and Zug
The Canton of Jura, which is financially weaker, receives CHF 168m in fiscal equalisation, or CHF 2291 per inhabitant. The Canton of Zug, which is financially stronger, contributes CHF 332m, or CHF 2662 per inhabitant towards fiscal equalisation.

Fiscal equalisation

Video on Federalism (in German)

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International agreements and memberships

Europe

Agreements with the European Union EU

Switzerland is not a member of the EU, but has close relations with it. These are governed by over 100 bilateral agreements primarily concluded in two packages:

The first series of bilateral agreements was accepted by 67% of Swiss voters in 2000. The 7 agreements mainly cover economic matters. The main aim is to facilitate market access for both sides (goods, services, labour). The EU member states and especially the neighbouring countries are Switzerland's most important trading partners. Switzerland is the fourth most important trading partner for the EU.

The second series of bilateral agreements governs further economic aspects, as well as cooperation in the fields of asylum, security, the environment and culture. There are 9 agreements, including the Schengen-Dublin agreement, which was approved by 55 % of voters in 2005. Schengen facilitates transnational mobility and cooperation on justice and police. Dublin facilitates coordination on asylum proceedings.

27 member states
Headquarters in Brussels
Since 1951 (formerly ECSC, EEC from 1957)

International Geneva
42 international organisations and 420 non-governmental organisations (NGOs) are based in Geneva. Around 32,000 international officials work there. International conferences and gatherings are held there all the time.

Memberships

EFTA
The European Free Trade Association promotes free trade between its members Switzerland, Liechtenstein, Iceland and Norway. Together with the EU countries, the EFTA countries – excluding Switzerland – form the European Economic Area (EEA). Swiss voters rejected membership of the EEA in 1992.

4 member states
Headquarters in Geneva
Founded in 1960, Switzerland a founding member

Council of Europe
The Council of Europe focuses its work on promoting human rights, democracy and the rule of law. The European Convention on Human Rights (ECHR) is one of the Council of Europe's major achievements. Signed by all member states, the ECHR gives every citizen the right to lodge a complaint with the European Court of Human Rights in the event of a violation of the rights or freedoms it guarantees.

47 member states
Headquarters in Strasbourg
Founded in 1949, Switzerland a member since 1963

Neutrality
Switzerland is a neutral state: it may not take part in armed conflicts or enter into military alliances. Switzerland's neutrality is recognised worldwide. That is why it is often asked to mediate in conflicts or exercise protective power mandates.

Neutrality

Switzerland is a neutral country with worldwide connections: it has ties with the European Union through a network of bilateral agreements, and it is a member of the United Nations and other international organisations. Experts and politicians from around the world meet in Geneva to work together internationally.

World

Memberships

UN

193 states of the world belong to the United Nations. It is committed to promoting peace and international security, worldwide cooperation in solving international problems and respect for human rights. Switzerland has been a member of the UN since 2002: In a referendum, accession was accepted by 55 % of Swiss voters. Switzerland is member of the UN Security Council in 2023/2024.

193 member states
Main headquarters in New York, European headquaters in Geneva and Vienna
Founded in 1945, Switzerland a member since 2002

OSCE

The Organization for Security and Cooperation in Europe, with its participating states in North America, Europe and Asia, is the world's largest regional security organisation. As a political forum for dialogue, it addresses a broad range of security issues, promotes peace and seeks to resolve conflicts. It mediates between parties involved in conflict and supports democratisation and media freedom.

57 participating states
Headquarters in Vienna
Founded in 1975, Switzerland a founding member

UNESCO

The United Nations Educational, Scientific and Cultural Organisation, also active in the field of communication, is a forum for international cooperation and the development of global standards. Its aim is to promote solidarity among people and thereby contribute to peace, security and sustainable development.

193 member states
Headquarters in Paris
Founded in 1945, Switzerland a member since 1949

WTO

The World Trade Organization regulates and promotes global trade relations. The aim of the WTO agreements is to ensure transparent, functioning and non-discriminatory trade. WTO members undertake to comply with certain basic rules in shaping their trade relations.

164 member states
Headquarters in Geneva
Founded in 1995, Switzerland a founding member

OECD

The Organisation for Economic Cooperation and Development is a forum for exchanging knowledge in a wide variety of fields. Its goal is to promote prosperity, quality of life and equal opportunities. The OECD develops international standards and regularly publishes international statistics and studies, including the PISA studies.

38 member states
Headquarters in Paris
Founded in 1961, Switzerland a founding member

Partnerships

NATO Partnership for Peace

Switzerland is not a member of NATO, but cooperates with it within the framework of the Partnership for Peace and the Euro-Atlantic Partnership Council. NATO is a political and military defence alliance of 30 European and North American countries. Together with partner countries, it works for security and peace.

30 members
Headquarters in Brussels
Founded in 1949

Direct democracy
Highly charged topics make for a packed hall:
citizens in the commune of Meyriez (FR) vote on
an additional credit for the zoning plan proposed
to them by the communal council.

Four out of five communes in Switzerland hold
communal assemblies where voters can directly
decide on political proposals.

Direct democracy

Is there any other country where people have as many democratic rights as in Switzerland? People vote on specific issues three to four times a year. Every four years there are parliamentary elections. The separation of powers ensures that power is not concentrated in the hands of any single person or political party: this is a fundamental principle of Swiss democracy.

Turnout for votes and elections

Usually around 48 % of those eligible to vote cast their ballots in federal votes. Voter turnout may be higher or lower depending on the issue that is being voted on. Turnout is similar in elections: just under 50 % of Swiss women and men normally vote in federal elections.

Casting your ballot

Voters have various ways of casting their ballots:

- **By post:** voters send their ballot paper by post in the official envelope or pop it in the mail box at their local council offices.
- **At the ballot box:** voters can put their ballot paper in the ballot box at the local polling station.

E-voting

Between 2004 and 2019, more than 300 e-voting trials took place during elections and referendums across 15 cantons. In 2019, the federal government decided to reframe the trial phase and has since been working with the cantons to establish trials using a fully verifiable system.

### People's assemblies (Landsgemeinden)

In the cantons of Glarus and Appenzell Innerrhoden, several thousand voters gather outdoors once a year to vote in a people's assembly (Landsgemeinde). They vote to elect their representatives and to decide on proposals that affect their canton. The people's assembly is an ancient form of Swiss democracy.

Political system

Separation of powers

Power is divided among the three branches of the State, the legislature (Parliament), the executive (Federal Council) and the judiciary (courts).

Branch

Legislature

Executive

Judiciary
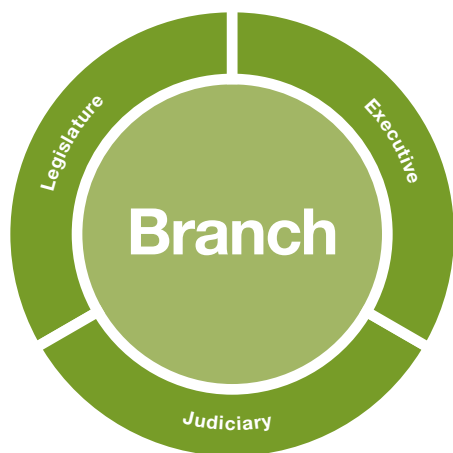
Right to vote and to be elected

Swiss citizens aged 18 and over have the right to vote and they can stand as candidates for public office. Around 5.5 million people are eligible to vote.

18
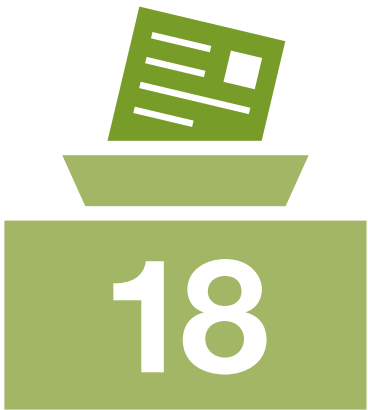
Popular votes

The Swiss are world champions at voting: they vote on every amendment to the Constitution. By launching a popular initiative or calling for a referendum, citizens can demand that a vote be held on a political issue.

Voting today

A wide range of parties

Switzerland's political landscape is home to a diverse range of parties, none of which has a majority at federal level – neither in Parliament nor in the Federal Council.

The GREENS

GLP

FDP

SP

The Centre

EVP

SVP

Others

Separation of powers

The Swiss people

= 10 000 people

The Swiss people elect the Parliament (the legislature): The 200 members of the National Council and the 46 members of the Council of States.

National Council

Council of States
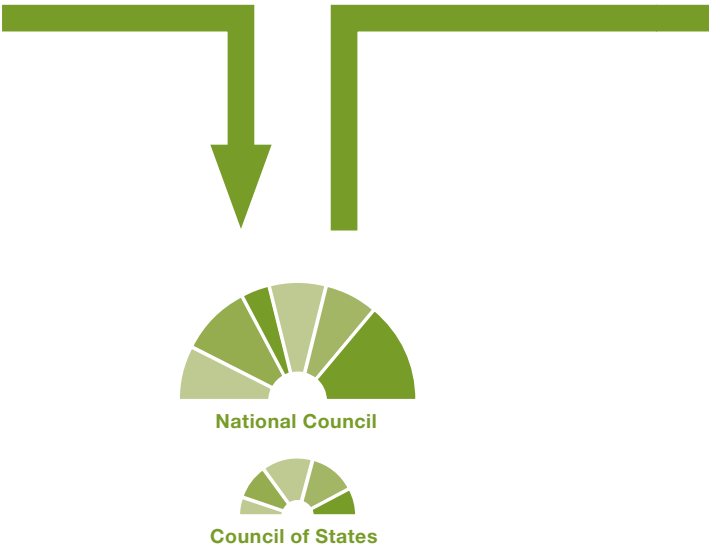
The Legislature
Parliament

Passing laws

Parliament decides on new laws and oversees the Federal Council and the Federal Administration as well as the federal courts and the Office of the Attorney General of Switzerland. It comprises two chambers: The National Council represents the People, while the Council of States represents the 26 cantons. The two Councils have equal powers. Together they make up the United Federal Assembly. (→ p. 30ff.)

The separation of powers prevents a concentration of power in the hands of any individual person or institution. It is a basic principle of democracy: power is divided among the three branches of state, the legislature, executive and judiciary. No one may serve more than one of the three branches of state at any given time.

Parliament elects the government (the executive):
The seven members of the Federal Council and the Federal Chancellor.

Parliament appoints the judges (the judiciary):
The president of the Federal Supreme Court and the judges of the four federal courts.

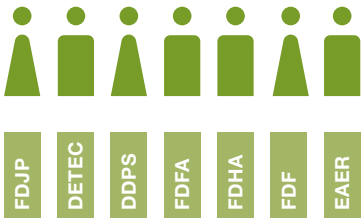Parliament also appoints the Attorney General: he or she heads the Office of the Attorney General of Switzerland, which prosecutes offences involving explosives and espionage as well as offences committed by federal employees while carrying out their official duties.
www.attorneygeneral.ch

FDJP DETEC DDPS FDFA FDHA FDF EAER

The Executive
The Government

Implementing laws
The Federal Council is Switzerland's government: it draws up new laws and ensures that the decisions of Parliament are implemented. It comprises seven equal members; they reach their decisions together. Each Federal Councillor heads a department. The seven departments and the Federal Chancellery make up the Federal Administration. (→ p. 48ff.)

The Judiciary
The Courts

Laying down the law
There are four federal courts. The highest court is the Federal Supreme Court: it hears appeals against the judgments of the other courts and issues the final judgment in most cases. The Federal Criminal Court, the Federal Administrative Court and the Federal Patent Court are the federal courts of first instance. Most of their decisions can be appealed to the Federal Supreme Court. (→ p. 74ff.)

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Votes

The electorate decides on political issues up to four times a year. Votes are held on popular initiatives and on certain parliamentary decisions, in most cases having to do with constitutional or legislative amendments.

Changing the Constitution

In Switzerland, every amendment to the Constitution must be put to a vote **(mandatory referendum)** – whether the proposed amendment was passed by Parliament or put forward by popular initiative.
For a new constitutional article to come into force, the consent of a majority of the People (popular majority) and the cantons (majority of the cantons) is needed **(double majority).** A popular vote is also 'mandatory' for Switzerland to join an organisation for collective security or a supranational community (e.g. the UN or the EU). Switzerland can only join such an organisation or community if a double majority is achieved.

Swiss citizens aged 18 and over are eligible to vote and may cast their ballots in federal votes.

Putting a stop to a new law

If Parliament passes a new law or approves an international treaty, those eligible to vote may request a referendum against it **(optional referendum).**
If they are successful, a referendum is held in which the law or treaty in question is put to a vote. A majority of voters must approve the law or referendum for it to come into force **(simple majority).**

2023 voting dates
Votes are scheduled to take place on the following Sundays in 2023:

12 March, 18 June and 26 November
(federal elections take place on 22 October)

Information
- Explanatory pamphlets are sent by post to eligible voters
- 'VoteInfo' app
- www.admin.ch
- www.ch.ch/en/demokratie
- Explanatory videos

Instruments of direct democracy

Popular initiative
Anyone who has the right to vote in Switzerland can launch or sign a popular initiative to amend the Constitution. For a vote to be held on a popular initiative, 100,000 valid signatures must be collected within a period of 18 months.

Popular initiatives were introduced at federal level in 1891. 228 have been voted on since then. 25 were successful.

As of 31 December 2022, 25 initiatives were at the signature-gathering stage, 9 were pending before the Federal Council or Parliament. None were ready to be put to a vote.

Optional referendum
To bring a decision made by Parliament to a vote (e.g. to stop a new law from passing), anyone who has the right to vote can launch an optional referendum. To do so, they must collect 50,000 valid signatures within 100 days. An optional referendum is also held upon request by eight cantons ('referendum requested by the cantons').

The optional referendum was introduced in 1874. 208 have been held since then; 87 of the proposals were rejected by voters.

As of 31 December 2022, the referendum period was running for 25 federal acts and decrees. Signatures were being gathered for a vote on 5 proposals.

Videos on proposals submitted to the vote of the People

Number of people entitled to play a part in political life as a proportion of the overall population

Votes held in 2022

8 700 000
people live in Switzerland

5 500 000
have the right to vote
(i.e. are at least 18 years old
and have a Swiss passport)

2 600 000
on average take part in votes

100 000
can trigger a popular vote to amend
the Constitution ('popular initiative')

50 000
can trigger a popular vote on a
new law ('optional referendum')

13 February
Popular Initiative 'Yes to a ban
on animal and human experi-
ments – Yes to research that
brings safety and progress'
No 79.1 %

Popular Initiative 'Yes to pro-
tecting children and young
adults from tobacco advertising
(No tobacco ads for children
and young adults)'
Yes 56.7 %

Amendment of the Federal Act
on Stamp Duty
No 62.6 %

Federal Act on a Package of
Measures to Support the Media
No 54.6 %

15 May
Amendment of the Film Act
Yes 58.4 %

Amendment of the Transplanta-
tion Act
Yes 60.2 %

Adoption of EU Regulation on
the European Border and Coast
Guard
Yes 71.5 %

25 September
Popular Initiative 'Say no to
factory farming in Switzerland'
No 62.9 %

Supplementary financing of
OASI
Yes 55.1 %

Reform of Old Age and
Survivors' Insurance (AHV 21)
Yes 50.6 %

Amendment to the Federal Act
on Withholding Tax
No 52 %

27 November
No vote was held as no voting
proposals were ready.

Effects of initiatives and referendums

Even if most initiatives fail and only very few laws are
stopped by a referendum, these two instruments can still
have a major impact:

- They lead to public discussions on the topics they
  involve.
- They can influence legislation: groups that are likely to
  launch a referendum are taken into consideration in the
  drafting of new laws (→p. 42/43).
- The Federal Council and Parliament will sometimes
  make counter-proposals to initiatives, to address the
  initiative's concerns in a different way.

Elections

Elections to the Federal Assembly are held every four years. Voters aim to elect the 246 members of parliament that best represent their views. They have a large number of candidates from a wide range of parties from which to choose.

Elections to the National Council

Elections to the National Council are federal elections. The provisions of the Federal Act on Political Rights apply in all cantons.

Right to vote and to be elected
Swiss citizens over the age of 18 are eligible to vote: not only can they vote for the members of the National Council (right to vote), they can also stand for election to the National Council (right to be elected).

Elections based on proportional representation
Elections to the National Council in most cantons are based on a system of proportional representation: seats are allocated in proportion to the number of votes each party or party list receives.

Election guide
An election guide explains how to complete and return the official ballot papers correctly in cantons with more than one seat in the National Council. Every voter is sent the guide, which is also available online.

Dates
The most recent federal elections were held on 20 October 2019. The next elections to the National Council and (in most cantons) the Council of States will be held on **22 October 2023**

Elections to the Council of States

Elections to the Council of States are governed by cantonal law: each canton has its own rules on who is eligible to vote, when elections are held, what the election procedure is and how ballot papers are completed. However, the following rules are the same in all 26 cantons: elections to the Council of States are held every four years and candidates for election to the Council of States must be at least 18 years old and hold Swiss citizenship.

Elections based on the simple majority system
Elections to the Council of States in almost every canton are based on the simple majority system: the person who receives the most votes is elected.

- **Absolute majority:** the person who receives more than half of all the votes cast is elected.
- **Relative majority:** the person who receives more votes than any of the other candidates is elected.

Examples of cantonal differences
In the canton of Glarus, Swiss citizens aged 16 and 17 can also vote in elections to the Council of States. Candidates for the Council of States must be under the age of 65. In Appenzell Innerrhoden, voters elect their member of the Council of States at an outdoor assembly ('the Landsgemeinde'), which is always held in the April before the elections to the National Council. In the cantons of Jura and Neuchâtel, a system of proportional representation is used, while in the other cantons the simple majority system applies. Swiss citizens living abroad are only eligible to vote in certain cantons.

Who has the right to vote?

Video How to vote? (in German)

Guide to the 2019 National Council elections (in German)

Votes and elections

Parties from left to right

In the elections to the Swiss parliament, there are quite a number of parties to choose from, some very different from others. They differ from each other in their views on the role of the state, society and the economy.

Whereas left-wing parties (SP, the Greens) favour a highly developed social state, right-of-centre parties (FDP, SVP) advocate a liberal economic policy and personal responsibility. Certain political issues are neither distinctly left nor right-wing, i.e. environmental protection, the question of how open Switzerland should be towards the EU and international organisations, and issues regarding liberal values (e.g. same-sex partnerships). Depending on the issue, centre parties (e.g. 'The Centre', previously the CVP) will cooperate with either left or right-wing parties.

Political parties help to form political opinion, nominate candidates for public office and launch initiatives and referendums. Parties differ from each other in their views on the role of the state, society and the economy

Elections are decisive

Even in Switzerland most issues are decided by Parliament or the government. However, between the elections in 2015 and 2019, the electorate was called on to vote on 33 specific proposals. In the same period, Parliament passed 464 laws, including 134 federal acts and 94 federal decrees. It also elected the government, the members of the federal courts and the Attorney General.

What does 'left-wing' mean?
- A strong social state that levels social disparities
- Emphasis on workers' interests
- Price controls, public services
- More peace policy, less military

What does 'right-wing' mean?
- Freedom and personal responsibility; the state intervenes only where absolutely necessary
- Emphasis on employers' interests
- Free enterprise, economic incentives
- Strong national defence

Party strengths (shares of the vote in elections to the National Council 2019)

● FDP	● Small centrist parties (LDU, EVP, CSP)
● CVP	● GLP
● SP	● BDP
● SVP	

● Small left-wing and green alternative parties (PdA, EàG, etc.)	● Small right-wing parties (Lega, MCR, EDU, etc.)
● The GREENS	● Others
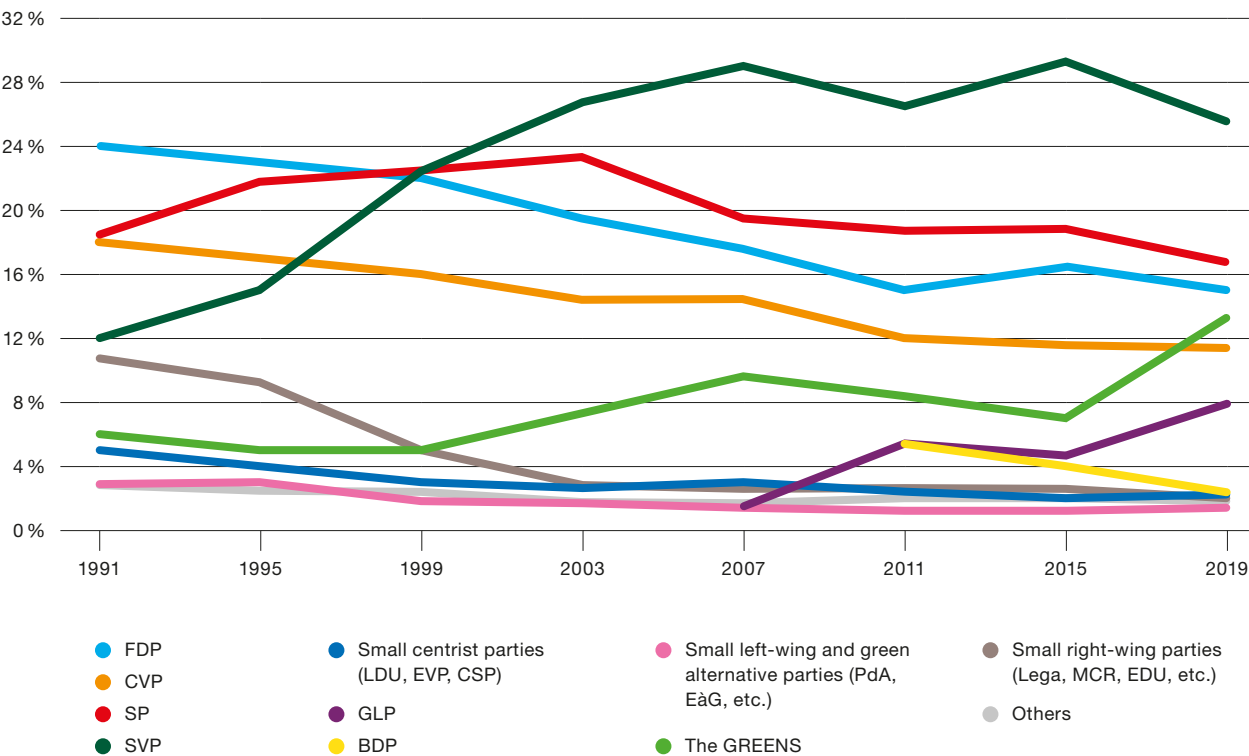
Political parties in the Federal Council and in Parliament

Switzerland's political landscape comprises many different parties, of which none holds a majority at federal level. In the 2019–2023 legislature period, eleven political parties are represented in the National Council. Five of those are also represented in the Council of States, four in the Federal Council.

The next elections to the National Council and (in most cantons) the Council of States will take place on 22 October 2023: the electorate will then decide which parties are represented in Parliament and how the seats are allocated. On 13 December 2023, the newly elected Parliament will then elect the members of the Federal Council.

At the last National Council elections in 2019, the two ecological parties made the largest gains: the Greens gained 17 seats, the glp 9 seats. The SVP lost 12 seats, but remained the strongest party in the People's chamber. The other Federal Council parties also lost seats: the SP and the FDP both lost 4 seats, while the CVP lost 2 seats.

Federal elections 2023

	SVP – Swiss People's Party	SP – Swiss Social Democratic Party	FDP – FDP.The Liberals	The Centre**
	Party President **Marco Chiesa**	Co-Presidents **Mattea Meyer Cédric Wermuth**	Party President **Thierry Burkart**	Party President **Gerhard Pfister**
Share of the vote*	**25.6 %**	**16.8 %**	**15.1 %**	**13.8 %****
Federal Council	**2**	**2**	**2**	**1**
National Council	**53**	**39**	**29**	**28****
Council of States	**6**	**9**	**12**	**13**
	www.svp.ch	www.sp-ps.ch	www.fdp.ch	www.die-mitte.ch

* Share of the vote at the 2019 parliamentary elections ('party strength') → p. 25

The GREENS Switzerland

Party President
Balthasar Glättli

Share of the vote* **13.2 %**
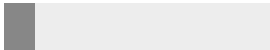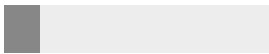
Federal Council	0
National Council	28
Council of States	5

www.gruene.ch

glp – Swiss Green Liberal Party

Party President
Jürg Grossen

Share of the vote* **7.8 %**
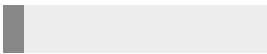
Federal Council	0
National Council	16
Council of States	0

www.gruenliberale.ch

EVP – Swiss Evangelical People's Party

Party President
Lilian Studer

Share of the vote* **2.1 %**
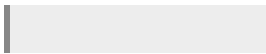
Federal Council	0
National Council	3
Council of States	0

www.evppev.ch

EDU – Federal Democratic Union

Party President
Daniel Frischknecht

Share of the vote* **1.0 %**
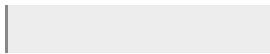
Federal Council	0
National Council	1
Council of States	0

www.edu-schweiz.ch

LdT – Lega dei Ticinesi

Party President
vacant

Share of the vote* **0.8 %**
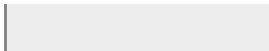
Federal Council	0
National Council	1
Council of States	0

www.lega-dei-ticinesi.ch

PdA – Swiss Workers' Party

Party President
Gavriel Pinson

Share of the vote* **0.8 %**
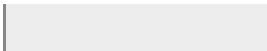
Federal Council	0
National Council	1
Council of States	0

www.pda.ch

EàG Ensemble à Gauche

Party President
Pierre Vanek

Share of the vote* **0.3 %**
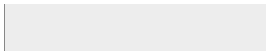
Federal Council	0
National Council	1
Council of States	0

www.eag-ge.ch

Parties with similar political convictions come together in parliamentary groups (→ p. 36).

** Following the merger of the CVP and the BDP, the new party is known as 'The Centre' (since 1.1.2021.)

At the 2019 elections, the parties achieved the following results:

Share of the vote
CVP 11.4 %
BDP 2.4 %

No. of National Council seats
CVP 25
BDP 3

One of the 46 members of the Council of States does not belong to a political party.

The Legislature **Parliament**

Open Day at Parliament: Once visitors pass the security check, they can move around the building freely. In the Domed Hall, it's worth glancing upwards to admire the stained-glass cantonal coats of arms, and the motto in Latin 'One for all, all for one'. It stands for the interplay between the Confederation and the cantons, as laid down in the Federal Constitution of 1848.

The Legislature
Parliament

Parliament passes laws and elects the members of the federal government and the federal courts. It is responsible for the federal budget and exercises oversight over the Federal Administration.
Parliament is elected by the People. It consists of two chambers: the National Council and the Council of States. The National Council represents the people of Switzerland; the Council of States represents the 26 cantons. Each chamber has the same powers, and they conduct the same business. When sitting together in joint session, they constitute the United Federal Assembly.

www.parliament.ch

The home of Swiss political life

The seat of Switzerland's parliament is the Parliament Building in Bern. It was built between 1894 and 1902 according to plans drawn up by Hans Wilhelm Auer, and was inaugurated by the United Federal Assembly on 1 April 1902.

The architect had the aim of creating a national monument. 95 % of the materials used were sourced within Switzerland; contracts were awarded to 173 Swiss firms, while 38 Swiss artists were able to leave their mark in the Parliament Building for posterity. Naturally, Auer was careful to ensure that all of the cantons were represented when awarding the contracts.

The whole building is a reminder that Switzerland is a nation founded on the will of its people, in which different cultures, different linguistic areas and different geographical regions have come together of their own free will to form a political, national entity.

Video about Parliament – 'Erklär mir das Parlament' (in German)

Members in the National Council and the Council of States
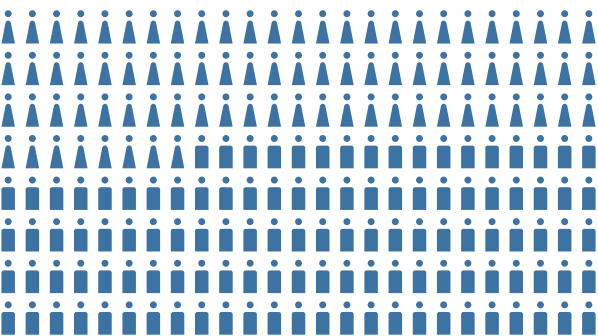
200 members of the National Council

46 members of the Council of States

Strength of parliamentary groups

The Green Liberals
The Centre
SP
FDP
The GREENS
SVP

39 16 31 29 55 30

National Council

The Centre
SP
FDP
The GREENS
SVP

8 14 12 5 7

Council of States
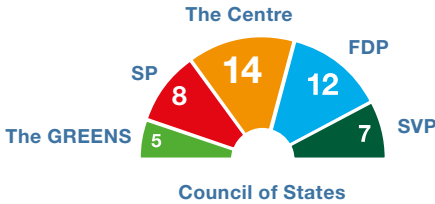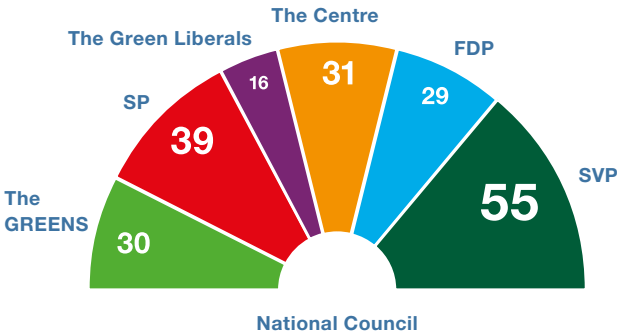
All graphics: Status 16.12.2022

Age groups in the Swiss population and in Parliament

18–29
30–39
40–49
50–59
60–69
70+

Percent   0   5   10   15   20   25   30

● % of the population
● % in Parliament
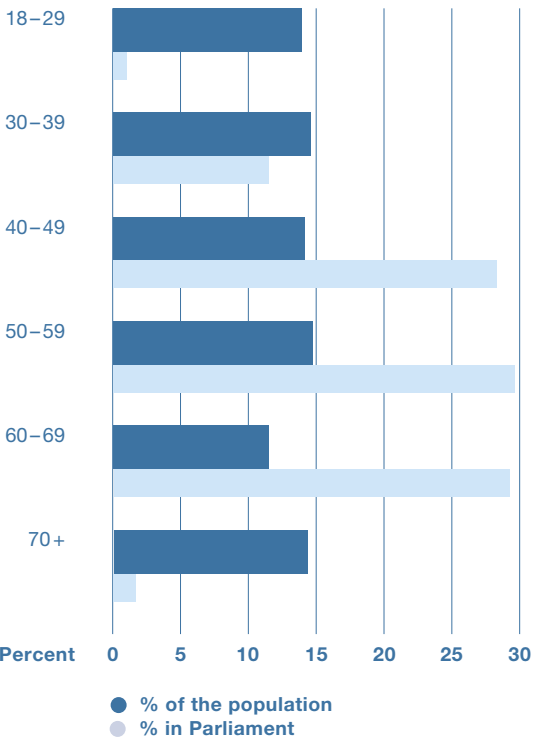
Women and men in Parliament

1972   1988   2004   2023

200
180
160
140
120
100
80
60
40
20
0

CS   NC   CS   NC   CS   NC   CS   NC

● Women   ● Men

31
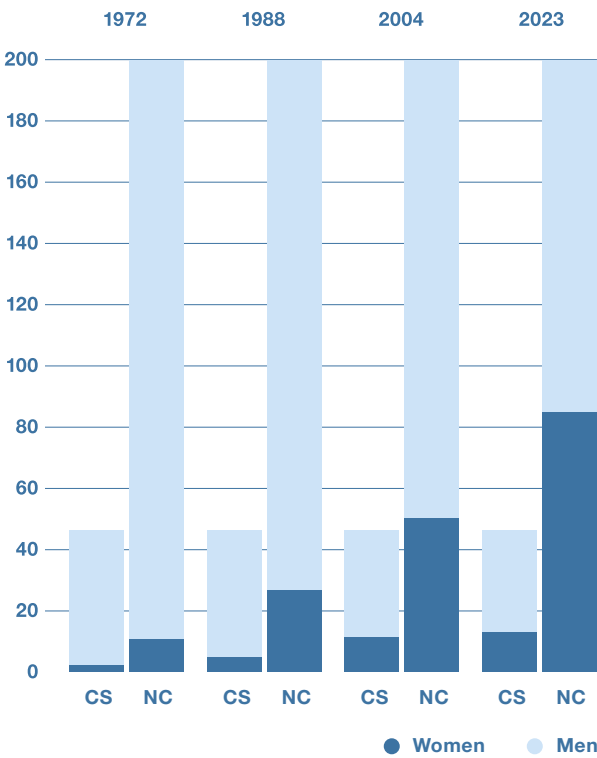
The roles of Parliament

Parliament is responsible for enacting legislation, releasing funding, electing the members of the highest federal authorities and overseeing the Federal Council, the Federal Administration and the federal courts.

§

Legislation

Parliament enacts legislative provisions in the form of federal acts or ordinances. Amendments to the Federal Constitution must be put to the vote of the People and the Cantons.

The Federal Constitution
forms the bedrock of the Swiss Confederation. The People and the Cantons are the gatekeepers of the Constitution. Parliament can draft amendments to the Federal Constitution, but must put them to the vote of the People and the Cantons (→ mandatory referendum, p. 22). People can launch a popular initiative to amend the Constitution (→ p. 22).

Federal acts
formulate in detail the provisions of the Constitution. They are enacted by Parliament, but are subject to an optional referendum (→ p. 22): If 50,000 eligible voters or eight cantons request a referendum, the act is submitted to the People for a vote. A majority of voters must approve the act for it to come into force.

How new laws come about: p. 42/43

Ordinances
complement the acts. The Federal Council and the departments enact most of the ordinances, which are issued without the participation of Parliament. In the case of an important ordinance, the relevant parliamentary committee may request that a draft text be submitted for consultation. Ordinances are not subject to referendums.

Election of federal authorities

The National Council and the Council of States come together for elections to form the United Federal Assembly, which elects the members of the federal government and the federal courts and, in the event of war, appoints a general. During the winter session, it elects one member of the Federal Council as president of the federal government, and another as vice president, each for a one-year mandate. The United Federal Assembly also elects the Federal Council's chief of staff, also known as the Federal Chancellor, and the Attorney General of Switzerland.

Federal Council elections 2019, 2022
During the last Federal Council elections in December 2019, Parliament – sitting as the United Federal Assembly – re-elected all the members of the Federal Council. After gaining over 10 % of the votes for the first time in the October 2019 parliamentary elections, the Green Party was able to put its own candidate on the ballot. The Green Party ran against the FDP, however the FDP federal councillors Karin Keller-Sutter and Ignazio Cassis were able to hold on to their seats after being re-elected by an absolute majority. The newly elected Federal Council therefore remained unchanged

Following the resignations of federal councillors Ueli Maurer (SVP) and Simonetta Sommaruga (SP), Parliament elected two new members to the Federal Council on 7 December 2022: Albert Rösti (SVP) and Elisabeth Baume-Schneider (SP).

Federal Council: p. 50/51

The technical term for the Swiss parliament is 'Federal Assembly'. Article 148 of the Federal Constitution reads, for example: "Subject to the rights of the People and Cantons, the Federal Assembly is the supreme authority of the Confederation."
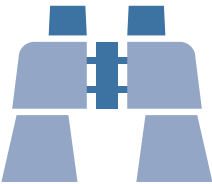
Budget control and oversight

Parliament has sovereignty over federal finances: it determines the budget for the following year, takes note of the Federal Council's budget and approves the state accounts of the previous year. Parliament votes on the budget during the winter session. The items of business move quickly from one chamber to the other. In the event that the National Council and the Council of States are unable to reach an agreement on the federal budget, the lower amount is accepted. The finance and control committees and their delegations are in charge of overseeing the Federal Budget. They check the work of the Federal Council, the Federal Administration and the federal courts, and thereby also examine the effectiveness of these authorities.

Federal revenues and expenses: p. 48 / 49

Video about the roles of the Federal Assembly (in German)
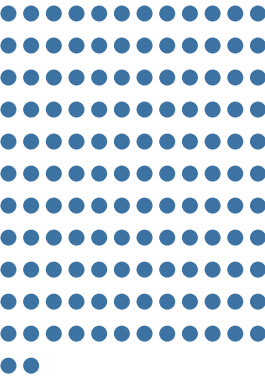
134 federal acts

94 federal decrees
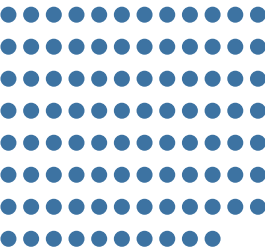
226 simple federal decrees
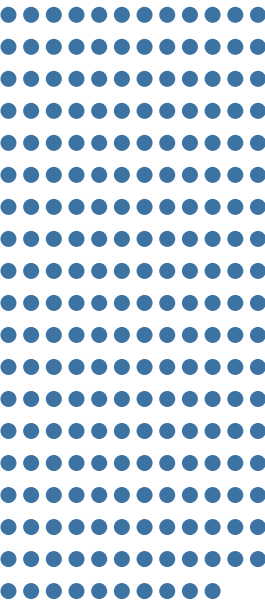
10 ordinances

Legislative provisions are enacted in the form of federal acts and ordinances. The other form of enactment is the federal decree. Referendums are required only for a small number of federal acts. Simple federal decrees and ordinances cannot be stopped by a referendum.

The roles of Parliament

Parliament

33

Organisation of Parliament

The Swiss parliament consists of two chambers: the National Council and the Council of States. The National Council represents the Swiss population, while the Council of States represents the 26 cantons. The two Councils have equal powers: All items of business are handled both by the National Council and the Council of States. The Councils must agree on all items of business before their decisions can come into force.

The large chamber is the National Council

The National Council represents the people living in Switzerland. It has 200 seats. Cantons with a larger population have more seats. Each canton is entitled to at least one seat. Each member of the National Council represents around 42,000 people. The National Council is also known as the 'large chamber' or the 'people's chamber'.

President of the National Council for 2023
Every year, a different member acts as president of the National Council. Martin Candinas (The Centre) will preside over the National Council in 2023. The president plans and directs National Council deliberations, heads the Council Office and represents the National Council externally.

Election based on proportional representation
National Council elections are held every four years in most cantons on a proportional basis. This means that the seats held by a canton are distributed among the different political parties based on the votes they receive. This makes it possible for smaller political forces to be represented in the people's chamber.

National Council elections schedule
The next elections will be held in **October 2023.**

Video about the most important bodies of the Federal Assembly (in German)

The small chamber is the Council of States

The Council of States has 46 seats and represents the cantons. Twenty cantons have two seats, and six cantons have one seat. The six cantons with only one seat were until 1999 listed as 'half cantons' in the Federal Constitution. They are Obwalden and Nidwalden, Appenzell Ausserrhoden and Appenzell Innerrhoden, and Basel-Stadt and Basel-Landschaft. The size of a canton's population is not a determining factor in its number of seats in the Council of States. The canton of Uri, which has a comparatively small population, has the same number of two seats as does the populous canton of Zurich. This system balances out the voting power of the populous cantons in the National Council. The Council of States is often referred to as the 'small chamber' or the 'chamber of the cantons'.

President of the Council of States for 2023
Every year, a different member acts as president of the Council of States. Brigitte Häberli-Koller (the Centre) will preside over the Council of States in 2023. The president plans and directs the Council of States deliberations, heads the Council Office and represents the Council of States externally.

Election based on the simple majority system
Council of States elections are held every four years, in most cantons at the same time as the National Council elections. Council of States elections are almost always based on the simple majority system. This means that the candidate who receives the most votes is elected. The cantons decide individually when and how they elect their representatives to the Council of States.

Council of States elections schedule
The next elections will be held in **April or October 2023.**

President of the National Council 2023
Martin Candinas,
Graubünden
The Centre

What inspired you to enter politics?
My parents ran a small business in the Surselva region and at home we always talked about politics at the dinner table. When I was 18, I joined the youth branch of the CVP Graubünden because I wanted to make a difference. One of the main problems that my friends and I encountered was how to get home after a night out. We started a petition for a night bus service to be set up and it actually happened.

What priorities have you set for your year as president?
The president of the Council of States and I have chosen a common central theme for our presidential year: Gemeinsam – Ensemble – Insieme – Ensemen (together). We want to show how diverse and interesting Switzerland is with its different regions. Of course, my mother tongue, Romansh, is particularly close to my heart.

The United Federal Assembly

The National Council and the Council of States convene as the United Federal Assembly to handle specific items of business. The United Federal Assembly elects the members of the federal government and the Federal Supreme Court, the Federal Chancellor, and the Attorney General of Switzerland. It also meets to take note of statements made by the Federal Council, and rule on conflicts of jurisdiction.

Sessions
The National Council and the Council of States meet for three-week sessions in spring, summer, autumn and winter to deliberate and rule on items of business. The two chambers meet separately, but under the same roof of the Parliament Building in Bern. Council Office, parliamentary group and committee meetings take place in-between sessions.

Schedule of sessions for 2023
Spring session:
27 February – 17 March
Summer session:
30 May – 16 June
Autumn session:
11 – 29 September
Winter session:
4 – 22 December

Special session (if required):
2 – 4 May

Election of the presidents of the National Council and of the Council of States:
4 December

Election of the full Federal Council and election of the President of the Swiss Confederation and of the Vice President of the Federal Council:
13 December

The meetings are open to the public. The debates are broadcast live on the Parliament website, and published after around an hour as a verbatim report with a video in the Official Bulletin:
www.parliament.ch

President of the Council of States 2023
Brigitte Häberli-Koller,
Thurgau
The Centre

What inspired you to enter politics?
I was heavily influenced by an event in my youth. I was with my mother when she went to vote for the first time and I could sense how proud she was when she entered the polling station in the old school house. At that moment I knew that we women – whether young or old – had to get involved in politics. So I was destined for a career in politics.

How do you see Switzerland in 20 years?
In 20 years, Switzerland will still be at the forefront of research and will be successfully involved in various science projects. We will hopefully have achieved the goals set out in the energy strategy. And, 20 years from now, Switzerland should continue to play a mediating role internationally in difficult situations.

Political parties and parliamentary groups

Eleven parties are represented in Parliament, none of which holds a majority (→ p. 26). There are five parties that each make up 10 % or more of the seats in the Federal Assembly (SVP: 24 %, SP: 20 %, FDP: 17 %, The Centre: 15 % and The Greens: 13 %). These parties are all represented in the Federal Council, with the exception of the Green Party, which gained over 10 % of the votes for the first time in the 2019 parliamentary elections. However, parliamentary groups all have greater clout than the parties in the parliamentary process.

Parliament is divided politically into **six parliamentary groups.** They are made up of Council members from the same party or from parties with similar views. Even members of small cantonal parties or independents tend to join a parliamentary group. At least five members are needed to form a parliamentary group.

In the National Council, membership of a parliamentary group is particularly important, since it is a prerequisite for being granted a seat on a committee. The more members a parliamentary group has, the more seats they are entitled to on committees and the greater the influence they have in Parliament. In the Council of States, parliamentary groups play a less important role.

Debates in the Councils
Despite the fact that the two Councils have the same rights, there are clear differences – not least because of their difference in size. In the National Council, debates are more rigorously regulated, and speaking time is restricted. Members of the National Council wishing to express an opinion must step up to the lectern to do so, while members of the Council of States may speak from their seats and are not subjected to speaking restrictions. During Council of States debates, anyone may take the floor. This leaves more room for spontaneity.

The parliamentary groups are important for the formation of political opinion. They discuss important items of Council business with the aim of agreeing on a common position, which can be supported by the Council members in the chamber and before the media and the general public.

National Council chamber

Council of States chamber

Parliamentary group (Status 16.12.2022)	President	Composition / party	Total	NC	CS
● Group of the Swiss People's Party	Thomas Aeschi	**59** SVP, **1** Lega, **1** EDU, **1** independent	62	55	7
● Social Democratic Group	Roger Nordmann	**47** SP	47	39	8
● Centre group (The Centre-EVP)	Philipp Matthias Bregy	**42** The Centre, **3** EVP	45	31	14
● FDP.The Liberals Group	Damien Cottier	**41** FDP.The Liberals	41	29	12
● Green Group	Aline Trede	**33** The GREENS, **1** PdA, **1** EàG	35	30	5
● Green Liberal Group	Tiana Angelina Moser	**16** GLP	16	16	0

Allocation of seats in the National Council
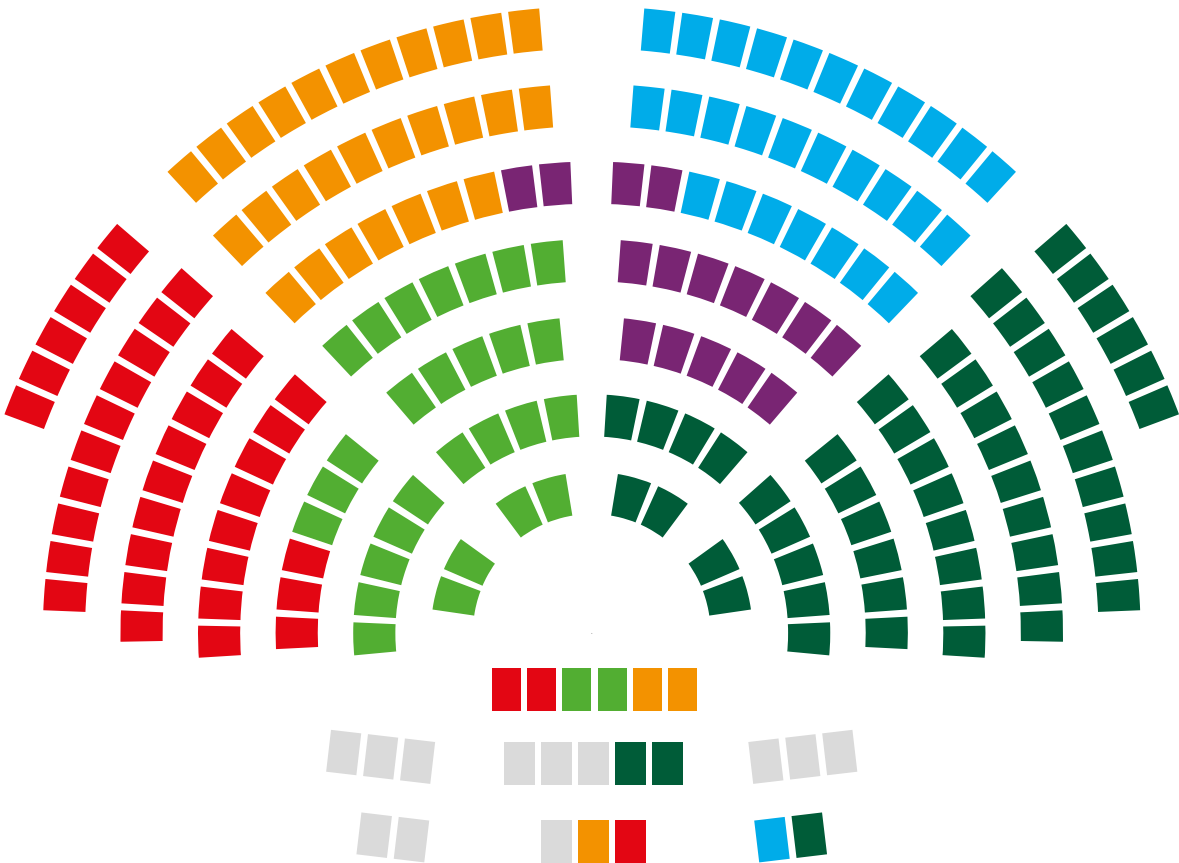
Allocation of seats in the Council of States
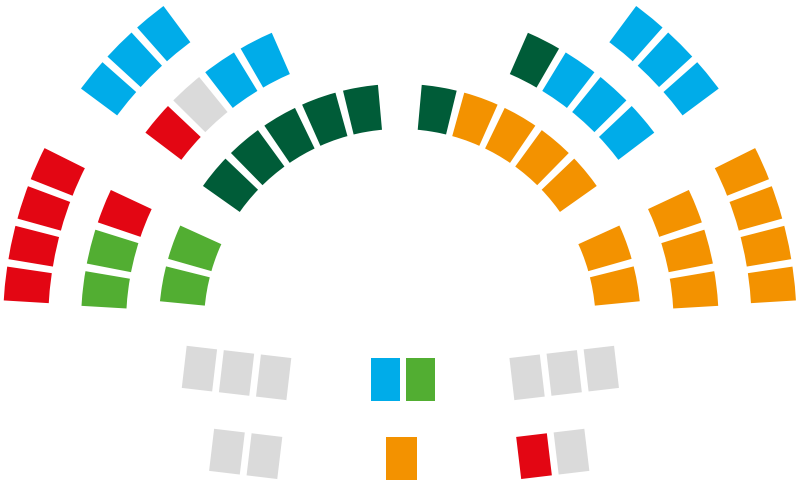
- ● SVP
- ● SP
- ● The Centre
- ● FDP.The Liberals
- ● The GREENS
- ● GLP

Current seating plans:
Who sits where?
(in German)

6

parliamentary groups

11

political parties

9

specialist committees
per Council

2

supervisory committees
per Council

Committees and delegations

The full Parliament is made up of 246 members. It would be difficult for so many people to deliberate an item of business. This is why initial discussions on all items of business take place in committees, which hold their meetings in camera. National Council committees comprise 25 members each, while those in the Council of States comprise 13 members. There are different types of committees:

Specialist committees
The National Council and the Council of States have nine committees that deal with specific areas. They discuss items of business related to their specific area and stay up-to-date on any relevant social and political developments.

Specific areas:
• Legal affairs
• Security policy
• State policy
• Economy and taxes
• Social security and healthcare
• Science, education and culture
• Transport and telecommunications
• Environment, spatial planning and energy
• Foreign policy

Supervisory committees
Each chamber has two supervisory committees: one to oversee federal finances and the other to examine the business of other federal authorities (Finance Committees and Control Committees). The most rigorous means of parliamentary oversight is the Parliamentary Investigation Committee (PInC). Only four PInCs have ever been appointed in the history of Switzerland, the last one in 1996.

Delegations
Delegations are composed of members of both chambers. Three delegations perform supervisory functions; seven delegations represent the Swiss parliament in international parliamentary assemblies; and five additional delegations are in charge of fostering relations with foreign parliaments.

'Zimmer 286', a film about the work of the parliamentary committees (in German)

Parliamentary instruments

Members of the Federal Assembly, parliamentary groups and committees can initiate measures, propose new legislation and request information or reports. These procedural requests are generally addressed to the Federal Council.

- Members of the Federal Assembly, parliamentary groups and committees can table a **parliamentary initiative** to propose draft legislation. If both Councils agree, a committee will draw up the draft legislation.

- A **motion** is used to instruct the Federal Council to draft legislation (an act or an ordinance) or to take a specific measure. A motion must be approved by both Councils.

- A **postulate** is used to instruct the Federal Council to examine and report whether a new law should be drafted or measures taken. A postulate is accepted if a Council agrees to it.

  Before a motion or a postulate is submitted to the Council, the Federal Council puts forward a recommendation. The procedural requests recommended for adoption are expedited. The recommendation is prepared by the relevant department.

- An **interpellation** is a request to the Federal Council for information on important incidents in Switzerland and abroad, and on federal government matters. The Federal Council's response is then sometimes discussed in the Council of States and, in the case of urgent interpellations, also in the National Council.

- **Questions** are used to request information from the Federal Council. The Federal Council answers questions in writing. They are not dealt with in the Council. Urgent questions must be answered by the Federal Council in the same session.

- During **question time in the National Council,** Council members can ask the Federal Council questions on current issues. The questions must be submitted in writing one week in advance and will be answered orally by the responsible head of department.

2022

11.4

2019

10.3

2017

9.0

2010

8.4

2000

4.9

Organisation of Parliament

Parliament

Particularities of Parliament
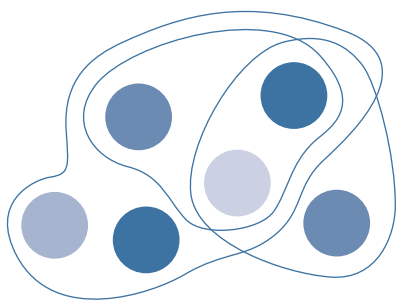
Shifting majorities

Several parties are represented in Parliament, none of which holds a majority. Parliament does not have a lasting majority nor a permanent opposition, as is the case in many other countries. Majorities are built on the basis of the issues and depend on which parties agree on an issue.

Two councils with equal powers

In many countries, parliament is unicameral. In Switzerland, Parliament has two chambers – the National Council and the Council of States – which have exactly the same powers and responsibilities. The two chambers deal with the same business in the same way. They must agree on all points for a bill to come into force, and must use the same wording to adopt legislation. Approval by only one chamber is not enough. It often takes time for the National Council and the Council of States to reach an agreement.

Semi-professional Parliament

Most of the members of the Swiss parliament are not full-time politicians. Part-time politicians bring hands-on expertise to debates due to their professional experience, and they are more grounded and accessible to the people. However, council members spend more and more time on their parliamentary work, some even full-time. This gives Switzerland a mixture of part-time and full-time politicians.
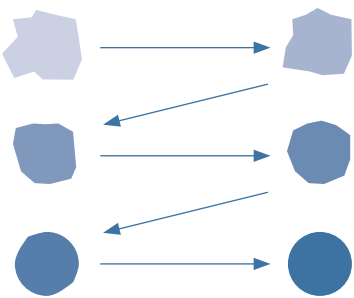
Resolution of differences

In the event that the National Council and the Council of States are unable to reach an agreement on an item of business, the business is sent from one chamber to the other for a resolution of differences, where it is examined by the preliminary consultation committees. If the National Council and the Council of States are still not in agreement about the business after three rounds, a reconciliation conference is held. If there is no agreement on the business, it is abandoned. (→ p. 43)

Guten Tag! Bonjour! Buon giorno!

Three official languages

Parliament deliberates and legislates in the Confederation's three official languages: German, French and Italian. During National Council sessions, simultaneous interpretation into the two other official languages is provided for all member statements. Multilingualism reflects the respect for minorities, which is the basis for living together in Switzerland. Every statement is published in the language in which it was submitted in the Official Bulletin.

Voting recommendations

Popular votes are held regularly in Switzerland. Parliament and the Federal Council provide voting recommendations on each proposal in an explanatory pamphlet that is sent to all voters before the vote. The pamphlet is also available online.

Stability

The government and Parliament are elected for a period of four years, and cannot be dissolved. Parliament's decisions are not an expression of confidence or no confidence in the government. Parliament can send back, amend or reject draft legislation, without the government having to step down. This gives Parliament a strong position. In addition, Parliament is the only body at national level that is directly legitimised by the People.

The People have the last word

In Switzerland, it is not Parliament that has the last word, but the electorate. In addition to the right to vote, voters have two options for directly influencing national politics:
- Referendums (→ p. 22)
- Popular initiatives (→ p. 22)

How new laws come about

Enacting new legislation takes time and consists of several stages. Many different actors are involved in the legislative process. Only once they have all shared their views, and the National Council and the Council of States agree on the wording of the law can the Federal Council bring the law into force. And, of course, only once the People have given their approval.

The Federal Council and the Federal Administration

1

Impetus
It is the Federal Council or Parliament that gives the impetus (in the form of a parliamentary initiative, a motion or a postulate → p. 39) for a new law. The cantons may also request a new law (cantonal initiative).

2

Preliminary draft
The Federal Council instructs Department X to draw up a preliminary draft for a law. All departments and federal offices are consulted on this preliminary draft (office consultation procedure).

3

Consultation procedure
Department X submits the preliminary draft to the Federal Council, which initiates the consultation procedure. The consultation procedure allows all citizens, cantons, communes, political parties, federations, trade unions, associations, churches and interest groups to comment on the preliminary draft.

4

Draft legislation
Department X prepares the preliminary draft law and adapts it on the basis of the results of the consultation procedure. It then submits the bill to the Federal Council.

5

Federal Council Dispatch
The Federal Council examines the bill and sends it to Parliament.

Parliament

7

Consultation in the first chamber (e.g. the National Council)
The first chamber has three options: it may consider the law to be superfluous and request that it not be considered; it can reject the text and instruct the Federal Council or the committee concerned to revise it; or it can discuss the law in detail and make a decision.

6

Preliminary examination by the committee of the first chamber
The presidents of the National Council and the Council of States decide whether the bill is dealt with first in the National Council or in the Council of States. A committee of the first chamber discusses the text and submits a proposal to its Council (first chamber). (Committees → p. 38).

Legislation: When speed is of the essence
"Federal acts whose entry into force cannot be delayed (emergency federal acts) may be declared urgent by an absolute majority of the members of each of the two Councils and be brought into force immediately. Such acts must be of limited duration." That is the wording of Article 165 of the Federal Constitution. In certain cases, the people can vote on 'emergency federal acts' retrospectively.

Swiss voters

8

Preliminary examination by the committee of the second chamber
The committee of the second chamber discusses the text approved by the first chamber and submits a proposal to its Council (second chamber).

9

Consultation in the second chamber (e.g. Council of States)
The second chamber has the same options as the first chamber: a decision not to consider the law, rejection of the text; or point by point deliberation before making a decision.

10

Resolution of differences in the first chamber
If the decisions of the National Council and the Council of States differ, a procedure for the resolution of differences is initiated. The committee of the first chamber makes a proposal to the first chamber.

13

Final vote in the first and second chambers
The jointly reached agreement is put to a final vote in the National Council and the Council of States. Parliament votes in favour of the new law.

12

Conference of conciliation
In the event of unresolved differences between the National Council and the Council of States after three rounds, a conference of conciliation is held. The conference is composed of members of the preliminary consultation committees who work together to find an agreement. The agreement is then submitted to the first chamber, and then to the second chamber.

11

Resolution of differences in the second chamber
After discussing and voting on this proposal, the preliminary consultation committee of the second chamber addresses the remaining differences and makes a proposal to the second chamber.

14

Optional referendum
The law adopted by Parliament is brought back to the People for a vote. The People have the last word (Referendum → p. 22). If a referendum is not sought within 100 days, the Federal Council may bring the law into force.

15

Popular vote
If a referendum is launched against the law, the law will be put to the vote of the People.

16

Entry into force
If the majority of voters approve the new law, the Federal Council can bring it into force.

The Parliamentary Services

In the Parliamentary Services, Parliament has its own staff office independent of the rest of the Federal Administration. It works on behalf of the National Council and the Council of States and ensures continuity from one legislature to the next.

Organising Council and parliamentary committee meetings
Before the Councils can take decisions in the sessions, all business is discussed in advance in the committees. The Secretariats therefore have to plan and organise a large number of meetings.

Advising Council members
In order to delve deeper into specific issues, Council members can submit research requests to the parliamentary library and have information compiled for them.

Documenting the legislative process
The Councils often take divergent decisions. To ensure that the legislative process and the lines of argument are comprehensible for the ongoing deliberations and for future generations, all committee and Council meetings are minuted. As Council meetings are public, these minutes are published on the Parliament website, almost in real time.

Assuring access to information
The Parliamentary Services operate a digital platform where all information and functions for parliamentary work are available in one place: information on items of business and meetings, on the biographies of Council members, on planning and conducting meetings, etc. The Parliamentary Services also maintain the digital presence of the National Council and the Council of States and inform the public about Parliament and its activities.

Supporting Parliament in fostering international relations
Relations with foreign countries increasingly take place on a parliamentary level. The Parliamentary Services support the Council presidents and the corresponding delegations in planning and carrying out visits abroad and in hosting visits by foreign guests and delegations to Switzerland.

Opening Parliament's doors to the public
Around 100,000 people visit Parliament every year. During the sessions, it is possible to follow Council debates from the galleries. Between sessions, the Parliamentary Services offer guided tours of the building. Open days are also held several times a year. It is worth booking early for session visits and guided tours.

Open Day schedule 2023
17 March (Museum Night)
15 April
1 / 2 July (Open Doors)
1 August
14 October

Visiting the Parliament Building

Expenses 2021 (CHF)
62 million

Staff (FTEs) 2021
229

www.parliament.ch

Parliamentary Services, Secretary General: Philippe Schwab

175th anniversary of the Federal Constitution

In 2023, Switzerland is celebrating the 175th anniversary of the first Federal Constitution. It came into force in 1848 and laid the foundations for the establishment of the Swiss federal state.

Copy of the Federal Constitution of 1848

The drafting of the Federal Constitution was a tour de force. In just 51 days, a commission made up of cantonal representatives formulated a text, setting out the most important points. After the conflicts between the conservative Sonderbund cantons and the parts of Switzerland under liberal government, the loose confederation was to become a state entity: a federal state with a common foreign policy, free of internal customs duties and with a common currency, postal service and units of measurement.

The completed text was adopted in the summer of 1848 by the men entitled to vote at the time and by the majority of the cantons. The People and the Cantons were now to be represented equally in a bicameral system: in the National Council and the Council of States respectively. The new parliament was designated as the supreme power of the Confederation – subject to the rights of the People and the Cantons.

Activities throughout the anniversary year

Parliament is organising various activities to celebrate the 175th anniversary of the Federal Constitution. Under the heading '1848 – an incredible story', it is offering a themed tour of the Parliament Building and an audio tour of Switzerland's capital. The political game 'My point of view' gives school classes an opportunity to debate Switzerland's future in the Council chambers.

On 1 and 2 July, Parliament, the Federal Council, the Federal Administration and the Swiss National Bank will hold open days for the public. In addition to the Parliament Building, other sites such as the east and west wings of the Federal Palace and the National Bank can be visited, which are otherwise rarely open to the public. A ceremony is set to take place on Parliament Square on 12 September to mark Constitution Day.

From mid-March 2023:
Audio guide
1848 – an incredible story

Events and information
about the anniversary

On 1 January each year, the Federal Chancellery publishes the official photo of the Federal Council. The president for that year gets to decide the design and select the photographer. The design for 2023 was chosen by Alain Berset as he is president this year.

The Executive
The Government

The Federal Council is Switzerland's government. It consists of seven members, who take decisions and defend their decisions in a collegial manner. The presidency rotates every year. The Federal Council is assisted in its tasks by the Federal Administration. The Confederation's expenditure may not exceed its receipts over the longer term: this is ensured by the debt brake mechanism. Parliament decides on the federal budget.

www.admin.ch

Taxes and finances

Video
The Federal Council – a brief guide

Federal finances: Parliament has the final say

In order to fulfil its tasks, the Confederation needs money. The Federal Constitution sets out what taxes the government can raise. When it comes to spending money, the Federal Council cannot just do as it sees fit: there is a legal basis for every item of expenditure that is the result of a democratic process.

Parliament has sovereignty over federal finances: it decides the budget and approves the state financial statement of the previous year.

Debt brake mechanism

The Confederation is required to balance its expenditure and receipts over the longer term. It is required to run a surplus when the economy is thriving and may spend more than it collects in receipts when the economy is weak. The debt brake does allow for an exception to be made in extraordinary situations such as serious economic crises and natural disasters; the government may then undertake additional expenditure.

Extraordinary expenditure

The COVID pandemic resulted in additional expenditure for the Confederation. To combat the pandemic and mitigate its effects, the Federal Council and Parliament adopted numerous measures in 2020/2021: short-time work compensation, hardship measures for companies, COVID tests, subsidies for sport, culture and tourism, etc. That is the main reason why the Confederation ran a deficit of CHF 12 billion in 2021.

Federal receipts and expenditure 2021

Other receipts	Non tax receipts	Other tax receipts	Tobacco duty	Stamp duty	Mineral oil tax	Withholding tax	Value added tax	Direct federal tax
4 %	5 %	9 %	3 %	3 %	6 %	6 %	31 %	33 %

Social welfare	Finances and taxation	Transport	Education and research	Security	Agriculture and food	Foreign relations	Other expenditure
34 %	13 %	12 %	9 %	7 %	4 %	4 %	17 %
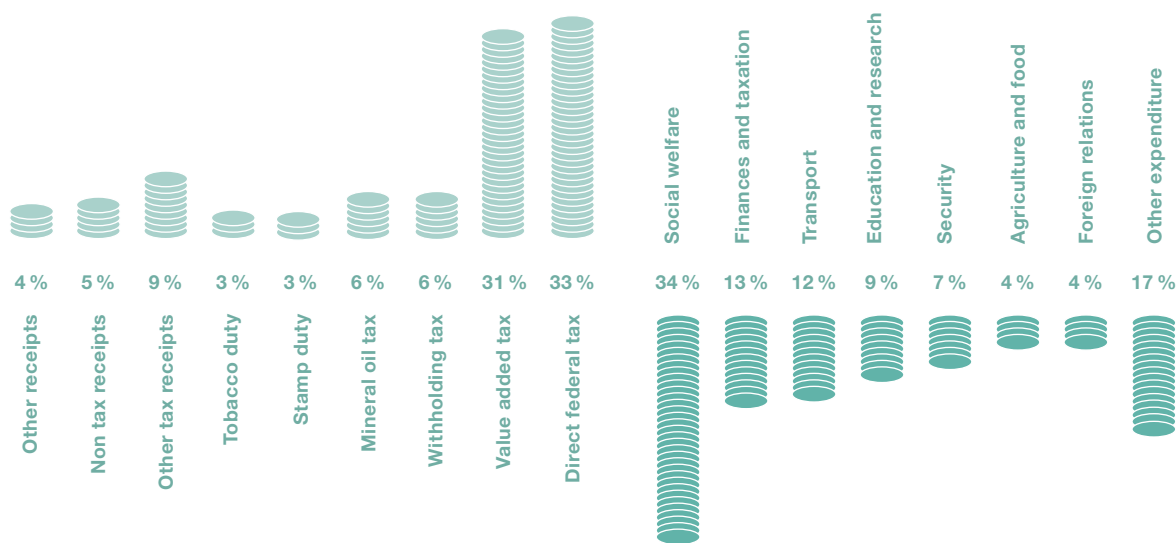
Receipts of 76 billion
Direct federal tax and VAT are the Confederation's main sources of receipts. Direct federal tax is raised on the income of private individuals (progressive, max. 11.5 %), and on business profits (8.5 %). VAT is 7.7 % on most goods and services.

Expenditure of 88 billion
One third of federal expenditure is spent on social welfare. 43 % of this goes to old-age provision (OASI), 13 % to invalidity insurance (II). In addition, there are supplementary benefits, unemployment insurance (UI), premium reductions for health insurance and expenditure related to the costs of migration.

Political party composition of the Federal Council since 1948
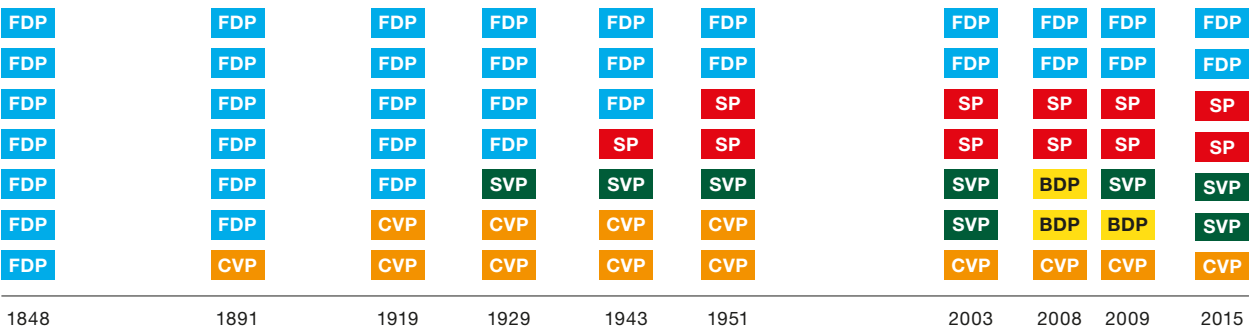
1848	1891	1919	1929	1943	1951		2003	2008	2009	2015
FDP	FDP	FDP	FDP	FDP	FDP		FDP	FDP	FDP	FDP
FDP	FDP	FDP	FDP	FDP	FDP		FDP	FDP	FDP	FDP
FDP	FDP	FDP	FDP	FDP	SP		SP	SP	SP	SP
FDP	FDP	FDP	FDP	SP	SP		SP	SP	SP	SP
FDP	FDP	FDP	SVP	SVP	SVP		SVP	BDP	SVP	SVP
FDP	FDP	CVP	CVP	CVP	CVP		SVP	BDP	BDP	SVP
FDP	CVP	CVP	CVP	CVP	CVP		CVP	CVP	CVP	CVP

1848 The Federal Council was composed of seven members of the Free Democratic Party (today FDP.The Liberals). The party governed alone for 43 years.

1891 The first member of the Catholic Conservatives (today CVP) joined the government; the second joined in **1919.**

1929 Parliament elected a member of the Farmers', Trades' and Citizens' Party (today SVP) to the Federal Council.

1943 The first Social Democrat (SP) entered the government; the second followed in **1951.**

1959 The four strongest parties agreed to form a government by applying the 'magic formula': 2 FDP, 2 CVP, 2 SP, 1 SVP. The formula remained unchanged for 44 years.

2003 At the Federal Council elections, the SVP won a seat at the expense of the CVP.

2008 The two representatives of the SVP joined the newly founded Conservative Democratic Party (BDP).

2009 A member of the SVP was elected in place of a retiring BDP representative.

2015 The BDP representative stepped down. Parliament elected an SVP representative in her place.

Since then The Federal Council has again been composed of members from four different political parties – according to the 2:2:2:1 formula.

The Federal Council

The Federal Council comprises seven members of equal standing.
They are elected by Parliament every four years, with a different member holding the post of president each year. The current members of the Federal Council are drawn from four different parties. Three come from the German-speaking part of Switzerland, three from the French-speaking part and one from the Italian-speaking region.

The Federal Council normally meets every week. Especially demanding issues are discussed in special sessions. Each year, it decides on more than 2,500 items of business. The seven departments and the Federal Chancellery support the Federal Council by helping to prepare the meetings.

Important dates
Election of the Federal Council (following the parliamentary elections in October 2023) and election of the president of the Swiss Confederation and vice president of the Federal Council:
13 December 2023

President of the Confederation

Vice President

Alain Berset

Head of the Federal Department of Home Affairs

Member of the Federal Council since 2012

Party affiliation

SP

The president is of equal standing to the other members of the Federal Council, but chairs the meetings and represents the government in its external dealings

Viola Amherd

Head of the Federal Department of Defence, Civil Protection and Sport

Member of the Federal Council since 2019

Party affiliation

The Centre

Guy Parmelin

Head of the Federal Department of Economic Affairs, Education and Research

Member of the Federal Council since 2016

Party affiliation

SVP

Ignazio Cassis

Head of the Federal Department of Foreign Affairs

Member of the Federal Council since 2017

Party affiliation

FDP

What is special about the Federal Council?

Collegiality

Switzerland is the only country in the world that has a collegial body as its government: the seven members of the Federal Council are each members of the college and have equal rights. The president of the Swiss Confederation chairs the meetings and represents the government in its external dealings. The presidency rotates each year.

Consensus

The members of the Federal Council often have conflicting views and values. However, they always seek a consensus and reach their decisions together. Outwardly, the Federal Council presents a united front: the members of the Federal Council defend the decisions they have taken jointly, even if these decisions are contrary to their own opinions or the position taken by their party.

Consociationalism

The Federal Constitution requires Switzerland's regions and languages to be 'appropriately represented' in the Federal Council. The parties are expected to propose both male and female candidates for election. Normally Parliament allocates seats on the Federal Council according to the strength of the political parties: as a result, all the largest parties are represented in the government.

Magic Formula

2:2:2:1 is the endlessly debated formula for the political composition of the Federal Council: the largest three parties each hold two seats in the Federal Council, while the fourth largest party has one seat. For 44 years (1959 – 2003), the Federal Council was made up of 2 FDP, 2 SP and 2 CVP representatives, and 1 SVP representative. Since 2003, there has been a minor shift: 2 FDP, 2 SP, 2 SVP, 1 CVP ('The Centre' from 1.1.2021).

Stability

The members of the Federal Council are elected by Parliament to serve a four-year term of office and cannot be removed. They can be re-elected any number of times. Normally a member of the Federal Council remains in office until he or she retires or chooses not to stand again for election.

Not elected by the People

The Swiss electorate has already voted three times on whether the Federal Council should be elected by the Swiss people: in 1900, 1942 and 2013. On each occasion, both the People and the cantons voted against. An election by the People has also been proposed several times in Parliament, but each of these proposals was rejected.

Federal Chancellor

Karin Keller-Sutter

Head of the Federal Department of Finance

Member of the Federal Council since 2019

Party affiliation
FDP

Albert Rösti

Head of the Federal Department of the Environment, Transport, Energy and Communications

Member of the Federal Council since 2023

Party affiliation
SVP

Elisabeth Baume-Schneider

Head of the Federal Department of Justice and Police

Member of the Federal Council since 2023

Party affiliation
SP

Walter Thurnherr

Federal Chancellor since 2016

Party affiliation
The Centre

The Federal Chancellor is the Federal Council's chief of staff and heads the Federal Chancellery (→ p. 56). He is also elected by Parliament.

The Federal Council's tasks

Preparing legislation

The Federal Council submits new laws to Parliament and proposals on how to implement decisions taken in popular votes. Its proposals receive broad support: they take account of the views of the cantons, parties, associations and concerned groups, which are expressed in a consultation process. After these consultations, the Federal Council submits its bill to Parliament for debate and a decision.
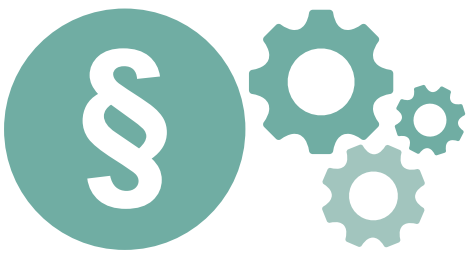
Implementing the decisions of Parliament

As soon as Parliament has decided on a new law, the Federal Council issues the required ordinances. They set out the specifics on how the new law should be implemented. If Parliament requests particular measures, the Federal Council ensures that these are taken.

Providing information

The Federal Council informs the cantons, Parliament and the public about its decisions via a range of channels. It explains proposals that are being voted in a red booklet, which is posted to voters with their ballot papers and published on the internet.

Instagram:	@gov.ch
Twitter:	@BR_Sprecher
YouTube:	Swiss Federal Council
Web:	www.admin.ch, www.ch.ch
Apps:	VoteInfo, CH info
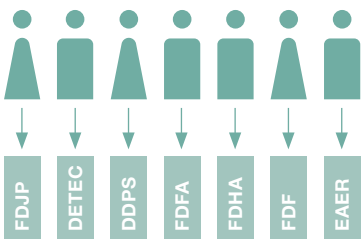
Heading the Federal Administration

FDJP · DETEC · DDPS · FDFA · FDHA · FDF · EAER

The Federal Council is in charge of the Federal Administration, which has around 40,000 employees. The Administration is organised into seven government departments. Each member of the Federal Council is the head of a department (→ p. 54/55).

President of the Swiss
Confederation 2023
Alain Berset

2022 was marked by crises: the COVID pandemic, the war in Ukraine, the energy crisis. How can we look to the future with confidence?
Crises are unsettling, they unnerve us and cause much suffering. But they can also serve as an opportunity. For example, the pandemic taught us to find pragmatic solutions even though we were starting from scratch. We have to remain curious, committed and flexible. And above all, we have to be supportive and ensure that everyone in our country has the same opportunities. In a world marked by crises, social cohesion is crucial. We must make sure that no one is forgotten.

Switzerland is a member of the UN Security Council this year. What are its priorities?
Switzerland holds an important place on the international stage, not least thanks to Geneva. Switzerland must remain open to the world and continue to be an advocate of multilateralism and democracy. These are increasingly being called into question at the moment. The big problems, such as poverty or climate change, can only be solved by working together. Switzerland will continue its humanitarian efforts and peacebuilding activities. Protecting the civilian population will also be one of our priorities.

How do we find our way in a world in which everything changes so quickly?
We must hold on to what makes our country special. Switzerland has always been able to adapt and innovate. It is built on strong institutions. This year we are celebrating the 175th anniversary of our constitution. We must continue to stand up for our culture of debate, our ability to compromise and our democracy.

Planning for the future

The Federal Council sets the agenda for the future: it issues a mission statement, sets goals and indicates how it plans to invest federal funds. It has to find majority support for its plans, in Parliament and if need be among the People and the cantons.

Federal Council mission statement for the legislature period 2019 – 2023

1. Switzerland shall secure its prosperity sustainably and exploit the opportunities offered by digital transformation.

2. Switzerland shall encourage national cohesion and contribute to consolidating international cooperation.

3. Switzerland shall guarantee security, engage in protecting the climate and act as a reliable partner in the world.

These three elements in the Mission Statement themselves include 18 goals and 53 measures.

Governing in times of crisis
If Switzerland's internal or external security is endangered and if there is an imminent threat, the Federal Council has the power to issue emergency ordinances of limited duration if it is unable to take measures based on existing legislation (Federal Constitution Art. 185). In the event of there being an exceptional risk to public health, the Epidemics Act confers wide-ranging powers on the Federal Council. In the event of severe shortages, the Federal Council may order measures to ensure the national economic supply of essential goods and services (National Economic Supply Act). In addition, the Asylum Act, the Debt Enforcement and Bankruptcy Act, the Customs Tariff Act and the Telecommunications Act also provide the Federal Council with powers to deal with crisis situations.

Federal Administration

Staff office

FCh
Federal Chancellery

Walter Thurnherr
Federal Chancellor

Autonomous organisation

Office of the Federal Data Protection and Information Commissioner

FDFA
Federal Department of Foreign Affairs

Ignazio Cassis
Head of Department

General Secretariat

State Secretariat

Directorate of International Law

Consular Directorate

Swiss Agency for Development and Cooperation

Directorate for Resources

FDHA
Federal Department of Home Affairs

Alain Berset
Head of Department

General Secretariat

Federal Office for Gender Equality

Federal Office of Culture

Swiss Federal Archives

Federal Office of Meteorology and Climatology MeteoSwiss

Federal Office of Public Health

Federal Food Safety and Veterinary Office

Federal Statistical Office

Federal Social Insurance Office

Autonomous organisations

Swiss Agency for Therapeutic Products Swissmedic

Swiss National Museum

Swiss Arts Council Pro Helvetia

FDJP
Federal Department of Justice and Police

Elisabeth Baume-Schneider
Head of Department

General Secretariat

State Secretariat for Migration

Federal Office of Justice

Federal Office of Police fedpol

Autonomous organisations

Federal Institute of Intellectual Property

Federal Institute of Metrology

Swiss Institute of Comparative Law

Federal Audit Oversight Authority

Federal Gaming Board

Federal Commission on Migration

Federal Arbitration Commission for the Exploitation of Copyrights and Related Rights

National Commission for the Prevention of Torture

39,729 (35,985 full-time equivalents) staff work in the Federal Administration. 1,125 of those are apprentices, 567 are graduate interns.

The Federal Administration supports the Federal Council in its tasks.
It consists of seven government departments and the Federal Chancellery. While each department is headed by a federal councillor, the Federal Administration as a whole is supervised by the full Federal Council.

DDPS
Federal Department of Defence, Civil Protection and Sport

Viola Amherd
Head of Department

General Secretariat

Office of the Armed Forces Attorney General

Federal Intelligence Service

Defence sector

Federal Office for Defence Procurement armasuisse

Federal Office of Topography swisstopo

Federal Office for Civil Protection

Federal Office of Sport

FDF
Federal Department of Finance

Karin Keller-Sutter
Head of Department

General Secretariat

State Secretariat for International Financial Matters

Federal Finance Administration

Federal Office of Personnel

Federal Tax Administration

Federal Office for Customs and Border Security

Federal Office of Information Technology, Systems and Telecommunications

Federal Office for Buildings and Logistics

Autonomous organisations

Swiss Financial Market Supervisory Authority

Swiss Federal Audit Office

Federal Pension Fund PUBLICA

EAER
Federal Department of Economic Affairs, Education and Research

Guy Parmelin
Head of Department

General Secretariat

State Secretariat for Economic Affairs SECO

State Secretariat for Education, Research and Innovation

Federal Office for Agriculture

Federal Office for National Economic Supply

Federal Office for Housing

Federal Office for Civilian Service

Autonomous organisations

Office of the Price Supervisor

Competition Commission

Board of the Federal Institutes of Technology ETH

Swiss Federal Institute for Vocational Education and Training

Swiss Innovation Agency Innosuisse

DETEC
Federal Department of the Environment, Transport, Energy and Communications

Albert Rösti
Head of Department

General Secretariat

Federal Office of Transport

Federal Office of Civil Aviation

Swiss Federal Office of Energy

Federal Roads Office

Federal Office of Communications

Federal Office for the Environment

Federal Office for Spatial Development

Autonomous organisations

Swiss Federal Nuclear Safety Inspectorate

Federal Inspectorate for Heavy Current Installations

Swiss Transportation Safety Investigation Board

Federal Electricity Commission ElCom

Federal Communications Commission ComCom

Independent Complaints Authority for Radio and Television

Federal Postal Services Commission PostCom

Rail Transport Commission RailCom

Over 260 different professions can be learnt in Switzerland – 50 of those in the Federal Administration.

Federal Administration

Government

55

Federal Chancellery

The Federal Chancellery is the staff office of the Federal Council: it ensures that the Federal Council is able to take sound decisions and communicate them in a coordinated manner. As the custodian of people's rights, it organises federal elections and votes and verifies the legality of initiatives and referendums.

The Federal Chancellor and both vice chancellors always attend Federal Council meetings.

Walter Thurnherr
Federal Chancellor since 2016

Preparing Federal Council decisions

The Federal Council normally holds a meeting once a week to deal with numerous items of business. Prior to the meeting, the federal departments and offices can give their input on the items on the agenda. The Federal Council coordinates this joint reporting procedure.

Communicating Federal Council decisions

After every Federal Council meeting, the Federal Council Spokesperson goes before the press to announce the Federal Council's decisions. Federal Council decisions and reports are published in the Federal Gazette, while new or amended acts and ordinances are published in the Official Compilation of Federal Legislation.

Planning for the future

The Federal Chancellery monitors national and international developments and, on the basis of these, establishes the need for political action. It is responsible for Federal Council planning and controlling: for the four-year legislature planning, the annual objectives and reporting.

Supporting the president

During their year as Swiss president, federal councillors assume additional tasks at home and abroad (→ p. 50). The Federal Chancellery provides support and ensures continuity from one presidential year to the next.

Coordinating the work of the Federal Administration

The Federal Chancellor chairs the monthly meetings of the Conference of Secretaries General, at which the secretaries general coordinate the work of their departments. The newly created DTI Sector has been in operation since January 2021. It coordinates and supports digital transformation projects throughout the Federal Administration.

Overseeing democratic rights

The Federal Chancellery ensures that all federal elections and popular votes are conducted correctly. It provides the necessary information on the proper procedures to anyone interested in launching a popular initiative or referendum (→ p. 22ff.). It is also working with the cantons to establish new trials for online voting in popular votes and elections in Switzerland.

Promoting multilingualism

Switzerland's official languages are German, French and Italian, and all legal and official federal texts must be available in these languages. In certain cases they must also be produced in Romansh. Texts of international relevance are also produced in English. The Federal Chancellery is responsible for the quality of the translations.

Publishing information through a range of channels

Before a federal vote is held, the Federal Chancellery sends explanatory material to all voters and updates the information on the VoteInfo app. Before federal elections, it sends out voting instructions. Up-to-date and detailed information is provided on two websites, in explanatory videos and in this brochure 'The Swiss Confederation – a brief guide'.

Instagram:	@gov.ch
Twitter:	@SwissGov
YouTube:	Swiss Federal Council
Web:	www.admin.ch, www.ch.ch
Apps:	VoteInfo, CH info

Vice Chancellor and Federal Council Spokesperson:
André Simonazzi

Vice Chancellor:
Viktor Rossi

Federal Chancellery

Government

Expenses 2021 (CHF)
127 million

Staff (FTEs) 2021
283

Autonomous organisation

Office of the Federal Data Protection and Information Commissioner FDPIC:
Adrian Lobsiger
www.edoeb.admin.ch

www.bk.admin.ch

57

Federal Department of Foreign Affairs FDFA

The FDFA safeguards Switzerland's foreign policy interests. It maintains relations with other states and international bodies such as the EU and the UN. It provides services for Swiss citizens abroad. The FDFA is also responsible for Switzerland's development cooperation and humanitarian aid. There are around 170 Swiss representations around the world.

Switzerland has a seat on the UN Security Council in 2023/2024, which it will use to work towards peace in the world.

"Switzerland's role is to promote dialogue and build bridges."

**Ignazio Cassis, head of the FDFA.
Member of the Federal Council since 2017.**

Wars, conflicts, climate change, food security – Switzerland can only respond to global challenges if it acts together with other states. As a member of the UN Security Council in 2023 and 2024, it can also contribute its expertise and credibility in the peaceful settlement of disputes for the benefit of the global community.

The European security architecture has been shaken by Russia's military aggression against Ukraine. Switzerland is committed to upholding international law, strengthening security cooperation with the EU and NATO, providing assistance to Ukraine and supporting the Organization for Security and Co-operation in Europe (OSCE). It also prioritises effective bilateral relations with the EU, the country's most important trading partner by far. To this end, the continuation of the bilateral approach is a priority for the Federal Council.

Around 800,000 Swiss citizens live abroad. And each year, Swiss tourists make several million trips to foreign countries. The Consular Directorate can help in such cases as registering marriages held abroad, or if your passport gets stolen on holiday. More information is available on these two special apps: SwissInTouch for Swiss citizens living abroad and Travel Admin for Swiss tourists before and during a trip. And if something does go wrong, the Helpline is also available 24/7.

General Secretariat GS-FDFA
Secretary General: Markus Seiler
www.fdfa.admin.ch

State Secretariat StS
State Secretary: Livia Leu

Directorate of International Law DIL
Director:
Corinne Cicéron Bühler

Consular Directorate CD
Director: David Grichting

Swiss Agency for Development and Cooperation SDC
Director: Patricia Danzi
www.fdfa.admin.ch/sdc

Directorate for Resources DR
Director: Tania Cavassini

Expenses 2021 (CHF)
3.34 bn

Staff (FTEs) 2021
5,477

www.fdfa.admin.ch

FDFA

Government

59

Federal Department of Home Affairs FDHA

The FDHA works to ensure the country has an efficient and effective health system that is accessible to all. It is also committed to protecting the pension system – state and occupational pensions – into the future. Its areas of activity include promoting cultural diversity and cohesion in society, gender equality and the integration of people with disabilities.

Households spend around 6 % of their income on food and non-alcoholic beverages. This is just one of the 550 statistics that the FSO compiles every year.

"The FDHA strives for greater solidarity and social cohesion in society."

Alain Berset, head of the FDHA.
Member of the Federal Council since 2012.
President of the Swiss Confederation in 2023.

COVID, the war in Ukraine and the energy crisis: rolling crises trigger uncertainty. In situations like these, social cohesion is crucial. The FDHA works to strengthen this cohesion, for example by ensuring gender equality and solidarity between generations, improving the integration of people with disabilities and promoting cultural and linguistic diversity. A further priority is the fight against racism.

The tasks performed by the staff of the FDHA have a direct impact on people's everyday lives in a wide range of fields: social security and occupational pensions, containing costs in the health sector and authorising new medicines, promoting culture, food safety and animal health, providing reliable weather forecasts and statistics.

The Department is currently implementing numerous reform projects to ensure an efficient health system that is accessible to all, favourable framework conditions for the cultural sector, and social insurance schemes that are financially stable in the long term to support people at all stages of life.

General Secretariat GS-FDHA
Secretary General: Lukas Gresch-Brunner
www.edi.admin.ch

Federal Office for Gender Equality FOGE
Director: Sylvie Durrer
www.ebg.admin.ch

Federal Office of Culture FOC
Director: Carine Bachmann
www.bak.admin.ch

Swiss Federal Archives SFA
Director: Philippe Künzler
www.bar.admin.ch

Federal Office of Meteorology and Climatology MeteoSwiss
Director:
Christoph Appenzeller
www.meteoschweiz. admin.ch

Federal Office of Public Health FOPH
Director: Anne Lévy
www.bag.admin.ch

Federal Food Safety and Veterinary Office FSVO
Director: Hans Wyss
www.blv.admin.ch

Federal Statistical Office FSO
Director:
Georges-Simon Ulrich
www.bfs.admin.ch

Federal Social Insurance Office FSIO
Director: Stéphane Rossini
www.bsv.admin.ch

Autonomous organisations

Swiss Agency for Therapeutic Products Swissmedic
Director: Raimund T. Bruhin
www.swissmedic.ch

Swiss National Museum SNM
Director: Denise Tonella
www.nationalmuseum.ch

Swiss Arts Council Pro Helvetia
Director: Philippe Bischof
www.prohelvetia.ch

Expenses 2021 (CHF)
19.58 bn

Staff (FTEs) 2021
2,633

www.edi.admin.ch

Federal Department of Justice and Police FDJP

The FDJP is responsible for national and international police cooperation with the aim of ensuring a security net for the entire population. It draws up legislation in civil, criminal, constitutional and administrative law to respond to societal challenges and create equal opportunities. In addition, the FDJP regulates the conditions under which foreign nationals may enter, live and work in Switzerland, or obtain asylum here.

A young woman who has been granted asylum in Switzerland is on an integration pre-apprenticeship in the healthcare sector. Being able to enter the world of work is the key to successful integration.

"Political action requires legal certainty and humanistic values."

Elisabeth Baume-Schneider, head of the FDJP.
Member of the Federal Council since 2023.

Migration policy is a priority for the FDJP. Particular emphasis is placed on integration: people with a residence permit should be supported so that they can integrate as quickly as possible and lead independent lives. One of the measures supported by the FDJP to achieve this is the pre-apprenticeship integration programme. This prepares people who have found protection in Switzerland for a recognised apprenticeship in a targeted and practice-oriented manner. Close cooperation with other states is essential for the asylum system to function. The FDJP advocates a solidarity-based refugee policy in Europe.

The FDJP ensures that Switzerland's security authorities have the necessary legal instruments to safeguard the security of its residents. In particular, this includes the central information systems for fingerprints, DNA profiles and national and international searches. These allow terrorists and other criminals to be reliably identified by the cantonal police, the migration authorities and the Federal Office for Customs and Border Protection.

The FDJP is also pushing ahead with the process of digital transformation. The department is currently drawing up the legal basis for a state-managed digital proof of identity. In future, users will be able to identify themselves digitally in a secure, fast and uncomplicated manner while retaining the greatest possible control over their data.

General Secretariat GS-FDJP
Secretary General: Stefan Hostettler Fischer
www.ejpd.admin.ch

State Secretariat for Migration SEM
State Secretary:
Christine Schraner Burgener
www.sem.admin.ch

Federal Office of Justice FOJ
Director: Michael Schöll
www.bj.admin.ch

Federal Office of Police fedpol
Director:
Nicoletta della Valle
www.fedpol.admin.ch

Post and Telecommunications Surveillance Service PTSS
Director: René Koch
www.li.admin.ch

Autonomous organisations

Federal Institute of Intellectual Property IIP
Director:
Catherine Chammartin
www.ige.ch

Federal Institute of Metrology METAS
Director: Philippe Richard
www.metas.ch

Swiss Institute of Comparative Law SICL
Director: Christina Schmid
www.isdc.ch

Federal Audit Oversight Authority FAOA
Director: Reto Sanwald
www.rab-asr.ch

Federal Gaming Board FGB
Responsible: Thomas Fritschi
www.esbk.admin.ch

Federal Commission on Migration FCM
President: Walter Leimgruber
www.ekm.admin.ch

Federal Arbitration Commission for the Exploitation of Copyrights and Related Rights
President:
Helen Kneubühler Dienst
www.eschk.admin.ch

National Commission for the Prevention of Torture NCPT
President: Regula Mader
www.nkvf.admin.ch

Expenses 2021 (CHF)
2.62 bn

Staff (FTEs) 2021
2,719

www.ejpd.admin.ch

FDJP

Government

Federal Department of Defence, Civil Protection and Sport DDPS

The DDPS has the task of developing Switzerland's security policy. The Armed Forces, the Federal Office for Civil Protection, the Federal Intelligence Service and armasuisse are the instruments through which that policy is implemented. The role of the DDPS also involves promoting sport through the Federal Office for Sport and producing geoinformation through swisstopo.

Judo, dance and 83 other sport disciplines: the federal government's Youth+Sport sport promotion programme supports courses and camps for 5-20-year-olds.

"Sport is fun, healthy and good for our communities."

Viola Amherd, head of the DDPS.
Member of the Federal Council since 2019.

Sport is shown to boost physical and mental performance and improve public health, as well as fostering social cohesion in Switzerland. The DDPS therefore promotes sport and exercise and advocates fairness and safety in sport, which are guided by values based on ethical principles. A good example of this is the unique Youth+Sport (Y+S) sports promotion programme, which has been running for 50 years. Every year, it offers sports courses or camps in over 85 different sports to more than 600,000 young people from all over Switzerland.

The aim of promoting sport at all age and ability levels is anchored in the DDPS sustainability strategy. As an employer, real estate manager and consumer of natural resources, the DDPS has intensified its work in a wide range of areas including diversity, biodiversity promotion, disaster risk reduction, climate change, waste management and energy security. In recent years, it has been replacing its fossil heating systems and equipping its buildings with photovoltaic systems. This has resulted in a reduction in greenhouse gas emissions of a third since 2001 – a big step on the way to reaching net zero emissions, which the DDPS wants to achieve by 2050. It is important to meet the challenges and needs that exist in the present, while taking measures to ensure the well-being of future generations. DDPS – Security for Switzerland.

Expenses 2021 (CHF)
7.61 bn

Staff (FTEs) 2021
12,215

www.vbs.admin.ch

General Secretariat GS-DDPS
Secretary General: Toni Eder
www.gs-vbs.admin.ch

Federal Office for Civil Protection FOCP
Director: Michaela Schärer
www.babs.admin.ch

Federal Office for Defence Procurement armasuisse
Chief of Defence Procurement: Martin Sonderegger
www.armasuisse.ch

Federal Office of Topography swisstopo
Director: Fridolin Wicki
www.swisstopo.ch

Federal Office of Sport FOSPO
Director: Matthias Remund
www.baspo.admin.ch

Defence sector
Chief of the Armed Forces: Lieutenant General Thomas Süssli
www.armee.ch

Federal Intelligence Service FIS
Director: Christian Dussey
www.ndb.admin.ch

Office of the Armed Forces Attorney General
Armed Forces Attorney General: Stefan Flachsmann
www.oa.admin.ch

Federal Department of Finance FDF

Federal finances, bridging credits, taxes – at the FDF, there is a lot of emphasis on the state budget and on financial policy. The department collects taxes and customs duties, and checks the cross-border movement of people and goods. It also provides services for the entire Federal Administration, from IT to human resources to buildings and logistics.

Students learning about Switzerland's government debt: the debt brake is a key instrument of Swiss financial policy.

"A sustainable financial policy strengthens Switzerland as a business location and ensures that the state can act effectively in crises."

Karin Keller-Sutter, head of the FDF.
Member of the Federal Council since 2019.

Expenditure and receipts must be balanced. That is the overriding priority for federal finances. This is ensured by the debt brake: over the longer term, the Confederation may not spend more than it receives. Between 2003, when the debt brake was introduced, and 2019, federal debt was reduced by over CHF 30 billion.

The tide turned with the COVID pandemic. The Federal Council and Parliament implemented extensive measures that were necessary to mitigate the health, social and economic consequences of the COVID crisis. The provision of liquidity for businesses, measures to safeguard incomes and employment levels, and aid provided to industries particularly affected by the crisis resulted in extraordinary expenditure of approximately CHF 30 billion, which has once again driven up the Confederation's debts.

The pandemic has shown just how quickly federal debt can grow and how important it is for our country to reduce it – not only because it is required by the Financial Budget Act – but also because sound public finances are a key advantage for Switzerland as a business location. Moreover, the war in Ukraine and other challenges, above all population ageing and climate change, are likely to have long-term financial consequences for Switzerland. Budget discipline is key. In view of the uncertain economic outlook, the Confederation must rebalance its budget and focus on its core competencies.

Expenses 2021 (CHF)
17.28 bn

Staff (FTEs) 2021
8,772

www.efd.admin.ch

General Secretariat GS-FDF
Secretary General: Barbara Hübscher Schmuki
www.efd.admin.ch

State Secretariat for International Finance SIF
State Secretary:
Daniela Stoffel
www.sif.admin.ch

Federal Finance Administration FFA
Director:
Sabine D'Amelio-Favez
www.efv.admin.ch

Federal Office of Personnel FOPER
Director: Rahel von Kaenel
www.epa.admin.ch

Federal Tax Administration FTA
Director: Tamara Pfammatter
www.estv.admin.ch

Federal Office for Customs and Border Security FOCBS
Director: Christian Bock
www.bazg.admin.ch

Federal Office of Information Technology, Systems and Telecommunications FOITT
Director: Dirk Lindemann
www.bit.admin.ch

Federal Office for Buildings and Logistics FOBL
Director: Pierre Broye
www.bbl.admin.ch

Autonomous organisations

Swiss Financial Market Supervisory Authority FINMA
Director: Urban Angehrn
www.finma.ch

Swiss Federal Audit Office SFAO
Director: Pascal Stirnimann
www.efk.admin.ch

Federal Pension Fund PUBLICA
Director: Doris Bianchi
www.publica.ch

Federal Department of Economic Affairs, Education and Research EAER

The EAER defines framework conditions for the economy and the labour market. It sets the rules that apply in the private sector and in agriculture, and represents the interests of the Swiss economy abroad. It is responsible for organising vocational and professional education and training and promotes research. The EAER also has the task of making sure that the country is supplied with essential goods.

This tank farm at Mellingen (AG) holds compulsory stocks of petrol, heating oil and diesel, part of the federal government's strategy for safeguarding the country's supplies.

"Many people in Switzerland were unaware of the vital importance of energy supply."

Guy Parmelin, head of the EAER.
Member of the Federal Council since 2016.

The world has become more uncertain and more unpredictable. This shapes the EAER's work in a variety of ways. The war in Ukraine has led to far-reaching economic upheaval. The State Secretariat for Economic Affairs (SECO) is responsible for implementing sanctions. Swiss economic policy is also affected, as international trade and supply chains are impaired.

Furthermore, the war has affected the security of energy supply in Europe and Switzerland. DETEC and the EAER are working closely together to strengthen the country's supply of gas and electricity. In the event of a shortage, the National Economic Supply (NES) organisation has prepared measures to ensure that the economy and society can continue to function. The NES organisation consists of the Federal Office for National Economic Supply (FONES) and part-time support staff drawing on around 250 experts from the private sector and other branches of the administration. It is currently being reorganised in order to meet the growing challenges.

One of the central tasks of the EAER is to ensure good framework conditions so that companies can prosper and create attractive jobs. One of the ways in which SECO does this is through its location promotion activities. These are defined in policies on SMEs and tourism, but also regional policy, which promotes value creation in rural and mountain regions.

General Secretariat GS-EAER
Secretary General: Nathalie Goumaz
www.wbf.admin.ch

State Secretariat for Economic Affairs SECO
State Secretary:
Helene Budliger Artieda
www.seco.admin.ch

State Secretariat for Education, Research and Innovation SERI
State Secretary:
Martina Hirayama
www.seri.admin.ch

Federal Office for Agriculture FOAG
Director: Christian Hofer
www.foag.admin.ch

Federal Office for National Economic Supply FONES
Delegate a.i.: Kurt Rohrbach
www.fones.admin.ch

Federal Office for Housing FOH
Director: Martin Tschirren
www.bwo.admin.ch

Federal Office for Civilian Service CIVI
Director: Christoph Hartmann
www.zivi.admin.ch

Autonomous organisations

Office of the Price Supervisor
Price Supervisor:
Stefan Meierhans
www.preisueberwacher. admin.ch

Competition Commission COMCO
Director: Patrik Ducrey
www.weko.admin.ch

Board of the Federal Institutes of Technology ETH
President of the ETH Board:
Michael O. Hengartner
www.ethrat.ch

Swiss Federal University for Vocational Education and Training SFUVET
Director: Barbara Fontanellaz
www.sfivet.swiss

Swiss Innovation Agency Innosuisse
Director: Annalise Eggimann
www.innosuisse.ch

EAER

Government

Expenses 2021 (CHF)
11.77 bn

Staff (FTEs) 2021
2,185

www.wbf.admin.ch

Federal Department of the Environment, Transport, Energy and Communications DETEC

Roads, rail, power and the media: DETEC assures Switzerland's basic public services. But it also takes care of our natural environment: woodlands, landscape, water, air, plants and animals. DETEC pursues a climate policy that is also beneficial for the economy.

Switzerland's largest Alpine solar power installation is located at the Muttsee dam in the canton of Glarus. It has been in operation since August 2022.

"We need to make rapid progress in boosting domestic electricity production. This will strengthen security of supply and protect our climate."

Albert Rösti, head of DETEC.
Member of the Federal Council since 2023.

Energy is needed for daily life. The war in Ukraine has shown how vulnerable Switzerland is if it relies too heavily on energy from abroad – on Russian gas, for example. To make our country less dependent on oil and gas, DETEC is overseeing the rapid expansion of domestic renewable energies. For example, it is working to ensure that we produce and store more electricity with hydroelectric power plants and speed up approval procedures.

In addition, due to the uncertainty surrounding the energy situation last year, DETEC, together with the Department of Economic Affairs (EAER), the cantons, the Electricity Commission and the electricity industry, immediately created a back-up for any shortfall in supply – ensuring that the country's reservoirs are full and that it has a stock of mobile turbines to overcome shortages at short notice, for example. In addition, the Federal Council has obliged the industry to build up additional gas and storage capacities. DETEC itself is also committed to saving energy.

In opting to harness hydro and solar power, and where possible wind power, we are not only strengthening our security of supply, but also using it to produce the electricity we need to power environmentally friendly heat pumps and electric cars. It also helps us to protect our climate, one of DETEC's other main concerns. By rapidly boosting domestic electricity production, we can benefit twice over.

General Secretariat GS-DETEC
Secretary General: Yves Bichsel
www.uvek.admin.ch

Federal Office of Transport FOT
Director: Peter Füglistaler
www.bav.admin.ch

Federal Office of Civil Aviation FOCA
Director: Christian Hegner
www.bazl.admin.ch

Swiss Federal Office of Energy SFOE
Director: Benoît Revaz
www.bfe.admin.ch

Federal Roads Office FEDRO
Director: Jürg Röthlisberger
www.astra.admin.ch

Federal Office of Communications OFCOM
Director: Bernard Maissen
www.bakom.admin.ch

Federal Office for the Environment FOEN
Director:
Katrin Schneeberger
www.bafu.admin.ch

Federal Office for Spatial Development ARE
Director: Maria Lezzi
www.are.admin.ch

Autonomous organisations

Swiss Federal Nuclear Safety Inspectorate ENSI
Director: Marc Kenzelmann
www.ensi.ch

Federal Inspectorate for Heavy Current Installations ESTI
Director: Daniel Otti
www.esti.admin.ch

Swiss Transportation Safety Investigation Board STSB
President: Pieter Zeilstra
www.sust.admin.ch

Federal Electricity Commission ElCom
President: Werner Luginbühl
www.elcom.admin.ch

Federal Communications Commission ComCom
President:
Adrienne Corboud Fumagalli
www.comcom.admin.ch

Independent Complaints Authority for Radio and Television ICA
President:
Mascha Santschi Kallay
www.ubi.admin.ch

Federal Postal Services Commission PostCom
President:
Anne Seydoux-Christe
www.postcom.admin.ch

Rail Transport Commission RailCom
President:
Patrizia Danioth Halter
www.railcom.admin.ch

Expenses 2021 (CHF)
13.36 bn

Staff (FTEs) 2021
2,433

www.uvek.admin.ch

DETEC

Government

The Judiciary **The Courts**

In the heart of Lucerne, close to the lakeshore, stands the second seat of the Federal Supreme Court. In addition to social-insurance law cases, tax-law cases will also be heard here from 2023.

Anyone wishing to visit the listed building dating from the 19th century can do so by appointment – or take a virtual tour through the premises.

The Judiciary
The Courts

There are four federal courts. The highest court is the Federal Supreme Court, which rules in the final instance on cases from almost all areas of law. The three federal courts of first instance have different tasks. The Federal Criminal Court is responsible for criminal matters of particular importance to the Swiss Confederation as well as for appeals concerning international mutual assistance in criminal matters. The Federal Administrative Court rules on appeals against decisions of the federal administrative authorities and the Federal Patent Court on disputes over invention patents.

www.eidgenoessischegerichte.ch
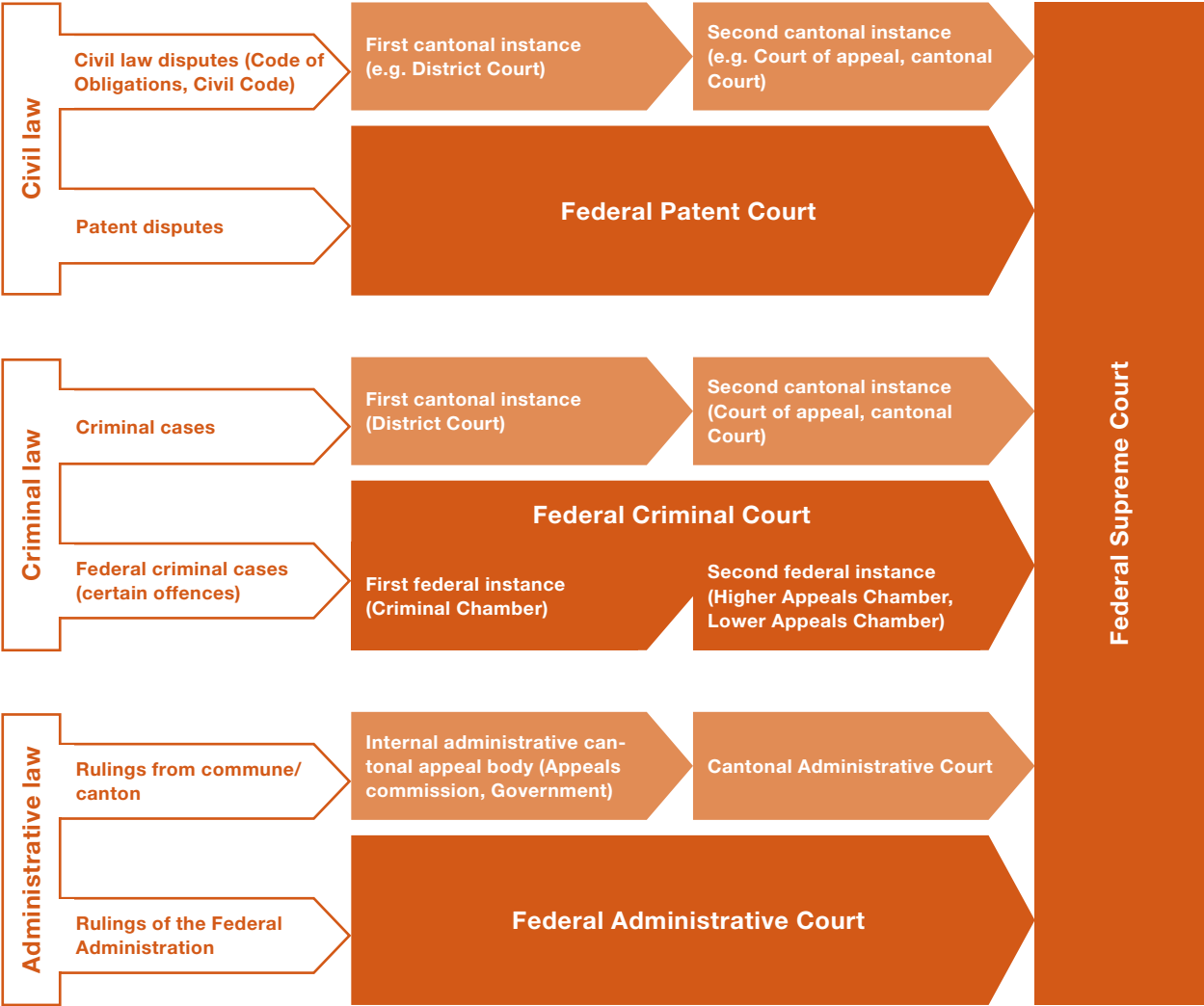
Multilevel procedure
Cantonal courts or the federal courts of first instance rule in the first and second instance. If the parties concerned do not agree with a decision, they can take their case to the Federal Supreme Court. The Federal Supreme Court Act regulates the conditions under which an appeal is possible.

Election of judges
The judges of the federal courts are elected by the United Federal Assembly for a term of office of 6 years. Re-election is possible without restriction. At the latest, judges leave office at the end of their 68th year of age.

The United Federal Assembly also elects the presidents and vicepresidents of the courts. The presidential term of office is 2 years (with the exception of the Federal Patent Court: 6 years). A one-time re-election is possible.

Video
The Federal Supreme Court

Procedures in the Swiss legal system

Civil law

| Civil law disputes (Code of Obligations, Civil Code) | First cantonal instance (e.g. District Court) | Second cantonal instance (e.g. Court of appeal, cantonal Court) |

Patent disputes → **Federal Patent Court**

Criminal law

Criminal cases → First cantonal instance (District Court) → Second cantonal instance (Court of appeal, cantonal Court)

Federal criminal cases (certain offences) → **Federal Criminal Court**: First federal instance (Criminal Chamber) | Second federal instance (Higher Appeals Chamber, Lower Appeals Chamber)

Administrative law

Rulings from commune/canton → Internal administrative cantonal appeal body (Appeals commission, Government) → Cantonal Administrative Court

Rulings of the Federal Administration → **Federal Administrative Court**

Federal Supreme Court

The federal courts are located at four sites

Lucerne: Federal Supreme Court (2 divisions)

St. Gallen: Federal Administrative Court and Federal Patent Court

Lausanne: Federal Supreme Court (main seat, 5 divisions)

Bellinzona: Federal Criminal Court

In 2021 approximately 14,000 cases were concluded

Federal Supreme Court

7509

Federal Administrative Court

5976

Federal Criminal Court

759

Federal Patent Court

22

The Federal Supreme Court

The Federal Supreme Court is the highest instance for legal disputes between citizens, between citizens and the state, between cantons and between the federal government and the cantons. These disputes may concern matters of civil, criminal, administrative and social law.

www.bger.ch

Functions

In general, it definitively examines decisions of lower courts

As the highest judicial authority, the Federal Supreme Court rules on appeals against decisions of the highest cantonal courts, the Federal Criminal Court, the Federal Administrative Court and the Federal Patent Court. It examines whether they have applied the law correctly. In the case of human rights issues, an appeal can be lodged at the European Court of Human Rights.

It ensures uniform application of the law

Through its decisions, the Federal Supreme Court ensures uniform application of federal law. It protects the constitutional rights of citizens. The other courts and the administrative authorities align themselves with its decisions.

It contributes to the development of law

If the Federal Supreme Court has to rule on a legal question that is not or not clearly regulated by the law, it contributes to the development of the law through its case law. This can lead to Parliament reformulating a law.

Organisation

The Federal Supreme Court is divided according to legal areas. It comprises

- two public law divisions in Lausanne (e.g. political rights, law on foreign nationals)
- two public law divisions in Lucerne (e.g. taxes, accident and disability insurance)
- two civil law divisions in Lausanne (e.g. contract law, family law)
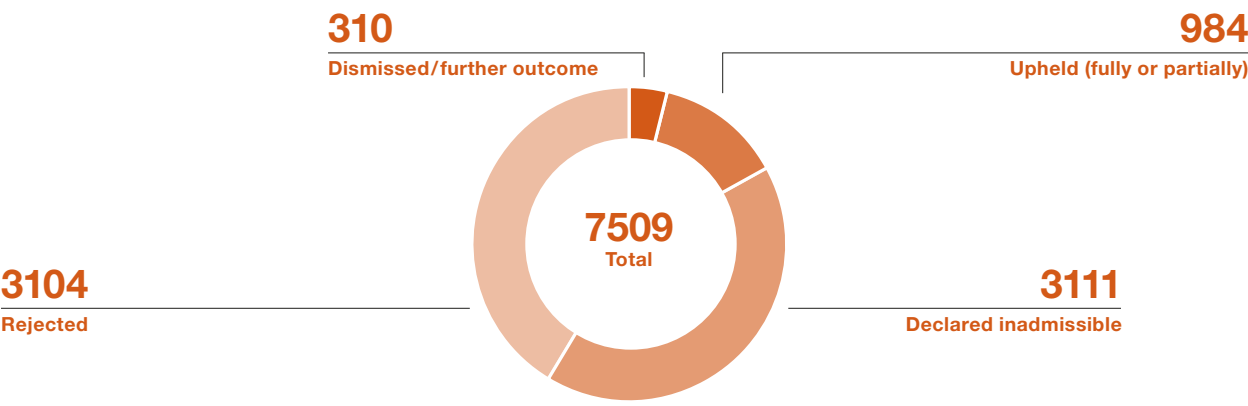- a criminal law division in Lausanne

40 ordinary and 19 substitute judges work at the Federal Supreme Court. They are assisted by 350 other employees (including around 150 court clerks).

The Federal Supreme Court is represented externally by its president. The whole court (all 40 federal judges) decides on the most important questions. The seat of the Federal Supreme Court is in Lausanne. For historical reasons, two divisions are located in Lucerne.

President: Yves Donzallaz

Scheduled dates for public hearings
www.bger.ch > Rechtsprechung > Sitzungen (in German)

Outcome and number of cases in 2021

310
Dismissed/further outcome

984
Upheld (fully or partially)

7509
Total

3104
Rejected

3111
Declared inadmissible

"There is no democracy without an independent judiciary and no judiciary without independent judges."

Yves Donzallaz
President of the Federal Supreme Court 2023/2024

Particularities

Usually in writing

The proceedings before the Federal Supreme Court are generally in writing. The competent judge studies the case and submits a written draft decision to the other judges involved in the case. If all the judges agree, the decision is issued. If they do not all agree, a public hearing is scheduled.

Transparent

During a public hearing, the judges discuss the case, often in the presence of the parties to the dispute, media representatives or visitors. At the end, the judges vote by show of hands. All judgments of the Federal Supreme Court are published on the Internet. Video recordings of public hearings are published when they are of particular interest to the public.

No independent examination of the facts of the case

The Federal Supreme Court examines legal issues. In principle, it bases its findings on the facts as they were established by the lower courts.

Multilingual – three or five judges

The judges of the Federal Supreme Court come from all linguistic regions of Switzerland. During public hearings, they speak in their mother tongues. The decisions are written either in German, French or Italian and are not translated. As a rule, three judges decide on a case and five when the case raises legal questions of fundamental importance or if one of the judges so requests.

Three questions to the president of the Federal Supreme Court

Is the Federal Supreme Court a male domain?
Absolutely not! Currently, 16 of the 38 court members are women. However, we have no influence on this, as the court members are elected by the Federal Assembly. Of the approximately 150 court clerks, 49 % are women, with an upward trend.

As president, are you the head of the Federal Supreme Court?
Not in the sense of a CEO. As president of the Federal Supreme Court, I represent the Federal Supreme Court vis-à-vis the outside world, for example vis-à-vis Parliament. As president, I am also a member of the Administrative Commission, which is responsible for the administration of the court. In many areas, the full court – the assembly of all court members – has the final say. And in addition to my presidential office, I am still a 'regular' judge in my court division.

Has the workload of the Federal Supreme Court increased, do people enter into more disputes today than in the past?
The number of appeals are indeed steadily increasing. There are many reasons for this; not least it is probably due to the fact that life has become more complex and so new legal questions arise, for example in connection with social media. The Federal Supreme Court has initiated an internal reorganisation to cope with the heavy workload and has already partially implemented it. In particular, because of the sharp increase in criminal cases, a second criminal division is to be created.

The president of the Federal Supreme Court is elected by Parliament for a term of two years. He represents the Federal Supreme Court vis-à-vis the outside world.

Publication of decisions

Film sequences of public hearings

Federal Supreme Court

Courts

The Federal Criminal Court

The Federal Criminal Court is the court of first instance and of appeal for criminal cases of particular interest to the Swiss Confederation. It also decides on appeals against the Office of the Attorney General or other prosecution and legal assistance authorities, as well as on conflicts of jurisdiction between cantons or the Confederation and the cantons.

www.bstger.ch

Functions

Most criminal offences are judged by cantonal courts. The Federal Criminal Court rules on criminal cases of particular interest to the Confederation, including criminal offences committed by or against federal employees, offences involving explosives, counterfeiting, cross-border economic crime, organised crime, corruption and money laundering as well as aviation offences.

The Federal Criminal Court reviews orders issued by federal prosecution authorities and authorities providing international mutual assistance in criminal matters. It also rules on conflicts of jurisdiction between prosecution authorities.

Organisation

The Federal Criminal Court consists of a Criminal Chamber and a Lower and Higher Appeals Chamber. Criminal Chamber judgments can be subject to appeal before the Higher Appeals Chamber. The latter was only established in 2019. Most of the Lower and Higher Appeals Chamber judgments can be referred to the Federal Supreme Court.

The Court has 22 tenured and 13 part-time judges. Some 70 employees support them. The Federal Criminal Court's management bodies are the Administrative Commission and the Plenary Assembly (consisting of all tenured judges).

President: Alberto Fabbri

Particularities

Large procedures
Proceedings before the Federal Criminal Court may involve several individuals and be multilingual, making translations necessary. At times special security measures have to be taken for the hearings. The written judgment in major proceedings involving several parties is often well over 100 pages long.

International context
Criminal cases often have an international dimension, especially those concerning economic crime and terrorism. The Lower Appeals Chamber can be required to decide whether Switzerland should extradite a person to another state, or if evidence (mostly bank records) should be handed over to another state.

Criminal Chamber: cases by subject matter in 2021

6
Administrative criminal cases

5
Bribery

4
Subsequent decisions (e.g. conversion of a monetary penalty into imprisonment)

3
Economic crime

2
Criminal organisation

2
Money laundering

38
other offences (e.g. counterfeiting of currency, explosives offences, aviation offences)

The Federal Administrative Court

The Federal Administrative Court handles appeals against rulings made by federal administrative authorities. In certain areas, it also reviews decisions made by cantonal authorities.

www.bvger.ch **@BVGer_Schweiz**

Functions

The Federal Administrative Court decides on appeals concerning the legality of rulings made by the federal administrative authorities. It therefore deals with a broad spectrum of legal issues ranging from A for asylum to Z for zoning law. The court also examines appeals against certain decisions made by cantonal governments, such as those concerning hospital lists. Lastly, it rules in the first instance on legal actions instituted in specific areas, e.g. in cases involving public law contracts.

Organisation

The Federal Administrative Court, which is based in St. Gallen, comprises six divisions and the General Secretariat. Division I focuses on infrastructure, taxes, federal employment and data protection; Division II on economic affairs, competition and education; Division III on social insurance and public health; Divisions IV and V on asylum law; and Division VI on the law on foreign nationals and citizenship.

The judges are elected by the United Federal Assembly. They perform their duties independently and are bound only by the law.

With 73 judges and 365 employees, it is Switzerland's largest federal court.

President: Vito Valenti

5976 cases concluded in 2021

4176
not appealable to the Federal Supreme Court

1800
appealable to the Federal Supreme Court

322
of which appealed to the Federal Supreme Court
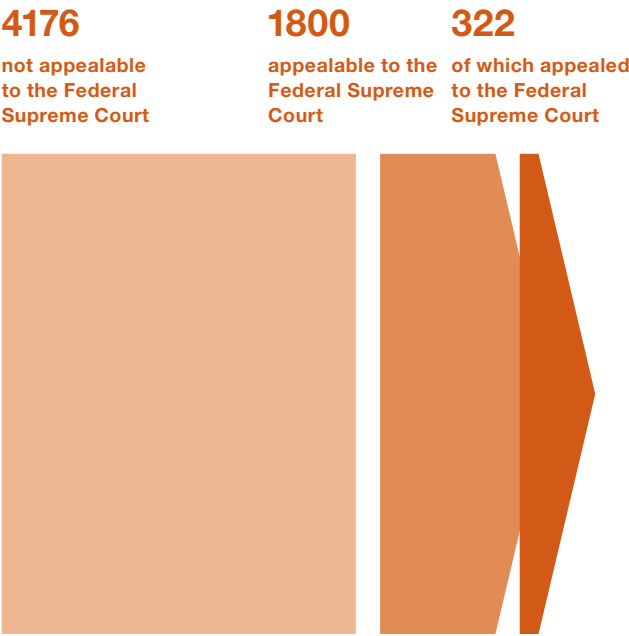
Particularities

Own inquiries
In hearing legal disputes, the Federal Administrative Court does not rely solely on the facts established in the lower instance and on the parties' submissions, it establishes the material facts. For this purpose, it calls on experts to deliver opinions and in certain cases makes preparatory inquiries or visual inspections.

Largely final
Each year, the court issues an average of 6,500 decisions – mostly in writing – in German, French and Italian. Most of its judgments are final.

The Federal Patent Court

The Federal Patent Court decides on disputes relating to patents. The smallest of the federal courts, it regularly deals with international parties. If the parties agree, pleadings and briefs can be in English.

www.bundespatentgericht.ch/en

Functions

Developing a technical idea usually costs a lot of money. With a patent, the 'intellectual property' of an invention is legally protected. In the event of a dispute, the Federal Patent Court decides whether a new technical development meets the requirements for patent protection; it also assesses whether existing patent rights are being infringed. It must also decide who is the legal holder of a patent or how a patent may be used in the context of licensing.

Until 2012, the cantonal courts had jurisdiction in matters relating to patent disputes. Since then, these cases have been a matter for the Federal Patent Court. Its judgments may be appealed to the Federal Supreme Court.

Organisation

The Federal Patent Court is the smallest federal court. It is not split into different divisions. 41 part-time judges work for the court but they do not have their own offices in the court. The president of the Federal Patent Court, another judge, two court clerks and two office staff members work for the Federal Patent Court on a permanent basis.

The seat of the Federal Patent Court is in St. Gallen. It does not have its own courtroom. If court hearings take place, they are held in the building of the nearby Federal Administrative Court. The Federal Patent Court can also hear cases in the cantons, e.g. in Neuchâtel, if the parties come from French-speaking Switzerland.

President: Mark Schweizer

Cases by technical field received in 2021

27
Total

13
Human necessities (incl. pharmaceuticals)

5
Physics

4
Construction, earth drilling, mining

3
Chemistry, metallurgy

1
Performing operations; transporting

1
Mechanical engineering, lighting, heating
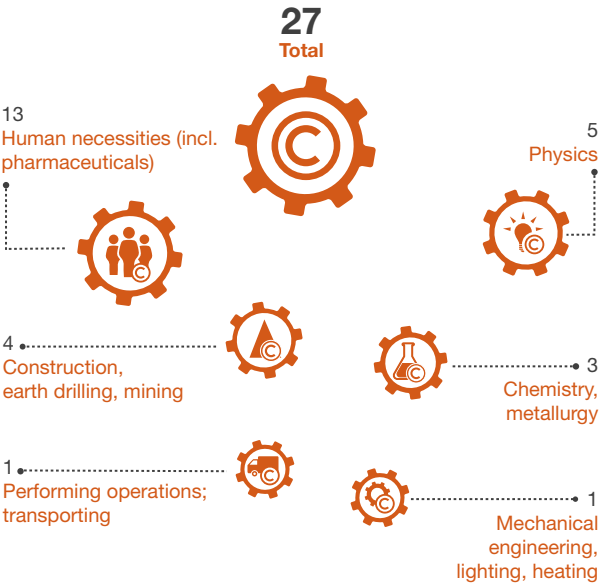
Particularities

English is also permitted as a language
International parties frequently appear before the Federal Patent Court; English is also often used in the field of technology. The parties to the dispute may therefore also conduct proceedings in English if everyone agrees.

Judges with technical expertise
The Federal Patent Court regularly deals with complex technical issues in its proceedings. Judges with appropriate technical expertise are therefore involved, enabling fast and cost-effective proceedings, as time-consuming and costly opinions from external experts can usually be avoided.

Judgments delivered by the federal courts

The Lindt & Sprüngli Bunnies
The Lindt & Sprüngli foil-wrapped chocolate bunnies benefit from trademark protection against Lidl's chocolate bunnies. Lindt & Sprüngli has registered three-dimensional shape trademarks for their bunnies, which the vast majority of the public associate with Lindt & Sprüngli. Due to the overall impression, the Lidl bunnies create a likelihood of confusion. They may therefore no longer be sold.
Judgment 4A_587/2021, BGE publication planned

Uber Eats and Uber
The Uber Eats meal delivery service, as offered in Geneva, includes an employment contract between Uber and the couriers. However, there is no contract for services between Uber and the restaurants.
The transport service offered by Uber in Geneva is governed by the cantonal law on taxis and transport vehicles with drivers. The Cantonal Court of Geneva ruled without arbitrariness that the drivers should be considered as employees and Uber, the employer company, as a transport company bound to respect the legal obligations relating to the social protection of drivers and the working conditions in use in their sector of activity.
Judgment 2C_575/2020, BGE publication planned and judgment 2C_34/2021

No judicial assistance to Russia
The Lower Appeals Chamber of the Federal Criminal Court has admitted recourses against several decisions granting international judicial assistance in criminal matters to Russia. The observed violations of international conventions, Russia's withdrawal from the Council of Europe and its denunciation of the ECHR indicate that the requirements for international legal assistance in criminal matters are no longer met. It can no longer be assumed that Russia will respect international law, especially in the field of human rights law.
Judgment RR.2021.84, RR.2021.91

New "Axenstrasse"
The Axenstrasse interconnects Brunnen and Flüelen along Lake Uri. Because of rockfalls and landslides along the roughly eleven kilometres-long section, the road often has to be closed for weeks at a time. The "New Axenstrasse" project involves the construction of twin tunnels through which the main traffic would be routed. The Federal Administrative Court has dismissed an appeal lodged by environmental associations against the construction project.
Judgment A-2997/2020

Satisfaction awarded
In 2014, a pregnant Syrian was ordered to return to Italy from Brig despite suffering pain. The Swiss Border Guard refrained from calling for medical assistance. The Federal Administrative Court has therefore awarded her financial compensation.
Judgment A-691/2021

Replay function
A company brought an action against Swisscom AG claiming that the replay function offered by Swisscom for the time-shifted playback of television programmes infringes its patent. The Federal Patent Court dismissed the action. The patent in question is not valid because it was amended on a decisive point and unlawfully extended compared to the original application.
Judgment O2020_004

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The River Aare meanders its way through Bern.
It is overlooked by the Federal Palace, the heart of Swiss political life.