

Bundesversammlung

Assemblée fédérale

Assemblea federale

Assamblea federala



Control Committees
CH-3003 Bern

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Principles of action of the Control Committees

as approved by the Control Committees on 29 August 2003 and 4 September 2003

The Control Committees:

The Control Committees are standing committees of the Federal Assembly responsible for parliamentary oversight.

They act according to the following principles:

Mandate and objectives:

On behalf of the Federal Assembly, the Control Committees exercise parliamentary oversight of the activities of the Federal Council and the federal administration, the federal courts and other bodies entrusted with tasks by the Confederation (Art. 169 of the Federal Constitution). Parliamentary oversight is exercised with particular emphasis on criteria of legitimacy, appropriateness and effectiveness (Art. 52, § 2, Parliament Act). The committees also monitor the performance and appropriateness of the actions of the government and the administration. As far as possible and within their field of competence, the Control Committees investigate quickly and comprehensively any unusual events.

The objectives of the Control Committees are:

- to reinforce the democratic accountability of the Federal Council and the federal administration, the federal courts and other bodies entrusted with tasks by the Confederation;
- to monitor and assess in detail the activities and impacts of these institutions and thus to identify at an early stage the need for political action in areas overseen by the committees;
- to help correct shortcomings and deficiencies that have been recognised and improve the way in which activities are conducted by identifying potentials for optimisation;
- to establish communication with all bodies entrusted with tasks by the Confederation and thus to induce a learning process liable to improve the authorities' ability to solve problems;
- to work for more transparency and to increase the trust in these bodies;



- to draw lessons in view of implementing existing legislation more consistently and drawing up future legislation more appropriately.

The Control Committees

- provide comprehensive reports for **parliament** and the **general public** concerning the policy and administration of the Federal Council and the federal administration, the federal courts and other bodies entrusted with tasks by the Confederation;
- work closely with the federal bodies responsible for financial supervision (the **Finance Committees**, the **Finance Delegation** and the **Swiss Federal Audit Office**). When the Control Committees receive information likely to be of significance to these bodies for the fulfilment of their mandate, they pass it on without delay;
- coordinate their activities with those of the **parliamentary legislative committees**. The Control Committees ensure that their findings are taken into account in the legislative process;
- examine information brought to them by **the general public** and assess their relevance in relation to parliamentary oversight;
- exercise parliamentary oversight of the policy and administration of the **Federal Council**. They do this through direct contact with the Federal Council itself. The Control Committees identify problems encountered by the government and the federal administration in relation to the application of legislation and see, within the scope of their competence, that these problems are resolved;
- monitor, in the course of exercising parliamentary oversight of the **federal courts**, the general administration of the courts, as well as the development of a modern court administration, while at the same time respecting the independence of the judiciary;
- fulfil their mandate also through direct contact with **federal agencies**. The Control Committees welcome inputs from federal agencies and their staff concerning their policy and administration, particularly if major problems are not being resolved by higher authorities;
- take into account, when monitoring **other bodies entrusted with tasks by the Confederation** (e.g. federally-owned companies or cantons), their specific legal and organisational form by concentrating on the way the Federal Council itself monitors these bodies.



Procedure:

The Control Committees

- monitor not only **past** but also **present** policy and administration. They attach great importance to the **early recognition** of problems;
- define **key fields** each year in which they intend to conduct in-depth investigations. In the medium term, they aim to **balance** their control activities over the various branches of federal activity and policy areas. A rolling system of planning enables the Control Committees to react to unforeseen events;
- **coordinate** their activities and work jointly as far as is possible and appropriate;
- welcome **all comments pointing to deficiencies and possible ways of improving the functioning of the bodies they monitor**. The Control Committees take up deficiencies deriving from legal provisions and ensure that they are eliminated in the legislative process;
- deal with **individual cases** insofar as they are of **systematic importance**;
- draw up **joint solutions to problems** together with the agencies responsible. Should the level of cooperation not prove to be sufficient, the Control Committees use their far-reaching rights to access information and may make use of further means available to them in order to fulfil their mandate;
- aim to maintain a **broad range of information sources** within and outside the federal administration thus ensuring that they remain independent of points of view too specific to the administration;
- work in a **non-partisan** manner and apply themselves to taking decisions according to the **principle of consensus**. However, if the need arises the Control Committees may choose to raise an important minority viewpoint;
- guarantee the **confidentiality** of their work until its publication is officially decided by the relevant committee. They attach special importance to protecting their sources of information;
- **publish the results of their investigations quickly** and inform parliament and the general public of their activities on an annual basis. The Control Committees may release interim findings on any major issues;
- monitor the **implementation of their recommendations and their political demands**;
- take into account the **latest developments in public administration and evaluation research** when fulfilling their mandate.



Means:

The Control Committees

→ enjoy **comprehensive rights to access information** for the purpose of fulfilling their mandate (Arts. 150 and 153 of the Parliament Act). They are authorised to contact directly at any time all authorities, public agencies and other bodies entrusted with tasks by the Confederation and to request all relevant information and documents from them. They may also conduct hearings with any members of these bodies. The Control Committees alone decide with whom they wish to conduct hearings. The obligation to provide information is not limited by professional confidentiality. If the fulfilment of their mandate demands it, the Control Committees may also request information and documents from people and agencies outside the federal administration;

→ carry out **inspections, evaluations, follow-ups and visits**, as well as **further inquiries** in order to achieve their aims. They also review the **annual reports** produced by the federal authorities;

→ normally publish the results of their investigations **in the form of a report and transmit their recommendations to the relevant authorities**. Furthermore, they are entitled to submit **parliamentary interventions**. The relevant authorities are obliged to publish a position paper on the findings of the investigations. The work of the Control Committees is therefore aimed at holding the relevant authorities to account;

→ are supported by a **dedicated secretariat** and a scientific evaluation staff, the **Parliamentary Control of the Administration**.