

2021 Annual Report of the Parliamentary Control of the Administration

Appendix to the 2021 Annual Report by the Federal Assembly Control Committees and Control Delegation

of 25 January 2022

Overview of PCA activities in 2021

In 2021, the Parliamentary Control of the Administration (PCA) celebrated its 30th anniversary. In the course of the year, two of its investigations were published, three others concluded and three new evaluations launched. Furthermore, the PCA submitted topic proposals for the 2022 annual programme of the Federal Assembly Control Committees (CCs) and provided support to the committees in processing the evaluations and follow-ups.

Published evaluations

In 2021, two PCA evaluations were published. These came to the following conclusions:

- ***Case assignment in the federal courts:** The procedures for assigning cases in the federal courts are fundamentally appropriate. Cases are assigned to the judges on the basis of objective criteria. However, not all criteria are listed in the regulations and taken into account in the instruments used. Moreover, the assignment of cases is not sufficiently documented, and this reduces transparency and traceability.*
- ***Use of experts in the Federal Administration (brief evaluation as part of a follow-up investigation):** In recent years, the Federal Administration has introduced clearer and more transparent rules on the use of experts. In its procurement controlling, it carries out general statistical analyses that are fit for purpose, but there are shortcomings in the subsequent in-depth reviews. Moreover, contracts with experts are not recorded in a uniform manner and the controlling reports contain too little detail.*

Ongoing evaluations

The PCA completed the following three investigations but as they are still being processed by the relevant control committees, these have not yet been published:

- ***Controlling of offset transactions:** When the Confederation procures armaments from a foreign supplier, the latter must undertake to enter into offset transactions with the Swiss economy. In its evaluation, the PCA examined the appropriateness of the control mechanisms for these offset transactions.*

- **Groundwater protection in Switzerland:** The federal government monitors the measures taken by the cantons to protect groundwater. The PCA evaluation looked at how the Confederation conducts this monitoring and whether the interfaces with agricultural and spatial planning policy are appropriate.
- **Parliamentary involvement in the field of soft law:** The parliamentary committees must be informed and consulted on the main foreign policy soft law projects. The PCA examined whether the Federal Administration assesses the materiality of soft law projects expediently and whether parliamentary involvement is appropriate and sufficient compared with other countries' legal systems.

Three evaluations were ongoing at the end of 2021:

- **Extra-parliamentary administrative commissions:** The Federal Council may appoint extra-parliamentary administrative commissions if the Federal Administration does not have the necessary expertise in a particular area or if persons from outside the Federal Administration are to be involved at an early stage. The PCA is examining the expediency of setting up such commissions and of their services, and whether the Federal Administration actually uses these services.
- **Coronavirus pandemic: Use of scientific findings by the FOPH:** Scientific knowledge about the new coronavirus plays a crucial role in pandemic response. The evaluation is looking at whether the Federal Office of Public Health (FOPH) has adequately processed and taken into account the scientific findings and whether these findings have been communicated to the public in a coherent and transparent manner.
- **Short-time work in the pandemic:** During the COVID-19 pandemic, considerable use was made of short-time work for employees. The evaluation is looking at whether the amendments made to the legislation on short-time work during the crisis were appropriate, whether the support provided by the Confederation to the cantons was adequate, and whether supervision and controlling ensured that compensation was paid in accordance with the law.

New evaluations in 2022

When finalising their annual programme on 25 January 2022, the control committees commissioned the PCA with conducting two new evaluations. These concern communication by the authorities in the run up to popular votes and measuring the impact of development cooperation.

The full annual report is available in French, German and Italian (www.parliament.ch).