

2016 Annual Report of the Parliamentary Control of the Administration¹

Appendix to the 2016 Annual Report by the Control Committees and the Control Delegation of the National Council and the Council of States

26 January 2017

The activities of the PCA in 2016 at a glance

In the course of 2016, the Parliamentary Control of the Administration (PCA) published two evaluations and completed a further one. One evaluation was nearing completion in the year under review, and three new ones were launched, along with a minor assignment. The PCA also drafted proposals for the 2017 annual programme of the Federal Assembly's Control Committees (CCs) and drew up the framework upon which it processes its evaluations and the CCs conduct follow-up monitoring.

Completed investigations

*The 380 members of the diplomatic service at the Federal Department of Foreign Affairs are responsible for protecting and representing the interests of Switzerland abroad. In recent years, concerns have been expressed for a variety of reasons regarding **staff in the diplomatic service** (competitive entrance procedures, skills currently required, early exit from the service etc.). At the CCs' request, the PCA therefore looked primarily at the diplomatic service's systems of staff recruitment and staff retention, concluding that these function well and do not demonstrate any fundamental shortcomings. Several weaknesses were, however, identified. For example, a very high skills level is required overall. Staff-assessment instruments do not provide an entirely transparent basis for internal promotion decisions, and it is not clear how the promotion board forms its recommendations on the basis of the documentation. Furthermore, a number of non-interconnectable data systems are employed to monitor staff, making it very difficult to evaluate data for staff-monitoring purposes.*

*The system of vocational and professional education and training (VPET) in Switzerland is unusual for the fact that it is run jointly by the Federal Administration, the cantons and professional organisations (social partners, professional associations). In the light of criticism of the way this partnership between the various players functions, and considering the importance of this sector, the CCs tasked the PCA with assessing the **quality of the VPET partnership** in terms of strategic and operative management. The PCA concluded that the VPET partnership functions reasonably well and is valued by the players involved. It is based on complementary responsibilities, on bodies in which cooperation is possible, and on dialogue between*

¹ The annual report of the PCA is published as an appendix to the 2016 Annual Report by the Control Committees and the Control Delegations of the National Council and the Council of States.

the different players at both strategic and operative level. However, in practical terms there are shortcomings with regard to some fundamental tasks, these being poorly defined in the legal foundations. For example, the partnership is stretched in the area of strategic management: although the partners are willing to establish shared objectives, they do not go so far as to assign tasks clearly or to monitor how such tasks are carried out.

*Free trade agreements have gained in importance in recent years. Their purpose is to boost foreign trade and improve access to foreign markets for Swiss businesses. However, it is not always clear what **impacts free trade agreements** have. For one thing, their effects may be difficult to measure, as foreign trade developments are influenced by a number of political and economic factors. What is more, often we do not know how the Federal Council and Federal Administration assess the impacts of such agreements, or upon what basis they do so. The CCs thus commissioned the PCA to investigate this issue. The evaluation focused on federal information on the expected and actual impacts of free trade agreements. In November 2016 the PCA presented its report to the CC-N FDF/EAER sub-committee; the latter is currently discussing the conclusions and recommendations to be drawn from the report.*

Ongoing investigations

*An increasing number of Swiss cities and communes are introducing **electronic vote counting (e-counting)**. Votes are still cast on ballot papers, but these are then scanned and counted by customised software, enabling the results of popular votes to be determined more quickly and more efficiently. However, questions have been raised over the security of this process, and the scope for manipulation. The Federal Council is required by law to approve the use of electronic counting in federal elections and votes. However, it has been asked whether the roles assumed in the system are apportioned appropriately, if the federal requirements are expedient, and how accurate electronic vote counting actually is. The CCs therefore tasked the PCA with evaluating these aspects. The PCA will report to the CC-N's FDJP/FCh sub-committee in February 2017.*

*Asylum seekers who have their application for asylum rejected must leave Switzerland. If there are signs that an unsuccessful asylum seeker might try to avoid deportation, the cantonal authorities may order their administrative detention – detention pending deportation. The Confederation contributes to the costs of detention, a contribution that will likely increase. It is questionable whether the cantons apply **administrative detention in the asylum sector** appropriately, and how effective it is. Problems with administrative detention were already highlighted in a PCA evaluation back in 2005. The legal guidelines have since been modified, yet difficulties still exist, in particular in the asylum sector. The CCs therefore decided to commission the PCA to conduct an evaluation comparing the effectiveness and appropriateness of administrative detention with other instruments employed to remove rejected asylum seekers. The PCA will also compare information on administrative detention and removal from other European countries. The evaluation findings are due to be presented to the CC-N's FDJP/FCh sub-committee in the last quarter of 2017.*

Switzerland participates in any binding sanctions imposed by the UN Security Council; it also participates on a voluntary basis in those imposed by the EU, its

main trading partner, with the Federal Council weighing up a range of criteria relating to foreign policy, foreign economic policy and legal issues when making its decision over whether to participate. There are cases in which the Federal Council does not agree to join in sanctions or does so only partially. When **economic sanctions are pursued by the Confederation**, the Federal Administration plays a key role in preparing and applying the relevant ordinances. There are indications that this system has some shortcomings. Furthermore, criticism has been voiced regarding the consistency of Swiss participation in EU sanctions. The CCs have therefore charged the PCA with reviewing the role of the Federal Administration in the preparation of decisions regarding sanctions ordinances and their application. The PCA is due to present its report to the CC-S FDF/EAER sub-committee in November 2017.

The population development scenarios drawn up by the Federal Statistical Office (FSO) provide the Confederation and cantons with an essential planning basis in a range of policy sectors and are also of value to the economy. In the past, actual population development in Switzerland outstripped even the strong-growth scenario after only a few years, calling into doubt the quality of the prognostications. The FSO also regularly publishes cantonal population scenarios besides the national ones; since the cantons are not invited to check the plausibility of the data, some develop their own population scenarios based on more specific hypotheses. The CCs have therefore tasked the PCA with evaluating the **appropriateness and quality of the FSO's population scenarios**. The PCA report is to be presented to the relevant CC-S FDHA/DETEC sub-committee in the final quarter of 2017.

In 2013, the CC-N published the PCA's evaluation of **the appointment of senior management** by the Federal Council and its own inspection report containing several recommendations for the Federal Council. As a follow-up to this inspection, the CC-N have requested the PCA to conduct a brief study on whether the measures to improve this appointment procedure have been implemented. Since the PCA's analyses also cover appointments in 2017, its report will not be submitted to the CC-N's FDF/EAER sub-committee until the first quarter of 2018 at the earliest.

New evaluations in 2017

When approving their annual programme on 27 January 2017, the CCs tasked the PCA with conducting two new evaluations on the **Confederation's public relations activities** and the **DNA analyses in criminal procedures**. The CCs have also set the **Master planning in the military** as a reserve subject for an investigation.

The full annual Report is available in French and German; the Italian version should be ready around March 2017 (www.parliament.ch).