

2019 Annual Report of the Parliamentary Control of the Administration

Appendix to the 2019 Annual Report by the Federal Assembly Control Committees and Control Delegation

of 28 January 2020

The activities of the PCA in 2019 at a glance

In 2019 the Parliamentary Control of the Administration (PCA) completed four evaluations and two short evaluations, and launched two new investigations. Furthermore, the PCA submitted topic proposals for the 2020 annual programme of the Federal Assembly Control Committees (CCs) and provided support to the committees in processing the evaluations and the follow-up to these.

Published evaluations

In 2019 the PCA published four evaluations and two short evaluations, the conclusions of which are as follows:

- ***DNA analyses in criminal proceedings:*** *The frequency with which DNA analyses have been conducted in Switzerland in recent years broadly reflects criminal trends and can thus be regarded as appropriate. However, there are considerable differences between the cantons, which, considering federal law should be applied consistently, is inappropriate. Furthermore, the oversight system for the DNA analysis laboratories shows weaknesses.*
- ***The Confederation's communication activities:*** *The Confederation's communication activities are, in general, satisfactory. Communication is appropriate and in conformity with the statutory requirements. However, there are some shortcomings with regard to the clarity of guidelines, interdepartmental coordination and cost transparency.*
- ***Government response to the adopted motions and postulates:*** *Generally speaking, the Federal Council deals appropriately with the motions and postulates submitted by Parliament. However, the nature of the procedural requests varies considerably, and so the length of time it takes to deal with them also varies greatly. The processes and instruments used to monitor how procedural requests are dealt with are suitable only to a limited degree.*
- ***Administrative and disciplinary investigations in the Federal Administration:*** *Administrative and disciplinary investigations are usually requested, conducted and concluded by the Federal Administration in an appropriate manner. The evaluation uncovered some weaknesses in the choice of procedure type, the inclusion of the departments, procedural regulations, the application of the statute of limitations and the use of available expertise.*

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- ***Nomination procedure to positions of senior management by the Federal Council (follow-up investigation - short evaluation)***: In response to recommendations made by the National Council Control Committee (CC-N), the Federal Council and the departments have made substantial changes to the procedure for nominating senior managers. These include the systematic implementation of security screening of candidates before nomination and the creation of selection committees. However, weaknesses still exist, in particular regarding the quality of information submitted to the Federal Council as a basis for its decision.
 - ***External employees in the Federal Administration (follow-up investigation - short evaluation)***: In response to recommendations made by the Council of States Control Committee (CC-S), the use of external employees in the Federal Administration has become more transparent. The Federal Council has issued clear directives, the majority of which are being implemented, however, there is still a risk of pseudo-temporary employment. In addition, the Confederation has internalised numerous positions; however, it is not clear whether the savings potential has been realised.

Ongoing evaluations

The following investigations were still ongoing at the end of the reporting year:

- ***Assignment of cases among the federal courts***: In order to guarantee the independence and impartiality of court proceedings, the federal courts have the duty to assign cases to judges in accordance with objective and previously defined criteria. The PCA's evaluation addresses adequacy and legitimacy of this procedure of case assignment.
- ***Involvement of experts in the Federal Administration (3rd follow-up investigation - short evaluation)***: The PCA is reviewing the implementation of the CC-S's outstanding recommendations, including the awarding and recording of political consultancy contracts, on follow-up contracts without a competitive procedure and on the risk in the Federal Administration of an end-of-year spending rush to avoid budget cuts the following year.

New evaluations in 2020

When finalising their annual programme on 28 January 2020, the CCs commissioned the PCA with conducting three new evaluations. These relate to oversight of offset orders, water quality in Switzerland and public sector buildings that are no longer required or in need of refurbishment.

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