

# **Dealing with adopted motions and postulates**

**Summary of the report by the Parliamentary Control of the  
Administration for the Council of States' Control Committee**

7 May 2019

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## Summary

***Overall, the Federal Council deals with the motions and postulates adopted by Parliament satisfactorily. However, procedural requests vary greatly in nature and the time taken to address them differs considerably. The processes and instruments employed by Parliament to monitor how requests are dealt with is only partially suitable.***

*In January 2018, the parliamentary Control Committees (CCs) commissioned the Parliamentary Control of the Administration (PCA) to evaluate the extent to which adopted motions and postulates (procedural requests) are satisfactorily dealt with. The relevant FDJP/FCh sub-committee of the Council of States' Control Committee decided at its meeting of 7 May 2018 that, in its evaluation, the PCA should look at whether the substance of procedural requests is respected; whether they are addressed within a suitable timeframe; and whether there is appropriate monitoring of the process. The sub-committee also wanted to know to what extent the expectations of the person making the request are met.*

*This report is based to a large degree on a statistical analysis conducted by the University of Bern's Institute for Political Science commissioned by the PCA. The analysis is based on existing data and on new data drawn up by the PCA and the Parliamentary Library. The PCA analysed documents and conducted interviews with around 40 persons in order to assess the extent to which parliamentary procedural requests are dealt with appropriately and whether monitoring processes are sufficient. It also looked at eight cases in detail in order to gauge the degree to which the expectations of the member of parliament making the request were actually met.*

### ***Room for interpretation in meeting requests***

*Motions and postulates are instructions to the Federal Council to carry out a certain task; the scope of this task may, however, be interpreted differently by different parties. Firstly, those involved may have differing views about the binding nature of the points set out in the explanatory text. Secondly, the Federal Council can ask for a procedural request to be closed if it considers that the aims it addresses have already been met or that the request is no longer valid. The boundary between these two assessments is blurred, and while the Federal Council may consider that the issues have already been addressed, the person making the request may think otherwise. Finally, requests often contain a wide variety of different tasks, or tasks which are of an ongoing nature. It is therefore sometimes difficult to determine whether or not a request has been dealt with.*

### ***Federal Council generally performs its duty***

*Although there is no legal time limit for dealing with motions or postulates, the majority of those surveyed understand the two-year time limit within which the Federal Council must report on a matter to be, at the same time, the deadline for addressing the request. The PCA's investigation found that half of all procedural requests are dealt with within this two-year time limit. The nature of the task requested in the text of the motion or postulate is in general respected, i.e. when a motion instructs the government to draft a new law, then the government does so. The way in*

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which requests are addressed is, however, not always entirely satisfactory, and the expectations of those making the request are often only partially met. Since, in most cases, Parliament agrees to the Federal Council's recommendation to close a request, this suggests that the Federal Council does in general take some action, but it does not always mean that Parliament is entirely satisfied with the action taken.

### **Practical reasons usually determine time taken to deal with a request**

On average, three years and four months pass between a motion or postulate being adopted and then closed by Parliament. The analysis did not find any significant difference between motions and postulates in this respect. However, the amount of time taken to deal with procedural requests varies greatly from case to case, mainly as a result of practical circumstances. For example, a federal office with a particularly heavy workload takes much longer to deal with a request. Just seven federal offices are responsible for dealing with almost half of all adopted requests, so it takes them on average three and a half months longer than other federal offices to deal with a request. Political aspects such as which organ makes the request (committee, parliamentary group or individual Council member), whether it is submitted by the National Council or Council of States, and to what extent the request receives the support of Parliament do not have any impact on the amount of time it takes to deal with a request.

### **Complicated and inefficient reporting procedure**

Many people are involved in dealing with motions and postulates at various levels: the Parliamentary Services, the Federal Chancellery, the general secretariats, federal offices and translation services. Currently there is no system of automatic data exchange between these bodies. As not everyone has access to the same databases, information must often be entered manually or the same information must be entered twice in different systems. This is of course inefficient and can lead to error. Moreover, responsibility for the texts that appear in the Federal Council annual report lies with the individual government departments, while overall responsibility for the annual report lies with the Federal Chancellery, and this creates some uncertainty over who is ultimately responsible for the report and its contents.

### **Minimal monitoring by Parliament on the basis of a single, unsatisfactory instrument**

The Federal Council's annual report on motions and postulates is the only instrument Parliament has to review whether the government has dealt with the tasks it has been set. However, the PCA's analysis showed that members of parliament have little political interest in monitoring the course of parliamentary requests, and they mainly close motions and postulates despite being only partially satisfied that the action requested has been taken. Furthermore, the current form of reporting is unsuitable for ongoing monitoring purposes, as information about how a request has been dealt with can appear in reports spreading over several years and is not available in the parliamentary database of items of business, a situation which is far from transparent. It is thus debatable whether the annual report in its current form is of any use for monitoring whether parliamentary motions and postulates are adequately dealt with.

The full report is available in German, French and Italian ([www.parliament.ch](http://www.parliament.ch))