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### Federal Customs Administration FCA

The Customs Administration monitors the import, export and transit of goods. It collects customs duties, road traffic charges and taxes, including VAT on imports. Approximately CHF 19 billion a year from VAT and excise duty on oil, tobacco and vehicles flows through customs into the federal coffers. The Central Control Office for Precious Metals, which forms part of the Customs Administration, checks jewellery and watches for their authenticity.

The Border Police is the uniformed and armed part of the FCA and carries out a number of policing duties at the border and in its vicinity.

Staff: 4 604  
Budget: CHF 1 183 234 600.–  
Director: Rudolf Dietrich  
www.zoll.admin.ch

### Federal Office of Information Technology, Systems and Telecommunication FOITT

The FOITT provides services for the whole of the federal administration in the fields of telecommunications, IT training and operational security, and also has centres of expertise for the internet and SAP. In addition, it provides IT services for its own department, the Federal Department of the Environment, Transport, Energy and Communications and the Federal Chancellery. It coordinates operational aspects with other departmental service providers. With a view to the planned changeover to management by performance mandate and global budget as of 1 January 2007, and the introduction of performance accounting

in the federal administration, the internal processes and organisation will be modified and customer requirements will be given greater priority.

Staff: 519  
Budget: CHF 220 758 800.–  
Director: Marius Redli  
www.bit.admin.ch

### Federal Office for Buildings and Logistics FOBL

The FOBL is responsible for property management and the central procurement of non-durable goods for the federal administration, as well as for dealing with data output, the production and distribution of federal publications and the production of security passes, most importantly the Swiss passport. In terms of buildings, the main focus in 2006 is the refurbishment of the Parliament Building in Bern, the construction of a new IT centre for the federal administration at Fellerstrasse in Bern and the first stage of the refurbishment of the Swiss National Museum in Zurich.

Staff: 460 (+200 cleaning staff)  
Budget: CHF 599 220 300.–  
Director: Gustave E. Marchand  
www.bbl.admin.ch

### Federal Office of Private Insurance FOPI

The office is responsible for supervising the commercial operations of private insurance companies and intervenes in the event of grievances. Its main aim is to protect policyholders from abuse as well as to safeguard their entitlements. The Federal Office of Private Insurance was transferred to the FDF from the FDJP on 1 July 2003. The office has been through a period of change, which has led to a new orientation of

insurance supervision. A key aspect is risk-based supervision by which the necessary solvency of an insurance provider is calculated as a function of the risks involved. The new orientation is a significant element of the revised Insurance Supervision Act that was adopted by parliament on 17 December 2004.

Staff: 67  
Budget: CHF 16 332 300.–  
Director: Herbert Lüthy  
www.bpv.admin.ch

### Swiss Federal Banking Commission SFBC

The Swiss Federal Banking Commission supervises banks, securities dealers, investment funds and stock exchanges, together with the disclosure of shareholding interests and public acquisition offers and mortgage lenders. The costs, which amount to around CHF 30 million, are borne by the institutions under supervision. The Swiss Federal Banking Commission is an independent federal administrative authority that is affiliated to the FDF for administrative purposes.

Staff: 162  
Budget: CHF 30 546 800.–  
Director: Daniel Zuberbühler  
www.ebk.admin.ch

### Federal Audit Office FAO

As the Confederation's supreme audit institution, the FAO scrutinises accounting practices and verifies the proper and efficient use of resources by the Federal Administration and other public service institutions and subsidy recipients.

Staff: 92  
Budget: CHF 17 145 200.–  
Director: Kurt Grüter  
www.efk.admin.ch

### Swiss Alcohol Board SAB

In Switzerland, alcohol abuse not only causes human suffering, but also costs the country several billion Swiss francs a year. The SAB is charged with the practical implementation of alcohol legislation and steers the alcohol market (not including naturally fermented products) by means of taxes and restrictions. The Alcohol Act also covers advertising restrictions and bans. Alcosuisse, the SAB's profit centre is responsible for trade in high grade alcohol and ethanol. It also runs the "Etha+" project to reduce carbon dioxide emissions in road traffic by 600,000 tonnes a year by mixing ethanol with fuels.

Staff: 155  
Budget: CHF 33 900 000.–  
Director: Lucien Erard  
www.eav.admin.ch

### Federal Pension Fund PUBLICA

PUBLICA is a public institution of the Confederation. It can conclude affiliation agreements with organisations which are closely linked to the Confederation. This provides insurance cover to employees of the Federal Administration, the Parliamentary Services, the Confederation's decentralised administrative units, federal arbitration and appeals commissions, the federal courts and associated organisations. PUBLICA's main objective in 2006 is the preparation for the technical migration to a contribution-based pension plan.

Staff: 117  
Budget: CHF 48 030 718.–  
Director: Werner Hertzog  
www.publica.ch





# FDEA

## Swiss Know-how

Job creation, vocational training, economic growth: over two thousand members of staff at the Federal Department of Economic Affairs work to ensure the best possible conditions for employers and entrepreneurs, for industry, for SMEs, and also for large multinational enterprises.

The department advises on and monitors decisions in the field of economic policy and ensures their implementation. It pursues a policy that is directed at improving Switzerland's position as a location for business and research.

### Article 101, paragraph 1

The Confederation shall safeguard the interests of the Swiss economy abroad.

Everyday we see a whole range of products carrying the label "Made in China" and as a result some speak of being flooded with goods from the Far East. However, very few get to meet the Chinese delegations that show an interest in Swiss made laser cutting machines – and purchase them. The fact that open borders and free trade are in our country's interests is not only apparently true, but demonstrably so.

**Federal Department  
of Economic Affairs**  
FDEA

**General Secretariat GS**

The General Secretariat is the department's staff and coordination office which supports and advises the Head of Department in his daily work. Its brief also involves planning, coordinating and monitoring the department's activities and it is responsible for overseeing the results and assessing the effects of its decisions. The Resources Sector provides services for the whole department ranging from human resources, finances and logistics, accounting and translation services. IT services are provided through its *IT Service Centre*.

Staff: 71  
Budget: CHF 28 452 000.–  
Secretary-General: Walter Thurnherr  
www.edv.admin.ch

Also affiliated to the General Secretariat are the *Federal Consumer Affairs Bureau* and the *Central Office for Civilian Service*. Swiss consumers have access to over 22 million different products and services. In its work, the office takes into consideration the interests of consumers as well as those of the economy as a whole. In order to publicise consumer concerns, it also promotes access to objective information.

Last year, almost two thousand Swiss men were approved for

civilian service. These men were able to demonstrate credibly that they would be unable to perform military service on the grounds of conscience. The Central Office for Civilian Service is responsible for processing these applications and the subsequent hearings at its seven regional centres throughout the country. It is also responsible for the recognition of the institutions in which the service is to be performed and provides advice to both the individuals and the institutions concerned.

**State Secretariat for Economic  
Affairs seco**

There are now tangible signs of economic recovery. In order for this upturn to continue, there must be sound regulatory and economic conditions. It is seco's task to ensure that is the case. Employers and employees should be able to benefit from growth-oriented policies, the removal of barriers to trade, and the reduction of Switzerland's relatively high prices. On the domestic front, it acts as an interface between business, social partners and government. It supports the regionally and structurally balanced development of the economy and ensures the protection of employees. Through its labour market policy, it contributes to the prevention and tackling of unemployment and consequently to upholding social peace.

Seco also helps to ensure access to all markets for Swiss goods and services and investment. In terms of foreign trade policy, seco is active in the formulating of efficient, fair and transparent rules for the world economy. Switzerland's relations to the European Union and to the European Free Trade Association are coordinated by the Integration Office, a joint office of the FDFA and the FDEA. Seco is also involved in efforts to reduce poverty in the form of economic development cooperation.

Staff: 510  
Budget: CHF 754 693 000.–  
Director: Jean-Daniel Gerber  
www.seco.admin.ch

**Federal Office for Professional  
Education and Technology FOPET**

"Promoting innovation" is the motto the FOPET applies to its three specialised fields of vocational education, universities of applied science and innovation policy. Through the provision of high quality training opportunities in vocational education, at university level and through life-long learning, we strive to ensure that society has the kind of knowledge that provides Switzerland with a high degree of innovativeness making it an attractive location for business and investors. Vocational education covers the regulation of basic and further training and ensures the quality of training provided. The universities of applied science pass on knowledge in such

a way that it can be applied practically in business and society thus complementing the courses offered by the universities. Through its innovation policies, the FOPET ensures the transfer of know-how between science and business. That is the task of the Commission for Technology and Innovation, which promotes applied research and development and the know-how and technology transfer between universities and companies.

Staff: 136  
Budget: CHF 963 380 000.–  
Director: Ursula Renold  
www.bbt.admin.ch

**Federal Office for Agriculture  
FOAG**

Switzerland has 106,977 hectares of farmland, 1,570,000 head of cattle in its pastures and 193,936 people employed in the agricultural sector. Each year, the federal government provides agriculture with financial support of around CHF 3.5 billion. The FOAG works to ensure that the country's farmers produce high quality foodstuffs in a way that is both sustainable and market-oriented. Its aim is to have a multifunctional farming system that contributes towards meeting the food needs of the population and maintaining the basic necessities of life as well as towards the settlement of rural areas. It must also seek a socially acceptable balance between developments in domestic policy and the need to respond to changing



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external factors. The FOAG deals with the development of rural areas and promotes agricultural research.

Stellen: 1031  
Budget: 3 554 620 000.–  
Direktor: Manfred Bötsch  
www.blw.admin.ch

### Federal Veterinary Office FVO

Around 50,000 head of cattle, over 10,000 sheep and more than 7,000 goats undergo veterinary inspections in Switzerland each year. It is the stated aim of the FVO to ensure the well-being of the country's animal and human population. It is therefore concerned with the issues of animal health, safe animal feed, animal welfare and species conservation. High quality meat, milk or egg products, for example, can only be produced by well cared for and healthy animals. Inspections carried out at the border ensure that imported animals and animal products satisfy consumer expectations and that no unwanted diseases are brought into the country. The prevention and combating of animal disease is an important factor in ensuring animal welfare and human health. The monitoring of animal disease and the ability to respond quickly to any outbreak are essential if Switzerland is to be able to export its agricultural goods.

Staff: 115  
Budget: CHF 38 371 000.–  
Director: Hans Wyss  
www.bvet.admin.ch

### Federal Office for National Economic Supply FONES

Switzerland buys around one-third of all its food, more than 80 per cent of its energy, practically 100 per cent of its raw materials and a large proportion of essential therapeutic products from abroad. In cooperation with the private sector, FONES ensures that the population and the economy of Switzerland have adequate supplies of vital commodities at all times, for example, through compulsory warehousing and the securing of energy supplies and transport. It also takes measures to ensure the equitable distribution of scarce commodities.

Staff: 34  
Budget: CHF 5 638 000.–  
Delegate: Kurt Streiff  
www.bwl.admin.ch

### Federal Housing Office FHO

In Switzerland, each person occupies an average of 44 square metres of accommodation space. Two-thirds of rented accommodation consists of three- and four-room apartments. The FHO seeks to ensure that there is an adequate supply of quality housing. One of its key considerations is provision for low-income and large families as well as for the elderly and people with disabilities. The FHO also assists private builders who create or renovate housing for these target groups. Assistance is also available for

the promotion of home ownership and high quality, innovative construction. Together with the Federal Office of Justice, the FHO seeks to reconcile the interests of landlords and tenants in the area of tenancy law.

Staff: 50  
Budget: CHF 171 432 000.–  
Director: Peter Gurtner  
www.bwo.admin.ch

### Office of the Price Supervisor

People used to worry about the cost of a cup of coffee. Now it tends to be doctors' bills, water rates, rubbish disposal and postal charges. Price supervision is aimed at protecting consumers from excessive pricing. It monitors price tendencies and blocks or overrules improper price increases or prices that have not been determined under free market conditions.

Staff: 14  
Budget: CHF 2 125 600.–  
Price Supervisor: Rudolf Strahm  
www.preisueberwacher.admin.ch

### Competition Commission ComCo

Agreements on the sale of books and therapeutic products, recommended retail prices, territorial restrictions: ComCo, which is responsible for matters relating to cartel legislation, works on behalf of consumers as well as businesses to ensure that there is fair competition. It is an independent body and concentrates its efforts on fighting cartel agreements, the compartmentalisation of the Swiss market, abuse of dominant market positions and state limitations on competition. It is also responsible for implementing domestic market regulations and ensuring that businesses have unrestricted access to the market throughout the country.

Staff: 46  
Budget: CHF 7 555 000.–  
Director: Rolf Dähler  
www.weko.ch



# DETEC

## Infrastructure and environment under one roof

DETEC has over 1,700 people in seven federal offices committed to maintaining a high quality of life for the people of Switzerland: they work towards developing modern and safe transport, communications and power networks, and seek to preserve the environment and the country's attractive natural landscapes.

Up-to-date infrastructure – a healthy natural environment: in DETEC, countless interests in exploiting or preserving our surroundings clash. This has its advantages, as it allows these conflicts of objectives to be resolved under one roof. In doing so, the Department adheres to the principle of sustainability: our current needs must be met in a way that does not diminish the opportunities available to future generations, whether in a social, economic or ecological context.

A typical example of the challenge of reconciling such differing demands is that of forestry policy. The forests should protect our settlements and infrastructure from natural hazards, serve as recreational areas, provide us with clean drinking water and be a home to diverse species of plants and animals. On the other hand, it's barely possible for forestry firms to cover their own operating costs which is why too little wood is used and forest maintenance is falling short in places. In some areas, the forests are experiencing stress through drought, pollution and pests. The Federal Council therefore wants to focus its attention on supporting forestry in a targeted manner and concentrating its efforts on the protective forest and biological diversity. To this end, DETEC has initiated a revision of the Forestry Act.

### Article 77, paragraph 1

The Confederation shall ensure that forests may fulfil their protective, economic and social functions.

Switzerland's forests cover 30 per cent of the country's area and are home to 32,000 species of animals and plants. They provide jobs for 7,000 people in forestry and a further 66,000 in the timber industry. They are used by 30,000 licensed hunters and countless hikers, joggers, dog walkers and mushroom pickers – and those able to exchange energy with the trees such as here in the Üetliberg woods near Ringlikon.

**Federal Department of the Environment, Transport, Energy and Communications** DETEC

**General Secretariat** GS

“SBB AG could increase passenger transport performance and the public sector would receive more service for each franc spent.” Or “Swiss Post could do with improving the satisfaction of its business customers”... those were the kinds of comments that could be heard the last time the DETEC General Secretariat reported on the annual reports of companies in which the government has majority holdings. The GS examines how the SBB, SwissPost, Swisscom and Skyguide fulfil the strategic goals given to them by the Federal Council.

The General Secretariat serves as the staff office for the Head of Department. It plans and coordinates all department activities. For administrative purposes, the Independent Complaints Authority for Radio and Television, the Public Transport Accident Investigation Office, the Aircraft Accident Investigation Bureau, the postal services regulation authority (PostReg), and the special tasks service for the communications sector are all affiliated to DETEC.

Staff: 105 (incl. 47 from administrative affiliated services)  
Budget: CHF 152 900 000.–  
Secretary-General: Hans Werder  
[www.uvek.admin.ch](http://www.uvek.admin.ch)

**Federal Office of Transport**  
FOT

“Habemus tunnel” announced Federal Councillor Moritz Leuenberger on 28 April 2005 as the breakthrough was made in the new Lötschberg rail tunnel with the last detonation. He spoke of a historic milestone in the construction of the New Rail Links through the Alps (NRLA). The two tunnels at the Lötschberg and at the Gotthard will make the Swiss rail network significantly faster, safer and efficient and thus fulfil the conditions for the successful shifting of goods traffic from the roads to the rails. The FOT is the federal office for public transport. From Intercity trains to trams, cablecars and even paddle steamers, Switzerland has a comprehensive and reliable transport network. The FOT makes sure that it remains that way, and that the network, despite pressure to cut costs, is further modernised. Since the start of 2006, it is also responsible for maintaining the interests of Rhine navigation at international level.

Staff: 252  
Budget: CHF 4 567 300 000.–  
Director: Max Friedli  
[www.bav.admin.ch](http://www.bav.admin.ch)

**Federal Office of Civil Aviation**  
FOCA

“The FOCA requires that the existing barriers near the runway at Buochs airfield be better supervised so that persons and vehicles are no longer able to linger.” The grounds for this message; the FOCA conducts over a dozen inspections a week, not just at airfields and on aircraft, but also on aviation and maintenance firms and in air traffic control. The FOCA supervises civil aviation in our country and places great emphasis on air safety. It is also involved in the discussions surrounding the approach path procedures to Zurich airport and more generally in the shaping of government guidelines in the rapidly evolving airline industry.

Staff: 230  
Budget: CHF 88 800 000.–  
Director: Raymond Cron  
[www.aviation.admin.ch](http://www.aviation.admin.ch)

**Federal Office of Energy**  
FOE

“In future, energy policy will have to be dealt with more swiftly and in a more consistent manner. There needs to be much greater investment in renewable energies, more money for research and more international cooperation”: That was the demand of a youth forum on energy prospects made up of around 100 young people from the whole of Switzerland. They took a close look at options for Switzerland’s energy future and made an important contribution to the FOE’s Energy Outlook 2035/2050. The Federal Council will look into the full report this year, which will form the basis for energy policy decisions in the coming years.

The FOE is responsible for the secure provision of power in Switzerland. It is now also responsible for supervision of dams. The Swiss Energy programme is also fully under way, and has the aim of reducing energy consumption and promoting renewable energies.

Also affiliated to the FOE is the Federal Nuclear Safety Inspectorate. This independent agency supervises Switzerland’s nuclear power plants and storage facilities for radioactive waste.

Staff: 120 (FOE) 89 (HSK)  
Budget: CHF 127 600 000.–  
Director: Walter Steinmann  
[www.energie-schweiz.ch](http://www.energie-schweiz.ch)



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#### Federal Roads Office FEDRO

Anyone wanting to obtain their driving licence, now has to apply themselves that little bit more. After passing the test there then follows a three-year probationary period with stiffer penalties. Only after that time and after having attended two compulsory course days is the full licence issued. This two-phase training is a measure designed to improve safety on our roads. Another effective measure was the reduction of the legal blood/alcohol limit. And FEDRO is currently working on an entire programme of measures entitled 'Via sicura' with the aim of significantly reducing the number of road deaths by 2010. FEDRO ensures that our roads run as smoothly as possible. It is also responsible for the construction, maintenance and operation of the national road network and supervises numerous large-scale projects until their completion.

Staff: 167  
Budget: CHF 2 806 000 000.–  
Director: Rudolf Dieterle  
[www.astra.admin.ch](http://www.astra.admin.ch)

#### Federal Office of Communications OFCOM

"Product placement in TV programmes: OFCOM censures SF DRS". As viewers increasingly zap away from regular adverts, the temptation arises to place advertising in more unconventional forms. OFCOM steps in when the sponsoring codes contained in the Federal Radio and Television Act are infringed. It supervises radio and TV stations in Switzerland not just in terms of product placement, but also decides on frequency allocations and ensures that the Swiss Broadcasting Corporation fulfils its duty to provide programming for all parts of the country. Another of OFCOM's important roles is to deal with questions of market opening in the field of telecommunications. The overriding aim however is to create optimal conditions for communications in Switzerland.

Staff: 269  
Budget: CHF 76 550 000.–  
Director: Martin Dumermuth  
[www.bakom.ch](http://www.bakom.ch)

#### Federal Office for the Environment FOEN

"Wrapping up glaciers in Uri – it's crazy!" The attempt by the Andermatt mountain railway company to protect a section of glacier on the Gemsstock from rising temperatures using polyester sheeting is controversial. However, all are agreed that action needs to be taken against the causes of global warming. The FOEN has the lead in Swiss environment policy, which submits suitable measures for the reduction of CO<sub>2</sub> emissions to the Federal Council and to parliament. In its role as the specialist office for environmental matters in the Federal Administration, the FOEN strives for a healthy ecosystem and the protection of plants and animals; it also protects the population from negative influences such as noise, air pollution or natural hazards such as flood protection. As was seen during the last series of floods, the costs of prevention in the form of structural measures and renaturation are far lower than the almost unavoidable damage caused. The FOEN is currently concentrating on economic aspects of environment policy as private sector instruments can help to efficiently protect and make use of the environment. Environment policy can help to save large sums of money; if the air is cleaner, health-related costs are lower.

Staff: 387  
Budget: CHF 685 000 000.–  
Director: Bruno Oberle  
[www.umwelt-schweiz.ch](http://www.umwelt-schweiz.ch)

#### Federal Office for Spatial Development ARE

Floods, landslides, avalanches... the damage caused by natural disasters has increased dramatically in recent years. What have the ARE and spatial planning got to do with it? Of course this small federal office cannot prevent these events, but proper spatial planning can reduce the potential damage by preventing buildings and infrastructure from being built in risk areas in the first place. This is a complicated task and requires the cooperation of all concerned. The ARE is responsible for coordinating measures between the federal agencies, the cantons and the communes, for example, when housing and traffic planning in built-up areas have to be reconciled or to counter urban sprawl. The Spatial Development Report 2005 identifies new approaches and works towards updating the Spatial Planning Act.

Staff: 63  
Budget: CHF 13 555 000.–  
Director: Pierre-Alain Rumley  
[www.aren.admin.ch](http://www.aren.admin.ch)

# The members of the Federal Council since 1848

In chronological order with the relevant canton and party (the party names conform to the names currently used), the number of years in office and the years of birth and death.

ZH   <b>Jonas Furrer</b> FDP, 1848 – 1861 *3.3.1805 †25.7.1861	AG   <b>Emil Welti</b> FDP, 1867 – 1891 *23.4.1825 †24.2.1899	BL   <b>Emil Frey</b> FDP, 1891 – 1897 *24.10.1838 †24.12.1922	AG   <b>Edmund Schulthess</b> FDP, 1912 – 1935 *2.3.1868 †22.4.1944
BE   <b>Ulrich Ochsenbein</b> FDP, 1848 – 1854 *24.11.1811 †3.11.1890	VD   <b>Victor Ruffy</b> FDP, 1868 – 1869 *18.1.1823 †29.12.1869	LU   <b>Josef Zemp</b> CVP, 1892 – 1908 *2.9.1834 †8.12.1908	GR   <b>Felix-Louis Calonder</b> FDP, 1913 – 1920 *7.12.1863 †14.6.1952
VD   <b>Henri Druoy</b> FDP, 1848 – 1855 *12.4.1799 †29.3.1855	VD   <b>Paul Ceresole</b> FDP, 1870 – 1875 *16.11.1832 †7.1.1905	GE   <b>Adrien Lachenal</b> FDP, 1893 – 1899 *19.5.1849 †29.6.1918	GE   <b>Gustave Ador</b> Lib., 1917 – 1919 *23.12.1845 †31.3.1928
SO   <b>Josef Munzinger</b> FDP, 1848 – 1855 *11.11.1791 †6.2.1855	ZH   <b>Johann Jakob Scherer</b> FDP, 1872 – 1878 *10.11.1825 †23.12.1878	VD   <b>Eugène Ruffy</b> FDP, 1894 – 1899 *2.8.1854 †25.10.1919	ZH   <b>Robert Haab</b> FDP, 1918 – 1929 *8.8.1865 †15.10.1939
TI   <b>Stefano Frascini</b> FDP, 1848 – 1857 *23.10.1796 †19.7.1857	NE   <b>Eugène Borel</b> FDP, 1873 – 1875 *17.6.1835 †14.6.1892	BE   <b>Eduard Müller</b> FDP, 1895 – 1919 *12.11.1848 †9.11.1919	BE   <b>Karl Scheurer</b> FDP, 1920 – 1929 *27.9.1872 †14.11.1929
AG   <b>Friedrich Frey-Herosé</b> FDP, 1848 – 1866 *12.10.1801 †22.9.1873	GL   <b>Joachim Heer</b> FDP, 1876 – 1878 *25.9.1825 †1.3.1879	BS   <b>Ernst Brenner</b> FDP, 1897 – 1911 *9.12.1856 †11.3.1911	VD   <b>Ernest Chuard</b> FDP, 1920 – 1928 *31.7.1857 †9.11.1942
SG   <b>Wilhelm Mathias Naeff</b> FDP, 1848 – 1875 *19.2.1802 †21.1.1881	TG   <b>Fridolin Anderwert</b> FDP, 1876 – 1880 *19.9.1828 †25.12.1880	NE   <b>Robert Comtesse</b> FDP, 1900 – 1912 *14.8.1847 †17.11.1922	FR   <b>Jean-Marie Musy</b> CVP, 1920 – 1934 *10.4.1876 †19.4.1952
BE   <b>Jakob Stämpfli</b> FDP, 1855 – 1863 *23.2.1820 †15.5.1879	SO   <b>Bernhard Hammer</b> FDP, 1876 – 1890 *3.3.1822 †6.4.1907	VD   <b>Marc-Emile Ruchet</b> FDP, 1900 – 1912 *14.9.1853 †13.7.1912	TG   <b>Heinrich Häberlin</b> FDP, 1920 – 1934 *6.9.1868 †26.2.1947
VD   <b>Constant Fornerod</b> FDP, 1855 – 1867 *30.5.1819 †27.11.1899	NE   <b>Numa Droz</b> FDP, 1876 – 1892 *27.1.1844 †15.12.1899	ZH   <b>Ludwig Forrer</b> FDP, 1903 – 1917 *9.2.1845 †28.9.1921	VD   <b>Marcel Pilet-Golaz</b> FDP, 1929 – 1944 *31.12.1889 †11.4.1958
LU   <b>Josef Martin Knüsel</b> FDP, 1855 – 1875 *16.11.1813 †14.1.1889	GR   <b>Simeon Bavier</b> FDP, 1879 – 1883 *16.9.1825 †27.1.1896	LU   <b>Josef Anton Schobinger</b> CVP, 1908 – 1911 *30.1.1849 †27.11.1911	BE   <b>Rudolf Minger</b> SVP, 1930 – 1940 *13.11.1881 †23.8.1955
TI   <b>Giovanni Battista Pioda</b> FDP, 1855 – 1864 *4.10.1808 †3.11.1882	ZH   <b>Wilhelm Friedrich Hertenstein</b> FDP, 1879 – 1888 *5.5.1825 †27.11.1888	SG   <b>Arthur Hoffmann</b> FDP, 1911 – 1917 *18.6.1857 †23.7.1927	ZH   <b>Albert Meyer</b> FDP, 1930 – 1938 *13.3.1870 †22.10.1953
ZH   <b>Jakob Dubs</b> FDP, 1861 – 1872 *26.7.1822 †13.1.1879	VD   <b>Louis Ruchonnet</b> FDP, 1881 – 1893 *28.4.1834 †14.9.1893	TI   <b>Giuseppe Motta</b> CVP, 1912 – 1940 *29.12.1871 †23.1.1940	AR   <b>Johannes Baumann</b> FDP, 1934 – 1940 *27.11.1874 †8.9.1953
BE   <b>Carl Schenk</b> FDP, 1864 – 1895 *1.12.1823 †18.7.1895	TG   <b>Adolf Deucher</b> FDP, 1883 – 1912 *15.2.1831 †10.7.1912	NE   <b>Louis Perrier</b> FDP, 1912 – 1913 *22.5.1849 †16.5.1913	ZG   <b>Philipp Etter</b> CVP, 1934 – 1959 *21.12.1891 †23.12.1977
GE   <b>Jean-Jacques Challet-Venel</b> FDP, 1864 – 1872 *11.5.1811 †6.8.1893	ZH   <b>Walter Hauser</b> FDP, 1889 – 1902 *1.5.1837 †22.10.1902	VD   <b>Camille Decoppet</b> FDP, 1912 – 1919 *4.6.1862 †14.1.1925	SO   <b>Hermann Obrecht</b> FDP, 1935 – 1940 *26.3.1882 †21.8.1940

ZH   **Ernst Wetter**  
FDP, 1939 – 1943  
\*27.8.1877 †10.8.1963

TI   **Enrico Celio**  
CVP, 1940 – 1950  
\*19.6.1889 †22.2.1980

SO   **Walther Stampfli**  
FDP, 1940 – 1947  
\*3.12.1884 †11.10.1965

BE   **Eduard von Steiger**  
SVP, 1941 – 1951  
\*2.7.1881 †10.2.1962

SG   **Karl Kobelt**  
FDP, 1941 – 1954  
\*1.8.1891 †5.1.1968

ZH   **Ernst Nobs**  
SP, 1944 – 1951  
\*14.7.1886 †15.3.1957

NE   **Max Petitpierre**  
FDP, 1945 – 1961  
\*26.2.1899 †25.3.1994

VD   **Rodolphe Rubattel**  
FDP, 1948 – 1954  
4.9.1896 †18.10.1961

VS   **Joseph Escher**  
CVP, 1950 – 1954  
\*17.9.1885 †9.12.1954

BE   **Markus Feldmann**  
SVP, 1952 – 1958  
\*21.5.1897 †3.11.1958

ZH   **Max Weber**  
SP, 1952 – 1954  
\*2.8.1897 †2.12.1974

ZH   **Hans Streuli**  
FDP, 1954 – 1959  
\*13.7.1892 †23.5.1970

SG   **Thomas Holenstein**  
CVP, 1955 – 1959  
\*7.2.1896 †31.10.1962

VD   **Paul Chaudet**  
FDP, 1955 – 1966  
\*17.11.1904 †7.8.1977

TI   **Giuseppe Lepori**  
CVP, 1955 – 1959  
\*2.6.1902 †6.9.1968

BE   **Friedrich Traugott Wahlen**  
SVP, 1959 – 1965  
\*10.4.1899 †7.11.1985

FR   **Jean Bourgnrecht**  
CVP, 1960 – 1962  
\*16.9.1902 †23.12.1964

ZH   **Willy Spühler**  
SP, 1960 – 1970  
\*31.1.1902 †31.5.1990

OW   **Ludwig von Moos**  
CVP, 1960 – 1971  
\*31.1.1910 †26.11.1990

BS   **Hans Peter Tschudi**  
SP, 1960 – 1973  
\*22.10.1913 †30.9.2002

AG   **Hans Schaffner**  
FDP, 1961 – 1969  
\*16.12.1908 †26.11.2004

VS   **Roger Bonvin**  
CVP, 1962 – 1973  
\*12.9.1907 †5.6.1982

BE   **Rudolf Gnägi**  
SVP, 1966 – 1979  
\*3.8.1917 †20.4.1985

TI   **Nello Celio**  
FDP, 1967 – 1973  
\*12.2.1914 †29.12.1995

NE   **Pierre Graber**  
SP, 1970 – 1978  
\*6.12.1908 †19.7.2003

ZH   **Ernst Brugger**  
FDP, 1970 – 1978  
\*10.3.1914 †20.6.1998

SG   **Kurt Furgler**  
CVP, 1972 – 1986  
\*24.6.1924

SO   **Willi Ritschard**  
SP, 1974 – 1983  
\*28.9.1918 †16.10.1983

ZG   **Hans Hürlimann**  
CVP, 1974 – 1982  
\*6.4.1918 †22.2.1994

VD   **Georges-André Chevallaz**  
FDP, 1974 – 1983  
\*7.2.1915 †8.9.2002

ZH   **Fritz Honegger**  
FDP, 1978 – 1982  
\*25.7.1917 †4.3.1999

NE   **Pierre Aubert**  
SP, 1978 – 1987  
\*3.3.1927

GR   **Leon Schlumpf**  
SVP, 1980 – 1987  
\*3.2.1925

LU   **Alphons Egli**  
CVP, 1983 – 1986  
\*8.10.1924

ZH   **Rudolf Friedrich**  
FDP, 1983 – 1984  
\*4.7.1923

SO   **Otto Stich**  
SP, 1984 – 1995  
\*10.1.1927

VD   **Jean-Pascal Delamuraz**  
FDP, 1984 – 1998  
\*1.4.1936 †4.10.1998

ZH   **Elisabeth Kopp**  
FDP, 1984 – 1989  
\*16.12.1936

AI   **Arnold Koller**  
CVP, 1987 – 1999  
\*29.8.1933

TI   **Flavio Cotti**  
CVP, 1987 – 1999  
\*18.10.1939

NE   **René Felber**  
SP, 1988 – 1993  
\*14.3.1933

BE   **Adolf Ogi**  
SVP, 1988 – 2000  
\*18.7.1942

LU   **Kaspar Villiger**  
FDP, 1989 – 2003  
\*5.2.1941

GE   **Ruth Dreifuss**  
FDP, 1974 – 1983  
\*9.1.1940

ZH   **Moritz Leuenberger**  
SP, 1995  
\*21.9.1946

VS   **Pascal Couchepin**  
FDP, 1998  
\*5.4.1942

AI   **Ruth Metzler-Arnold**  
CVP, 1999 – 2003  
\*23.5.1964

FR   **Joseph Deiss**  
CVP, 1999  
\*18.1.1946

BE   **Samuel Schmid**  
SVP, 2001  
\*8.1.1947

GE   **Micheline Calmy-Rey**  
SP, 2003  
\*8.7.1945

ZH   **Christoph Blocher**  
SVP, 2004  
\*11.10.1940

AR   **Hans-Rudolf Merz**  
FDP, 2004  
\*10.11.1942



The deliberations of the supreme court are public, something that is probably unique. Each judge presents his opinion on a case in the presence of the political parties, the media and the public and expresses his views on the opinions of his colleagues. If the judges are unable to reach agreement during the session, a majority decision is taken.

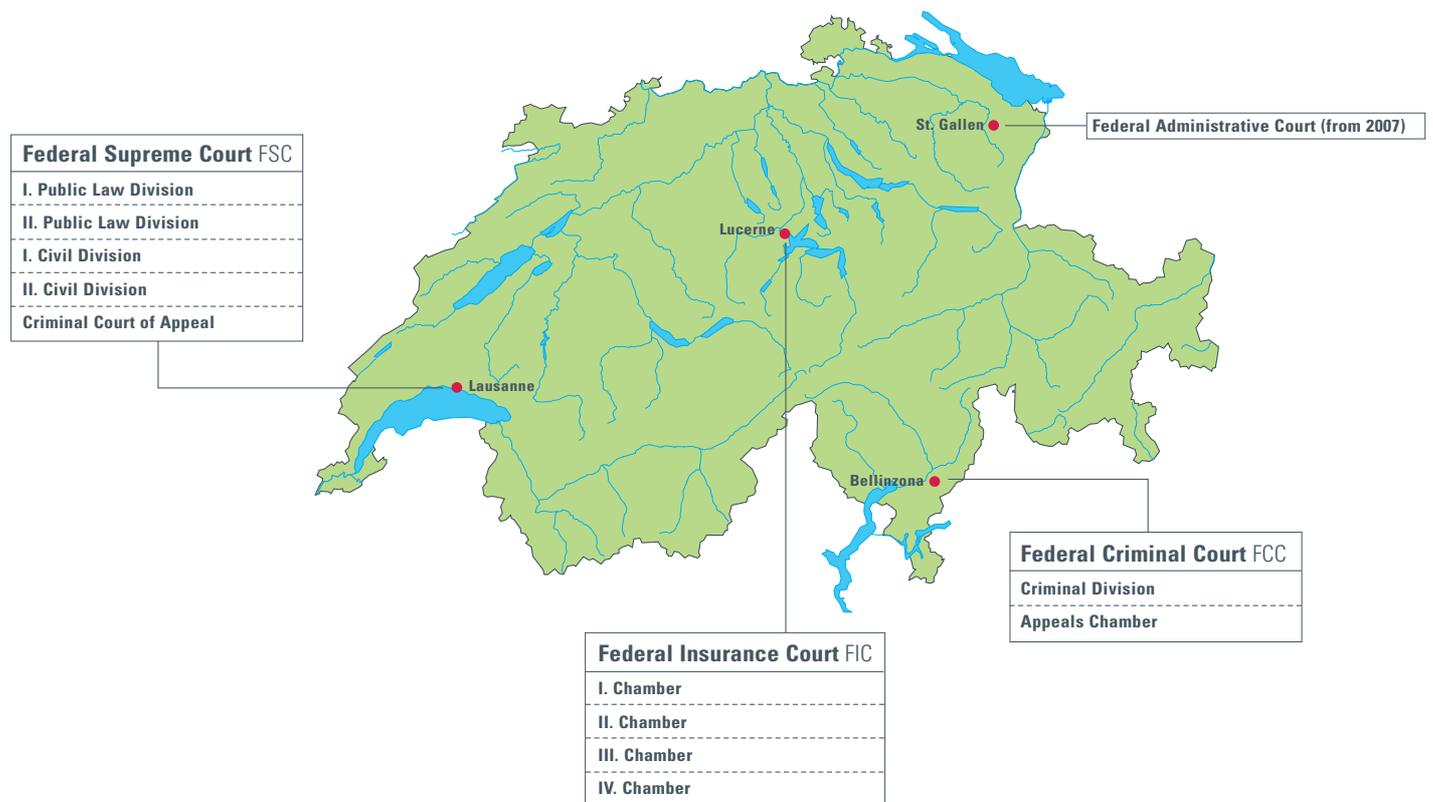
## The Judicial



## **Branch:** the Supreme Court

# The Third Power

The Federal Supreme Court in Lausanne and the Federal Insurance Court in Lucerne constitute Switzerland's highest courts. They represent the country's judicial branch, one of the three powers of the state alongside the legislature embodied by parliament and the executive branch embodied by the Federal Council. The federal courts are in the process of being extended: the new Federal Criminal Court took up its work in April 2004.



### **The tasks of the Supreme Court**

The Federal Supreme Court has a variety of tasks such as

- providing those seeking justice with legal redress in specific cases
- ensuring the uniform application of federal law
- contributing to the further development of the law.

On appeal, it reviews the decisions of the highest cantonal courts and other authorities of the Confederation to ensure they are compatible with the applicable law. It is also responsible for ensuring that rules applicable to making, applying and interpreting the law are adhered to.

It is the highest court to rule on disputes concerning

- private law (disputes between persons)
- criminal law (criminal proceedings against individual persons)
- public and administrative law (disputes between persons and the State, between cantons and between the Confederation and the cantons).

Through its decisions, the Federal Supreme Court contributes to the continuing development of the law and its adaptation as situations change. Its decisions can be referred to the European Court of Human Rights in Strasbourg.

### **Cooperation between the Courts**

The Federal Supreme Court in Lausanne and the Federal Insurance Court in Lucerne coordinate their decisions by exchanging opinions and by holding an annual conference. Their cooperation also extends to court administration – by sharing a common IT system or by publishing far-reaching decisions in the *Official Digest*.

**The Federal Judges** are elected by the United Federal Assembly on the basis of linguistic, regional and party-political criteria. The period of office lasts six years.

In principle, the office is open to all Swiss citizens. No legal training is required under constitutional law, although in practice it is a requirement.

**The Court Registrars** were formerly responsible primarily for drafting the written judgements after decisions had been taken in court. Part of the work of the judges was transferred to the registrars due to the increasing volume of cases.

Nowadays, the registrars are involved during the hearings and in many cases they issue draft judgements themselves. Following approval by the instructing judge, these are then presented to the relevant court as a ruling.

Based on these documents and the outcome of the deliberations, to which they also contribute their opinions, the court registrars then formulate the final court decision.

**The General Secretariats** of the courts serve as the main offices for the personnel, organisational, administrative and financial matters of the entire court as well of the Conference of Court Presidents and the administrative committee in Lausanne, the court administrators in Lucerne and the Presidents. At the same time they also manage the court services.

**The court services** are responsible for the following tasks:

- *Chancellery Services*: registration and administration of pending cases, archiving, verifying fee payments and assorted administrative services
- *Administrative Services*: finance, personnel, office supplies and building maintenance, security and usher duties
- *Scientific Services*: IT, library, legal documentation and publication of court decisions.

# The Federal Supreme Court

The thirty ordinary judges and the thirty special part-time judges carry out their duties in one of the five court divisions in Lausanne. They are assisted in their work by some two hundred members of staff.



**Giuseppe Nay** President  
CVP, 1989  
[1]



**Bernard Corboz** Vice-President  
FDP, 1990  
[3]



**Heinz Aemisegger**  
CVP, 1986  
[1]



**Roland Max Schneider**  
SVP, 1988  
[5]



**Hans Wiprächtiger**  
SP, 1990  
[5]



**Gerold Betschart**  
CVP, 1990  
[2]



**Adrian Hungerbühler**  
FDP, 1991  
[2]



**Kathrin Klett**  
SP, 1992  
[3]



**Arthur Aeschlimann**  
FDP, 1992  
[1]



**Alain Wurzbürger**  
FDP, 1993  
[2]



**Bertrand Reeb**  
Lib. 1993  
[1]



**Robert Müller**  
CVP, 1993  
[2]



**Danielle Yersin**  
SVP, 1993  
[2]



**Michel Féraud**  
FDP, 1994  
[1]



**Vera Rottenberg Liatowitsch**  
SP, 1994  
[3]



**Niccolò Raselli**  
SP, 1995  
[4]



**Franz Nyffeler**  
SVP, 1995  
[3]



**Ursula Nordmann**  
SP, 1997  
[4]



**Dominique Favre**  
SP, 1997  
[3]



**Gilbert Kolly**  
CVP, 1999  
[5]



**Elisabeth Escher**  
CVP, 1999  
[4]



**Georg Thomas Merkli**  
GP, 1999  
[2]



**Lorenz Meyer**  
SVP, 2000  
[4]



**Peter Karlen**  
SVP, 2001  
[5]



**Jean Fonjallaz**  
SP, 2002  
[1]



**Fabienne Hohl**  
FDP, 2002  
[4]



**Luca Marazzi**  
FDP, 2003  
[4]



**Ivo Eusebio**  
CVP, 2004  
[1]



**Andreas Zünd**  
SP, 2004  
[5]



**Christina Kiss-Peter**  
FDP, 2004  
[3]

The **Federal Judges** are elected by the United Federal Assembly according to criteria of language, region and party political affiliation; the period of office is six years.

[1]

**The first Public Law Division** handles basic rights: complaints concerning breach of procedural guarantees, personal freedoms, political rights, guarantee of ownership or freedom of expression are common themes. In addition, there are also cases concerning construction, planning, environmental and land rights, expropriation procedures and international legal assistance in criminal matters.

[2]

**The second Public Law Division** is mainly concerned with basic rights in relation to economic freedoms. Appeals in the field of law governing the administration of the economy, revenue law and legislation on foreign nationals as well as education and state employees also fall under its jurisdiction.

[3]

**The first Civil Division** rules on all cases deriving from the Code of Obligations and also in connection with intellectual property and competition law. Also in its legal sphere are tasks relating to the field of constitutional review.

[4]

**The second Civil Division** specialises in the law on persons, family, inheritance and property law covered under the Civil Code, as well as in private insurance law. In these spheres of law it also conducts the task of constitutional review. The areas of debt collection and bankruptcy round off its responsibilities.

[5]

**The Court of Criminal Cas-sation** reviews cantonal judgements and sentencing. It also carries out the tasks of constitutional review in these fields.

# Federal Supreme Court Procedure

In general, a party submits an appeal petition setting forth the grounds for appeal, after which the respondent is invited to make his position known. The Federal Supreme Court may then arrange a further exchange of written submissions before it delivers judgement.

## Jurisdiction on constitutional questions

The Federal Supreme Court hears *constitutional law appeals* against cantonal decisions and decrees, where the grounds of appeal relate to violations of the constitutional rights of citizens. Appeals most frequently involve the failure to observe procedural safeguards (the right to a fair trial, etc.) or a violation of the prohibition of arbitrary action, for example when weighing up evidence.

Constitutional law appeals result in the harmonisation of the essential points of the cantonal procedural regulations. The Federal Supreme Court may not, however, examine the constitutionality of federal legislation.

## Civil cases

The Federal Supreme Court hears *appeals* against cantonal court decisions. The value of the matter in dispute in cases relating to property must amount to at least eight thousand francs.

In all civil cases that are not subject to a right of appeal, a *nullity appeal* is admissible, in particular when the jurisdiction of cantonal courts is in dispute.

In so-called direct proceedings, the Federal Supreme Court rules as the sole instance on disputes between a canton and the Confederation, or between cantons.

## Criminal cases

The Federal Supreme Court primarily considers *nullity appeals* against cantonal judgements.

It may, however, only examine the judgement for a violation of federal law. In the event that the appeal is successful, the case is referred back to the lower court, which will rule again in accordance with federal law.

## Price Supervision Commission: subscription prices for the reception of radio and television channels via the cable network

The Price Supervisor held that providers of radio and television channels via cable charged excessively high prices, and fixed a lower price. The Competition Appeals Commission dismissed the appeal against the ruling of the Price Supervisor, and the Federal Supreme Court rejected the subsequent administrative court appeal. The appellant is the sole provider of channels via cable in its coverage area. As the cable reception for radio and television under current circumstances (consumer habits etc.) still constitutes a market in its own right, even in comparison with satellite reception, the price charged by the provider was not the result of effective competition. In the investigation of the price, the starting point is the costs shown on the bill, and costs for future investments in technical modifications that are not stated in specific terms may not be taken into consideration. The price fixed by the Price Supervisor must allow the provider to achieve a suitable profit (income, ratio of profit to capital). Hidden reserves count towards the capital used to determine the level of income only if they can be and are substantiated, and are not based on the hitherto inflated prices.

## Administrative cases

The court in Lausanne examines appeals from most areas of the administrative law of the Confederation and the cantons, while the Federal Insurance Court in Lucerne handles appeals against decisions in the field of social insurance law.

*Administrative law appeals* are admissible in the event of a violation of federal law, inaccurate or incomplete ascertainment of the facts, and in certain cases where a judgement is alleged to be unreasonable.

# The Federal Insurance Court

The Federal Insurance Court is based in Lucerne and is considered to be an organisationally independent division of the Federal Supreme Court. Its eleven federal judges and eleven substitute judges are responsible for social insurance law as part of administrative law.

The Federal Insurance Court is the final instance in administrative court actions against decisions of cantonal insurance courts and other authorities in the domain of federal social insurance. This includes Old Age and Survivors' Insurance (AHV), Invalidity Insurance (IV), supplementary insurance to the AHV/IV, occupational pension coverage (Second Pillar), health, accident, military and unemployment insurances as well as regulations on income substitution and child allowances for farming families.

Within these fields, the court rules on cases primarily involving benefit claims, such as pensions, daily allowances or payments in kind, and compulsory payments by the insured person or the employer in the social insurance branches mentioned above.

Besides its rulings in individual cases, the decisions of the court are important for the harmonised interpretation of the fragmented social insurance legislation and its development.

## The Federal Judges in Lucerne



**Susanne Leuzinger-Naef** President  
SP, 1996



**Pierre Ferrari** Vice-President  
FDP, 1996



**Ursula Widmer-Schmid**  
FDP, 1984



**Ulrich Meyer**  
SP, 1986



**Alois Lustenberger**  
CVP, 1986



**Franz Xaver Schön**  
CVP, 1990



**Aldo Borella**  
FDP, 1993



**Rudolf Ursprung**  
SVP, 2001



**Yves Kernen**  
SVP, 2001



**Jean-Maurice Frésard**  
SP, 2001



**Hansjörg Seiler**  
SVP, 2005

**i** General Secretariat  
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# The new Federal Courts of the first instance

The popular vote on the reform of the courts of March 2000 made it possible to create two new federal courts of the first instance. This will relieve the pressure of business on the Federal Supreme Court in two ways: firstly, disputes that have already been judged in a lower court are less likely to be brought before the Federal Supreme Court. Secondly, the Federal Supreme Court can restrict itself to actual issues of law and will not be required to consider already established issues of fact.

**The Federal Criminal Court** began its duties in Bellinzona on 1 April 2004. It rules in the first instance on criminal cases that fall within federal jurisdiction. These cases include matters relating to organised and white-collar crime, money laundering and corruption.

The **Criminal Chamber of the Federal Criminal Court** replaced the Criminal Court of the Federal Supreme Court in Lausanne, while the **Appeals Chamber** assumed the responsibilities of the Prosecution Chamber, such as hearing appeals against official acts or failures to act by the Attorney General of Switzerland or the federal examining magistrates.

**i** Tribunale penale federale  
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6501 Bellinzona  
T 091 822 62 62  
F 091 822 62 42

## The Federal Judges in Bellinzona



**Alex Staub** President  
FDP



**Andreas Keller** Vice-President  
CVP



**Emanuel Hochstrasser**  
SVP



**Peter Popp**  
CVP



**Bernard Bertossa**  
SP



**Sylvia Frei-Hasler**  
SVP



**Myriam Forni**  
SP



**Daniel Kipfer Fasciati**  
GP



**Barbara Ott**  
Lib.



**Tito Ponti**  
FDP



**Walter Wüthrich**  
SP

**The planned Federal Administrative Court** is expected to begin its duties in 2006 in St. Gallen. It will rule on appeals against orders from the Federal Administration. It will essentially have three functions:

*Firstly*, it will consolidate the approximately 30 Federal Appeals Commissions and complaints services that are already currently courts that are subordinate to the Federal Supreme Court, or which, like the Asylum Appeals Commission, act as a court of final instance.

*Secondly*, it will fill the gap where hitherto there have not been any lower courts. The Federal Administration currently issues an average of around 3000 orders every year that are not subject to a right of appeal to a federal appeals commission.

*Lastly*, it will enable the basic right to be able to bring an action in an independent court to be fulfilled in areas where final decisions are currently being made by the Federal Council or a federal department.

### Term of office

The judges have a term of office of six years, the same as that of the judges in the Federal Supreme Court. The term of office can be terminated ahead of schedule in the event of retirement or removal from office. The conditions for removal from office include a wilful or grossly negligent breach of duty or permanent incapacity, for example, as a result of illness. The Federal Assembly is responsible for removing federal judges, and also acts as their supervisory body.

**Edited by** Federal Chancellery, Information Service  
**Concept, design, composition** Jeanmaire & Michel AG, Bern  
**Photography** Stefan Walter, Zurich  
Pages 21-23: Members of Parliament: Senn & Stahl, Bern  
Pages 34-37: School of Art and Design Zurich, Photography  
**Party distribution** Page 26: Michael Hermann, Geographical Institute, University of Zurich  
**Film images** Pages 30-31: © Ciné Manufacture; Stage direction: Jean-Stéphane Bron; [www.maisimbundeshuus.ch](http://www.maisimbundeshuus.ch)  
**Prepress + CTP** Ast & Jakob, Vetsch AG, Köniz  
**Printed by** Vogt Schild/Habegger Medien AG, Solothurn

This publication is also available in German, French, Italian and  
Romansh. Send a self-addressed label to the following address to  
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Fax 031 325 50 58 or go to [www.bbl.admin.ch/bundespublikationen](http://www.bbl.admin.ch/bundespublikationen)

Form. 104.617 e

28<sup>th</sup> edition, March 2006



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