

Swiss institutions

Confederation

The people and the cantons form the Swiss Confederation. The cantons are sovereign insofar as their sovereignty is not limited by the Federal Constitution; they exercise all rights and tasks not delegated to the Confederation.

Powers

The parliament is organized in a bicameral Federal Assembly consisting of the National Council of 200 members, elected every four years in each canton according to a proportional system, and the Council of States in which seat two representatives per canton (1 per half-canton). The cantons decide how to elect their Senators, by direct popular vote or by appointment by the cantonal parliament.

The judges at the Federal Court, supreme judicial authority of the Confederation, are elected for 6 years by the Federal Assembly. The Federal Prosecutor is also elected by the Federal Assembly.

The armed forces are organized as a militia. In the event of a war, a General is elected by the Federal Assembly (there have been four since 1848, date of the first constitution). There is no general in peacetime.

The executive is insured by the Federal Council composed of seven members, elected every four years by the Federal Assembly. The mandate of Federal Councilor is indefinitely renewable. The Federal Council organizes itself. A Chancellor, Chief of Staff of the Federal Council with no voting right in the deliberations of the federal council, is elected by the Federal Assembly. The President of the Confederation, Chairman of the Federal Council, is elected for one year, this term not being renewable for the following year.

The constitution stipulates that "The Federal Council shall reach its decisions as a collegial body ", (Art. 177 al. 1 FC).

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Referendum Law

The people and the Cantons must necessarily be consulted on any partial revision of the constitution, the adhesion to supranational bodies, or laws declared urgent which remain in force for over a year.

A facultative referendum on any new law or international treaty adopted by the Parliament is held if 50,000 voters or eight Cantons request it within 100 days after the official publication of the text.

A proposal for a partial or total revision of the constitution can be submitted to popular vote if 100,000 registered voters request it. The authors of an initiative have 18 months to gather signatures after their project text has been deposited at the Federal Chancellery. The Federal Assembly may propose a counter project to the proposed initiative, the vote on which will be held at the same time as the original initiative.

The majority of the people and of the 23 cantons and 6 half-cantons is necessary to adopt a referendum. In the case of a facultative referendum, only the majority of the people is required.

Similar arrangements are in place at the cantonal or communal level. Usually, they are concerning more taxation and public investment questions than being of constitutional nature.

Consultation Procedure

"The Cantons, the political parties and interested groups shall be invited to express their views when preparing important legislation or other projects of substantial impact as well as in relation to significant international treaties", (Art. 147 FC).

Finance and Taxation

"The Confederation shall maintain its income and expenditure in balance over time", (Art. 126 al. 1 FC).

The tax on income and wealth of individuals and societies is perceived by the municipalities, cantons and the Confederation. This provides each of these communities with direct means to act. VAT (8%) and other taxes (customs, fuel, etc.) are perceived exclusively by the Confederation. It administers a system of financial equalization between the cantons to adjust for some disparities, including those arising from tax competition that takes place among the cantons.