



FREEDOM IN THE WORLD 2020

Switzerland

FREE

96

/100

<u>Political Rights</u>	39 /40
<u>Civil Liberties</u>	57 /60

LAST YEAR'S SCORE & STATUS

96 /100 **Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

The political system of Switzerland is characterized by decentralization and direct democracy. The multilingual state is typically governed by a broad coalition that includes members from the four largest political parties represented in the parliament. The 26 cantons that make up the Swiss Confederation have considerable decision-making power, and the public is often asked to weigh in on policy matters through referendums. Civil liberties are generally respected in the country, though laws and policies adopted in recent years have reflected a growing wariness of immigration and minority groups of foreign origin, which sometimes face societal discrimination.

Key Developments in 2019

- Parliamentary elections in October presented a minor shake-up of Swiss politics: The right-wing populist Swiss People's Party (SVP) maintained their plurality but lost a sizeable portion of their power. The Green Party (GPS) and Green Liberal Party (GLP) recorded the strongest gains of Swiss electoral history since 1919, becoming competitive opposition parties.
- Switzerland was added to the blacklist of the International Labour Organization (ILO) of countries not offering enough protection to unionized employees in May.
- Also in May, the Federal Intelligence Service (FIS) was called out for leading investigations against several left-wing political activists and members of left-wing parties in the cities of Basel and Bern, despite not having legal grounds to do so.
- In October, Switzerland was removed from the European Union's (EU) "gray list" of countries not cooperating in the fight against tax evasion.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?	4/4
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Executive power is exercised by the seven-member Federal Council (cabinet), with each member elected by the bicameral Federal Assembly to four-year terms. The Federal Council represents a consensus-based coalition among all of the large parties in the Federal Assembly. The presidency is largely ceremonial and rotates annually among the Federal Council's members. In December 2019, Simonetta Sommaruga of the Social Democratic Party (SP) was elected president for 2020 by the Federal Assembly.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?	4/4
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The constitution provides for a Federal Assembly with two directly elected chambers: the 46-member Council of States, in which each canton has two members and each half-canton has one, and the 200-member National Council, whose seats are apportioned among the cantons based on population. All lawmakers serve four-year terms. Switzerland's electoral process is vibrant and pluralistic, garnering high levels of confidence from the public.

Elections were held in October 2019 and presented a minor shake-up in Swiss politics. In the National Council, the right-wing SVP remained the strongest party but lost considerable power, taking 53 seats, down from 65. SP won 39 seats (losing 4); the Free Democratic Party of Switzerland (FDP) took 28 seats (losing 4); and the Christian Democratic People's Party (CVP) took 25 seats (losing 2). The biggest winners of the election were the GPS, which won 28 seats, a 17-seat increase, and the GLP, which won 16 seats, a 9-seat increase. In the Council of States, the CVP won 13

seats, the FDP secured 12, the SP took 9, the SVP grabbed 6, and the GPS won 5, representing further gains for the Greens and losses for the Social Democrats.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	4/4
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Switzerland's electoral process is robust and well implemented. Electoral laws are fair, and the Election Commission of Switzerland, which administers elections, is considered impartial. The government frequently relies on referendums to decide contentious policy issues.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	4/4
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Political parties are free to form and operate, and a wide range of parties are active at the federal and regional levels. The political system is stable, but it remains open to new groups.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	4/4
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While most parties govern together by common agreement in the country's consensus-based political system, they compete vigorously in elections and can gain or lose influence depending on their performance at the polls. The government also relies on referendums to decide contentious policy issues. The Federal Council currently comprises two members each from the SVP, the SP, and the FDP, and one member from the CVP. After the 2019 election, the Green Party petitioned parliament to change the composition of the Federal Council to accommodate their electoral success: the Greens now hold more seats than CVP, and the same number of seats as FDP, both of which are on the council. The Greens lost the parliamentary vote for the seat, but will likely renew their bid should they repeat their strong performance in the next election.

B3 0-4 pts

<p>Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?</p>	<p>4/4</p>
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People's political choices are generally free from domination by democratically unaccountable entities. However, Switzerland has been criticized for failing to address the lack of transparency in party financing. Civil society leaders contend that the opaque campaign finance system allows wealthy interests to influence the platforms of the major political parties.

B4 0-4 pts

<p>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</p>	<p>3/4</p>
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Restrictive citizenship laws and procedures tend to exclude many immigrants, as well as their children, from political participation. About a quarter of the population is made of up noncitizens, though more than a third of these are citizens of neighboring

countries. Noncitizens do not have the right to vote in federal elections but do in some cantonal polls.

Women participate robustly in Swiss politics, both as voters and candidates for office. The 2019 elections saw a record number of women elected to the National Council, where they now make up 42 percent of all parliamentarians.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	4/4
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Switzerland's freely elected officials are able to determine and effectively implement national and local policy through a decentralized system of government.

The 26 cantons have significant control over economic and social policy, with the federal government's powers largely limited to foreign affairs and some economic matters. Referendums, which are used extensively, are mandatory for any amendments to the federal constitution, the joining of international organizations, and major changes to federal laws.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	4/4
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Safeguards against corruption are generally effective. The trial against Pierre Maudet, former head of the Geneva cantonal government who had accepted benefits from the crown prince of Abu Dhabi in 2015, continued in 2019 even though Maudet still holds his seat as a state counsellor of Geneva. Four employees of the State Secretariat for Economic Affairs were indicted for procurement fraud in October 2019.

A law to improve whistleblower protection was rejected in June 2019 by the National Council but is currently under review in the Council of States. The reform came as a response to criticism by the Organisation for Economic Co-operation and Development (OECD), which called out Switzerland for failing to fully implement the recommendations of the OECD Anti-Bribery Convention.

In October, the EU removed Switzerland from the “gray list” of countries with questionable tax policies and support for tax avoidance, after Switzerland had abolished tax policies that were not in line with international standards earlier in 2019.

C3 0-4 pts

Does the government operate with openness and transparency?	4/4
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The government is generally transparent in its operations. In recent years, an increasing number of cantonal governments have passed transparency laws that make government data more accessible to citizens. Federal politicians were still debating an increase in lobbying transparency at the end of 2019. A transparency referendum at the federal level was submitted in 2019 and is likely to be voted on by the people in 2020 or 2021. In September 2019 the Council of Europe’s Group of States against Corruption (GRECO) announced it would halt its noncompliance procedure against Switzerland: the upcoming transparency referendum and an anticorruption initiative put forward by the Federal Council address GRECO’s concerns.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

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Are there free and independent media?

4/4

Freedom of the press is generally respected in practice. Switzerland has an open media environment, though the state-owned, editorially independent Swiss Broadcasting Corporation (SRG/SSR) dominates the broadcast market. Consolidation of newspaper ownership in the hands of large media conglomerates has forced the closure of some smaller newspapers in recent years.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

3/4

Freedom of religion is guaranteed by the constitution, and the penal code prohibits discrimination against any religion. However, Muslims face legal and de facto discrimination. The construction of new minarets and mosques is prohibited as the result of a 2009 referendum. In 2018, St. Gallen became the second canton to pass its own burqa ban, after Ticino in 2016. A debate surrounding proposals for a federal ban on burqas continued in 2019 and is likely to be put to a vote in coming years.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

4/4

Academic freedom is largely respected.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

4/4

Individuals are generally able to express their personal views on political issues without fear of retribution, though the law punishes public incitement to racial

hatred or discrimination as well as denial of crimes against humanity.

The Federal Intelligence Service (FIS) was granted wider surveillance powers in 2017, allowing it to monitor internet usage, bug private property, and tap the phone lines of suspected terrorists. An additional law that came into effect in March 2018 requires mobile phone and internet service providers to retain user data for six months to facilitate the work of law enforcement agencies. This includes data on which websites users visited. Both laws were being challenged at the Swiss Federal Court and the European Court of Human Rights (ECHR) at the end of 2019. According to a survey published by the University of Zurich in October 2019, more than half of Swiss internet users are practicing self-censorship due to fears of surveillance.

In May 2019 journalists uncovered the story that the FIS had surveilled several left-wing political activists and members of left-wing parties in the cities of Basel and Bern, despite not having legal grounds to do so. The FIS has denied any wrongdoing.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	4/4
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Freedom of assembly is guaranteed by the constitution and is generally respected. A women's strike and protest in June 2019 was one of the largest demonstrations in recent history.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	4/4
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Nongovernmental organizations are free to operate without undue restrictions.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	4/4
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Workers are generally free to form trade unions and other professional organizations. The right to engage in collective bargaining and strikes is respected. However, in 2019 the International Labour Organization (ILO) added Switzerland to its blacklist of countries with weak job protection for unionized employees. While it is improper to dismiss an employee because of union membership or activity, the penalty for such behavior is seen as too low.

Approximately 500,000 participants all over Switzerland demanded equal treatment and pay for women on June 14, 2019. Across the country, women walked out of their workplaces at 3:42 p.m. to symbolize when, upon accounting for the gender pay gap, they were no longer being paid.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	4/4
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While the judiciary is largely independent in practice, judges are affiliated with political parties and are selected based on a system of proportional party, linguistic, and regional representation in the Federal Assembly. The civil society group Justice Initiative (JI) continued their campaign to alter the appointment process of federal judges. The Initiative hopes to depoliticize the appointment procedure, with candidates chosen by lot and reviewed by an independent, apolitical panel.

Switzerland continues to negotiate a framework agreement with the EU, a contentious topic in the country, which is not an EU member state. Among other things, the agreement would clarify the jurisdiction of the European Court of Justice (CJEU) in Switzerland and the applicability of EU law.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	4/4
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Authorities generally observe legal safeguards against arbitrary arrest and detention. The constitution's due process clause guarantees fair trial proceedings.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	4/4
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Switzerland is free from war and other major threats to physical security. Occasional instances of excessive force by police have been documented, but such abuses are relatively rare. Conditions in prisons and detention centers generally meet international standards, and the Swiss government permits visits by independent observers.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	3/4
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Although the law prohibits discrimination on the basis of race, gender, or religion, anti-immigrant attitudes have grown in recent years. A 2016 immigration law passed included measures meant to curb mass migration from the EU and required employers give preference to Swiss citizens in hiring practices. Despite the government's negotiations with the EU on the matter, the SVP proposed a

referendum in 2017 calling for an end to free movement between Switzerland and the EU, likely to be put to a vote in 2020.

Switzerland generally respects the rights of refugees. In March 2019 the government introduced more efficient asylum procedures, leading to faster handling of asylum requests. Consequently, more asylum seekers have passed through Switzerland voluntarily and swiftly.

The rights of cultural, religious, and linguistic minorities are legally protected, but minority groups—especially Romany communities and people of African and Central European descent—face societal discrimination. The Roma continue to seek official recognition as a minority in Switzerland. A report by the Federal Commission Against Racism in April 2018 noted a strong increase in racial discrimination over the past 10 years.

While women generally enjoy equal rights, the gender pay gap and discrimination in the workplace persist. The rights of LGBT+ people are generally respected. In December 2018, the parliament passed an amendment to the antidiscrimination law that extended its protections to cover sexual orientation. A similar amendment on gender identity was ultimately rejected.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

4/4

Freedom of movement is respected, and there are no undue limitations on the ability to change one's place of residence, employment, or education.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

4/4

The rights to own property and operate private businesses remain unrestricted.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

4/4

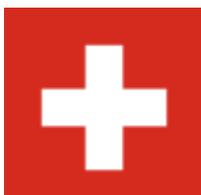
Personal social freedoms are protected for most people. In a 2005 referendum, voters approved same-sex civil unions. Recognized since 2007, these unions grant many of the legal benefits of marriage. Limited adoption rights for same-sex civil partners came into effect in January 2018. The legalization of same-sex marriage and full adoption rights for same-sex couples were under consideration by parliament during 2019.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

3/4

Although the government complies with international standards for combating human trafficking, according to the 2019 edition of the US State Department's *Trafficking in Persons Report*, Switzerland remains a destination country for victims. Labor regulations are generally enforced, but there is no national minimum wage, and migrant workers are more vulnerable to exploitative labor practices and dangerous working conditions.





On Switzerland

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Country Facts

Global Freedom Score

96/100 Free

Other Years

2019

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