

## AUDIT

# Evaluation of the implementation of the Federal Council's anti-corruption strategy for 2021 to 2024

State Secretariat of the Federal Department of Foreign Affairs

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## KEY FACTS

On 25 November 2020, the Federal Council set an important milestone in the federal government's fight against corruption with its first anti-corruption strategy for 2021 to 2024 (strategy). An interdepartmental working group on combating corruption (IDWG) has existed for this purpose since 2008. It has developed the strategy with the involvement of business, science and civil society. The IDWG is composed of nine federal units, chaired by the Prosperity and Sustainability Division of the State Secretariat for the Federal Department of Foreign Affairs (FDFA). The strategy contains four visions of an administration that is as corruption-free as possible and of a good international reputation for Switzerland in the fight against corruption. The core element of the strategy is the formulation of 11 goals, and a total of 42 measures which have been defined to achieve them.

At the request of the IDWG chair, the Swiss Federal Audit Office (SFAO) evaluated the implementation status of the strategy between April and September 2024, outside of its annual programme. In doing so, it took into account the existing framework and processes for combating corruption at the federal level and analysed the suitability of the existing organisational structure. Since the strategy was only implemented three years ago, the SFAO has deliberately refrained from evaluating its impact for the time being.

In its analysis, the SFAO came to the conclusion that the new version of the 2025-2028 strategy that is already planned requires significant adjustments. Based on a thorough situation and risk analysis, existing gaps in the legal framework and the public perception of the fight against corruption must be identified. The goal, purpose and ambition of the strategy can then be formulated on this basis. The objectives of the strategy are to be defined in such a way that they are achievable and measurable within the federal government's sphere of influence. Furthermore, it is important that the responsibilities for implementing the objectives be assigned in a manner which means they are compulsory. The SFAO also sees potential synergies and possible efficiency gains to be made from closer cooperation between the existing committees in the wider area of the federal government's fight against corruption.

## First anti-corruption strategy – unambitious and non-binding

We have been waiting for this strategy for a long time. It was largely created in response to external pressure. The Council of Europe's Group of States against Corruption (GRECO) had already recommended that a strategy be developed in 2008. In its 2018 report, the SFAO again pointed to the lack of a strategy.

The current strategy provides an important frame of reference for the employees of the Federal Administration, but also for the cantons and communes, for businesses and for civil society. Despite the clear formulation of visions and goals, the purpose remains unclear. The strategy has little ambition.

The objectives that are within the direct sphere of influence of the federal government and its administration are fundamentally achievable, realisable and also measurable. However, the strategy also formulates goals that are beyond the direct influence of the federal government. The SFAO considers it unlikely that these objectives will be achieved. They should be understood more as the Federal Council's expectations of the private sector. Firstly, because the strategy's objectives lack a comprehensible logic that shows whether and how the measures effectively contribute to achieving the objectives. Secondly, because there is no recognisable binding assignment of responsibility for achieving the strategy's goals.

## **Lack of risk analysis of corruption and combating it**

Switzerland has a good legal framework and a strong legal basis for combating corruption. Nevertheless, there are significant gaps. These gaps are mentioned in the country evaluations of Switzerland in the context of various international conventions on combating corruption that Switzerland has ratified. These can be partly attributed to the tension between the executive and legislative branches of government; for example, where Federal Council legislative proposals do not receive a parliamentary majority, such as whistleblower protection in the private sector or the inclusion of lawyers' fiduciary activities under the terms of the Anti-Money Laundering Act.

An open and transparent overview of corruption risks is all the more important for an effective anti-corruption strategy. However, the SFAO notes that it is neither transparent nor comprehensible that the strategy is derived from the fields of action on combating corruption and the need to prioritise them. Furthermore, major corruption risks, for example in the fight against money laundering or in lobbying, are either not addressed in a targeted manner or not at all.

## **Poor coordination in the fight against corruption in Switzerland**

In addition to the IDWG, the federal government also has other interdepartmental working groups in the broader field of anti-corruption work, for example, on combating money laundering and terrorist financing, on confiscating and repatriating potentate funds, and on commodity trading. However, there is no structured exchange between these units to be seen. The fragmentation is also evident in the lines of responsibility within the federal government with regard to the three important international anti-corruption bodies; for the United Nations it is the FDFA, for the Organisation for Economic Co-operation and Development it is the State Secretariat for Economic Affairs and at the Council of Europe it is the Federal Office of Justice. In the view of the SFAO, the fight against corruption at federal level lacks holistic control and coordination. Furthermore, it sees potential synergies by consolidating existing knowledge and resources in the Federal Administration to organise the fight against corruption more efficiently and effectively.

## **Organisational structure not suitable for implementing the strategy**

The main purpose of the current IDWG mandate is to raise awareness among stakeholders inside and outside the Federal Administration in order to combat corrupt behaviour. Inside the Federal Administration at least, the IDWG fulfils this mandate. However, the SFAO considers its influence on stakeholders outside the Federal Administration to be weak.

The organisational structure of the IDWG, as a grouping of the relevant federal offices with the loose inclusion of cantons and communes, along with representatives from the private sector and civil society, is suitable for developing an anti-corruption strategy, as the necessary expertise can be combined in this way. The SFAO is critical of the chances of achieving the objectives formulated in the strategy. It is unlikely that the objective will be achieved in the current organisational structure. The main reason for this is the IDWG's lack of assertive powers. It has no authority to issue instructions to the organisational units concerned to take responsibility for implementing certain measures. This fundamentally calls into question the claim that set goals will be achieved.