Population
8 682 910

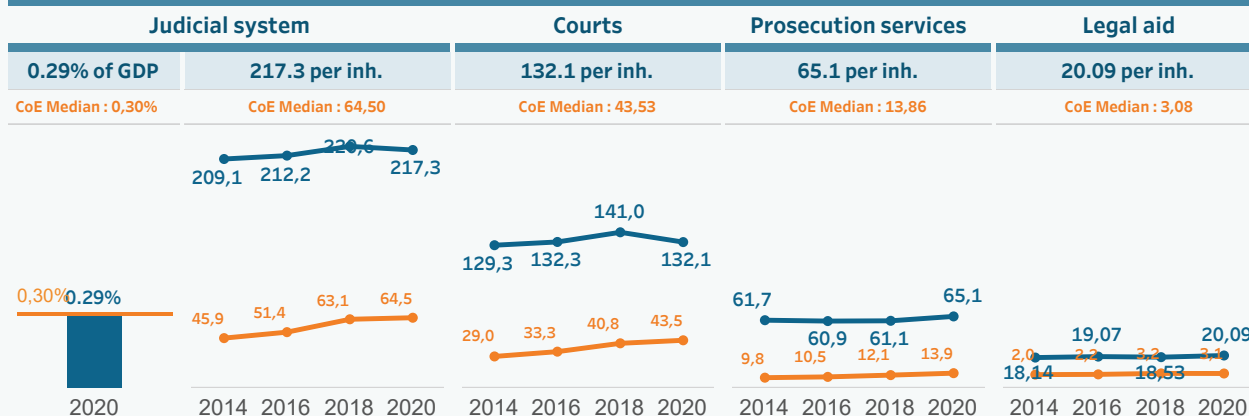**GDP per capita**
75 607 €
CoE Median 20 301 €

Avg gross annual salary
74 178 €
CoE Median 20 612 €

Implemented judicial system budget

Judicial system	Courts	Prosecution services	Legal aid
0.29% of GDP	217.3 per inh.	132.1 per inh.	65.1 per inh.	20.09 per inh.
CoE Median : 0,30%	CoE Median : 64,50	CoE Median : 43,53	CoE Median : 13,86	CoE Median : 3,08

209,1 212,2 220,6 217,3
45,9 51,4 63,1 64,5
0,30% 0,29%
2020
2014 2016 2018 2020

129,3 132,3 141,0 132,1
29,0 33,3 40,8 43,5
2014 2016 2018 2020

61,7 60,9 61,1 65,1
9,8 10,5 12,1 13,9
2014 2016 2018 2020

19,07 20,09
18,14 2,0 2,2 3,2 3,1 18,53
2014 2016 2018 2020

Budget : In 2020, 1 886 877 968 € were spent on the implemented judicial system budget which is 217,3 € per inhabitant (high above the CoE median) and 0.29% of the GDP (close to the CoE median). The distribution of this budget is 61% on courts, 30% on prosecution and 9% on legal aid. Switzerland is among the states that invest more in the courts compared to the countries with the similar GDP per capita.

Recruitment of judges
Switzerland is the one country in Europe with a very specific way to recruit a judge. Judges are recruited among experienced attorneys, lawyers and/or court clerks. Depending on the cantons, they are elected by citizens, the Parliament or nominated by the respective Supreme court. Second instance and Supreme court judges are appointed by the cantonal parliaments and the federal parliament, upon recommendation of political parties. There is no official training program that gives access to the judges' profession.
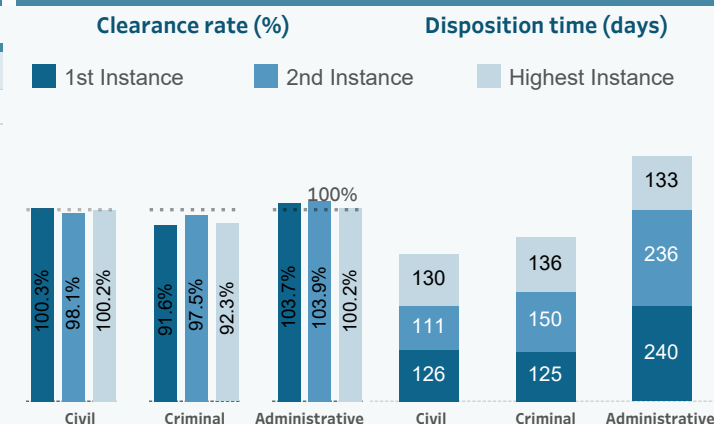
Specialised courts
Switzerland is characterised by a high level of specialisation of courts in various matters (e.g. economic crime, minors' justice, taxes, expropriation, patents etc.). In 2020, there were 241 specialised courts (190 general jurisdiction courts), mostly at cantonal level. Juvenile courts with special courtrooms for criminal proceedings involving minors exist in some cantons.
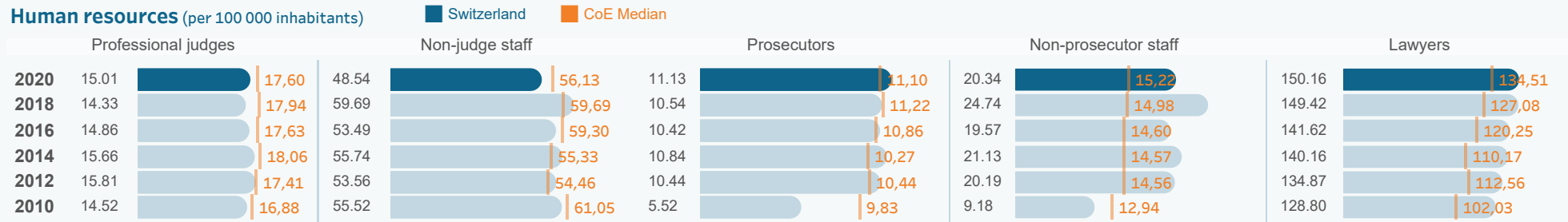
ICT in judiciary
Switzerland has a relatively low ICT index of 5,7 which is stable compared to previous cycles and below the CoE median. The level of development is much higher for civil and criminal matters than for administrative. Switzerland investment in ICT stays proportionally lower to their general investment in courts which is by far highest in Europe.

Efficiency

Clearance rate (%)   **Disposition time (days)**

■ 1st Instance   ■ 2nd Instance   □ Highest Instance

Civil: 100.3% 98.1% 100.2%
Criminal: 91.6% 97.5% 92.3%
Administrative: 103.7% 103.9% 100.2% — 100%

Civil: 126 111 130
Criminal: 125 150 136
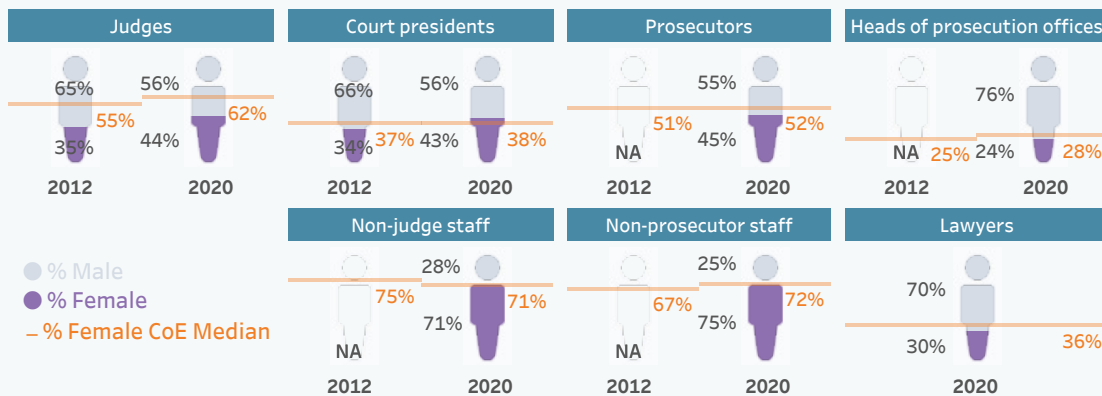Administrative: 240 236 133

Efficiency: In total, the fastest instance was the highest one and the most efficient area of law were the civil and commercial litigious matters. Specifically, the courts have the lowest DT in 2nd instance civil and commercial litigious cases, while the highest DT is in the 1st instance administrative matters but still below the CoE median. Only in 2nd and 3rd instance criminal cases the DT indicator is above the respective CoE median. The courts' efficiency decreased in 2020 compared to the previous cycle, but in general, the reported decreases were not substantial. The pandemic affected the courts by decrease in incoming and resolved cases mostly in administrative cases in the first and second instance. This effect was not that big on civil and even less on criminal cases. Nevertheless, in criminal matters, postponements of hearings did not allow to complete as many cases as received in 2020 which caused the increase of the pending stock.
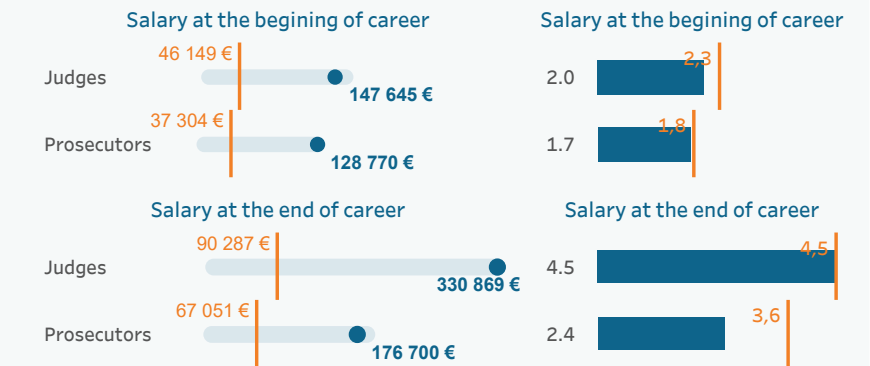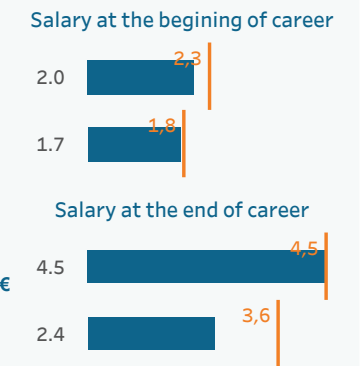
Human resources (per 100 000 inhabitants)

■ Switzerland ■ CoE Median

	Professional judges		Non-judge staff		Prosecutors		Non-prosecutor staff		Lawyers	
2020	15.01	17,60	48.54	56,13	11.13	11,10	20.34	15,22	150.16	134,51
2018	14.33	17,94	59.69	59,69	10.54	11,22	24.74	14,98	149.42	127,08
2016	14.86	17,63	53.49	59,30	10.42	10,86	19.57	14,60	141.62	120,25
2014	15.66	18,06	55.74	55,33	10.84	10,27	21.13	14,57	140.16	110,17
2012	15.81	17,41	53.56	54,46	10.44	10,44	20.19	14,56	134.87	112,56
2010	14.52	16,88	55.52	61,05	5.52	9,83	9.18	12,94	128.80	102,03

Gender balance

● % Male ● % Female — % Female CoE Median

Judges
2012: 65% Male, 35% Female, 55% CoE
2020: 56% Male, 44% Female, 62% CoE

Court presidents
2012: 66% Male, 34% Female, 37% CoE
2020: 56% Male, 43% Female, 38% CoE

Prosecutors
2012: 55% Male, NA Female, 51% CoE
2020: 45% Male, 52% Female, 52% CoE

Heads of prosecution offices
2012: 76% Male, NA Female, 25% CoE
2020: 24% Male, 28% Female

Non-judge staff
2012: 28% Male, NA Female, 75% CoE
2020: 71% Male, 71% Female

Non-prosecutor staff
2012: 25% Male, NA Female, 67% CoE
2020: 75% Male, 72% Female

Lawyers
2020: 70% Male, 30% Female, 36%

Absolute gross salaries

Salary at the begining of career
Judges: 46 149 € — 147 645 €
Prosecutors: 37 304 € — 128 770 €

Salary at the end of career
Judges: 90 287 € — 330 869 €
Prosecutors: 67 051 € — 176 700 €

Ratio with the average annual gross salary

Salary at the begining of career
Judges: 2.0 / 2,3
Prosecutors: 1.7 / 1,8

Salary at the end of career
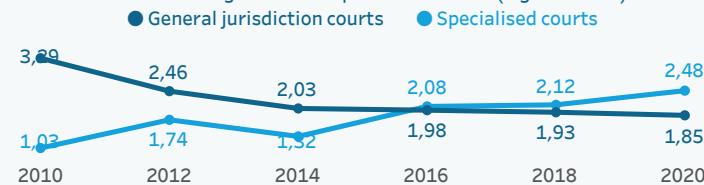Judges: 4.5 / 4,5
Prosecutors: 2.4 / 3,6

Courts (per 100 000 inhabitants)

Distribution (%) of 1st instance specialised and general jurisdiction courts
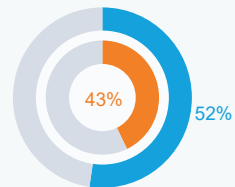
● Specialised courts 52%
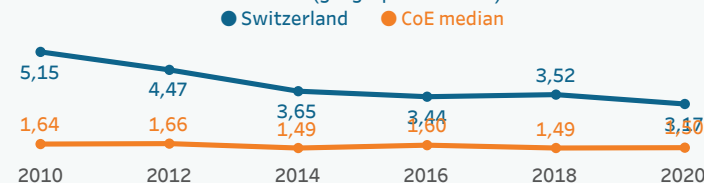● General courts 43%
● CoE median

First instance general and specialised courts (legal entities)
● General jurisdiction courts ● Specialised courts

	2010	2012	2014	2016	2018	2020
General jurisdiction courts	3,09	2,46	2,03	2,08	2,12	1,85
Specialised courts	1,03	1,74	1,32	1,98	1,93	2,48

All courts (geographic location)
● Switzerland ● CoE median

	2010	2012	2014	2016	2018	2020
Switzerland	5,15	4,47	3,65	3,44	3,52	3,17
CoE median	1,64	1,66	1,49	1,60	1,49	1,47

ICT in judiciary (index from 0 to 10)

Index	Total	5.66	6,5
Deployment rate	Civil	6.08	6,6
	Criminal	6.11	5,7
	Administrative	4.35	6,1
Communication with courts	Civil	6.1	6,1
	Criminal	6.14	4,1
	Administrative	2.87	5,0
Courts and case management	Civil	6.16	7,3
	Criminal	6.16	7,3
	Administrative	6.16	7,4
Decision support	Civil	5.74	7,0
	Criminal	5.85	7,3
	Administrative	5.74	7,2

CEPEJ efficiency indicators

Clearance Rate (CR) = (Resolved cases / Incoming cases) *100
CR > 100%, court/judicial system is able to resolve more cases than it received => backlog is decreasing
CR < 100%, court/judicial system is able to resolve fewer cases than it received => backlog is increasing
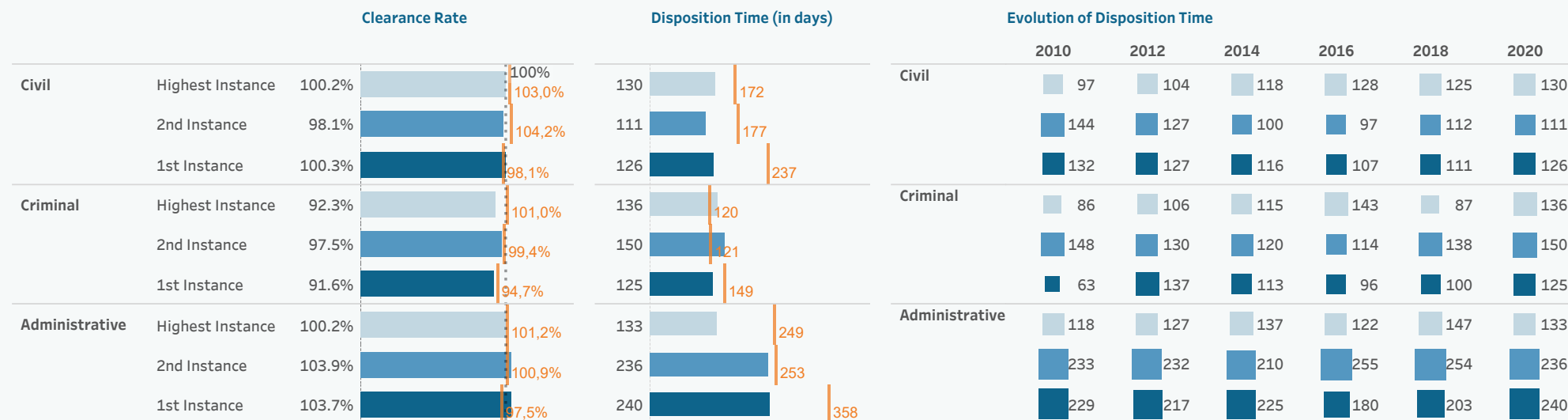
Dispostion Time (DT) = (Pending cases / Resolved cases) *365
The Disposition Time (DT) is the theoretical time for a pending case to be resolved, taken into consideration the current pace of work
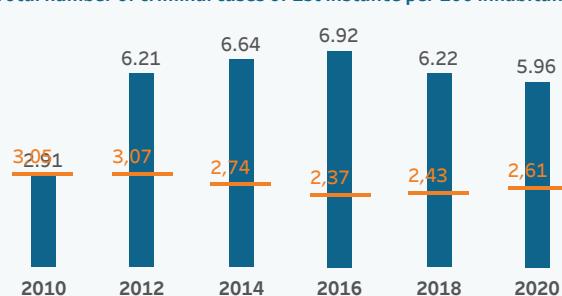
Instance
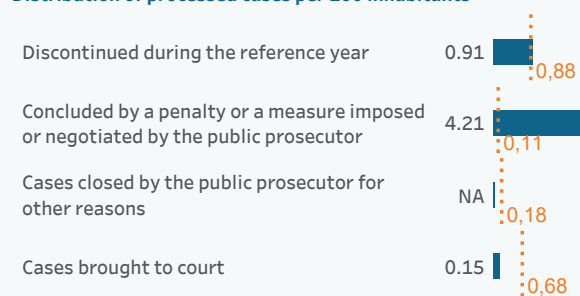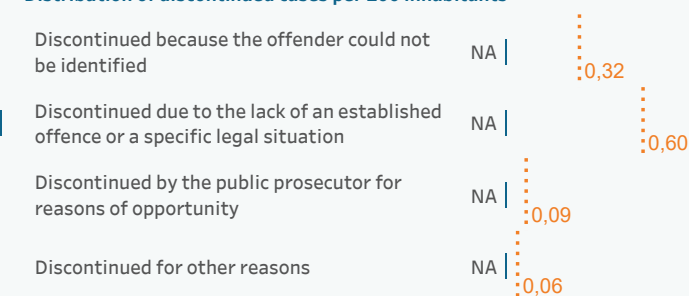- Highest Instance
- 2nd Instance
- 1st Instance

Clearance Rate

		Value	Orange
Civil	Highest Instance	100.2%	100% / 103,0%
	2nd Instance	98.1%	104,2%
	1st Instance	100.3%	98,1%
Criminal	Highest Instance	92.3%	101,0%
	2nd Instance	97.5%	99,4%
	1st Instance	91.6%	94,7%
Administrative	Highest Instance	100.2%	101,2%
	2nd Instance	103.9%	100,9%
	1st Instance	103.7%	97,5%

Disposition Time (in days)

	Value	Orange
Civil Highest Instance	130	172
Civil 2nd Instance	111	177
Civil 1st Instance	126	237
Criminal Highest Instance	136	120
Criminal 2nd Instance	150	121
Criminal 1st Instance	125	149
Administrative Highest Instance	133	249
Administrative 2nd Instance	236	253
Administrative 1st Instance	240	358

Evolution of Disposition Time

		2010	2012	2014	2016	2018	2020
Civil	Highest Instance	97	104	118	128	125	130
	2nd Instance	144	127	100	97	112	111
	1st Instance	132	127	116	107	111	126
Criminal	Highest Instance	86	106	115	143	87	136
	2nd Instance	148	130	120	114	138	150
	1st Instance	63	137	113	96	100	125
Administrative	Highest Instance	118	127	137	122	147	133
	2nd Instance	233	232	210	255	254	236
	1st Instance	229	217	225	180	203	240

Public prosecution services

Total number of criminal cases of 1st instance per 100 inhabitants

Year	Value	Orange
2010	6.05	3,31
2012	6.21	3,07
2014	6.64	2,74
2016	6.92	2,37
2018	6.22	2,43
2020	5.96	2,61

Distribution of processed cases per 100 inhabitants

	Value	Orange
Discontinued during the reference year	0.91	0,88
Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	4.21	0,11
Cases closed by the public prosecutor for other reasons	NA	0,18
Cases brought to court	0.15	0,68

Distribution of discontinued cases per 100 inhabitants

	Value	Orange
Discontinued because the offender could not be identified	NA	0,32
Discontinued due to the lack of an established offence or a specific legal situation	NA	0,60
Discontinued by the public prosecutor for reasons of opportunity	NA	0,09
Discontinued for other reasons	NA	0,06

Note: There are different methodologies on calculating number of cases in prosecution statistics by event or by perpetrator. CEPEJ collects data per case (event) but some countries present it by perpetrator.

Judiciary related websites

1. Legal texts
https://www.admin.ch/gov/fr/accueil/droit-federal.html ; droit cantonal : http://www.lexfind.ch/index.php?lang=FR

2. Case-law of the higher court/s
https://www.bger.ch/fr/index/juridiction/jurisdiction-inherit-templa..

3. Information about the judicial system
https://www.bger.ch/fr/index/federal/federal-inherit-template/fed..