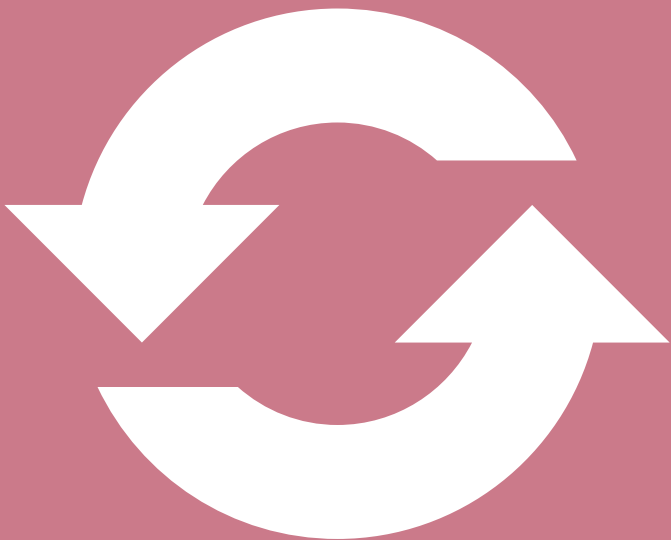


Update

August 2025



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Updated documents are available here.

SwissHoldings is the association of multinational industrial and service companies in Switzerland. At federal level, we advocate for optimal framework conditions on behalf of our more than 60 members. Together, our members account for around 66 per cent of the total market capitalisation on the SIX Swiss Exchange. Our members employ around 1.8 million people worldwide, around 202,000 of them in Switzerland. Through the numerous service and supply contracts they place with SMEs, multinational companies in Switzerland employ - directly and indirectly - more than half of all employees in Switzerland.

LAW DEPARTMENT



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Capital Market Law

Draft Register of Beneficial Owners



Executive Summary

The legislation provides for a federal register of beneficial owners as well as other targeted measures for more effective combating of money laundering and economic crime. The proposal was divided into two drafts: Draft 1 (Transparency Register) is in the differences resolution procedure, which should be completed in the upcoming session. Draft 2 (Partial revision of the Anti-Money Laundering Act) will be handled by the National Council as the second chamber in the autumn session. SwissHoldings supports the legislation in principle but criticizes the missing exemption for listed companies, as these are already subject to comprehensive disclosure and reporting obligations. It is crucial that both drafts are adopted by the FATF country examination in 2027.



Contents

The [draft legislation](#) (24.046) has two main objectives: On the one hand, the transparency of legal entities should be increased to enable authorities to identify beneficial owners more efficiently. For this purpose, a federal register of beneficial owners is to be introduced (Draft 1). On the other hand, certain activities in advisory services should in future be subject to the Anti-Money Laundering Act with corresponding due diligence obligations (Draft 2) to improve effectiveness in the fight against money laundering. The proposed measures should comply with the international standards of the *Financial Action Task Force* and the *Global Forum on Transparency and Exchange of Information for Tax Purposes*.



State

On May 22, 2024, the Federal Council adopted the message on strengthening the fight against money laundering (see press release). The LAC-S decided in autumn 2024 to consider the proposal in two parts.

Draft 1 – Transparency Register:

The proposal was approved by both chambers. However, differences exist, particularly regarding the presumption of correctness. The LAC-S proposed the following compromise as part of the differences resolution on August 14, 2025: While the entries in the register should have a declaratory character according to the National Council and Federal Council, the LAC-S proposes a special regulation for the use of the register by advisors and financial intermediaries, which should ensure that they can rely on the entries.



Draft 2 – Partial revision of the Anti-Money Laundering Act:

The draft was adopted by the Council of States as the first chamber on June 17, 2025. Compared to the Federal Council's proposal, the circle of affected persons has been restricted. The LAC-N entered into Draft 2 and follows the Council of States in the majority. However, the committee deviates on two points: the explicit regulation of supervision over notary offices and the exemption of real estate brokerage under certain conditions.



Outlook

Draft 1 – Transparency Register:

The differences resolution procedure for Draft 1 (see [Council of States agenda](#)) will presumably be completed in the upcoming autumn session.

Draft 2 – Partial revision of the Anti-Money Laundering Act:

Draft 2 (see [National Council agenda](#)) will be handled by the National Council in the upcoming autumn session.



Position

SwissHoldings supports the legislation in principle. With regard to the division of the business, SwissHoldings points out that the parliamentary consultation on Draft 2 must also be completed in time for the upcoming FATF country examination in 2027 in order not to weaken the business location. The association's arguments that listed companies and their subsidiaries should receive a complete exemption have not found a majority – although inclusion in the transparency register is obsolete due to the already existing effective reporting and disclosure obligations for shareholders and beneficial owners. These apply at a threshold of three percent of share capital or voting rights. In addition, the accounting standards and reporting obligations of the SIX Swiss Exchange applicable to listed companies prescribe a disclosure obligation for subsidiaries, which already leads to increased transparency.

Revision of the Financial Market Infrastructure Act (FinMIA)



Executive Summary

The Financial Market Infrastructure Act (FinMIA) is undergoing a periodic and general review. A report by the FDF shows that it has proven successful for the most part so far. However, transparency and legal certainty in certain regulatory areas should be strengthened in particular. A consultation on the revision was conducted in 2024 and the message is expected in early 2026. SwissHoldings welcomes an improvement in derivatives regulation in principle but decidedly rejects the weakening of self-regulation.



Contents

The FinMIA regulates the authorization and obligations of financial infrastructures as well as the conduct obligations of financial market participants in securities and derivatives trading. Even before it came into force in January 2016, the Federal Council announced that the Federal Department of Finance (FDF) would subject the FinMIA to a general review and prepare a report. In this [report](#), the FDF concludes that the FinMIA has proven successful for the most part since it came into force.

However, it is necessary to further strengthen transparency and legal certainty in certain regulatory areas.



State

A consultation was conducted from June to October 2024. SwissHoldings submitted its [response](#) on October 4, 2024. The FDF is evaluating the consultation responses but has postponed the business. Furthermore, the Federal Council has decided to bring the reporting obligation of small non-financial counterparties regarding derivative transactions into force on January 1, 2028.



Outlook

According to the FDF, the message on the FinMIA revision should be published in early 2026.



Position

The proposed adjustments in derivatives regulation are fundamentally an improvement and therefore to be welcomed. However, SwissHoldings clearly rejects that issuer obligations such as ad hoc notifications of participations or notification and publication of management transactions should be transferred from self-regulation to state regulation under FINMA supervision. Self-regulation has proven successful and should not be abandoned without necessity, but should be maintained as a location advantage. SwissHoldings has positioned itself accordingly.

Competition Law & Policy

Amendment of the Cartel Act: Partial Revision



Executive Summary

On May 24, 2023, the Federal Council adopted the message for the partial revision of the Cartel Act ([23.047](#)). The partial revision aims in particular to modernize Swiss merger control and adapt it to international standards. Additionally, the revision strives to strengthen cartel civil law and make the objection procedure more practical. The EATC-S will presumably start the differences resolution procedure on August 28/29, 2025. Differences exist particularly in the area of examining individual cases and their actual harmfulness regarding agreements. SwissHoldings welcomes the National Council's decision on individual case examination of the harmfulness of competition violations as implementation of the Français and Wicki motions, but criticizes that the objection procedure was not discussed in Parliament despite clear deficiencies.



Contents

The proposal for the partial revision of the Cartel Act ([23.047](#)) includes a change from the qualified market dominance test to the *Significant Impediment to Effective Competition Test* (SIEC test). It thus strives for practice harmonization of the Competition Commission (COMCO) with international standards. Another component of the law amendment is the strengthening of cartel civil law, whereby active legitimation should be expanded. Additionally, the objection procedure should be made more practical by eliminating the direct sanctions risk when no investigation is opened within the shortened deadline. Main discussion points



in the partial revision are the provisions on competition agreements (Art. 5 CA) and the conduct of market-dominant companies (Art. 7 CA). The preliminary draft contained an implementation proposal for Motion 18.4282 Français, adopted in June 2021, which considers qualitative and quantitative criteria. Finally, rules on the investigative principle, presumption of innocence, and burden of proof are included to implement the demands of [Motion 21.4189 Wicki](#).



State

The Council of States deliberated the business in the summer session 2024 and rejected the obligation for competition authorities to demonstrate harmfulness. The National Council follows the preparatory EATC-N and decided on June 4, 2025, contrary to the position of the Council of States, that the authorities must examine each individual case when it comes to the question of significance. Accordingly, an overall assessment would have to take place based on empirical values and the concrete circumstances in the relevant market. The proposal goes back to the Council of States for differences resolution.



Outlook

The EATC-S will start the differences resolution procedure on August 28/29, 2025.



Position

SwissHoldings expects that the Français and Wicki motions will be implemented. Both motions demand that authorities and courts (again) deal with the actual effects of an agreement or conduct and must demonstrate the harmfulness to competition. The National Council's decision, in contrast to the Council of States in its function as the first chamber, meets these expectations. The demanded Compliance Defense is also undisputed in the National Council (see the [position paper by SwissHoldings to the EATC-S](#)). SwissHoldings notes that, contrary to concerns, neither the Council of States nor the National Council discussed the objection procedure. The adjustments to the objection procedure proposed by the Federal Council will neither promote the attractiveness of this instrument nor serve legal certainty.

Amendment of the Cartel Act: Institutional reform



Executive Summary

Parallel to the cartel law revision, the Federal Council is driving forward an institutional reform of the competition authority. This is intended to fix problems in the administrative procedure, which particularly includes a separation of decision-making and investigative authority. The Federal Council opened the consultation on June 13, 2025. This runs until October 6, 2025. SwissHoldings advocates for a clear separation of investigative and decision-making authority.



Contents

Parallel to the ongoing material partial revision of the Cartel Act, the Federal Council is driving forward a separate [revision of the competition authorities](#) (hereinafter: institutional reform). The institutional reform should generally aim to fix problems in the administrative



procedure, which particularly includes a separation of decision-making and investigative authority.

The published [final report of the expert commission](#) under the chairmanship of former Federal Judge Hansjörg Seiler concluded that COMCO functions well in principle and has no rule-of-law deficiencies. A system change is therefore not indicated. The separation between investigative and decision-making authority should now be designed more effectively by, among other things, having the secretariat conduct investigations consistently without involving COMCO. With its consultation draft on June 13, 2025, the Federal Council followed the recommendations of the expert commission in a first step. The Federal Council wants to make the "separation" between investigative and decision-making authority more effective through the following measures: downsizing and focusing of the commission; elimination of the commission's or individual members' participation in the investigation; and legal regulation of the secretariat's role in COMCO's decision consultation.

Excursus: Despite the work already initiated and published on June 13, 2025, by the Federal Council with regard to a reform of the competition authorities, the Council of States adopted the concern of Motion [22.4404 Rechsteiner](#) "Accelerate procedures. Increase legal certainty" on March 17, 2025. The Council of States thus expresses its will in particular that both the problem of institutional separation between investigating and deciding authority and the question of procedure duration be addressed. The National Council had already adopted the motion in the spring session a year ago. Following the Council of States, the National Council approved the concerns of [Motion 23.3224 Français](#) "Institutional Reform of the Competition Authority" on June 4, 2025. The Federal Council must now make an implementation proposal for both motions.



State

The Federal Council opened the consultation on the proposal for the revision of the competition authority on June 13.



Outlook

The consultation on the draft institutional reform lasts until October 6, 2025. SwissHoldings will submit a corresponding response in due time.



Position

SwissHoldings welcomes that the frequently demanded institutional reform has been taken up parallel to the ongoing revision work on the material Cartel Act and supports the critical examination and in-depth review of the institutional reform. However, it will have to be examined whether maintaining the current system is purposeful. SwissHoldings will position itself accordingly in the consultation based on the [position paper](#) and advocates for a clear separation between investigative and decision-making authority. Therefore, SwissHoldings supports Motion 23.3224 Français and welcomes the clear signal from the Council of States as well as from the National Council with the approval and referral of the motion to the Federal Council on June 4, 2025.



Motion Rüegegger "Introduce sector inquiry. Solve structural competition problems"



Executive Summary

Motion 24.4590 Rüegegger wants the instrument of sector inquiry to be introduced as a supplement in the Cartel Act. This would enable COMCO to analyze markets preventively for structural competition problems even without concrete suspicion. The Federal Council requested rejection of the motion on February 19, 2025. SwissHoldings rejects the motion, as it considers COMCO's existing instruments sufficient and does not deem an expansion of competencies necessary.



Contents

The introduction of sector inquiry according to Motion 24.4590 would enable COMCO to analyze markets preventively for structural competition problems, even without sufficient grounds for suspicion. The instrument can help eliminate structural barriers such as market entry barriers, information asymmetries, or competition distortions. The initiative is justified by arguing that the introduction of sector inquiries in the Cartel Act strengthens competition authorities, promotes market transparency, and improves the functionality of competition in the long term, as well as providing COMCO with the same instruments as EU competition authorities. The Federal Council believes that this instrument and its possible design must be fundamentally evaluated and subjected to a thorough cost-benefit analysis before introduction. Within the framework of fulfilling the referred [Postulate 23.3444](#) EATC-N "Merger of UBS and CS. Assessment of competition law and economic significance," the Federal Council is currently examining the advantages and disadvantages of the instrument of competition law sector inquiry.



State

The initiative was submitted on December 20, 2024. The Federal Council requested rejection of the motion on February 19, 2025.



Outlook

The Federal Council suggests awaiting the results of the report on Postulate 23.3444 before deciding on the further procedure regarding Motion 24.4590. The postulate report should be available by the end of 2025.



Position

SwissHoldings rejects the Rüegegger motion because COMCO already has sufficient means such as conducting market observations, preparing expert opinions, or issuing recommendations. It should accordingly apply the existing instruments.

Parliamentary Initiative Roduit "Non-compliance with mandatory working conditions constitutes qualified unfair competition and must be prosecuted criminally"



Executive Summary

The parliamentary initiative demands that intentional violation of mandatory working conditions should also be criminally prosecuted under the UCA. In April 2025, the LAC-N opened a consultation whose deadline expired on August 20. Subsequently, the body will draft a proposal. SwissHoldings commits to compliance



with mandatory working conditions but rejects the Roduit initiative, as existing protective provisions are sufficient.



Contents

According to the Federal Act against Unfair Competition (UCA), violation of mandatory working conditions already constitutes unfair competition and can be sanctioned. [Parliamentary Initiative 21.470](#) demands that intentional violation of mandatory working conditions should additionally be criminally prosecuted under the UCA.



State

The initiative was submitted on June 17, 2021. The Legal Affairs Committee of the National Council (LAC-N) opened the consultation on April 30, 2025. SwissHoldings submitted its [consultation response on August 19, 2025](#).



Outlook

The consultation ended on August 20, 2025, after which the received consultation responses will be evaluated and a first draft will be developed.



Position

SwissHoldings advocates for compliance with mandatory working conditions and supports that non-compliance with mandatory working conditions continues to constitute a violation of unfair competition. However, we reject the Roduit parliamentary initiative because a series of existing protective provisions in favor of employees already exist that contain corresponding criminal provisions. Additional criminality under the UCA hardly minimizes the risk of norm collisions, does not answer the jurisdictional questions to be solved, and would thereby lead to double criminality. The existing instruments should be applied and no additional provisions should be inserted.



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International Tax Law

OECD/G20 Project on the Taxation of the Digitalized Economy



Executive Summary

The OECD/G20 project on taxation of the digitalized economy includes profit redistribution (Pillar 1) and the introduction of a global minimum tax of 15% for large corporations (Pillar 2). While Pillar 1 is blocked, Pillar 2 has already been implemented by various states. The USA under President Trump is now likely to succeed in enforcing a special solution with the Side-by-Side System. The Side-by-Side System is to be adopted by the end of 2025, which will give the USA a clear competitive advantage. For Switzerland, this means it must secure its attractiveness for international companies through efficiency, digitalization, international networking, and targeted incentives.



Contents

The OECD project on taxation of the digitalized economy is intended to improve acceptance of international corporate taxation. The project is being advanced within the framework of the "OECD/G20 Inclusive Framework on BEPS" (hereinafter: IF), which comprises more than 140 states. It consists of two pillars. The content of Pillar 1 is a stronger redistribution of profits of the world's approximately 200 most successful corporations from residence to market states. The content of Pillar 2 is the introduction of a minimum profit tax of 15 percent for all corporations with revenue of at least 750 million euros.



State

The implementation of Pillar 1 has so far not progressed beyond work at the OECD level. Pillar 2 is well advanced, with EU states and Switzerland, among others, having implemented the global minimum tax in whole or in part. However, the project initiated by the G20 has long struggled with major problems. Most IF states have not implemented the minimum tax.

On January 20, 2025, US President Trump also announced that the USA is withdrawing from the OECD digital taxation project. The USA also wants to take countermeasures such as new withholding taxes against states that impose discriminatory and extraterritorial taxes against the USA ([Link to the decree](#) and [Link to America First Trade Policy](#)). Specifically, the US administration demanded from the rest of the world that US tax law be regarded as equivalent to OECD minimum taxation and therefore US tax law should coexist with it (now referred to as the so-called Side-by-Side System). To ensure that minimum tax states accept the US demand, the US Congress developed a provision (IRC Section 899) with extremely painful sanctions measures as part of the so-called One Big Beautiful Bill (BB-Bill). At the end of June, the



G7 states agreed in a joint declaration ([Link G7-Statement](#)) on the implementation of the Side-by-Side System (SbS-System). In return, the USA declared it would remove Section 899 from the BB-Bill. The G7 declaration states that:

- US parent corporations should be completely exempted from UTPR and IIR (but not foreign QDMTTs) with regard to both their domestic and foreign profits.
- Work on the SbS-System should be carried out parallel to substantial administrative simplifications of OECD minimum taxation.
- Changes in the treatment of substance-based, non-refundable tax deductions in OECD minimum taxation should be examined.

It is now known that the work on implementing the SbS-System through the issuance of new Administrative Guidances should be completed by the end of 2025. Currently, a Guidance on the SbS-System (Coordinating Safe Harbor), a Guidance with simplifications (Simplified ETR Safe Harbor), and a document on the treatment of substance-based tax deductions are reportedly being developed. Whether the ambitious timeline with all the promised Guidances will actually be met cannot currently be assessed. There are also substantive doubts. The Simplified ETR Safe Harbor is supposed to enable companies to easily show in many states that they do not have to pay minimum tax. Since the minimum tax rules are extremely difficult to apply both for the affected companies and for the controlling tax administrations, this Safe Harbor is of great importance for business and administrations. It is currently unclear whether this Safe Harbor will actually be easy for companies to apply.



Outlook

The year 2025 continues to bring significant changes to OECD minimum taxation. By the end of the year, the more than 140 IF member states should unanimously adopt the SbS-System and thus internationally approve the exemption for the USA from OECD minimum taxation. Since the USA under President Trump has impressively shown that it is prepared for harsh sanctions against other states, it is not expected that individual IF member states will prevent the minimum tax exemption for the USA. The consequence of the exemption is that the USA will improve its competitiveness against OECD minimum tax states according to the assessment of many European corporate representatives. Whether the IF will succeed in eliminating the US competitive advantage with an effective new substance tax deduction and an easily applicable Simplified ETR Safe Harbor cannot be predicted. Perhaps that is not even the goal of important OECD minimum tax states. In any case, Switzerland and other economically successful smaller states must expect to have shorter weapons in international tax competition against the USA in the future.

Should the US competitive advantage not be compensated by the IF, it will be difficult to convince states like China, India and many more to

introduce minimum taxation. Thus, OECD minimum taxation could become even more of a primarily European project than before. That European states abandon OECD minimum taxation appears unrealistic, particularly for political reasons. This would require, for example, a unanimous decision to repeal the corresponding EU minimum tax directive. European states will also not allow states like Switzerland to abandon the financially and economically harmful minimum tax without substantial disadvantages.

Position

OECD minimum taxation is a project by economically significant high-tax states, which is directed against successful smaller states with low profit taxes. The latter should lose tax attractiveness and be economically tied back. Switzerland, alongside Singapore and Ireland, is particularly in the crosshairs. International companies should make a larger portion of their tax payments in states with higher taxes. That OECD minimum taxation fails due to the USA's departure appears unlikely. Both the USA, which continues to actively participate in designing the minimum tax, as well as most European states have a great interest in its continued existence for competitiveness aspects. For Switzerland, OECD minimum taxation is a location disadvantage. Nevertheless, it is not purposeful to exit under the current circumstances. If Switzerland wants to preserve its economic success and the lucrative tax revenues from international companies, it must pursue new paths to convince them to exercise relevant functions in Switzerland. Efficiency, digitalization, international networking, a service-oriented and customer-focused administration are important subject areas. Financial incentives for tax-lucrative decision functions or for R&D&I activities should also be promoted. The goal must be to continue being an attractive location for decision functions during regular reviews and to avoid function relocation to lower-wage foreign countries.



ECONOMICS DEPARTMENT



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Trade and Investment Policy

Bilateral Relations between Switzerland and the EU



Executive Summary

The "Bilateral III" treaty package is intended to stabilize and further develop relations between Switzerland and the EU. In June 2025, the Federal Council opened the consultation on the planned treaty package. This runs until the end of October 2025, after which the message to Parliament should follow in early 2026. SwissHoldings supports the Federal Council's efforts to sustainably secure access to the EU internal market, but emphasizes the necessity of preserving Switzerland's economic policy sovereignty and carefully examining integration policy questions.



Contents

The "Bilateral III" treaty package is intended to stabilize and further develop relations between Switzerland and the EU. It encompasses the updating of existing agreements (e.g., free movement of persons, aviation, MRA) as well as new agreements on electricity, food safety, and health. At the same time, the new treaties also implement the clarification of the institutional framework demanded by the EU. A package approach was chosen for this purpose. Instead of regulating institutional questions comprehensively in a horizontally designed agreement, these should be solved individually in each agreement – thus sector-specifically.



State

On [June 13, 2025](#), the Federal Council opened the consultation on the negotiated treaty package. According to the federal government's assessment, the package fulfills the objectives of the negotiation mandate. It includes an institutional regulation for existing and future internal market agreements, new agreements in the areas of electricity, food safety, and health, as well as participation in EU education and innovation programs. This represents a central milestone in relations with the EU.



Outlook

The consultation runs until October 31, 2025. The Federal Council then wants to complete this by the end of 2025 and present the message to Parliament in early 2026.



Position

SwissHoldings welcomes the Federal Council's efforts to further establish existing relations on a solid and permanent foundation based on a new treaty package with the EU ("Bilateral III"). Stable, reliable, and non-discriminatory relations with the EU as Switzerland's most important trading partner are of central importance. The bilateral agreements are a proven instrument for securing market access and strengthening Switzerland's international competitiveness. However,



the new package also entails significant institutional changes – particularly regarding the dynamic adoption of EU law and the involvement of the ECJ in the dispute settlement mechanism. While these offer companies legal stability and more predictability, they simultaneously raise integration policy and economic questions. Therefore, it must be examined what scope Switzerland retains in future regulations and to what extent its economic policy sovereignty is preserved. The goal must be non-discriminatory market access and a reliable legal framework for internationally active companies. SwissHoldings will actively participate in the consultation to ensure that the package strengthens the competitiveness of the location and contributes to economic prosperity. At the same time, integration policy aspects such as dynamic law adoption and the role of the ECJ must be carefully examined for their effects on economic policy scope of action.

Free Trade Agreement



Executive Summary

Free trade agreements (FTAs) are a central instrument for export-oriented Switzerland to diversify trade relations. Recently, decisive progress has been achieved in several negotiations that have been ongoing for years in some cases, including agreements with India, Chile, Malaysia, Mercosur, and Thailand. Further negotiations are ongoing, for example with Vietnam. In addition, modernizations with Mexico, the Southern African Customs Union, and China are planned. SwissHoldings expressly supports the continuous expansion and modernization of free trade agreements.



Contents

The strongly export-oriented Swiss economy relies on a broadly diversified network of free trade agreements in addition to trade relations with the EU. Switzerland currently has 33 free trade agreements with 43 partners and new agreements are continuously being concluded, signed, and brought into force.



State

After the EFTA states' free trade agreement with India was [signed on March 10, 2024](#), both the Council of States and the National Council approved the proposal. During the summer session 2025, the [agreement with Chile \(25.031\)](#) was adopted in the Council of States. In addition, an agreement between the EFTA states and Malaysia was signed on [June 23, 2025](#), and the Federal Council adopted the [message for the FTA with Thailand \(25.066\)](#) for Parliament on [June 25, 2025](#). Shortly thereafter, the FTA between the EFTA and Mercosur states was concluded on [July 2, 2025](#). The US government imposed additional tariffs of up to 39% on Swiss exports as of August 7, 2025 – one of the world's highest tariff levels. The Swiss government is conducting intensive talks with Washington to avoid further escalation. The goal is to find a viable solution by the end of October 2025 to avert further economic damage.



Outlook

Switzerland continues its strategy of diversifying trade relations. Negotiations with Vietnam are currently being conducted and

simultaneously, modernizations of existing agreements with Chile (see Status) as well as with Mexico and the Southern African Customs Union are planned. Furthermore, a modernization of the free trade agreement with China is being pursued. The FTA with India will enter into force on October 1, 2025. The recently concluded agreement with the Mercosur states is to be signed in the coming months and subsequently submitted to Parliament.



Position

Given growing global trade conflicts and increasing protectionism, expanding the network of free trade agreements is essential for the export-oriented Swiss economy. These agreements offer not only tariff advantages but also legal certainty for companies. Diversifying trade relations strengthens the resilience of the Swiss economy and secures jobs. SwissHoldings therefore supports the continuous expansion and modernization of free trade agreements.

Investment Controls



Executive Summary

The proposal for introducing investment screening is intended to prevent takeovers by foreign investors if these endanger public order or security. Both the National Council and the Council of States have entered into the proposal. The business now goes back to the EATC-S, which will take up detailed consultation on August 29, 2025. SwissHoldings considers the existing legal framework sufficient and emphasizes the importance of access to international investment markets that is as non-discriminatory and transparent as possible.



Contents

With the [introduction of investment screening \(23.086\)](#), takeovers of domestic companies by foreign investors should be preventable if these takeovers endanger Switzerland's public order or security. The proposal should particularly target state-controlled investors. In weighing security and economic policy interests, from the [perspective of the EATC-S](#), the disadvantages that the introduction of investment screening would entail outweigh the benefits. Switzerland, as a small, open economy, would suffer excessively from the weakening of location attractiveness and legal certainty.



State

After the National Council favored stricter investment controls in the autumn session 2024, the preparatory committee of the Council of States (EATC-S) spoke against it. On March 6, 2025, the Council of States entered into the proposal by 29 to 16 votes, contrary to its committee's recommendation.



Outlook

After the Council of States' entry, the proposal goes back to the EATC-S for further consultation and will presumably be dealt with on August 29, 2025, before the Council of States will decide on it again at a later date.



Position

Foreign direct investment is of central importance for Switzerland, as it significantly promotes prosperity and competitiveness in our small and

open economy. The prosperity of the population and the competitiveness of companies in the small and open Swiss economy depend directly on integration into global value chains. Since Swiss companies themselves are among the largest direct investors abroad, Switzerland has a particular interest in access to international investment markets that is as non-discriminatory and transparent as possible. Switzerland achieves this best by showing itself open to foreign investments. The Federal Council considers the existing legal framework sufficient. SwissHoldings supports this position. However, the question of whether Switzerland should introduce investment screening cannot be assessed independently of international developments. If OECD members introduce comprehensive restrictions regarding certain foreign investments, this must be considered when assessing the Swiss regulatory approach, not least to prevent a suction effect on the Swiss economy.

Investment Protection Agreements



Executive Summary

Switzerland has one of the world's largest networks of bilateral investment protection agreements (IPAs). Since a practice change by the Federal Council, IPAs are newly subject to the optional referendum. Investment protection agreements create a reliable environment that enables Swiss companies to invest safely and sustainably abroad. SwissHoldings welcomes efforts worldwide to continuously develop and improve the IPA instrument. The IPA with Saudi Arabia expired on August 8, 2025. Negotiations for a new agreement are already well advanced.



Contents

According to UNCTAD, Switzerland has the third-largest network of investment protection agreements worldwide after Germany and China. By concluding IPAs, Switzerland improves the framework conditions for investments and strengthens its attractiveness as a business location. Due to a practice change by the Federal Council, IPAs are now subject to the optional state treaty referendum in addition to free trade agreements.



State

Saudi Arabia already notified Switzerland of the termination of the bilateral investment protection agreement (IPA) on August 9, 2022. Originally, the agreement was to expire on August 8, 2023. However, by mutual agreement, it was extended by two years – until August 8, 2025. Negotiations for a new agreement are now well advanced. However, Saudi Arabia refused a further extension of the existing IPA. SwissHoldings and other associations were consulted in advance and informed about the developments.



Outlook

SECO continues to work on evaluating Switzerland's network of investment protection agreements and expanding it as needed.



Position

Direct investments are central for Switzerland: Prosperity and competitiveness of companies in the small, open economy depend heavily on



global networking. Investment promotion and protection treaties are essential, as foreign investments are subject to political as well as economic risks. Effective investment protection requires an investor-state arbitration mechanism. These procedures have proven themselves for Switzerland and its companies, as they build on existing international structures (ICSID, UNCITRAL) and enable factual, politically independent dispute resolution. SwissHoldings supports the further development of these mechanisms to increase legal certainty and protect against abusive application.

Corporate Social Responsibility

Corporate Responsibility



Executive Summary

Sustainability regulations in the EU have developed rapidly but have been temporarily slowed by the "Simplification Omnibus" package and the "Stop-the-Clock" initiative. The Federal Council is examining the adoption of these rules for Switzerland but still faces uncertainties due to the package. Decisions on next steps will be made by spring 2026 at the latest. At the same time, a new corporate responsibility initiative was established in June 2025. SwissHoldings supports the Federal Council's course and advocates for internationally compatible, pragmatic regulation that takes into account the particularities of the Swiss economy.



Contents

Developments worldwide, but particularly in the EU, have advanced rapidly in recent years in both non-financial reporting and due diligence obligations. The EU has adopted numerous regulations as part of its *Green Deal* to assume a global leadership role. The Federal Council is currently examining to what extent it wants to adopt the regulatory approaches adopted by the EU for Switzerland. Uncertainties exist because the EU Commission proposed the so-called "Simplification Omnibus" package in February 2025, which reduces reporting obligations, relaxes liability rules, and delays implementation. In April, the "Stop-the-Clock" initiative followed to suspend individual provisions. Additionally, leading politicians like President Macron and Chancellor Merz are calling for the abolition of the EU Supply Chain Act (CSDDD).



State

The Federal Council spoke in favor of an internationally coordinated approach to sustainability regulation at the [end of March 2025](#). Specifically, it was decided to await regulatory developments in the EU before further adjustments to Swiss law are examined. On May 27, 2025, the new corporate responsibility initiative was submitted to the Federal Chancellery, which wants to expand due diligence obligations for internationally active Swiss companies analogous to the original EU Supply Chain Directive. The initiative officially came about on June 17, 2025.



Outlook

The administration was commissioned by the Federal Council to develop concrete variants for a pragmatic change to legislation on sustainable corporate governance. These should concern both



sustainability reporting and due diligence obligations. The body wants to make a concrete decision on further procedure once the EU has adopted its revised regulations, but at the latest in spring 2026.



Position

SwissHoldings welcomes the Federal Council's decision. Pragmatic and internationally compatible regulation is the best way to continue successfully implementing sustainability in the economy. Switzerland has had good experiences with its carefully designed sustainability model so far. The current Swiss model is oriented toward global UN and OECD standards but simultaneously considers the particularities of the Swiss economy. Companies have already made considerable progress within this framework, particularly in the areas of transparency and due diligence obligations. This pragmatic approach helps avoid a "Swiss finish" and ensures that Swiss companies are not confronted with exaggerated or isolated requirements in international comparison.

Collective Legal Protection



Executive Summary

The class action proposal (21.082) provides for the expansion of the existing association lawsuit, the introduction of a new association lawsuit for asserting compensation claims, as well as binding court settlements. The National Council did not enter into the proposal in the spring session 2025. The LAC-S spoke against entering into the proposal on August 14. The deliberation in the Council of States is expected for the autumn session 2025. SwissHoldings decisively rejects the proposal, as class actions following foreign models favor a professional litigation industry and lead to problematic litigation expansion through mechanisms like Third-Party Litigation Funding.



Contents

According to the Federal Council's message, the [class action proposal \(21.082\)](#) provides for expanding the existing association lawsuit, creating a new association lawsuit for asserting compensation claims, as well as newly providing a possibility for settlements declared binding by courts.



State

In its deliberations during the spring session 2025, the National Council decided by a clear majority not to enter into the proposal and thus follows the motion of the LAC-N. The Legal Affairs Committee of the Council of States decided by 8 to 5 votes at its meeting on August 14, 2025, not to enter into the proposal. It considers current law sufficient and warns of risks for the business location through potentially costly collective lawsuits. Instead, the committee adopted a postulate ([25.3954](#)) by a large majority that mandates the Federal Council to examine and further develop alternative solutions such as mediation and ombudsman procedures.





Outlook

After completion of deliberations in the LAC-S, the business is ready for deliberation in the Council of States. This should take place in the upcoming autumn session 2025.



Position

The business community clearly rejects the proposal. Experience from abroad shows that the introduction of class actions leads to the establishment and constant expansion of a professional "litigation industry." A significant driver of this development is Third-Party Litigation Funding (TPLF), where external investors finance lawsuits and thus increase the willingness to bring lawsuits without bearing the actual risks. This is not a purely US-American development. Also in the EU, the number of class action cases has increased significantly in recent years, due to legislative changes and facilitated access to litigation financing. This assessment is also reflected in the [Sotomo study](#) commissioned by economiesuisse and SwissHoldings at the beginning of the year: Experts from large companies and SMEs who have already gained experience with class actions in the USA and EU can better assess the associated risks and therefore increasingly advocate that Switzerland should continue to refrain from class actions. Particularly the experiences from the most affected EU countries strengthen this position. From the association's perspective, there is no reason to replicate similar misdevelopments in Switzerland. The quality of the Swiss legal system is above average in international comparison. Already under current law, those affected by mass or scatter damages can assert their damage claims even for smaller damages. Through current technological developments, particularly in the field of artificial intelligence, these possibilities are being further expanded.

Accounting and reporting

IFRS Standardization



Executive Summary

The IFRS Foundation develops global accounting standards and oversees the IASB, which creates financial standards, as well as the ISSB, which focuses on sustainability standards. Currently, the ISSB's focus is on biodiversity and human rights. Additionally, the Board conducted a consultation on greenhouse gas emissions in 2025. The IASB is currently reviewing IFRS 16 on leases. SwissHoldings actively participates in these developments with detailed position statements.



Content

The IFRS Foundation is a non-profit foundation. Its objective is to develop high-quality global accounting standards, promote the use and application of these standards, and bring about convergence of national accounting regulations with these standards. The foundation oversees both the work of the IASB (consequently the board that issues financial standards) as well as that of the ISSB (consequently the board that issues non-financial standards).



State

The ISSB focuses on supporting the implementation of international sustainability standards and has started new research projects on biodiversity, human rights, and human capital. Additionally, the Board conducted a consultation on *Greenhouse Gas Disclosures* (amendments to IFRS S2) from April to June 2025. At the IASB level, a so-called Post-Implementation Review of IFRS 16 Leases is currently underway, where the IASB is gathering feedback on previous application and specific challenges.



Outlook

The ISSB and IASB are driving forward important projects for developing global standards. The IASB particularly plans new initiatives to optimize cash flow statements and review regulations for continued acquisition costs in IFRS 9.



Position

The detailed positions are reflected in the [corresponding statements](#) of the association.

Capital Markets

Financial Location Switzerland



Executive Summary

With the package of measures to strengthen financial market stability, the Federal Council draws lessons from the CS crisis and plans legal and regulatory adjustments in four staggered consultations until 2026 in the areas of capital requirements, liquidity, corporate governance, and supervision. SwissHoldings will actively participate in the upcoming consultations and simultaneously analyze the effects of the planned regulation on the supply of financial services for the association's members. From SwissHoldings' perspective, the new regulation should sustainably strengthen stability in Switzerland's financial market without worsening financing conditions for companies.



Content

With the package of measures to strengthen financial market stability, the Federal Council draws lessons from the CS crisis. The proposals include adjustments at law and ordinance levels and are divided into four consultations until 2026. They concern, among other things, capital requirements, liquidity provision, corporate governance, and supervision.



State

On June 14, 2025, the Federal Council presented the key values.



Outlook

The consultation on measures at the ordinance level runs until the end of September 2025, with three more following in stages until 2026. SwissHoldings will closely follow further developments in this dossier and make targeted contributions to the upcoming consultations. In parallel, the secretariat will update the survey on the supply of financial services at the location conducted in 2023 and 2024, particularly with regard to possible changes in conditions.



Position

Fundamentally, SwissHoldings members are not directly affected by the Federal Council's regulatory measures to strengthen the stability of the Swiss banking sector, as the association does not represent banks or insurance companies. Nevertheless, the presented package of measures is also of great relevance for our members: Because of the potentially high real economic costs of a banking crisis, SH members have an interest in regulation that largely prevents such crises. However, our members also depend on financial services that can only be provided by internationally competitive banks. For Switzerland with its highly networked international economy, an internationally significant financial center is a decisive competitive advantage. At a very basic level, at least one internationally positioned large bank is needed so that the numerous globally oriented companies can conduct their business through the Swiss financial center. Such a globally networked financial center is also an important prerequisite for maintaining the strength of the Swiss franc, which in turn guarantees a generally low interest rate level and thus low financing costs for companies.

From SwissHoldings' perspective, the effects on the real economy should be systematically taken into account when designing new regulatory approaches. Regulation is needed that creates stability in the financial system without unnecessarily tightening financing conditions for companies. The new regulatory requirements must not lead to credit lending to companies being restricted or made more expensive. Banks must continue to have the flexibility to cover international and complex financing needs of large industrial companies – for instance in infrastructure, export, or innovation projects. Not least, regulation must not lead to restrictions in operational financial management, for example through restrictions on cash pooling, higher fees, or reduced transaction security in international payment transactions.

It is furthermore essential that the planned legal adjustments focus on systemically relevant banks. An extension to other large companies – within or outside the financial industry – must be strictly avoided.

