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# Migration Report 2019

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Paula Aguirre, a test engineer from Ecuador.

### Page 56

Aomar Habboun, chief usher at the Knie Circus, from Morocco

## Editorial

It is difficult to look back on the past when the present is so overwhelming. I am writing these lines from home, since, like so many others, I am working from home to protect myself and others from Covid-19. I have limited in-person meetings with SEM staff to what is strictly necessary – we now communicate almost exclusively by phone or via video conference. Life as we knew it, at home and at work, has changed dramatically within the last few weeks. Like many other people in this country, I am grateful to be healthy. All other issues have been overshadowed.

The coronavirus has also taken firm hold of the migration sector. Who could have imagined that all European countries would close their borders in 2020? The SEM helpline has received tens of thousands of calls from people desperate to know whether they or their relatives can still enter Switzerland. For many, our message brings disappointment, since health concerns now outweigh individual freedom of movement across national borders. It will take some time before Europe is once again the continent of open borders. Freedom can only be fully appreciated once it is lost.

Needless to say, asylum seekers have not been spared. Very few people have applied for asylum in Switzerland in recent weeks because of the closed borders. SEM staff conduct interviews with asylum seekers and their legal representatives from behind plexiglas screens, while interpreters and minute-takers attend the interviews remotely from other rooms. In the federal asylum centres, only every second bed is occupied in order to comply with the social distancing guidelines from the Federal Office of Public Health (FOPH). Asylum seekers eat in small groups, sitting a safe distance from one another. They too will no doubt be relieved when things become more normal again. Despite all these challenges, we have continued to carry out the asylum procedures. Anyone who is fleeing persecution and who is entitled to protection in Switzerland will receive it, even in these turbulent times; and those who are not entitled to protection must leave the country as soon as possible.



Looking back at 2019, I can say it was a very important year for the SEM. Since the revised Asylum Act came into force on 1 March, we have been using an accelerated procedure to deal with most asylum applications. This work is no longer done in Bern; it is now carried out in the six newly established asylum regions. SEM staff at the federal asylum centres all work together under one roof, and asylum seekers receive free legal advice throughout the procedure. These improvements allow us to make decisions on the future of asylum seekers much more quickly, while ensuring that they are in accordance with the rule of law.

This first year has allowed the SEM and its partners to familiarise themselves with the new processes and ways of working together. A number of legal questions needed to be clarified, particularly concerning medical examinations in the asylum procedure. We also needed to define clear criteria to determine which asylum applications to process under the accelerated procedure or the extended procedure. Implementing the new system has been a learning process and we have made a series of adjustments. I am convinced that the acceptance rate for our asylum decisions will continue to rise in the medium to long term, along with the number of unsuccessful asylum seekers who agree to leave Switzerland voluntarily – this has already been the case in our test operation in Zurich.

The new asylum procedures attracted a great deal of media attention in 2019. It is worth noting, however, that SEM staff members provide a range of other important services to the Swiss population. This report, as former reports, provides an in-depth insight into our daily work. I hope you enjoy reading it.

Mario Gattiker  
State Secretary, State Secretariat for Migration



*Habibollah Hosseini, a gardener from Afghanistan*

# Table of contents

<b>A Overview</b> .....	<b>6</b>
1. Key figures 2019.....	7
2. The most important points in brief.....	8
3. New developments.....	10
<b>B Migration figures for 2019</b> .....	<b>14</b>
1. Foreign population.....	15
2. Immigration and employment.....	15
3. Schengen visas.....	18
4. Naturalisations.....	19
5. International cooperation.....	21
6. Asylum.....	25
7. Hardship cases.....	29
8. Returns.....	31
9. Procedures to remove and keep people away.....	33
<b>C Restructuring of the Swiss asylum system</b> .....	<b>34</b>
1. Stages and elements of asylum reform.....	35
2. Reorganisation of the SEM.....	37
3. Coordination.....	38
4. Allocation of asylum seekers to asylum regions and to the cantons.....	39
5. Concluding cases filed under the old law.....	40
6. Evaluation of the restructuring.....	41
<b>D Main highlights in 2019</b> .....	<b>42</b>
1. Migration flows to and in Europe.....	43
2. The SEM's international network.....	44
3. Brexit: contingency planning and agreements.....	45
4. Promoting the potential of Switzerland's domestic labour force.....	46
5. Pilot programmes in the area of foreign nationals and asylum.....	47
6. Switzerland's agenda for integration – state of progress.....	48
7. Quality assurance in language teaching with the fide programme.....	49
<b>E State Secretariat for Migration</b> .....	<b>50</b>
1. Organisation chart.....	51
2. Expenditure.....	52
<b>Annex: graphs on immigration and asylum</b> .....	<b>54</b>

# A Overview



Ping Su, a calligrapher from China

## 1. Key figures 2019

- At the end of 2019 there were 2 111 412 legally resident foreign nationals in Switzerland – 1.5 % more than in the previous year. EU/EFTA nationals account for 68 % of the foreign resident population.
- 42 050 persons were granted Swiss citizenship in 2018 – 4.7 % fewer than in 2018. More of these newly naturalised citizens were from Germany, Italy, France, Kosovo and Portugal than any other countries. Naturalisation applications also fell, from 30 621 in 2018 to 26 170 last year (– 15 %).
- In 2019 Switzerland granted more Schengen visas (638 336) for visits of up to 90 days than it did in the previous year (517 135). Most of these were again issued by Swiss consular representatives in India, China, Thailand and Kosovo.
- The downward trend in the number of asylum applications, which began in 2016, continued at a slower rate in 2019. There was a 6.5 % decrease in the total of asylum applications on the previous year, from 15 255 (2018) to 14 269 (2019). The five main countries of origin in 2019 were, in descending order, Eritrea, Afghanistan, Turkey, Syria and Algeria.
- In 2019 the State Secretariat for Migration (SEM) processed 19 140 asylum applications (2018: 26 103). As a result, the number of pending asylum applications fell from 11 594 (2018) to 8 377 (2019).
- Asylum was granted to 5 551 persons (2018: 6 358) while 5 021 asylum seekers (2018: 8 568) were temporarily admitted following a negative first-instance decision. When these two sets of figures are taken together, the percentage of positive decisions (protection rate) in 2019 fell to 59.3 % (2018: 60.5 %). 1 724 asylum seekers were transferred to another Dublin State, while Switzerland accepted 1 164 persons from its Dublin partners.
- Last year, Switzerland accepted a further 1 009 refugees, mainly victims of the Syrian conflict, directly from countries of first refuge under the resettlement programme.
- 153 asylum seekers and 2 542 temporarily admitted persons obtained residence permits on the grounds of hardship several years after having arrived in Switzerland.
- Swiss authorities oversaw the supervised removal by air of 5 961 persons ordered to leave Switzerland (2018: 6 137).

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EU/EFTA nationals account for 68 % of the foreign resident population.

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## 2. The most important points in brief

### More irregular migration to Greece

2019 saw a slight increase in asylum applications in Europe following a three-year lull. There has been a marked increase in the migration of asylum seekers from various Latin American countries, with Spain as the main destination country. Irregular migration across the Mediterranean has again shifted its focus. The number of migrants entering Greece via Turkey has increased sharply. The Western Mediterranean route, which had become the most used route by irregular migrants in 2018, lost its appeal in 2019, mainly because Spain and Morocco took new measures to stem the flow of irregular migration to their countries. The number of crossings to Southern Italy from Libya and other Maghreb countries and from Greece and Turkey again declined overall. The route which crosses the Central Mediterranean is the most important one for onward migration to Switzerland. Libya and European states have continued to make progress in combating trafficking. This has led to another decline in the number of new asylum applications in Switzerland, albeit to a lesser degree than in the last three years.

### Successful launch of the asylum reforms

After a protracted period of preparation, the asylum reforms, accepted in a popular vote in 2016, came into force on 1 March. They cover accommodation, processing and the SEM as an organisation. All asylum seekers will initially stay in federal asylum centres, spread over six asylum regions in Switzerland, for a maximum of 140 days. There, SEM staff members examine and process applications in a rapid and fair procedure. Asylum seekers receive free counselling and personal legal representation. The key phase – the interview and, if already possible, the decision – is tightly scheduled. This is only followed by an extended procedure and an allocation to a canton in more complex cases. The radical restructuring of the asylum system also called for the decentralisation of the SEM Asylum Directorate and the establishment of new coordination structures. Initial experience with the new system has been positive. The deadlines for completing procedures at SEM level have been met. Some of the asylum seekers who had no prospect of admission have already been assisted to return to their country of origin from a federal asylum centre.



*After a protracted period of preparation, the asylum reforms came into force on 1 March. On arrival in Switzerland, asylum seekers all spend up to 140 days at a federal asylum centre.*



### Cooperation at Europe's external border

Switzerland works with source, first-host and transit countries on asylum issues bilaterally within the European framework and at international level. As an associated Schengen state, it is contributing to EU efforts to strengthen the protection of European external borders. In 2019, work continued on preparations to introduce two new systems, which would allow better monitoring of persons entering from third countries who are subject to the visa requirement and those that are not. Switzerland is adopting the related legislation and is working – with contributions from an EU fund – on setting up the necessary IT systems. The EU's border control agency Frontex is also to play a more important role in the future in relation to return and in enforcing removal orders. The widening of Frontex's mandate also requires the adjustment of legal provisions in Switzerland.

### Encouraging integration in the workplace

In 2019, net migration among the foreign resident population was 55 017 persons, slightly higher than in the previous year (2018: 54 763 persons). In a bid to indirectly curb the Swiss economy's demand for workers from abroad, the Federal Council adopted a package of further measures designed to make greater use of the potential of its domestic workforce. These efforts partly overlap with others to encourage the integration of persons granted asylum in Switzerland. A new pilot programme for the period 2021 to 2023 offers businesses grants for training refugees and provisionally admitted persons. In addition, the current pilot programme (pre-integration training) will be extended in a second period to other professions and to young foreign nationals who are not asylum seekers. "Integration Agenda Switzerland", a project which began in 2019, provides a framework for the integration efforts. On the basis of additional programme agreements with the cantons, the Confederation has tripled the one-time integration payment it gives to the cantons for each refugee or temporarily admitted person to CHF 18 000.



*The pilot programme for "pre-apprenticeship integration" has been expanded to include other professions and young foreign nationals who are not asylum seekers.*

### 3. New developments

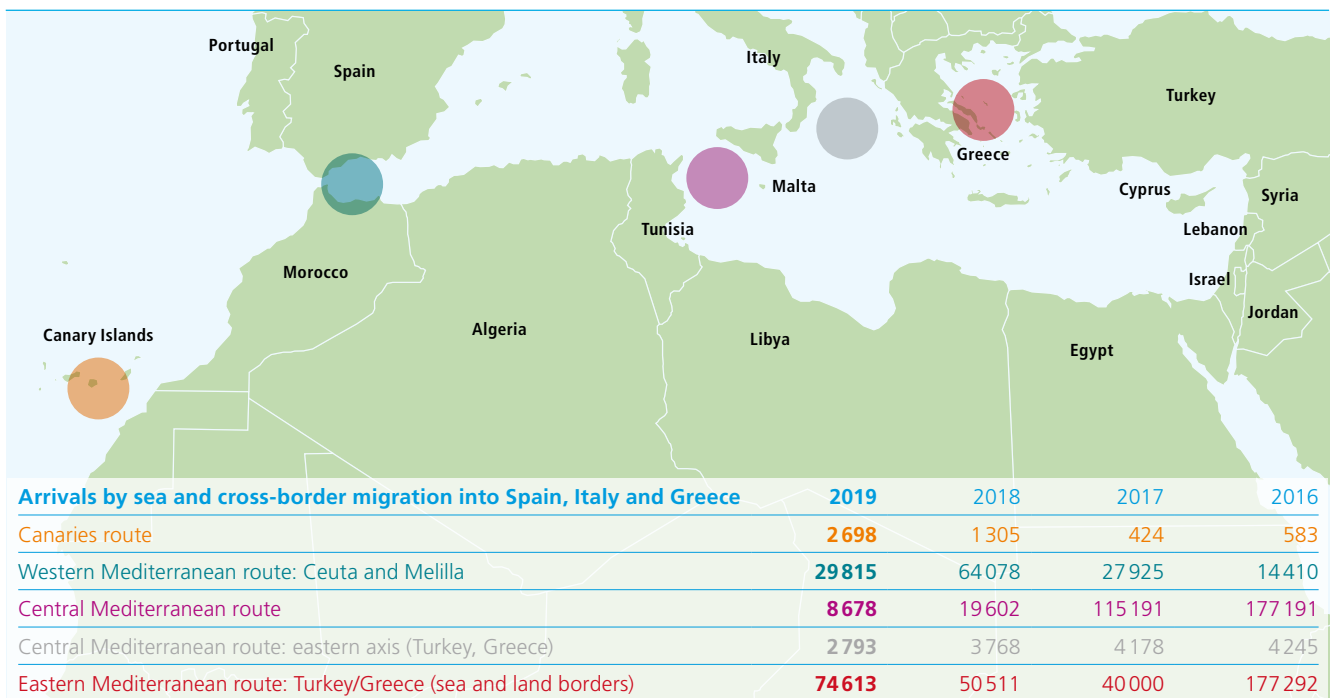
In the first half of 2019, it appeared that the migration situation in the Mediterranean region would continue to ease and that this in turn would alleviate the asylum situation in Europe. However, two factors have prevented the decline in the number of migrants seeking asylum in Europe that has been ongoing since 2016 from continuing. The significant increase both in asylum applications by Latin American nationals and in the number of arrivals by sea on the Greek Islands resulted in 710 000 registered asylum applications in the EU and EFTA states in 2019, 75 500 more than in 2018. It is important to note that not every asylum application filed in Europe is equivalent to the arrival of one person on our continent. There are still substantial irregularities in migration flows within Europe. The reasons why asylum seekers opt to migrate to another European country include differences between first-host countries in asylum practices, the duration of the asylum decision-making process and the general conditions in the first-host country. Persons who apply for asylum in several countries back-to-back appear multiple times in the statistics. In addition, asylum statistics are not compiled the same way in different countries. Some countries, including Switzerland, also count family reunifications or the birth of children of asylum seekers and temporarily admitted persons as asylum applications.

#### Key aspects of asylum migration to Europe

In 2019, 118 500 migrants reached Europe after crossing the Mediterranean and the Turkish-Greek border. Migration to Europe was significantly lower than in 2015 and 2016. A small minority of arriving migrants remained outside the asylum system.

It is not possible to quantify illegal entries by air, since these migrants enter the Schengen area undetected. The number of migrants caught crossing the eastern border of the Schengen area is relatively stable, ranging between 1000 and 2000 persons per year.

#### Irregular migration in the Mediterranean region



### Eastern Mediterranean route

59 600 migrants arrived on the Greek islands in 2019, 27 100 more than in the previous year. By mid-2019, the number of people arriving by sea was lower than in the previous year. However, a spike in the volume of arrivals was observed from July onwards, reaching a peak of 10 500 migrants in September. The number of arrivals then fell to 6150 in December. The background to this development is a crackdown by the Turkish authorities on illegal migrants, in particular those from Afghanistan. At the same time, there was increased pressure on Syrians to return to the Turkish provinces where they had been registered. This pushed scores of migrants to try to get into Greece. Despite these developments, the EU-Turkey agreement still stands. Turkey could however use the agreement to exert pressure on Europe in the future.

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## Migrants travelling onwards from Greece primarily use the Balkan routes.

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Many migrants are stranded in overcrowded camps on the Greek islands. In December 2019, 40 000 people were living in these camps, which were designed to accommodate 10 000 people. The Greek asylum system is unable to process their asylum applications in a timely manner. It is likely that a large proportion of the migrants who arrived on the Greek islands in 2019 are entitled to protection. However, it is unlikely that very many of these migrants will want to stay in Greece in the longer term.

Migrants travelling onwards from Greece primarily use the Balkan routes. Large numbers of migrants still try to reach Western Europe via Bosnia and Herzegovina. During the autumn, the route from Serbia to Hungary has regained popularity. Migrants have also increasingly tried to reach Western Europe via Romania and Hungary.

### Central Mediterranean route

In August 2018, migration from Libya to Italy practically ceased. The number of people arriving by sea has averaged around 1000 per month. After very low numbers of arrivals by sea in Italy in the first half of 2019, the number of migrants intercepted at the border increased in the second half of the year, with a peak of 2500 people in September. Since then, the number has dropped again. More than half of these migrants started their journey in Tunisia, Turkey or Greece. A total of 11 450 migrants were intercepted in Southern Italy in 2019. The armed conflicts in Libya had no significant impact on migration flows towards Europe.

### Western Mediterranean route

Migration from West Africa to Spain (directly to the mainland Europe, the enclaves of Ceuta, Melilla and the Canary Islands) fell by around 50 % last year; 32 500 migrants arrived in Europe via this route. The decline in arrivals is largely attributed to a package of measures introduced primarily by Spain and Morocco.

### Visa-free entry

The number of migrants who do not require a visa to enter the Schengen area and who then file an asylum application spiked in 2019. The primary regions of origin of these migrants were Latin America, the Western Balkans, Georgia, Ukraine and Moldova. In 2019, 182 000 asylum seekers came from these countries, 68 000 more than the previous year (2018: 114 000). The number of arrivals from Latin America, which had already increased significantly in 2018, spiked in 2019. Nationals of Venezuela, Colombia, Nicaragua, Honduras and Peru, the five main countries of origin, filed more than 100 000 asylum applications in Europe, primarily in Spain, in 2019. One of the reasons for this spike can be seen in the increasingly restrictive US policies towards migrants from Latin America. This is likely to encourage more migrants who have the opportunity to do so to travel to Europe.



*Mohammad Arif Karimi, an insulation technician from Afghanistan*

### Onward migration within Europe

Any migrant who claims asylum in more than one European country will appear in the statistics of all those countries. The Eurodac database, where the fingerprints of asylum seekers are stored, provides an indication of multiple applications by the same individual. In 2019, more than 200 000 asylum seekers were found to have already been registered in Eurodac, meaning these individuals had already filed an asylum application in Europe earlier in 2019 or in a previous year.

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According to the UNHCR, by  
the end of 2018, 70.8 million people  
worldwide had fled their homes.

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Eurodac can help identify patterns of onward migration within Europe. In 2019, migrants arriving in Greece by sea often moved onwards to Germany, the Netherlands, France and Belgium, and alternatively to Sweden and Switzerland. Individuals arriving in Italy by sea often continued onwards to France, the UK and Germany, but only rarely to Switzerland. The main onward destination for individuals arriving in Spain was France followed by Germany.

### Situation in Switzerland

In recent years, Switzerland has managed to curb irregular immigration by immediately sending back individuals at the border who do not file an asylum claim, by speeding up the asylum procedure for individuals from countries of origin with a low recognition rate, and by systematically returning unsuccessful applicants to their countries of origin or to the relevant Dublin state. The lack of uniform standards across national asylum systems coupled with diverging protection rates across Dublin states and differences in the length of asylum procedures continue to drive onward migration within Europe.

### Outlook

Developments in 2019 once again demonstrated that curbing migration to Europe is difficult. The spike in asylum applications filed by individuals from Latin America in Europe clearly illustrates the global interplay between asylum migration, control measures and the resulting changes in migration patterns. Strengthening security along particular sections of the border or blocking a migratory route will not deter migrants from leaving their country of origin and attempting to reach Europe. The migrants simply shift to other routes, which may mean resorting to organised people-smuggling services.

At present, measures are in force along the routes from the Middle East and Africa to Europe, which has significantly reduced irregular migration.

Migratory pressures remain high, particularly in Africa. Population growth in certain countries is high and a large prosperity gap persists between Western Europe and many countries on its neighbouring continent to the south. As a result, more people from these countries will try to reach Europe in the coming years. Although many countries of origin are becoming more prosperous, albeit at a modest rate, this migratory trend is likely to continue for the foreseeable future. In fact, greater wealth will mean that more people will have the means to undertake such a journey.

According to the UNHCR, by the end of 2018, 70.8 million people worldwide had fled their homes. Most were internally displaced (IDPs) within their own country. Of the 25.9 million who were forced to leave their home country and who qualify as refugees, the vast majority remained in the given region. The UNHCR estimated that by the end of 2018, most refugees were hosted by Turkey (3.7 million), Pakistan (1.4 million), Uganda (1.2 million), Sudan (1.1 million), Germany (1.1 million) and Lebanon (1.0 million). It should be noted that these figures cover only UNHCR-registered persons.

# B Migration figures for 2019



*Selam Kubrom, a health and social affairs assistant from Eritrea*

## 1. Foreign population

At the end of December 2019, there were 2 111 412<sup>1</sup> (2018: 2 081 169) legally resident foreign nationals in Switzerland. Broken down, this included 1 442 640 (2018: 1 422 999) nationals of EU-28/EFTA member states (about 68 % of the permanent foreign resident population in Switzerland); 668 772 (2018: 658 170), or 32 %, nationals of other states. The number of EU-28/EFTA nationals rose by 1.5 %; the number of third-state nationals rose by 1.6 %. At 323 683 persons (15.3 % of the total permanent foreign resident population), the largest community of foreign nationals comes from Italy, followed by Germany with 309 388 persons (14.7 %) and Portugal with 262 926 persons (12.5 %). The largest increase was among foreign nationals from France (+4387), Romania (+3182) and Eritrea (+2804).

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Newly arrived EU-17 and EFTA  
nationals mainly  
work in the service sector.

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<sup>1</sup> The SEM's statistics on foreign nationals are based on data from the ZEMIS (Central Migration Information System) register. These figures do not include international civil servants and their family members, short-term residents (< 12 months), asylum seekers and temporarily admitted persons.

## 2. Immigration and employment

Switzerland makes a distinction between EU/EFTA nationals and third-country nationals when granting residence and work permits. The first group enjoys all the benefits arising from the Swiss-EU bilateral agreement on the free movement of persons (AFMP) and is given priority access to the labour market over the second group. In addition, the issuance of permits to third-country nationals is a highly selective process.

In 2019, a total of 97 556 EU/EFTA nationals immigrated to Switzerland; around two-thirds came to take up employment. A total of 42 998 third-country nationals immigrated; around 20 % came to take up employment. (Figures based on permanent resident population statistics.)

### Access to the Swiss labour market under the AFMP

EU/EFTA nationals who want to work in Switzerland enjoy easier access to the Swiss labour market. Nationals from EU and EFTA states and the UK enjoy unrestricted freedom of movement. Croatian nationals have enjoyed the benefits arising from the Agreement on the Free Movement of Persons (AFMP) since 1 January 2017. Transitional provisions currently apply to workers and service providers in certain fields; the second phase of this transitional measure has been extended to the end of December 2021.

Newly arrived EU-17 and EFTA nationals mainly work in the service sector (79.5 %). 17.7 % are employed in the industry and commerce sector. The share of immigrants working in the primary sector varies by country group; 1.4 % for EU-17/EFTA nationals. Of the nationals from the eastern European countries Romania and Bulgaria (EU-8 and EU-2) who have recently arrived in Switzerland, 7.7 % are employed in the agricultural sector. For Croatian nationals, the shares were 69.6 % (service sector), 28.3 % (industry and commerce sector) and 2.2 % (agricultural sector).

### Work permit quotas

Each year the Federal Council sets quotas for transnational service providers from EU/EFTA member states who wish to work in Switzerland for more than 120 days, and for workers from non-EU/EFTA member states (third-country nationals). In 2019, the Federal Council set a quota of 3000 short-stay (L) permits and 500 residence (B) permits for service providers from EU/EFTA member states; 4000 short-stay (L) permits and 4500 residence (B) permits were set aside for third-country nationals.



*Andrew Ebbett, an ice hockey player from Canada*



In 2019, 70 % of short-stay (L) permits and 71 % of residence (B) permits for service providers from EU/EFTA member states were issued. The permits that were granted were issued in the tertiary sector (financial services, corporate consulting, IT) and the secondary sector (engineering, electrical engineering, construction).

The 2019 quota set by the Federal Council of 4500 resident (B) permits for third-country nationals was 84 % exhausted by the end of the year; by the end of December 2019, 85 % of the short-stay permits had been issued. Compared to the previous year, approximately 270 more residence (B) permits and 200 fewer short-stay (L) permits were issued in 2019.

In 2019, the majority of B and L permits were issued to individuals working in IT (approx. 1740 permits), followed by corporate consulting (950), the chemical and pharmaceuticals industry (750), research (550), the food and beverage industry (460), engineering (430) and in the healthcare sector (260). 87% of all third-country nationals who received a work permit were holders of a higher education qualification. As in 2018, more permits were issued to nationals from India (approx. 1860), USA (1120), the People's Republic of China (600) and Russia (420) than any other countries.

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**87 % of all third-country nationals who received a work permit were holders of a higher education qualification.**

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Political uncertainties, such as the trade war between China and the USA and its global repercussions, the uncertainty that persisted until the end of the year due to a possible no-deal Brexit and uncertainty surrounding the outcome of EU-Swiss negotiations on a framework agreement, continued to dampen Swiss economic growth in 2019. Despite these economic risks, the demand for highly skilled specialised labour from third countries remained as high as it had been in previous years.

The demand for residence (B) permits continued to increase in 2019 (270 more than in 2018), while the demand for short-stay (L) permits fell by around 200 units compared to the previous year. This was because with the SEM's agreement, several cantons have, since 2017, brought their authorisation practices into line with the federal legislation on foreign nationals.

B residence permits will now be issued more systematically to third-country nationals whose stay is likely to become long term. In all probability, this trend will continue in the 2020 quota period. At the end of November, after consulting with the cantons and social partners, the Federal Council decided to maintain the 2019 residence (B) permit quotas for third-country nationals and service providers from EU/EFTA member states in 2020. Its decision took into account economic needs and the uptake of the 2019 quotas. This means that 8500 permits will be available in 2020 for specialists from third countries and 3500 permits for service providers from EU/EFTA member states.

#### **Bilateral internship agreements ("stagiaires")**

Over the past decade, Switzerland has signed bilateral internship agreements with various countries. These agreements give young professionals aged between 18 and 35 the opportunity to train and work in their occupation for up to 18 months in another country. This option is available for all occupations. Applicants are required to hold a relevant vocational training or academic qualification.

In 2019, around 300 young Swiss nationals took advantage of this opportunity to spend some time abroad. The favourite destination was Canada, followed by the USA. In the same year, Switzerland issued 174 permits to foreign nationals for internships in Switzerland (2018: 177). Most of the permits were issued to young professionals from Canada (65), the USA (21) and Tunisia (18). Traineeships in Switzerland were carried out in various sectors, mainly in healthcare, architecture and the tourism industry.

### 3. Schengen visas

Schengen visas are valid for short-term stays (i.e. no more than 90 days in any 180-day period) within the Schengen area, and are primarily used by tourists, business travellers and those wishing to visit family and friends. In 2019, Switzerland issued 638 336 Schengen visas (2018: 517 135) and rejected 50 322 visa applications (2018: 43 921). An application for a Schengen visa is turned down when the authority examining the request concludes that the applicant has failed to meet one or more entry requirements, for example because they have insufficient financial means or there is a suspicion that the visa applicant does not intend to leave Switzerland before the visa expires.

Most of the Schengen visas were issued by Swiss consular representatives in India (174 406 visas), China (108 771), Thailand (43 933) and Kosovo (41 878).

Switzerland, like other Schengen countries, may require its Schengen partners to seek its consent on specific applications before issuing a visa. In 2019, the SEM was consulted by other countries in 568,351 cases. At the same time, the Swiss authorities sent 112,492 requests to its Schengen partners for review.

Since December 2010, Switzerland has checked the fingerprints of asylum seekers on C-VIS. Thanks to this system, Swiss authorities were able to determine that 923 of those who had applied for asylum in Switzerland in 2019 were already holders of a Schengen visa issued by another country in the Schengen area (2018: 1213). Under the Dublin Agreement, the Schengen country that granted the visa is responsible for handling the asylum claim.

In addition, border guards compare the fingerprints of the Schengen visa holder to the biometric data (10 fingerprints and facial image) saved to the C-VIS. These checks have been carried out systematically at Swiss airports since 11 October 2014.



*Switzerland checks the fingerprints of asylum seekers in the Visa Information System (VIS).*

## 4. Naturalisations

In 2019, the SEM received 26 170 naturalisation applications, 15 % less than the previous year (30 621 applications). It should be noted that several applicants may be covered by one application.

In 2019, 42 050 persons were granted Swiss citizenship – 2091 fewer than in 2018, when 44 141 were naturalised.

The number of people who acquired Swiss citizenship through the ordinary naturalisation procedure was up by 4 % on the previous year, while the number of simplified naturalisations was down by 30 % and the reinstatement of Swiss citizenship

up by 58 %. The reason for the drop in simplified naturalisations is that there was a rush to submit applications before new legislation came into force on 1 January 2018. The new law has introduced more stringent requirements (such as language requirements), even for individuals who are eligible to apply for citizenship through the simplified naturalisation procedure.

33 975 persons were granted Swiss citizenship through the ordinary naturalisation procedure (2018: 32 702); 7 874 persons through the simplified naturalisation procedure (2018: 11 312); 201 had their Swiss citizenship reinstated (2018: 127).

### Naturalisations from 1 January 2019 to 31 December 2019 by nationality<sup>2</sup>

Nationality	Total naturalisations	of which persons resident in Switzerland	of which persons resident abroad	Naturalisations		
				Ordinary naturalisations	Simplified naturalisations	Reinstatement of citizenship
Germany	6 763	6 600	163	5 743	1 006	14
Italy	4 945	4 825	120	3 817	1 119	9
France	3 568	2 733	835	2 395	1 122	51
Kosovo	3 351	3 350	1	3 047	301	3
Portugal	2 793	2 787	6	2 641	151	1
Turkey	1 803	1 795	8	1 527	274	2
Northern Macedonia	1 705	1 705	0	1 543	161	1
Serbia	1 366	1 362	4	1 200	165	1
Spain	1 305	1 270	35	1 079	222	4
UK	914	843	71	738	174	2
Bosnia and Herzegovina	845	845	0	741	100	4
Sri Lanka	658	656	2	636	22	0
Croatia	560	558	2	493	67	0
Russia	536	532	4	412	120	4
USA	525	376	149	287	214	24
Brazil	512	463	49	258	251	3
Iraq	323	323	0	306	17	0
Poland	313	308	5	249	64	0
Belgium	304	295	9	259	45	0
India	296	293	3	275	21	0
Other	8 665	8 027	638	6 329	2 258	78
<b>Total</b>	<b>42 050</b>	<b>39 946</b>	<b>2 104</b>	<b>33 975</b>	<b>7 874</b>	<b>201</b>

<sup>2</sup> These figures do not include those who have acquired Swiss citizenship through adoption or through the determination of their right to Swiss citizenship, since the SEM is not involved in these procedures.



*Rebeca Olvera, an opera singer from Mexico*

## 5. International cooperation

In recent years, Switzerland's foreign policy on migration has come under increasing strain. Issues such as migration flows via the Mediterranean, the Syrian conflict, instability in Libya and European cooperation demand a swift response as well as more concerted action in the countries concerned.

### Migration cooperation in Europe

Switzerland actively contributes to migration cooperation in Europe. In its capacity as a party to the Schengen/Dublin Association Agreement, Switzerland participates in EU working groups on relevant developments and discusses issues of shared interest in the Joint Committee.

It has also continued to work with the European Asylum Support Office (EASO), primarily by loaning out its asylum experts from the SEM to Italy. In 2018, 15 SEM staff members were deployed to Italy, carrying out a total of 1055 days work. In 2019, one expert was deployed to Cyprus and five specialists were deployed to Italy. Switzerland also supported projects in Greece, including SEM funding for the creation of a girls-only day care centre for unaccompanied asylum-seeking minors.

The migrant crisis and terrorist attacks in various European cities over recent years have led the European Union to adopt improvements to the Schengen information architecture. Those affected by these changes include the migration, police and border control authorities.

The Regulation on the Establishment of an Electronic Entry and Exit System (EES) and the corresponding amendment to the Schengen Borders Code were adopted by the EU at the end of November 2017 and notified to Switzerland in January 2018. The EES stipulates that all individuals from non-Schengen states who plan a short-stay in the Schengen area will have their details (incl. biometric identifiers) electronically recorded when entering and leaving the Schengen zone. Individuals who stay after their entitlement to do so has expired will be automatically identified and recorded in the central system. This new tool replaces the previous manual visa stamp. The introduction of the EES is planned for the first quarter of 2022.

On 12 September 2018, the European Parliament and the EU Council passed the Regulation on the EU Travel Information and Authorisation Systems (ETIAS). Under this system, visa-exempt individuals from non-Schengen states will have to submit their itinerary and personal details in advance via the website, and apply for an ETIAS travel authorisation. This procedure enables a more thorough assessment of potential security, health and migration risks posed by individuals wishing to enter the EU. The aim of the largely automated review of a person's legal status is to discourage individuals who do not meet the entry requirements from making the journey in the first place. Should such a person attempt to enter, a border control officer will be able to immediately cross-check the traveller's details against information stored in the system. Registration on the ETIAS website is subject to a fee, and ETIAS travel authorisation does not guarantee a right of entry. The introduction of ETIAS is planned for the end of 2022.

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### The migrant crisis and terrorist attacks have led the European Union to adopt improvements to the Schengen information architecture.

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Switzerland formally adopted the EES Regulation in summer 2019. The procedure for adopting the ETIAS legislation is currently underway. In addition, the technical implementation of both systems is being prepared.

In addition, the European Commission is closing loopholes in its existing systems, namely Eurodac, the Schengen Information System (SIS) and the Visa Information System (VIS). In future, facial images will also be stored in Eurodac and removal orders entered in the SIS.

Despite the introduction of new systems and planned improvements to existing instruments, the Schengen information architecture still has one major shortcoming with regard to security and migration management: there is no data sharing between the different systems. Data on third-country nationals is recorded separately in each system but is currently only available in isolation. This makes searches in the systems more time consuming than necessary. To facilitate efficient data sharing, it is therefore vital that these systems are interoperable, i.e. that they “talk to one another”. The aim of the European Commission Interoperability Framework is to rectify the situation by adding new components. For example, once these changes have been introduced, authorised users will be able to carry out a single search and receive results from all the systems they are authorised to access. Verifications will also be conducted systematically on whether the data being searched exists in multiple systems. This procedure will make it possible to detect multiple identities, as well as counter identity theft. The ultimate aim is to make border controls more effective and the Schengen area safer. This does not involve new data collections or access rights. The required legislation was introduced in 2019. The technical and organisational implementation will be completed over the next few years.

In relation to returns, Switzerland has stepped up its bilateral and multilateral cooperation with its European partners. For example, it is involved in several European committees and working groups, such as the Return Experts Group of the European Migration Network (EMN) and the European Return and Reintegration Network (ERRIN). Switzerland also chairs some of these bodies, including the Frontex working group on Ethiopia. In 2019, for the first time, five forced-return escort officers from Switzerland were deployed on a Frontex returns mission to a hotspot at an EU-supported reception and identification centre (RIC) in Greece.

As part of the planned personnel and funding increases for the European Border and Coastguard Agency (Frontex), the European Commission has expanded the tasks and powers of Frontex, which is now the central European agency in relation to return operations. This includes supporting member states not only in the preparation of removal orders, but also in the acquisition of travel documents and the development of national return management systems. Furthermore, Frontex will step up its cooperation with third countries. Negotiations on the new regulation were completed on March 2019; it came into force on 4 December 2019. A legislative proposal is being prepared



*The aim of improving the Schengen information architecture is to make border controls more effective and the Schengen area safer.*

on the adoption of the regulation by Switzerland within the contractual two-year period. In parallel, the European Commission is revising its Return Directive to streamline their processes in this area. Discussions in the Council and Parliament were brought to a conclusion in 2019, and the trilogue (meetings on legislative proposals between representatives of the Commission, the Parliament and the Council) is scheduled to begin in the first half of 2020. Both projects address the central shortcomings of EU return policy identified by the Schengen evaluations.

Furthermore, a revision of the Visa Codex was adopted in June 2019. The new legislation, which came into force on 2 February 2020, introduces common sanctions and incentives in relation to the issue of Schengen visas to third country nationals depending on the cooperation of these countries in relation to return operations.

The Internal Security Fund for external borders and visas (ISF-Borders, established for the period 2014–2020) was further implemented in 2019. Switzerland has been officially involved in the fund since 2018. The allocations Switzerland has received so far, amounting to around CHF 37 million, cover several projects in Switzerland within the fund's objectives. In 2019 Switzerland received an additional CHF 7 million from the fund. These funds are earmarked for setting up the ETIAS system, and for updating the SIS and other existing IT systems.

### Cooperation with third states and multilateral migration dialogue

In its international cooperation activities, Switzerland seeks out and maintains close partnerships with non-EU countries. In recent years, it has developed bilateral instruments that allow it to pursue its migration policy interests by various means: migration dialogue, various visa-specific agreements, readmission agreements and migration partnerships.

Switzerland has established migration partnerships with six countries: Serbia, Bosnia-Herzegovina, Kosovo, Nigeria, Tunisia and Sri Lanka. Thanks to its partnership with Sri Lanka, which began in October 2018, the long-standing cooperation between the two countries on returns now extends to other migration-related areas.

In 2019, Switzerland strengthened its existing contacts or forged new relations with other key migration states. For example, return agreements between the EU and Ethiopia, and between the EU and Bangladesh have been extended to Switzerland. Talks were held with Mali and Gambia on the establishment of bilateral agreements. In addition, an agreement negotiated with Lebanon in 2018 on the visa waiver for holders of a diplomatic passport came into force in 2019.

At a global level, the SEM is committed to strengthening global migration governance through participation in the international dialogue on migration and in UN steering committees (UNHCR Executive Committee, IOM Council). Switzerland's commitment at a multilateral level also enables it to have influence in priority matters and to participate in the coordination of resettlement and other humanitarian asylum operations.

The main objective is to improve cooperation between destination, source and transit countries on migration issues. The Khartoum and Rabat Processes also coordinate projects for the implementation of the Valletta Action Plan, which are financed through the European Union Emergency Trust Fund for Africa. Switzerland contributes to this fund.

These instruments and the initiatives taken by Switzerland are helping to implement projects and programmes for the protection of migrants and refugees on the ground in third countries. The objective is to improve living conditions for migrants and refugees (protection, registration, training, integration in the labour market, healthcare, etc.) and to enhance the reception and protection capacities of first-host countries by making national asylum and migration systems more efficient. Switzerland supports projects in Tunisia, Lebanon and Turkey, which aim to increase the capacities of their respective authorities in border and migration management. In the Horn of Africa, Switzerland is building national and regional capacities to better govern migration through its partnership with the regional organisation IGAD, and supports South-South mobility.

In addition to the Horn of Africa, the Balkans and North Africa (Mediterranean route), the Middle East remained a priority for the SEM in 2019.

In Syria, the military conflict continued, around Idlib in particular, and led to numerous new population displacements. There are still over five and a half million displaced persons who have sought refuge in Syria's neighbouring countries; returns are extremely limited. In addition, socio-political tensions in Lebanon and Iraq have increased significantly. Maintaining protection for refugees while also contributing to long-term solutions in this highly fragile context are crucial, yet pose numerous challenges. In view of the above, the SEM continued to focus in 2019 on supporting Syria's neighbouring countries in migration management and on enhancing their reception and protection capacities. The SEM's regular contact with and visits at all levels to Lebanon and Turkey have fostered good migration relations despite the turbulent domestic political situations. In

2019, the SEM also supported a migrant service centre in the Turkish province of Adana, which provides refugees with healthcare, training and labour market access services, and also offers assistance to the local population. The SEM's support has helped the centre reduce and prevent social tensions, which is of great value given the economic and social difficulties in Turkey.

Furthermore, the SEM also supported the efforts to register and document undocumented refugees in Jordan and Lebanon. Correct documentation of residence, marriage and birth is not a matter of course for many refugees, even after spending many years in exile; it does, however, have a considerable impact on future prospects and the possibility of durable solutions for migrants, including resettlement, successful integration in the country of exile or subsequent repatriation and reintegration in their country of origin.



*The SEM supports efforts to register and document undocumented refugees in Lebanon. Correct documentation of residence, marriage and birth has a considerable impact on the future prospects of migrants.*



## 6. Asylum

### European trends

In 2019, Europe recorded an increase in the number of asylum applications for the first time since 2015. This was primarily due to an increase in asylum applications filed by visa-exempt nationals from Latin American countries. Spain was the primary destination country for asylum seekers in Europe. Migration from Turkey to Greece and then onward migration via the Balkans spiked in the second half of 2019. Compared to autumn 2015 (210 000 arrivals by sea in October 2015), the number of sea crossings via the Mediterranean is low. The monthly average number of people arriving by sea in Italy was 1 000, and in Malta 300. The migration flow via the Western Mediterranean route decreased by nearly 50 per cent. Around 710 000 asylum applications were filed in Europe in 2019, roughly 75 500 more than in 2018 (634 000). However, these numbers do not allow us to directly determine the number of asylum seekers who actually reached Europe, as they tend to file claims in multiple countries and are therefore recorded in the national asylum statistics of each of the countries concerned.

### Asylum applications in Switzerland

In 2019, Switzerland received 14 269 asylum applications, 986 fewer than in 2018 (–6.5%). The number of asylum applications filed varied relatively little from month to month, from a low of 1 003 in June to a high of 1 311 in July. None of the major seasonal fluctuations that have been common in the past were observed in 2019. Given that the number of arrivals by sea in Southern Italy remained very low, a rise in the volume of asylum applications normally observed during the early part of the year failed to materialise in 2019. The remarkably small number of people who filed asylum applications in June was compensated for in July. The reason for this discrepancy in asylum applications, which was observed throughout Europe, is not known.

As in 2018, the number of asylum applications filed in Switzerland remained lower than in other European countries in 2019. Despite the significant migration potential in Italy, onward migration to Switzerland was negligible. There were two reasons

### Main European destinations for asylum seekers, 2019<sup>3</sup>

Country	Asylum applications 2019	Asylum applications 2018	Absolute change	Relative change
Germany	152 000	162 000	–10 000	–6 %
France	126 500	117 000	+9 500	+8 %
Spain	117 500	54 000	+63 500	+118 %
Greece	77 000	67 000	+10 000	+15 %
UK	43 500	38 000	+5 500	+14 %
Italy	39 500	56 000	–16 500	–29 %
Belgium	27 500	22 500	+5 000	+22 %
Netherlands	25 000	24 000	+1 000	+4 %
Sweden	21 000	21 500	–500	–2 %
Switzerland	14 269	15 255	–986	–6 %
Cyprus	13 000	8 000	+5 000	+63 %
Austria	12 500	13 000	–500	–4 %

### Main countries of origin of asylum seekers in Europe, 2019<sup>3</sup>

Country	Visa-exempt	Asylum applications in Europe, 2019	Difference compared to 2018	Asylum applications in CH, 2019	Proportion of total of total applications in CH
Syria	No	71 000	–4 000	1 100	1.5 %
Afghanistan	No	59 000	+13 000	1 397	2.4 %
Venezuela	Yes	45 000	+23 000	41	0.1 %
Iraq	No	34 000	–8 000	550	1.6 %
Colombia	Yes	32 000	+22 000	121	0.4 %
Pakistan	No	29 000	+/-0	98	0.3 %
Turkey	No	26 500	+2 000	1 287	4.9 %
Nigeria	No	24 500	–500	354	1.4 %
Iran	No	24 500	–1 000	539	2.2 %
Albania	Yes	23 000	+1 000	134	0.6 %
Georgia	Yes	22 000	+2 000	601	2.7 %

<sup>3</sup> The figures are rounded and some of them are tentative; asylum application data are aggregated differently. They are taken from the European Asylum Support Office (EASO) statistics. Data from other sources, e.g. Eurostat and the UNHCR, may deviate from these figures.

for this: first, only a few Eritrean nationals arrived by sea in Southern Italy; and second, Germany and France remain the primary destination for migrants travelling onwards from Italy. Once again, Switzerland was deliberately bypassed or attempts were made to cross through the country unnoticed. Of the migrants intercepted at the country's southern border by the Swiss Border Guard, only a small minority filed an asylum application; the remainder were returned or deported to Italy. In contrast to Spain and other European countries, the increase in the number of Latin American visa exempt nationals seeking asylum in Switzerland was low (2018: 144; 2019: 201, of whom 121 came from Colombia and 41 from Venezuela).

Switzerland's share of the total number of asylum applications filed in Europe was somewhat lower (by 0.4%) than the previous year: 2.0% in 2019 compared to 2.4% in 2018. This is the lowest level on record since the end of the Cold War.

The Swiss average of 1.7 asylum applications per 1000 inhabitants (2018: 1.8) exceeded the European average of 1.4 asylum applications per 1000 inhabitants (2018: 1.2). Cyprus had the

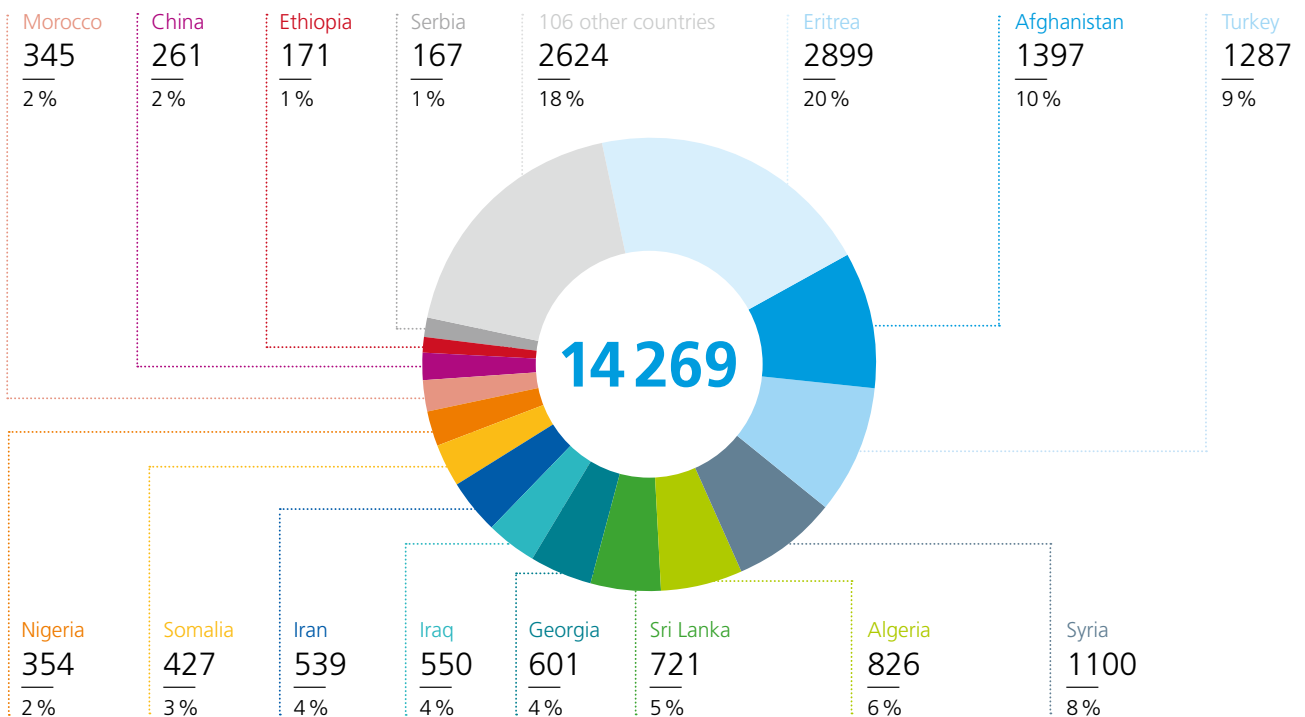
most asylum applications in Europe per 1000 inhabitants in 2019 (15.5), followed by Malta (7.5), Greece (7.0), Luxembourg (3.5), Spain (2.5) and Belgium (2.4).

Eritrea was once again the top country of origin in 2019, with 2899 asylum applications filed by their nationals (2018: 2825). Of these, 1053 were family reunifications, 4 as part of the European Relocation Programme, 1434 from births and 107 from multiple applications. This means that only 301 fell into the category of primary applications.

**Handling of asylum applications**

In 2019, the SEM handled 19 140 asylum applications in the first instance, 6963 (26.7%) fewer than in 2018 (26 103). The main reason for this decrease was the speeding up of asylum procedures (part of the restructuring of the asylum system), which required an increase in staff resources. In addition, in 2019 there was a decrease in the number of cases dealt with through less time-consuming procedures: 1465 fewer Dublin application dismissals and 214 fewer informal application withdrawals than in 2018.

**Main countries of origin of persons seeking asylum in Switzerland, 2019**



Overall, 5551 persons were granted asylum in 2019 (2018: 6358; a drop of 12.7 %). The recognition rate (asylum granted) was 31.2 %, considerably higher than the previous year (2018: 25.9 %).

5501 persons were granted temporary admission in 2019 (2018: 9174; –40.0 %), of whom 5021 (2018: 8568; –41.4 %) were admitted following a negative asylum decision in the first instance. 4162 temporary admissions expired (2018: 4137; +0.6 %). The percentage of persons offered protection (proportion of cases where asylum or temporary admission was granted following first-instance decisions) amounted to 59.3 % (2018: 60.8 %) (not including application withdrawals). The number of pending asylum applications at first-instance level was lower in 2019 than at the end of 2018 (11 594), shrinking by 3217 to 8,377 (–27.7 %).

#### Duration of first instance asylum procedures

In 2019, the average duration of first instance asylum procedures was 341 days. This figure can vary widely from year to year depending on the volume of incoming asylum applications, the resources available to process these cases and the SEM's case management strategy. In 2018 it was 466 days; in 2017, 340 days; in 2016, 250 days; in 2015, 278 days; in 2014, 401 days; in 2013, 258 days; and in 2012, 163 days. The average duration of first instance asylum procedures is not a very informative indicator because of the different types of applications. The cases concluded and the duration of asylum applications handled at first instance can be divided into the following five categories:

- The processing of asylum applications filed before 1 March 2019 under the old law, accounted for 65 % of asylum applications received in 2019 and took an average of 495 days
- Accelerated asylum procedures under the new asylum law accounted for 19 % of asylum applications received; average processing time: 49 days
- Dublin procedures accounted for 10 % of asylum applications received; average processing time: 36 days)
- Extended procedures already concluded under the new asylum law accounted for 2 % of asylum applications received; average processing time: 109 days)
- Special procedures and special cases under the new law (share of asylum applications received: just under 4 %; average processing time: 56 days).

#### Dublin Procedure

Since the Dublin Association Agreement came into force in Switzerland on 12 December 2008, experiences have been largely positive; around 40 % of all asylum applications filed in Switzerland were transferred back to another Dublin state.

In 2019 Switzerland established that the processing of 4848 asylum applications it had received were in fact the responsibility of another Dublin state. In 3379 of these cases, the requested Dublin partner accepted that it was responsible for handling the claim and agreed to the transfer of the asylum seeker; a total of 1724 individuals were returned either by air or by land to the competent Dublin state. During the same period, 1164 individuals were transferred back to Switzerland. To date, cooperation with partner countries has been smooth. As in previous years, in 2019 most Dublin states honoured their obligation to systematically register incoming migrants.

#### Legal status review of temporarily admitted Eritrean nationals

After the ruling of the Federal Administrative Court on case D-2311/2016 on 31 August 2017, Motion 18.3409 Müller Damian was submitted to the Federal Council on 29 May 2018, instructing the Federal Council to carry out checks on the legal status of 3400 temporarily admitted Eritreans. The Federal Council is expected to submit a report with its findings to Parliament, explaining in particular why the temporary admission status of the cases checked had not been revoked, and indicating whether persons whose temporary admission status had expired had already left Switzerland or were still residing in Switzerland.

Between February 2018 and September 2019, the SEM reviewed the legal status of around 3000 Eritrean nationals whose asylum applications were rejected, but who were given leave to temporarily remain in Switzerland on the grounds that their deportation to Eritrea would be unreasonable. (This does not include some 400 Eritrean nationals who were granted temporary admission after the above-mentioned ruling and on the basis of the new situation assessment.) The SEM has evaluated the review process, and will include its findings in its report to Parliament, scheduled for early 2020.

### Resettlement

On 30 November 2018, the Federal Council decided in principle to continue to participate in the resettlement programme of the UN High Commissioner for Refugees (UNHCR). On 29 May 2019, it approved the plan to take in groups of recognised refugees. It decided, inter alia, that in 2020 and 2021, Switzerland would take in up to 1600 highly vulnerable refugees, who are in a precarious situation in first-host countries.

At least 80 % of these refugees are to be taken in from crisis regions in the Middle East and along the Central Mediterranean route. A maximum of 20 % of the resettlement quota is earmarked for short-term emergencies.

A number of conditions must be fulfilled for refugee admission to the resettlement programme, including the recognition of refugee status by the UNHCR and an increased need for protection, which cannot be met in the country of first asylum. Furthermore, refugees must be willing to integrate and adopt Switzerland's customs and way of life, namely by recognising the values enshrined in the Federal Constitution, and by demonstrating a willingness to learn a national language and to participate in economic and social life. The Federal Council may suspend an ongoing programme at any time, especially if there is a sudden rise in the number of asylum applications. It regularly consults the monitoring group comprising representatives from the federal government and the cantons, cities and communes on the programme's implementation.

The SEM checks every case to make sure the admission criteria are met and to see if there are any grounds for exclusion, and holds a local hearing with every person over the age of 14. In 2019, 1009 refugees were accepted in Switzerland under the resettlement programme (in accordance with the Federal Council decisions of 9 December 2016 and 30 November 2018).

### Cases handled in the first instance 2019

Cases handled	2019	Change from 2018–2019	Change from 2018–2019 in %
Asylum granted	5551	–807	–12.7 %
<i>Recognition rate<sup>4</sup></i>	31.2 %	+5.3 percentage points	+20.5 %
<i>Protection rate<sup>5</sup></i>	59.3 %	–1.5 percentage points	–2.5 %
Applications dismissed	3362	–1383	–29.1 %
<i>Of which related to Dublin (incl. other transfer procedures)<sup>6</sup></i>	3023	–1417	–31.9 %
Asylum denied	8902	–4559	–33.9 %
Application cancelled	1325	–214	–13.9 %
<b>Total cases handled</b>	<b>19140</b>	<b>–6963</b>	<b>–26.7 %</b>
Applications pending in first instance	8377	–3217	–27.7 %

<sup>4</sup> Proportion of cases where asylum was granted in relation to all cases handled (excl. cancelled asylum applications).

<sup>5</sup> Proportion of all cases handled (excl. cancelled asylum applications) where asylum or temporary admission was granted in the first instance.

<sup>6</sup> Since implementation of the Dublin III Ordinance on 1 January 2014, certain categories of foreign nationals no longer fall within the scope of application of the Dublin III Ordinance; for these foreign nationals, requests for transfer must be made in accordance with readmission guidelines or a bilateral readmission agreement.

## 7. Hardship cases

The Asylum Act (AsyIA) and the Foreign Nationals and Integration Act (FNIA) provide for three categories of hardship. Under the following conditions, the cantons may issue a residence (B) permit subject to approval by the State Secretariat for Migration (SEM):

- Under the Asylum Act, asylum seekers must have lived in Switzerland for at least five years (their place of residence has to have been known by the Swiss authorities at all times), be well integrated, and would experience serious personal hardship if they were required to leave. In 2019, a total of 153 asylum seekers received a residence permit by virtue of this provision.
- The FNIA stipulates that applications for a residence permit made by temporarily admitted foreign nationals who have lived in Switzerland for more than five years be closely examined to determine whether the person falls into the hardship category. In 2019, 2542 temporarily admitted persons were granted a residence permit on this basis.
- In addition, the FNIA allows a residence permit to be granted in cases of serious personal hardship. In 2019, 1096 illegal (undocumented) immigrants living in Switzerland were granted residence permits on this basis. There is a special rule whereby a residence permit can be granted, under special circumstances (e.g. domestic violence, forced marriage), to a person who may lose his/her residence status as a result of divorce.



*In 2019, 1096 illegal (undocumented) immigrants living in Switzerland were granted residence permits.*



*Thupten Legmen, a monk from India*

## 8. Returns

Switzerland's return policy promotes, first and foremost, the voluntary or mandatory return of asylum seekers whose applications have been rejected, by offering individuals counselling and financial aid, known as "return assistance". The SEM partly funds these payments and the return counselling services provided by the cantons and the federal asylum centres. If the unsuccessful applicants fail to comply with the order to leave Switzerland, coercive measures may be taken and arrangements made for their deportation. Likewise, other foreigners who are staying in Switzerland illegally may also be expelled.

### Return assistance

In 2019, 1076 persons from over 60 countries received return assistance. The five countries with the highest number of such departees were Algeria (99 departees), Kosovo (56), Iraq (51), Nigeria and Turkey (37 each).

Last year, return assistance was also a key element in the accelerated asylum procedures introduced in March. Under the new system, returns are systematically addressed from the start in the federal asylum centres.

Two general framework conditions play a key role in the success of the return assistance programme (RAC) for those accommodated in federal asylum centres: firstly, the accelerated asylum procedures themselves encourage asylum seekers to return to their country of origin, as asylum seekers are now informed earlier of their prospects of staying in Switzerland. Secondly, forced returns, especially Dublin transfers, are carried out directly from the federal asylum centres after the conclusion of the accelerated procedures, making potentially unsuccessful applicants more clearly aware of this possible outcome.

As part of the process of restructuring the asylum system, the SEM is also targeting people whose asylum applications are likely to be unsuccessful to raise their awareness of RAC. The following points are essential to achieving this goal:

- Providing asylum seekers with legal advice about their options and prospects of asylum or temporary admission
- Organising departure interviews conducted by the SEM to inform unsuccessful applicants about their options if they return to their country of origin, in particular that they will be financially rewarded if they leave and the sooner they leave, the higher the payment.

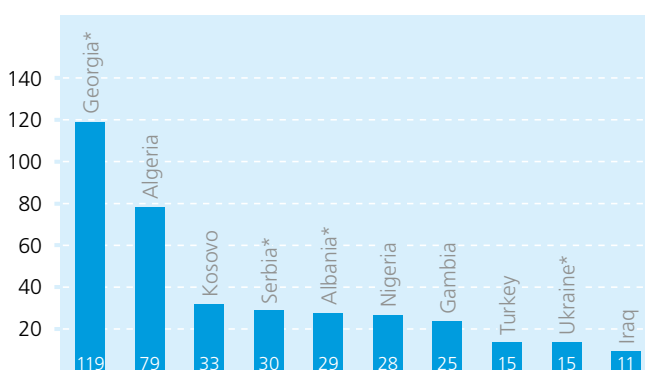
In order to receive the greatest possible return assistance (financial start-up aid and project aid), asylum seekers must withdraw their asylum application. Applicants who waive their right to appeal following a negative first-instance decision receive less start-up aid, but still receive project aid. The project aid will, however, be cancelled if the applicant postpones his/her departure and if his/her appeal proceedings are unsuccessful.

Since the introduction of this system of financial assistance between March and the end of December 2019, a total of 545 persons left Switzerland through RAC, a 31 % increase on the same period in the previous year. This increase is remarkable for the introductory phase; it shows that the new system not only provides the quickest and least expensive form of repatriation, but also offers migrants greater benefits, namely project aid to help them reintegrate in their country of origin.

Key figures from March to December 2019 following the implementation of RAC:

- The average period of residence for asylum seekers who claimed return assistance in order to go back home voluntarily was 44 days; ten days less than under the previous system
- 52 % of asylum seekers left Switzerland after withdrawing their application before receiving the asylum decision; 21 % after waiving their appeal. For almost three-quarters of those who left the country, the length of time spent in Switzerland was significantly shorter, which in turn meant that resources were saved.
- The average return assistance payment per person leaving a federal asylum centre was CHF 1069.
- Top ten nations:

### Voluntary departures from federal asylum centres



\* People from visa-exempted countries do not receive financial return assistance

### Coercive measures

The cantonal migration authorities can take coercive measures to enforce removal orders against individuals who are unlikely or fail to leave Switzerland when ordered to do so.

Last year, 2921 orders for administrative detention pending deportation were issued (2018: 3284). Most of the individuals detained in 2019 came from Algeria, Nigeria and Albania.

The average duration of administrative detention last year rose slightly to 28 days (2018: 25 days). Over the last three years, the removal rate was 86 %, and reaching 92 % for individuals detained under the Dublin procedure. The remaining individuals were released from detention.

### Deportation by air

In 2019 the Swiss authorities ensured the officially confirmed deportation by air of 5961 asylum seekers and other foreign nationals (2018: 6137 departees). The slight decrease in the number of departees is due to the further drop in the volume of incoming asylum applications.

In 2019, 24 % of those ordered to leave Switzerland did so voluntarily (2018: 22 %). However, many persons failed to comply with removal or expulsion orders. Most of these persons were deported at enforcement level 1 (police escort only to the departure gate to ensure that the person boards the aircraft). However, 543 persons (9 % of departees) were escorted by specially trained police escorts to their country of destination, and 169 of these persons were returned to their countries of origin on 39 special deportation flights (2018: 51 special deportation flights). Eleven of these flights were joint EU deportation flights coordinated and financed by the EU's border control agency Frontex (2018: 15 joint EU deportation flights). Switzerland played the lead role in 2 of these flights last year. Switzerland's cooperation with Frontex, which is co-financed by Switzerland, offers real benefits; Frontex covers flight costs of CHF 1.5 to 2 million per year.



*In 2019, the Swiss authorities ensured the officially confirmed deportation by air of 5961 asylum seekers and other foreign nationals.*



## 9. Procedures to remove and keep people away

The Federal Act on Foreign Nationals and Integration (FNA) provides for measures against foreign nationals who have seriously or repeatedly violated, or represent a threat to public security and order, or represent a threat to internal or external security. These measures include removal, expulsion and a ban on entry. Both expulsion and the ban on entry are intended as preventive measures, not criminal sanctions. As long as these measures remain valid, the person concerned is only allowed to enter Switzerland if granted express authorisation. Measures to remove EU nationals from Switzerland or banning

them from entry may only be taken if they pose a genuine, present and sufficiently serious threat to public security and order. In 2019, Switzerland ordered bans on entry against 12 932 foreign nationals (2018: 15 058).

As an associated member of the Schengen area, Switzerland places an alert in the Schengen Information System (SIS) in respect of all the entry bans it has issued against third-country nationals. This can prevent the people concerned from entering the entire Schengen area.



*In 2019, Switzerland ordered bans on entry against 12 932 foreign nationals.*

# C Restructuring of the Swiss asylum system



*Zarifeh Ghaderi, a healthcare specialist from Iran*

## 1. Stages and elements of asylum reform

### Foreign Nationals and Integration Act

In March 2011, the Federal Department of Justice and Police (FDJP) presented a report on measures to speed up asylum procedures that had been commissioned by the Council of States Political Institutions Committee. The report proposed a fundamental restructuring of the Swiss asylum system. In an urgent revision of the legislation on 28 September 2012, Parliament approved amendments to the Asylum Act that allowed the introduction of accelerated asylum procedures in a trial operation. The bill for the entire reform was passed on 25 September 2015. The amendments to the Asylum Act were then clearly approved by the people in a popular vote on 5 June 2016. The new provisions came into force on 1 March 2019.

Swiss asylum policy pursues a clear objective: any person who needs and is entitled to protection in Switzerland should receive it as quickly as possible; and those who are not entitled to it should return to their country of origin just as quickly. In order to enhance the credibility and fairness of our asylum system, it was therefore decided to implement the following key ideas:

- Placing all those involved in the asylum procedure under the same roof
- Speeding up the asylum procedure through timing, scheduling and strict compliance with time limits
- Fair and constitutional procedures with free legal representation and remedies for asylum seekers
- Rapid integration or consistent enforcement of legally binding removals.

In order to ensure that speedy asylum procedures are carried out in accordance with the rule of law and in a fair manner, the revised act guarantees asylum seekers the right to free counselling on the asylum procedure and to free legal representation at every relevant stage of the procedure (preparatory phase, Dublin procedure and accelerated procedure). The majority of the procedures are carried out swiftly (accelerated procedure), within a period of 140 days at most, in federal asylum centres (FAC).

Asylum seekers are provided with counselling and legal representation to help them work through the asylum procedures and to assert their rights and interests effectively. Counselling provides them with general, easily accessible information to help them understand their options and make informed decisions. Legal representation, in turn, is intended to provide personalised support to asylum seekers to help them with administrative steps, while ensuring the legal provisions are correctly applied and that the asylum seekers' rights and interests are represented in accordance with their asylum application.

A charter regulates the relationship between the SEM and legal representatives in the federal asylum centres. It establishes the guidelines that facilitate cooperation between all those involved – with the ultimate objective of carrying out asylum procedures swiftly, correctly and fairly.

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### The new accelerated asylum procedures came into force on 1 March 2019.

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The legal representatives participate at all stages of the procedure, in particular at the interview conducted to determine whether the asylum seeker has grounds for asylum, by responding to the draft of any negative asylum decision by the SEM and if necessary by representing the asylum seeker in an appeal.

The Asylum Act provides for unaccompanied asylum-seeking minors to be assigned a legal representative to represent their interests as a trusted person during their stay at a federal asylum centre. The legal representative must ensure that the minor receives comprehensive protection and that all decisions are made in the minor's best interests.

If it becomes clear in the interview to discover the asylum seeker's reasons for asylum that a decision cannot be made using the accelerated procedure, in particular if additional enquiries are required, the application is processed using the extended procedure and the asylum seeker is allocated to a canton. This procedure is also carried out if the time limit for the stay at a federal asylum centre expires.

Asylum seekers may contact a legal advice agency in their canton, also free of charge, at all stages of the extended procedure relevant to the asylum decision. The procedures considered relevant to the asylum decision include additional interviews, and hearings or submissions that contribute significantly to determining the circumstances. The 26 agencies offering these services in the cantons are listed below.

Canton	Legal advice agencies
AG	HEKS Rechtsberatungsstelle für Asylsuchende Aargau, Aarau
AI	HEKS Rechtsberatungsstelle für Asylsuchende St. Gallen/Appenzell, St. Gallen
AR	HEKS Rechtsberatungsstelle für Asylsuchende St. Gallen/Appenzell, St. Gallen
BE	Berner Rechtsberatungsstelle für Menschen in Not, Bern
BL	Anlaufstelle Baselland, Pratteln
BS	BAS Beratungsstelle für Asylsuchende Basel, Basel
FR	Caritas Suisse, BCJ Fribourg, Fribourg
GE	Caritas Genève, Genève
GL	Zürcher Beratungsstelle für Asylsuchende, Zürich
GR	Bündner Beratungsstelle für Asylsuchende, Chur
JU	Caritas Suisse, BCJ Jura, Delémont
LU	Caritas Schweiz, RBS Zentralschweiz, Luzern
NE	Centre Social Protestant Neuchâtel, Neuchâtel
NW	Caritas Schweiz, RBS Zentralschweiz, Luzern
OW	Caritas Schweiz, RBS Zentralschweiz, Luzern
SG	HEKS Rechtsberatungsstelle für Asylsuchende St. Gallen/Appenzell, St. Gallen
SH	Beratungsstelle für Asyl- und Ausländerrecht, Schaffhausen
SO	HEKS Rechtsberatungsstelle für Asylsuchende Solothurn, Solothurn
SZ	Caritas Schweiz, RBS Zentralschweiz, Luzern
TG	HEKS Rechtsberatungsstelle Thurgau, Amriswil
TI	SOS Ticino, Lugano
UR	Caritas Schweiz, RBS Zentralschweiz, Luzern
VD	Service d'Aide Juridique aux Exilé-e-s (SAJE), Lausanne
VS	Centre Suisses-Immigrés, Sion
ZG	Caritas Schweiz, RBS Zentralschweiz, Luzern
ZH	Zürcher Beratungsstelle für Asylsuchende, Zürich

## 2. Reorganisation of the SEM

The revision of the Asylum Act has also made it necessary to adapt the organisation of the SEM's Asylum Directorate. This has included defining six geographic regions. New administrative units were set up in each region to enable the majority of asylum applications to be processed in the federal asylum centres. In each of the six asylum regions, the same model is used to create a division with a staff office, a partners and administration section, a Dublin/return section and two to four asylum procedure sections, depending on the size of the region and the number of asylum applications that need to be processed. Each region has at least one federal asylum centre (FAC) where asylum applications are processed and one that does not do any processing. The FACs without processing facilities accommodate asylum seekers whose asylum applications have been rejected or Dublin cases, i.e. persons awaiting repatriation to their country of origin or transfer to the Dublin state in question.

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The newly highly decentralised  
organisation of the Asylum Directorate  
requires more coordination.

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Most staff work in the federal asylum centres with processing facilities. The other directorates of the SEM also have decentralised staff working in the regions on security, identification and personnel administration matters. These new regional units are now more autonomous and have become the privileged partners of the cantonal authorities of the respective region.

The newly highly decentralised organisation of the Asylum Directorate requires more coordination. This has led to the creation of an additional section in the Bern asylum region which allocates refugees and coordinates accommodation policies and projects throughout Switzerland. The units in the central office have also been restructured to carry out their coordination and support functions. Two new divisions have the specific task of defining and coordinating policies for asylum and Dublin procedures. They also deal with certain special procedures (including resettlement and re-examination) and with issues related to residence status during the asylum procedure. The analysis and services division and the subsidies division have retained their areas of responsibility, but their role has changed as a result of the decentralisation of procedures. The staff office of the Asylum Directorate has been expanded to deal with process control and quality assurance. Lastly, two sections have been made responsible for processing the asylum applications filed under the former legislation.

The swift handling of asylum applications and completion of the various stages of the procedure on time requires additional staff resources. The extensive decentralisation also requires more personnel. The establishment of the asylum regions was achieved by relocating employees from the central office and recruiting additional staff.

The relatively low number of asylum applications filed in 2019 made it easier to set up the new structure and coordinate with the new partners. From autumn 2019 onwards, several project groups were established to evaluate, adapt and improve the organisation and processes. The question of how to deal with fluctuations is a major challenge since all procedures are subject to the just-in-time principle. All this work will continue in 2020.

### 3. Coordination

The setting up and development of the asylum regions has led to an increase in the need for coordination among the regions and between the regions and the central office – especially with regard to the substance of specific cases. The SEM is committed to operating uniformly across Switzerland.

The Conference of Regional Managers (CRM) is the body responsible for the exchange of information and supra-regional coordination of business between the six asylum regions and the SEM’s central office in Wabern, Bern in relation to accommodation and other arrangements for asylum seekers. It focuses on the following:

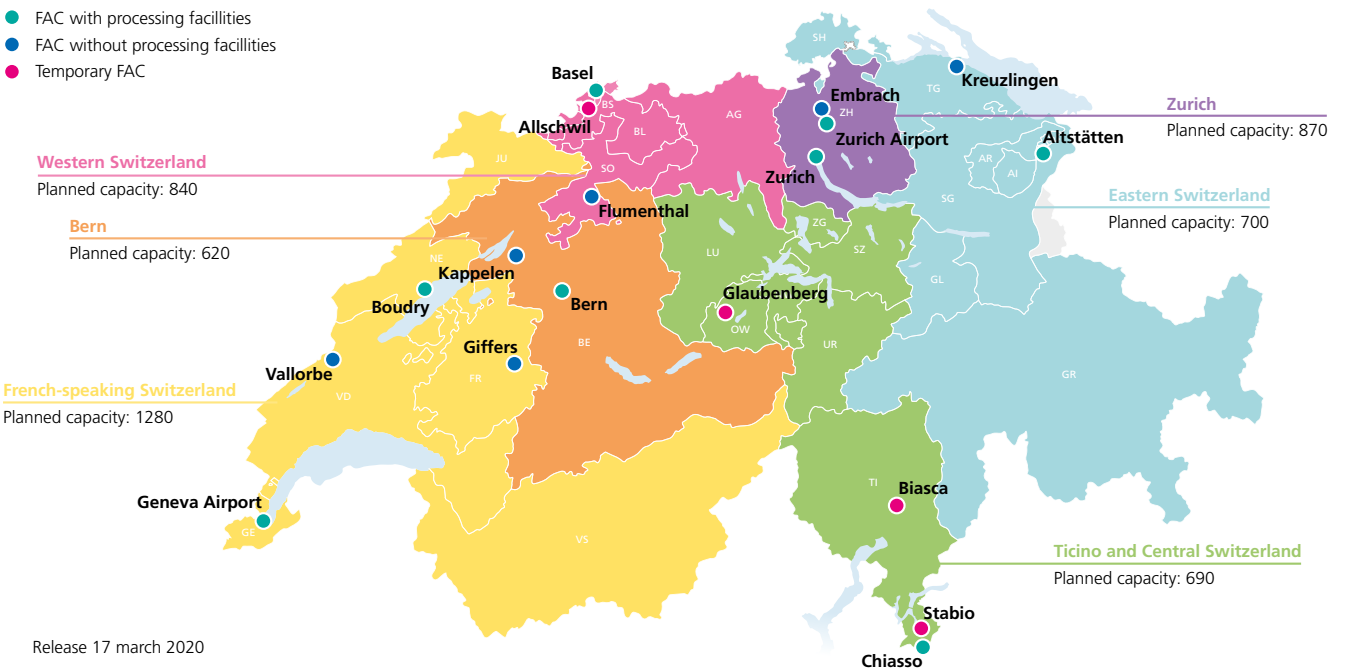
- Financial and human resources in the asylum regions
- Occupancy and accommodation management, including the initial allocation of asylum seekers to asylum regions and subsequent allocation to the cantons
- Development and implementation of quality standards for the accommodation and care of asylum seekers
- Planning and implementation of projects involving accommodation and care for asylum seekers in the asylum regions
- Optimisation of all processes in the asylum regions through process management

- Preparation of the working tools to support the asylum procedure
- Development of a common position on practical questions related to the asylum procedure
- Policy on decisions of principle
- Exchange of best practices and benchmarking
- Exchange of experiences in the implementation of the new Asylum Act in the asylum regions
- Trend analyses, forecasts and forward planning in the asylum regions.

Three additional coordination units complement the CRM structure in the areas of partners and administration, asylum procedures, and Dublin and returns. They ensure that the management decisions affecting all regions are taken at the right level and by the persons responsible for the relevant area.

This allows the CRM to directly address and resolve supra-regional issues in all areas that are not managed by the central divisions.

#### The federal asylum centres (FAC) in the six asylum regions



## 4. Allocation of asylum seekers to asylum regions and to the cantons

Asylum seekers can file an asylum application at one of the six FACs that conduct the asylum procedure. Once the SEM registers the application, it determines which region is responsible for processing the application. The initial allocation distributes asylum seekers as evenly as possible among all the regions based on the category of persons and procedures. The distribution of asylum seekers among the six regions takes into account the asylum seekers' country of origin and is based on the NUCUM criteria (number of asylum seekers, countries, unaccompanied minors/families/individuals and medical cases).

The subsequent allocation of asylum seekers to the cantons takes account of the asylum seekers' country of origin and cases requiring special care and attention. The SEM gives consideration to whether any family members already live in Switzerland when allocating individual asylum seekers.

When a return is enforced under the Dublin procedure or the accelerated procedure, asylum seekers are generally allocated to a canton with an FAC without processing facilities in their region.

Asylum seekers who are granted asylum under the accelerated procedure are assigned to the cantons based on their country of origin and the NUCUM criteria. The same criteria apply to the allocation of asylum seekers to the cantons under the extended procedure. In addition, the services provided by the cantons in this case are factored in as compensation, meaning that the cantons that carry out specific tasks for the federal government (as an FAC location or in the enforcement of removal) are allocated fewer asylum seekers in the extended asylum procedure.

The electronic system for the allocation of asylum seekers (Elektronisches System zur Verteilung von Asylsuchenden – eSyVAS) facilitates the allocation of asylum seekers to the asylum regions and the cantons; it calculates a proposal based on the above-mentioned criteria. The eSyVAS system can, however, be overridden by relevant staff members. The new asylum system involves more work when allocating asylum seekers, but thanks to eSyVAS it is possible to distribute the defined groups of asylum seekers evenly among the asylum regions and the cantons.



*Once the SEM registers an asylum application, it determines which region is responsible for processing the application.*

## 5. Concluding cases filed under the old law

When the new Asylum Act came into force on 1 March 2019, some 11 400 asylum applications and around 1300 requests for reconsideration and family reunification applications were still pending. It was initially planned to settle these cases filed under the old law within two years, by February 2021. However, given the consistently low number of new asylum applications, the SEM, on instructions from Federal Councillor Karin Keller-Sutter, took organisational measures in the summer of 2019 to speed up the settlement of cases filed under the

old law, specifically by autumn 2020 at the latest. By the end of December 2019, the SEM was on track to achieve this goal – some 5600 asylum applications and 170 requests for reconsideration and family reunification applications from the period before 1 March 2019 were still pending. The SEM understands that at least a few hundred, possibly up to a thousand particularly complex and time-consuming applications filed under the old law will not be fully processed until after autumn 2020.



*The low number of new asylum applications has freed up human resources to settle cases filed under the old law.*



## 6. Evaluation of the restructuring

The restructuring of the asylum sector has required substantial investment in infrastructure and far-reaching changes in organisation, processes and personnel. It has also attracted considerable interest from politicians, the media, civil society and the general public, and come under pressure in relation to their various expectations.

In view of this new situation and in order to “take stock” in this challenging phase, the SEM is commissioning independent agencies to evaluate the quality of the process, the quality of decision making and the legal remedies in the context of the implementation of the revised Asylum Act (known as PERU, based on the German “Prozessqualität, Entscheidungsqualität, Rechtsschutz und Umsetzung”). The evaluation covers a period of two years from the entry into force of the new Asylum Act.

The PERU external evaluation pursues the following objectives:

- Provides the SEM with guidance from an external and independent perspective and identifies concrete areas of improvement
- Ensures transparency and provides arguments and evidence for politicians, society and the SEM’s partners
- Complements the quantitative monitoring of the efficiency of the new asylum system and provides information on the extent to which the objectives of the revised Asylum Act are being achieved, and on their quality
- Creates a broad support base by involving important stakeholders as an external stakeholder in an external monitoring group.

The evaluation of the quality of the process addresses the issues of the extent to which key processes for implementing the new Asylum Act are being adhered to and how efficient they are. In addition to the SEM’s internal processes, cooperation with the SEM’s important external partners in specific areas is also being examined. The process evaluation is intended to identify any need and opportunities for improvement at an early stage.

The evaluation of the quality of decision making will investigate whether the asylum decisions and removal orders made under the new procedure are drafted in accordance with the same criteria, are understandable, well structured and correct (i.e. based on the facts of the case as conclusively established) and whether they meet the objectives of fairness and the rule of law.

The evaluation of legal protection investigates whether the provision to uphold the constitutional procedural safeguards and to provide effective legal advice and representation for all asylum seekers is implemented properly in spite of speeding up the asylum procedure. It is particularly important to consider whether the legal advice and representation meet legal standards and whether legal protection is guaranteed in a professional, independent manner and to an adequate quality.

An initial appraisal at the end of 2019 concluded that the changeover to the new asylum system is proving to be a success. Thanks to the remarkable coordination effort in providing infrastructure and personnel, and the essential cooperation with the various partners (doctors, interpreters and legal representatives), the reforms have already largely achieved a speedier and fair asylum procedure, which is what Parliament and voters had hoped for.

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An initial appraisal concluded  
that the changeover to  
the new asylum system is proving  
to be a success.

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In particular, it is worth noting that it has been possible to provide free legal representation for asylum seekers from the beginning of the procedure. The involvement of these lawyers helps build trust between the various participants in the process and improves the efficiency of the procedure and the quality of the decisions taken. The statutory deadlines for processing the asylum applications have so far been met.

# D Main highlights in 2019



*Ali Shukri, a mechanic from Syria*

## 1. Migration flows to and in Europe

In 2019, 710 000 asylum applications were filed in Europe. This figure does not allow any direct conclusions to be drawn about the number of asylum seekers who arrived in Europe in the same year. Some countries, including Switzerland, also count births of children whose parents are going through the asylum procedure or have protection status as asylum applications. Some countries, including Switzerland, also count family reunifications as asylum applications. The persons who applied for asylum in a European country usually arrived in the country of destination by one of the following routes:

### Arrivals by sea in the Mediterranean region

Migration flows across the Mediterranean (including the land border between Turkey and Greece) was significantly lower than in 2015 and 2016, and a small number of the 118 500 asylum seekers who arrived by sea preferred not to file an asylum application.

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Eurodac makes it possible  
to partially track onward migration  
within Europe.

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### Unauthorised entry and transit by air and land

Unauthorised entry by air cannot be quantified, since this group of persons arrives in the Schengen area undetected. The number of persons who were detected crossing the eastern border of the Schengen area has been constant between 1000 and 2000 people per year.

The majority of people seeking asylum who arrive in the Mediterranean region by air travel on to Western Europe by land. Some of those who arrive by air in Greece attempt to travel onward by air.

### Visa exempt entry

In 2019, there was a spike in the number of asylum applications filed by people who did not require a visa to enter the Schengen area. These persons came predominantly from Latin America, the Western Balkans, Georgia, Ukraine and Moldova. In 2019, 182 000 asylum seekers who applied for asylum in Europe came from this group of countries, an increase of 68 000 compared to the previous year (2018: 114 000).

### Dublin cases

The Dublin cases mainly involve individuals who seek asylum in more than one European country. They appear in the statistics of all those countries. An indication of how many such cases there were is given by the number of hits in the Eurodac database, which stores the fingerprints of persons who have applied for asylum in a European country. In 2019, more than 200 000 asylum seekers were found to have already been registered in Eurodac, meaning these individuals had already filed an asylum application in Europe.

### Patterns of migration in Europe

Eurodac makes it possible to partially track onward migration within Europe. In 2019, migrants arriving in Greece by sea most often headed to Germany, with the Netherlands, France and Belgium being the next most popular destinations, followed by Sweden and Switzerland. Individuals arriving in Italy by sea often continued onwards to France, the UK and Germany, but only rarely to Switzerland. The main onward destination for individuals arriving in Spain was France, followed by Germany.

## 2. The SEM's international network

The SEM not only operates in Switzerland at its various offices, but has also been represented for many years by its Immigration Liaison Officers (ILOs) in important source and transit countries. Until 2014, SEM staff specialising in migration matters at selected Swiss consular representatives were known as migration attachés. Since 2014, these specialised staff have had a name change: migration attachés are now called ILOs. By renaming these officers and adapting their job description, the SEM has aligned its terminology with that of other Schengen states, and integrated its migration attachés into the Schengen ILO network. In 2019, Switzerland had six ILO posts. A further ILO, at the Swiss Embassy in Addis Ababa, will be filled for the first time at the beginning of 2020. During their deployment, the ILOs are accountable to the Federal Department of Foreign Affairs (FDFA) and generally have the rank of First Embassy Secretary. The ILO's have certain regional responsibilities. Their tasks are varied and their missions depend in great part on the place of posting. The ILO in Senegal, for example, is responsible for six countries in the region and primarily deals with the issue of return, while the ILO in Beirut is mainly involved in Switzerland's resettlement programme for victims of the Syrian war and in SEM project work for refugees. ILOs also have the important task of networking and discussing matters with ILOs in other Schengen countries and with the authorities of the host country on recent developments in the area of migration. SEM and FDFA staff members who apply for ILO positions must meet demanding job requirements.

In addition to the regular ILO posts, the SEM has filled the post of Migration Delegate for Libya and North Africa since 2018. This post was established in 2018 in view of the specific migration situation in Libya, and attached to the Swiss Embassy in Tunis. The remit of the Migration Delegate for Libya and North Africa is primarily to analyse the situation in Libya and its impact on irregular migration to Europe, to network the most important local partners, and to monitor the SEM's projects. The delegate also supports the SEM in foreign migration policy in the region.

The migration attaché posted to Brussels has a special mission. For the duration of the assignment, he/she is also integrated into the FDFA as part of the Schengen team of the Swiss Mission to the European Union. The attaché is responsible for ensuring a smooth flow of information between the SEM and the EU institutions, robustly representing Switzerland's migration policy interests vis-à-vis the EU, and assisting FDJP delegations during their visits to Brussels. Since the end of 2010, the SEM has been sending staff to Brussels for a period of two to four years. In 2015 and 2016, two SEM staff members were deployed to Brussels at the same time to help shoulder the substantially higher workload during the migration crisis.

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The SEM has been represented for many years by Immigration Liaison Officers in important source and transit countries.

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As soon as the implementation of the Migration Framework Credit begins as part of the second enlargement contribution ("cohesion billion"), liaison officers will be sent to the partner states concerned to represent the SEM's interests on site vis-à-vis the national authorities. A secondment can be expected at the beginning of 2021 at the earliest.

### 3. Brexit: contingency planning and agreements

The UK's departure from the EU has implications not only for the EU member states, but also for Switzerland. After Brexit, the Agreement on the Free Movement of Persons (AFMP) will no longer apply between Switzerland and the United Kingdom. Within the framework of the Swiss government's "Mind the Gap" strategy, the Federal Council has negotiated seven agreements with the United Kingdom in various areas, which are intended to guarantee the seamless continuation of relations post-Brexit. These include two agreements in the area of migration: the agreement on acquired rights of Swiss and UK nationals, and the temporary fallback agreement on labour market access.

#### Agreement on acquired rights of free movement

The agreement on acquired rights of Swiss and UK citizens protects the rights of Swiss and UK nationals that were granted to them under the AFMP. The new agreement applies to around 34 500 Swiss citizens living in the United Kingdom, and around 43 000 UK nationals living in Switzerland, providing them with legal certainty. This agreement covers the three Annexes to the AFMP: the free movement of persons (Annex I), the coordination of social security systems (Annex II) and the mutual recognition of professional qualifications (Annex III). In particular, the agreement ensures the continuity of the existing rights of residence. Cross-border services provided under the AFMP can also be continued under the terms of the new agreement.

The new agreement was signed in Bern on 25 February 2019. On 6 December 2019, the Federal Council adopted the dispatch on the new agreement and submitted it to Parliament. The new agreement will come into effect as soon as the United Kingdom withdraws from the European Union and the AFMP no longer applies, which is expected after the end of the transition period on 1 January 2021.

#### Temporary fallback agreement on admission to the labour market

The temporary agreement on admission to the labour market was negotiated with the aim of cushioning the impact of an abrupt change from the free movement of persons to third country rules and providing the Swiss economy with legal and planning certainty. The agreement would only have come into effect in the event of the United Kingdom's disorderly withdrawal from the European Union ("no deal" Brexit). For a limited transition period, it would have introduced simplified requirements for working in either country. At the same time, the Federal Council took the decision to issue separate quotas for UK nationals (2100 residence permits and 1400 short-stay permits) in the event of an unregulated withdrawal. After the EU and the United Kingdom reached a final agreement on a treaty on withdrawal and agreed on a transitional arrangement at the end of January 2020, the fallback agreement came to an end.

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Within the framework of the Swiss government's "Mind the Gap" strategy, the Federal Council has negotiated seven agreements with the United Kingdom.

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## 4. Promoting the potential of Switzerland's domestic labour force

Demographic change and digitalisation have led to a rising demand for skilled labour. In addition to its domestic labour force potential, Switzerland will continue to depend on skilled workers from abroad in the future. The Agreement on the Free Movement of Persons (AFMP) allows Swiss companies to recruit workers from EU and EFTA member states flexibly and without unnecessary bureaucracy. This has substantially helped to reduce skills shortages.

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### The Federal Council adopted measures to ensure the competitiveness of the domestic workforce.

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However, immigration is also associated with challenges, for example, it can lead to more competitive terms on the job market, particularly in the context of the free movement of persons. The accompanying measures for the protection of wage levels and working conditions were introduced as part of the preparations for the AFMP coming into force. Following the adoption of the popular initiative "Against mass immigration" in Switzerland on 9 February 2014, the Federal Council and Parliament stepped up their efforts to promote and harness the potential of Switzerland's domestic labour force (including recent immigrants). This includes the obligation to register job vacancies (in force since 1 July 2018), which is expected to help reduce unemployment.

#### A further package of measures

In addition to the existing measures, the Federal Council adopted a package of economic and social policy measures on 15 May 2019 to ensure the competitiveness of the domestic workforce and improve social security provision for older unemployed people. The package was drawn up by a working group of representatives from three departments together with the social partners. Those involved were the State Secretariat for Migration (SEM, chairing), the State Secretariat for Economic Affairs (SECO), the State Secretariat for Education, Research and Innovation (SERI) and the Federal Social Insurance Office (FSIO). All seven measures involve:

- Promoting the potential of domestic labour by encouraging specific groups of foreign residents more likely to remain in Switzerland in the long term to undergo vocational education and training, and join the labour market; responsible bodies: FDJP/SEM
- Promoting the potential of domestic labour through measures to train and improve the reintegration of unemployed persons who have difficulty finding jobs and those who are no longer entitled to unemployment benefit, with a focus on older workers; responsible bodies: EAER/SERI, SECO
- Alleviating the social consequences of increased competition on the labour market through the provision of temporary benefits for older unemployed workers who are no longer entitled to unemployment benefit and who are in financial difficulties; responsible bodies FDHA/FSIO.

Various federal departments and offices, and social partners are responsible for developing and implementing the individual measures. A legislative amendment is necessary to introduce temporary benefits. The Federal Council adopted a dispatch to this effect on 30 October 2019. The Council of States approved the bill with some amendments in the 2019 winter session.

The Federal Council has set up a steering group to coordinate the measures as an overall package. It has instructed the FDJP (SEM), together with the EAER (SERI; SECO), the FDHA (FSIO), the cantons and the social partners to monitor the development and implementation of the measures adopted and to report to the Federal Council annually. The first report was submitted to the Federal Council at the end of January 2020.

## 5. Pilot programmes in the area of foreign nationals and asylum

The SEM is working with the cantons to implement two of the seven measures adopted by the Federal Council: the new pilot programme “financial subsidies” helps to integrate adult refugees and temporarily admitted persons into the labour market; the existing pilot programme for “pre-apprenticeship integration”, which helps young asylum seekers begin an apprenticeship, will, in future, also support young immigrants.

Under the new pilot programme “financial assistance”, employers who employ refugees and temporarily admitted persons on the customary pay and working conditions will receive wage subsidies for these employees under certain conditions. The programme was developed to address the difficulties some refugees have in getting up to speed on the job, even if they have learned the local language, have completed vocational training courses in Switzerland and have some work experience. They require additional training and support, which often makes it difficult for them to find a permanent job.

This is where the pilot programme steps in: following the model of the rehabilitation measures for unemployment and disability insurance, employers are compensated for the additional support and training they provide by receiving wage subsidies and, if necessary, the payment of training costs. This should help integrate at least 300 each year into the labour market in a sustainable way throughout Switzerland from 2021 to 2023.

Federal funding earmarked for the three-year pilot programme amounts to CHF 11.4 million.

The federal government and the cantons have been working with professional organisations to set up a pilot programme for “pre-apprenticeship integration” (“Integrationsvorlehre – INVOL”), intended to provide instruction for a year to refugees and temporarily admitted persons to prepare them for vocational training.

INVOL is structured in a way similar to the subsequent dual-track vocational education and training (VET) programme: participants generally work three days a week for their host company, where they gain practical experience. Participants also attend intensive language courses focused on their vocational field and the working world, and vocational courses where they are taught basic knowledge in their vocational field.

The results of the first year of the programme are promising: around 75 % of the 610 participants who completed the programme in summer 2019 were able to start an apprenticeship leading to a Federal VET Certificate or a Federal VET Diploma.

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The programme for  
“pre-apprenticeship integration”  
is intended to prepare refugees  
and temporarily admitted  
persons for vocational training.

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In view of these positive results, the Federal Council has decided to extend and expand the INVOL programme. The programme will be continued until 2024 – it had initially been set to last four years (2018 to 2021) – and is expected to be extended to other branches. From 2021, the programme will also be opened to adolescents and young adults, from EU, EFTA and third countries, who do not hold an upper-secondary level qualification. This will make it possible to prepare up to 1500 individuals a year to begin their vocational training.

Federal funding earmarked for the extension and expansion of the INVOL programme is CHF 44.8 million.

## 6. Switzerland's agenda for integration – state of progress

Switzerland's agenda for integration was prepared collectively by the federal government (FDJP/EAER) and the cantons. They agreed on five objectives for the integration of temporarily admitted persons and recognised refugees. The objectives address language skills of adults and children, participation in non-compulsory education, integration into the labour market and social integration. Switzerland's agenda for integration was approved in spring 2018 by the relevant intercantonal conferences (CCG, EDK, CDSS) and the Federal Council.

### Implementing integration in the cantons

In spring 2019, all the cantons submitted their strategies for implementing Switzerland's agenda for integration in the cantons in line with the 2018–2021 cantonal integration programmes. Proposals were drawn up in response to an SEM circular of December 2018.

All cantons concluded supplementary agreements on Switzerland's agenda for integration to the agreements on cantonal integration programmes with the SEM by the end of October 2019. This provides the basis for the SEM to pay the cantons additional funding as a result of the tripling of the subsidy to CHF 18 000 for every asylum seeker granted asylum or temporary admission to Switzerland from 1 May 2019.

Overall, the cantons' implementation strategies are of high quality. However, the end-to-end case management for temporarily admitted persons and refugees during the initial integration phase set out in the integration agenda constitutes a particular challenge for many cantons. This (and the restructuring of the federal asylum system) has prompted a number of cantons to review their organisation of integration promotion. The conclusions drawn from these processes provide key input when preparing for the next period of cantonal integration programmes.

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### Switzerland's agenda for integration identifies five integration objectives.

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#### Follow-up work

The federal government and the cantons have been working on three sub-projects for a follow-up mandate of the integration agenda:

- Adaptation of the funding system: the funding system will be re-examined in certain areas of the asylum system, namely care, social assistance and support for integration. The overall objective is to put in place financial incentives to achieve sustainable integration of temporarily admitted persons and refugees, and to remove disincentives.
- Monitoring: a monitoring system will be set up to gauge the extent to which the five objectives of the agenda for integration have been achieved
- Support for inclusion in education and training programmes: integration support in education and training programmes needs to be addressed for recently immigrated adolescents and young adults from EU, EFTA and third countries who do not hold the necessary qualifications or speak the local language
- A first step will involve developing action plans for these sub-projects. A decision on their viability will be taken in the course of 2020, and they are expected to be implemented in 2021.



## 7. Quality assurance in language teaching with the fide programme

The SEM (formerly the Federal Office for Migration) developed the fide programme a few years ago with the aim of ensuring the quality of language teaching to migrants. The programme awards a fide label for courses that promote the students' linguistic integration in an efficient, holistic and sustainable manner. It also issues certificates for language teachers in the field of integration and has developed various instruments to evaluate language skills.

Fide is based on the Outline Curriculum for the Linguistic Development of Migrants issued in 2009. The outline curriculum ensures that course participants quickly learn how to cope with everyday situations, such as finding a job or an apartment, seeing a doctor and opening a bank account. The language courses work with eleven real life scenarios to help participants learn and practise useful communication skills.

The programme of the fide's annual meeting on 4 December 2019 included the celebration of the 10th anniversary of the Outline Curriculum and a look back on the successful establishment of fide. Since the beginning of 2018, the fide secretariat has issued nearly 10 000 language passports, which certify the holder's language proficiency. During this same period, it has awarded the fide quality label to 24 language courses offered in nine cantons, and has issued the certificate for language teachers in the field of integration to nearly 1000 participants.

Proof of language skills has gained significance with the new requirements in the Foreign Nationals and Integration Act and in the Federal Act on Swiss Citizenship. The fide proof of language competency, which is based on a language test dealing with everyday life in Switzerland, fills this need.



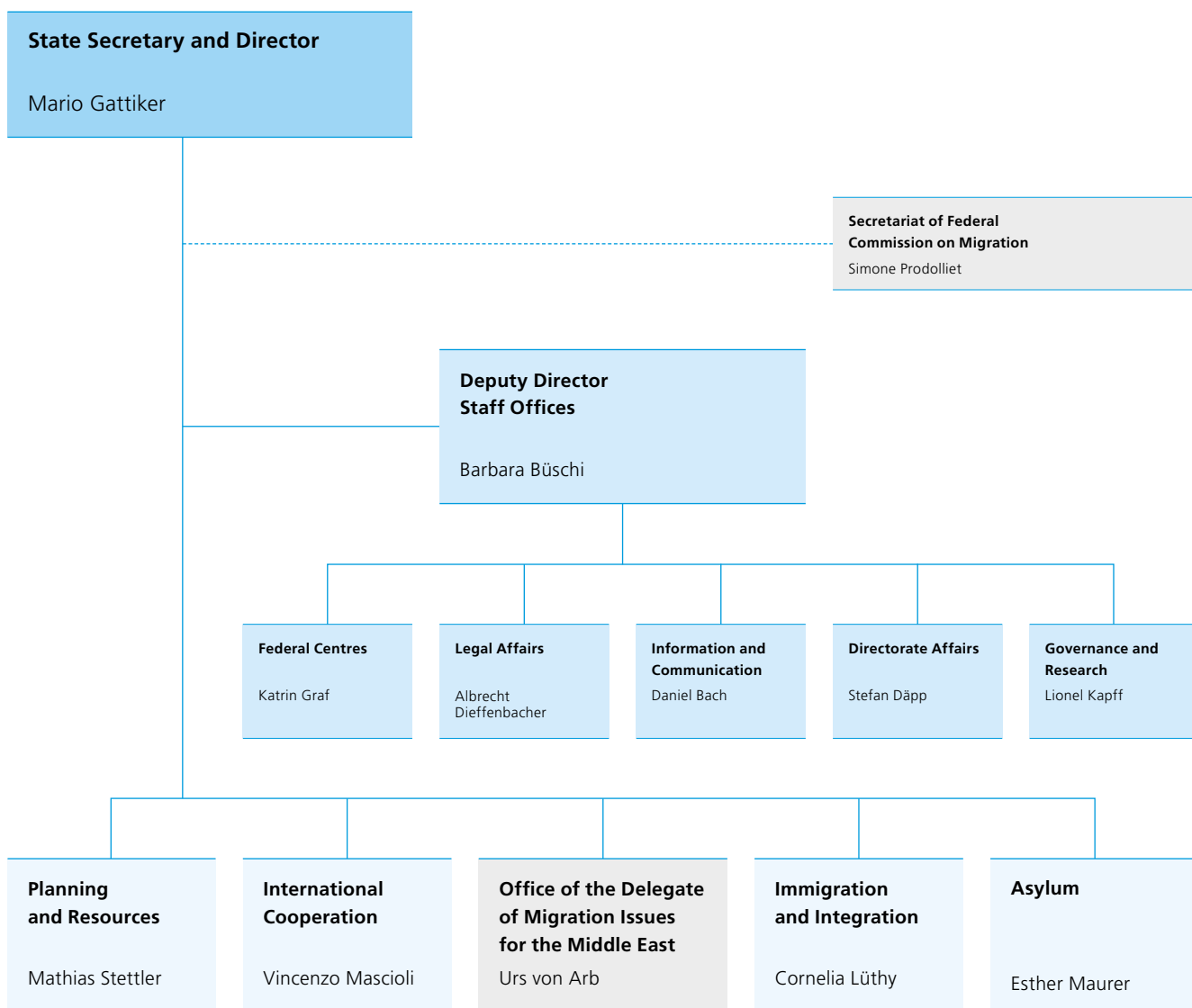
*Fide stands for "Français, Italiano, Deutsch in der Schweiz" and is the name of the Swiss programme for promoting linguistic integration.*

# E State Secretariat for Migration



Ivana Kvesic, director of the Swiss youth film festival "Schweizer Jugendfilmtage", from Croatia

## 1. Organisation chart



*Last update 1 April 2020*

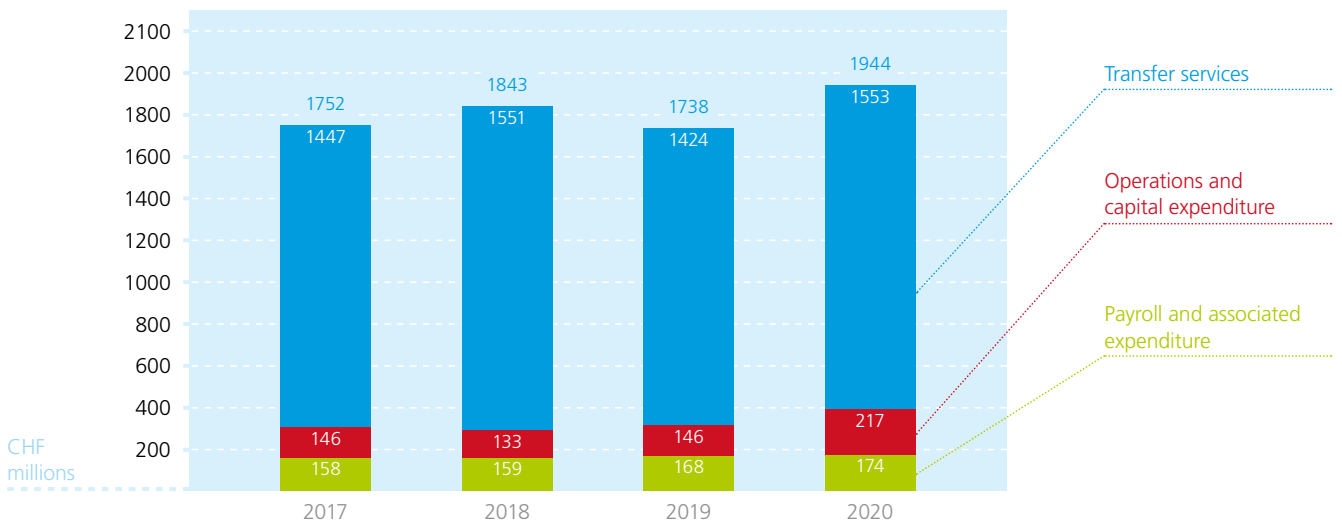
The SEM determines under what circumstances a person may enter Switzerland to live and work. It also decides who is granted protection from persecution. It also coordinates integration-related efforts at the federal, cantonal and communal levels and is the federal agency in charge of the naturalisation process. In all areas of migration policy, it fosters international dialogue with source, transit and destination countries, and with international organisations.

## 2. Expenditure

SEM's expenditure can be broken down into three categories:

- **Transfer services:** around 82 % of total expenditure relates to support services for asylum seekers, temporarily admitted persons and refugees, as well as the enforcement of removal orders, return assistance, integration measures for foreign nationals, and international cooperation in the area of migration.
- **Payroll and associated expenditure:** around 10 % of the total expenditure relates to payroll (including social insurance contributions), and associated expenditure on initial and continuing education and training.
- **Operations and capital expenditure:** around 8 % of the total expenditure relates to running reception and processing centres; IT infrastructure; consultancy; other operating costs; and capital expenditure.

**SEM expenditure – only includes outgoings of financial consequence (government accounts for 2017–2019, budget for 2020)**

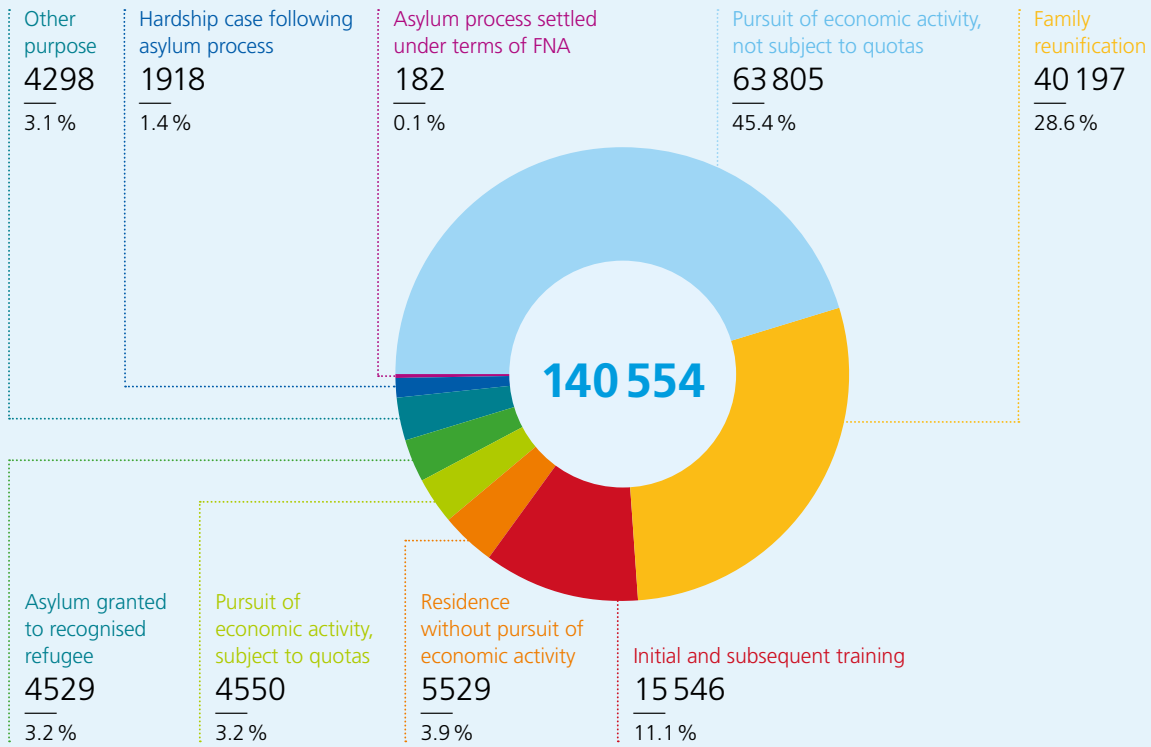




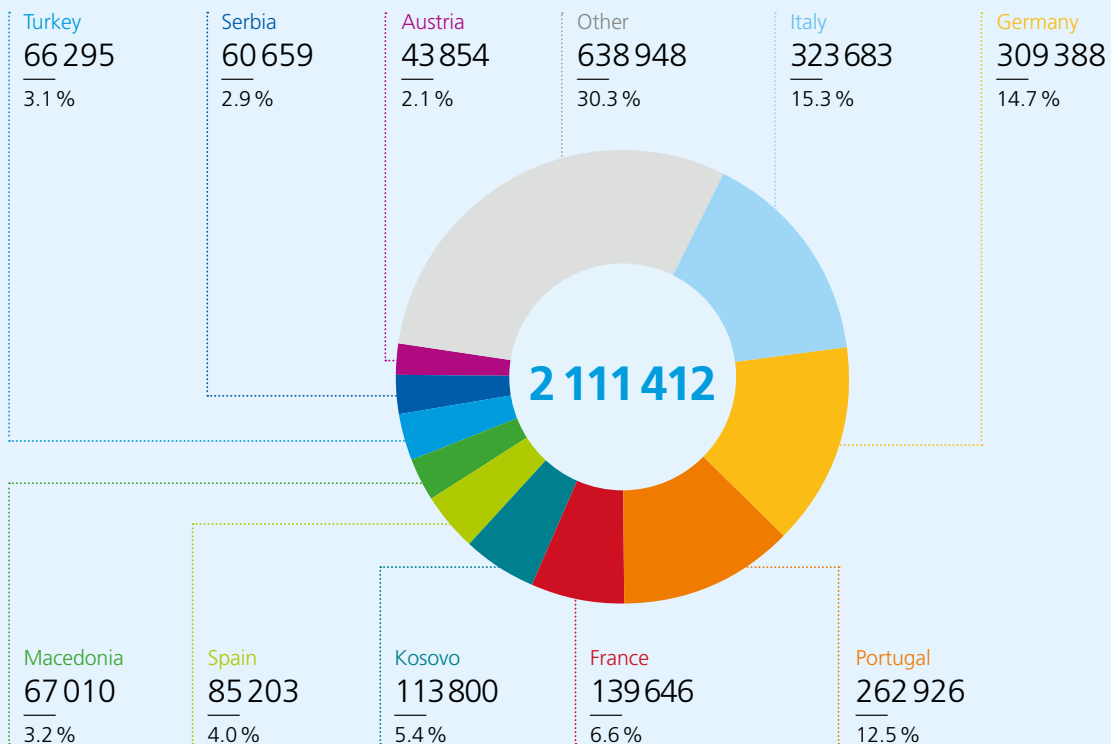
*Jemal Mohamedberhan, a logistics specialist from Eritrea*

# Annex

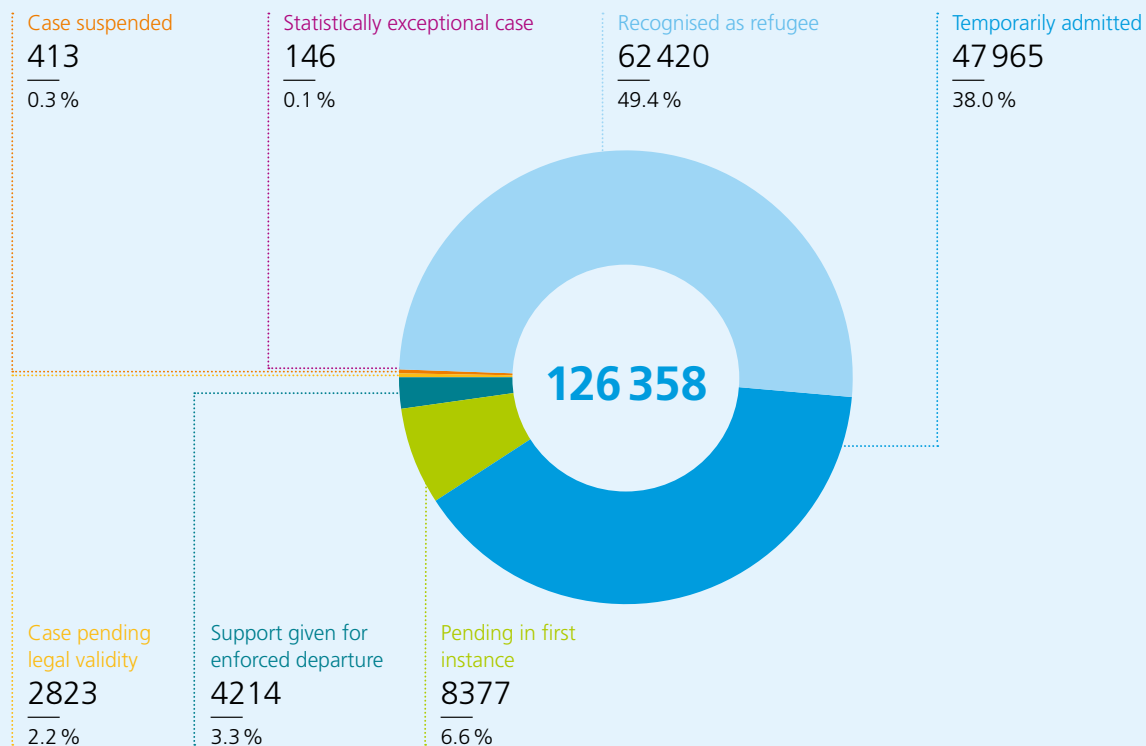
## Basis of migration in 2019



## Usual foreign resident population in 2019



## Asylum seekers 2019



## Numbers of temporarily admitted persons by country 2019

