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Immigration to Switzerland and the integration of migrants are extremely controversial issues. Whereas some people are of the opinion that immigration has already reached a critical point, others believe that we need a higher level of immigration in order to provide enough labour for the Swiss economy and to stabilise the social system.

Since the 1970s, running parallel to the marked increase in the foreign resident population, there has been public discussion on migration and integration in Switzerland, as also in other European countries. For some sections of the Swiss resident population, the subjective perception of their environment, or just the impression propagated by the press, has changed perceptibly. Above all in the larger towns, the resident population

has been confronted with rising immigration from countries of origin where none of our national languages are spoken. Numerous Swiss people have begun to feel increasingly “foreign” in their old surroundings, fears have taken hold. In the course of recent decades the issues of immigration and integration have entered the political arena. Since then elections have been won, and also lost, with topics related to foreigners.

The Federal Office for Migration (FOM) fulfils its task in the midst of this sociopolitical tension field. In past years there have been countless changes in the migration sector with the direct involvement of the FOM – such as the introduction of the free movement of nationals from EU Member States but also the revision of the Asylum Act and the new Foreign Nationals Act. At present the implementation of the Schengen/ Dublin Agreement is being prepared. Various reports, for example on integration and naturalisation, have been compiled. Further FOM activities are the implementation of integration measures and international co-operation in the migration sector.

This first FOM Migration Report is aimed at a wide audience from the worlds of science, migration practice and politics. It is neither a definitive nor a well-rounded scientific study on a specific problem. Instead, the authors of the Migration Report have chosen to offer an insight into the most important sectors of FOM activities and the focal points of its work in 2007; these are placed in an international context and supplemented by important statistical information. The Migration Report is also to appear regularly in the coming years, thus making a contribution to the factual discussion of a socially controversial policy sector.

A handwritten signature in black ink, appearing to read "E. F. F. F." or similar, written in a cursive style.

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1 Switzerland's migration history

The figures speak a clear language

- Since the Second World War approximately two million people have immigrated to Switzerland or live here as the descendants of immigrants.
- At the end of 2007 there were over 1.5 million foreign nationals in Switzerland.
- Every fourth gainfully-employed person in Switzerland has a foreign passport.
- At over 20 %, Switzerland has one of the highest proportions of foreigners to the total population within Europe.
- Migration makes a larger contribution to Switzerland's population growth than is the case in the classic immigration countries USA, Canada and Australia.
- One-tenth of Swiss citizens live abroad.

1.1 History

Until well into the 19th century Switzerland was predominantly a country of emigrants. Above all impoverished small farmers were forced by unemployment and population pressure to leave their country. Besides our neighbouring states, North and South America, Australia and Russia were among the most popular target countries. It was only towards the end of the 19th century, as a result of industrialisation, that Switzerland changed from a country of emigration to one of immigration. In 1890 more immigrants than emigrants were registered for the first time. In comparison with other countries, the more attractive working conditions and full freedom of movement favourably influenced immigration to Switzerland from neighbouring countries. In 1914 the level of foreigners in Switzerland reached a peak at approximately 600 000 persons, resp. 15 % of the total population – a development that aroused fear among the Swiss. The policy on foreigners, the labour market and refugees, since 1925 within the competence of the Federal Government, was therefore committed to the fight against "Überfremdung" or the fear of being swamped by foreigners. The proportion of foreigners was constantly reduced, reaching a historical low at 223 000 persons, resp. 5 % of the population, in the middle of the Second World War, also the result of a restrictive asylum policy.

The favourable economic development in Switzerland after the Second World War resulted in a great demand for foreign labour. "Guest workers" were recruited primarily in Italy; they found employment in the agricultural, industrial and building sectors. Until the mid-1960s the Swiss postwar aliens policy was essentially based on the so-called principle of rotation. This principle limited to a few years the stay of foreign workers, who fulfilled the function of a cyclical puffer for our economy. Furthermore, work permits were not automatically extended and the integration of these foreign workers was not a defined objective. Nevertheless, the number of guest workers continued to show a marked increase. In 1970, for the first time in its history, Switzerland numbered over one million foreigners; the violent discussions on "Überfremdung" reached their peak with the Schwarzenbach initiative, narrowly rejected by the Swiss electorate in the same year. The authorities reacted to the growing xenophobic tendencies within the population by launching a series of capping measures, aimed at limiting the immigration of workers, who now came to a large extent from Yugoslavia, Turkey and Portugal. Despite an economic recession in the mid-1970s and cantonal quotas for annual and seasonal workers, increased family reunification and also due to a restrictive naturalisation policy, the permanent foreign resident

population continued to rise in the following years. In 1994 the number of foreign nationals in Switzerland exceeded the 20 % limit for the first time. The approval in the 2000 popular vote of the Agreement on the Free Movement of Persons with the EU/EFTA States marked a milestone in Switzerland's relationship to its foreign labour: skilled and unskilled workers can now be recruited from EU/EFTA countries. The admission of foreign workers from non-EU/EFTA countries, in contrast, is only foreseen for persons with high professional qualifications.

After the Second World War, parallel to the legal influx of labour, a large number of persons also came to Switzerland as refugees. Until the early eighties Switzerland readily admitted large numbers of persons in need of protection within the framework of special programs: 14 000 Hungarians in 1956, 12 000 Czechs and Slovaks in 1968 as well as several thousand refugees from Tibet, China and Indochina. Since the early 1980s the number of asylum applications, in particular from Turkey, Lebanon, Sri Lanka and Yugoslavia, as well as from other far distant countries of origin, has shown a marked increase, amounting to a peak of 46 000 applications in 1999. Since the end of armed conflict in the Balkans, the number of asylum applications has shown a significant decrease in Switzerland as in most European countries. In recent years Switzerland has registered approximately 10 000 applications per year. In spite of this considerable decline in applications

and the comparatively low proportion of asylum seekers to the total number of foreign nationals in Switzerland, the issue of asylum continues to provide food for controversial discussions in the population, in political circles and in the media.

In recent years it has become increasingly clear that refugee flows are being more and more superseded by economically-motivated migratory movements. Terms such as "migratory pressure", "illegal migration", "economic refugees", "criminality" and "combating abuse" have appeared on the scene. On the one hand, this development has led to demands in the sector of asylum policy for a tightening up of asylum legislation, an acceleration of asylum proceedings, a more consistent enforcement of removals, in brief for a more restrictive asylum policy. On the other hand, there have been calls for a generous asylum policy. Discussion on migration policy is marked by the insight that there is a need for a uniform and coherent migration strategy which accords equal importance to both domestic and foreign aspects and also intensifies the dialogue with our foreign partners. There is a consensus regarding Swiss migration policy that, in order to be successful, there must be a balance within the central values of security, prosperity and solidarity and that the potential offered by migrants should be used appropriately.



1.2 Conclusions

A look at the past reveals the central issues of Swiss migration history. In the course of recent decades, in spite of a few new problems, these have remained largely unaltered. They also represent the ongoing and future challenges facing Swiss migration policy and can be outlined in ten conclusions:

- In the past Switzerland has proved its high capacity for admission and integration potential. It is an immigration country surrounded by other immigration countries.
- Migration is a reality, it is part of our human history. Globalisation facilitates mobility and accelerates migration.
- Migratory movements are complex processes. Their causes and consequences have an effect on numerous other sectors of Swiss domestic and foreign policy.
- National and international tools are needed to steer irregular migratory movements.
- It is impossible to clearly separate Switzerland's asylum, aliens and labour market policies. People often leave their native countries for several reasons; specific attempts at classification, their objectives and underlying interests are to be analysed.
- Migratory patterns and flight grounds may vary but a country's migration policy is always located within the field of tension between its "humanitarian tradition" and "reasons of state".
- Migration and integration form two central areas of Swiss politics which are closely linked. In the interest of the Swiss and the foreign population they must constantly be harmonised.
- Migration must be managed and the related security problems solved; the promotion of integration is a key concern.
- Migration and integration cannot be achieved without tensions or conflicts; the Swiss population is challenged as much as the migrants themselves.
- There is a chance of success for migration and integration. A coherent concept in the sphere of migration and integration is the prerequisite for further willingness on the part of the Swiss population to admit migrants. The opportunities and risks afforded by migration and integration must be the subject of constant public discussion.





2 A new point of departure

2.1 New Foreign Nationals Act: The most important changes as per 1 January 2008

In recent years the Swiss labour market has undergone significant changes. Around 300 000 jobs for unskilled workers have disappeared. In the same period, approximately the same number of workplaces has been created for highly-skilled graduates from both the universities of applied sciences and from the traditional universities. The new Foreign Nationals Act (AuG) foresees adaptation to these changing framework conditions. The new act has been in force since 1 January 2008; it regulates immigration from Third States in accordance with the needs of the Swiss economy and the Swiss labour force while upholding current admission principles.

In concrete terms, this means that the immigration of labour from countries outside the EU/EFTA zone is restricted to highly-skilled and executive personnel. In the case of equal qualifications, persons from Switzerland and the EU/EFTA zone are given priority. Furthermore, quotas and controls of wage and working conditions ensure that the access of Swiss workers to the labour market is safeguarded and social dumping forestalled. The quota periods are now fixed according to the calendar year, i.e. from 1 January to 31 December.

The Foreign Nationals Act takes into account the effects of the freedom of movement within the EU. Since 1 April 2006 the requirements of our national agricultural and industrial sectors for unskilled workers have been guaranteed by the Agreement on the Free Movement of Persons (AFMP) with the ten "new" Member States. Each year Switzerland provides these countries with quotas for short- and long-term residents. So far these quotas have only been partially exhausted. The AFMP concluded with the 10 East European countries has covered the need of the Swiss economy for unskilled workers. This is the reason why, under the Foreign Nationals Act, exclusively highly-skilled specialists from Third States are entitled to stay in Switzerland.

Increased integration and improved legal status

A further objective of the Foreign Nationals Act is to promote the integration of foreign nationals already living in Switzerland. The unrest and outrages in the French suburbs of recent years clearly illustrated the possible consequences of the poor integration of foreigners on the labour market and in the host society. In an international comparison, foreign nationals living in Switzerland are well integrated. There are, however, also deficiencies here. In order to improve integration and to guarantee its long-term improvement, the Foreign Nationals Act has upgraded the legal status of foreign nationals living in Switzerland. Holders of residence permits in Switzerland are entitled to change professions, jobs and cantons (Art. 37 AuG). This results in the removal of obstacles which could detract from successful integration.

In addition, integration measures and agreements are aimed at the further improvement of integration at cantonal and communal level (Art. 4, Art. 53ff. AuG). Following the motto "fördern und fordern" (promote and demand), there is a special focus on the acquisition of a national language and professional training. In future the granting of an annual or a short-term residence permit will be linked to the condition that the migrants attend a language or integration course. Depending on successful integration (good knowledge of a national language), permanent residence permits may be granted after a five years' stay.

The principle of integration is also decisive in cases of family reunification: the authorisation for family reunification may be granted on condition that the persons concerned sign an integration agreement. Relatives joining migrants admitted to Switzerland may thus be required to attend a language course (Art. 43–45 AuG).

In order to improve the integration of refugees and temporarily-admitted persons, the Federal Government pays a lump sum of SFr. 6000.– for integration purposes. This sum is earmarked and intended for the promotion of professional integration and the acquisition of a national language. (Art. 87/88 AuG, Art. 18 Ordinance on the Integration of Foreign Nationals VintA).

Improvements in the sector of family reunification

The Foreign Nationals Act brings considerable improvements to the sector of family reunification. There is thus now the possibility for relatives to join short-term permit holders and students in Switzerland (Art. 42ff. AuG). The foreign spouses and single offspring below the age of 18 of short-term residence permit holders may also be granted a short-term residence permit. This is possible on condition that they share a household with the holder of the short-term residence permit already in Switzerland. Furthermore, appropriate accommodation must be available and the family must produce proof that they are not recipients of welfare assistance.

In cases of family reunification, account is also taken of the fact that the swift admission of relatives has a positive effect on their integration. Swiss citizens, foreign nationals with a permanent residence permit and annual residence permit holders must send for their children within five years. For children aged over 12, there is a deadline of one year (Art. 47 AuG).

As a rule, in family reunification – except in the case of short-term residence holders – the authorities check whether the person wishing to send for his/her spouse or children has a Swiss passport, a permanent or an annual residence permit. The foreign spouses and the children of Swiss citizens or permanent residence permit holders are entitled to a permanent residence permit (Art. 42ff. AuG). Relatives of foreign nationals with an annual residence permit may be granted an annual residence permit by the canton (Art. 44 AuG). This is granted under the condition that they share a household with the foreign national who is resident in Switzerland, appropriate accommodation is available and they do not draw welfare assistance. The Foreign Nationals Act accords Third-State nationals the same rights in cases of family reunification as members of EU/EFTA Member States. The possibility of sending for the foreign family members of Swiss citizens now largely corresponds to the provisions of the AFMP applying to family members of persons from EU/EFTA Member States.

Innovations in the fight against abuse

The provisions of the Foreign Nationals Act are specifically targeted at combating abuse. The exchange of data between the various authorities has improved. The competent authorities are obliged to notify the cantonal aliens authorities of any facts pointing to a sham marriage (Art 97. AuG, Art. 82 Ordinance on Admission, Stay and Gainful Employment VZAE). Deception of the authorities by means of a sham marriage is considered as a crime (Art. 118 AuG). The authorities may refuse to perform the ceremony in the case of a manifestly sham marriage; the same applies to civil partnerships.

The level of punishment for illegal entry, stay, gainful employment and departure has been raised (Art. 115 AuG). The new crime of illegal departure is also regarded as non-compliance with the admission provisions of other countries. This provision is primarily aimed at combating the trafficking of people. Airlines are now legally obliged to ensure that only persons in possession of travel documents are transported (Art. 92 AuG; but this provision only enters into force with Schengen). In addition, the recipients of services in Switzerland must check the authorisation of foreign contractors (Art. 91 AuG).

In order to combat people trafficking, it is possible to deviate from the generally valid admission provision in the case of victims and witnesses of trafficking. Depending on the concrete situation, they are granted a short-term residence permit and the right to exercise gainful employment (Art. 30 AuG, Art. 35/36 VZAE).

2.2 Revised Asylum Act: Phased entry into force



Provisions which entered into force on 1 January 2007:

- New formulation of the decision to dismiss applications in the case of persons without documents
- Parts of the new regulations on temporary admission and hardship cases
- Changes resp. innovations in the sector of coercive measures
- Charges for reviews and second applications
- Acquisition of documents already after first-instance decision

The most important changes from 1 January 2008

Extension of the exclusion from welfare assistance to all persons with rejected asylum applications

The extension of the exclusion from welfare assistance to rejected asylum seekers, together with an obligation to leave Switzerland, has led to particularly keen interest among the general public. Asylum seekers whose application has been finally rejected and who have been ordered to leave Switzerland are now excluded from welfare assistance. This provision has already been applied since 1 April 2004 for those asylum seekers whose application is dismissed (decision to dismiss an application without entering into the facts of the case=NEE).

These persons are under an obligation to leave Switzerland independently on the expiry of the deadline stipulated for departure. The cantons are, as before, responsible for the execution of removal. Should the persons concerned fail to comply with their obligation to leave the country and get into difficulties, they may, upon request, receive emergency assistance from the competent canton. Emergency assistance essentially

comprises food, accommodation, clothes and toiletries as well as emergency medical assistance. The level and extent of emergency assistance is to be determined in each case on the basis of individual needs. Thus account is taken of the special situation of vulnerable cases, such as minors or sick persons.

To cover any emergency costs, the cantons receive from the Federal Government a single emergency lump sum of SFr. 6000.– per rejected person. The emergency lump sum consists of a basic part of SFr. 4000.– and a compensatory part of SFr. 2000.–. The compensatory part is used by the cantons to cover any undeserved shortfalls incurred that could not be influenced by the cantons. The Conference of Cantonal Justice and Police Directors and the Conference of Cantonal Social Welfare Directors consult on the distribution of the compensatory part. The financial consequences of the exclusion from welfare assistance (development of costs) are constantly evaluated by the Federal Government and the cantons. This monitoring is developed and carried out by the FOM together with the cantons.

New system of funding in the asylum sector

The revised Asylum Act foresees a new system of funding in the asylum sector. This new system is especially aimed at simplifying the settlement of costs and has been developed in collaboration with the cantons. Social welfare costs are no longer settled on the basis of accounts submitted by the cantons but based on data recorded by the FOM in the Central Asylum Information System (ZEMIS). The cantons receive a global lump sum per welfare-dependent person per day. The level of the lump sum depends on the stage of proceedings reached. There is a lump sum of SFr. 50.– for asylum seekers and for temporarily-admitted persons as well as a lump sum of approximately SFr. 54.– for refugees.

The Federal Government reimburses the welfare assistance costs for temporarily-admitted persons for a maximum of 7 years and for refugees for a maximum of 5 years after arrival. Thereafter the cantons are responsible for the financial support of temporarily-admitted persons and refugees. The Federal Government pays the cantons a single lump sum of SFr. 6000.– towards the promotion of the professional and social integration of these persons. The objective of this measure is the swift integration of the migrant into the labour market in order to achieve his/her financial independence.

New regulations for Third-State nationals

New regulations for Third-State nationals foresee the possibility of removing asylum seekers who before filing their application have stayed in a safe Third State and can return to this country, i.e. a decision to dismiss their application without entering into the facts of their case (NEE). As an efficient execution of removal is given particular importance in the new regulations for Third-State nationals, each case is dependent on the willingness of the country concerned to readmit the asylum seeker. The new concept makes a clear distinction between safe Third States in general and those designated by the Federal Council as "safe countries", including Switzerland's neighbouring countries and, as a rule, the EU and EFTA Member States. The new regulations for Third States replace the practice of precautionary removal applied hitherto. This means that the decision to dismiss a case in application of the new legal provisions definitively concludes proceedings in Switzerland and the normal provisions of the NEE are implemented. Whenever possible, the decision is taken at one of the reception and procedure centres.

Project "special situation"

In the event of an extraordinary rise in the level of asylum seekers, the revised Asylum Act places the Federal Government and the cantons under an obligation to provide emergency accommodation, sleepins or transit centres. This scenario is described by the term "special situation".

In order to guarantee the necessary accommodation capacities, the project "special situation asylum" has been created. Should the level of 12 000 asylum seekers per year be exceeded, additional accommodation is to be provided. The mandate for the implementation of the concept "special situation asylum" was given by the FOM in February 2007. The project is to be implemented with the participation of the Federal Department of Defence, Civil Protection and Sports, the Conference of the Cantonal Justice and Police Directors and the Conference of the Social Welfare Directors as well as private partners of the FOM.

Owing to insufficient capacities within the Federal Department of Defence, Civil Protection and Sports, the original concept for emergency accommodation requires subsequent adjustment. In February 2008 the Federal Government and the cantons agreed first of all to launch a survey in the cantons. As some investigations have to be concluded at communal level, the cantons have a deadline until the end of June 2008 for the clarification of open questions. The General Secretariat of the Conference of Social Welfare Directors is to present an evaluation of the survey by the end of August 2008. Based on the results, the project organisation "special situation asylum" will decide on further steps and elaborate a solution for the necessary funding. At present the FDJP is examining, together with the Federal Department of Defence, Civil Protection and Sports, whether further emergency accommodation belonging to the army will be requisitioned; this would accordingly increase Federal Government capacity.

Asylum proceedings

Since 1 January 2008 the Federal Government has taken over full responsibility for the execution of asylum proceedings. The proceedings take place at the reception and procedure centres as well as at the FOM offices in Wabern. Under the revised Asylum Act, proceedings may also be carried out at the airports, parallel to procedures inside the country. The maximum stay of asylum seekers in the transit area may now amount to 60 days instead of 25 days as hitherto.

Access is guaranteed to legal representation at the reception and procedure centres as well as at the airport. An information sheet is handed out to asylum seekers, drawing their attention to the possibility, inter alia, of contacting a legal advisor or representative. The FOM is actively responsible for handing over this information sheet, which is subsequently confirmed in a protocol. It is thus ensured that all asylum seekers have been informed of their rights. The FOM provides asylum seekers with the means – for example, telephones or fax machines as well as address lists – of contacting a legal advisor or representative.

Under the revised Asylum Act, the FOM may detain persons in order to guarantee the execution of removal if the asylum seeker has been notified of the decision to dismiss the application in a reception or procedure centre and the execution of removal is foreseeable. Detention may last a maximum of 20 days. In contrast to the prior measure of custody pending removal, this new element is not linked to subjectively reproachable behaviour, such as the violation of a ban on entry, but to objective factors. The execution of removal is foreseeable within 20 days if the decision to dismiss the application or if the removal order has become final, the identity of the person required to leave Switzerland is known, valid travel documents are available or their acquisition within a few days is possible and the departure can be organised, i.e. if flight tickets can be acquired within a maximum of 20 days and any necessary escorts are ready for action. These conditions must be fulfilled cumulatively. In all cases the Canton of Zurich is authorised to execute this form of detention – and, if necessary, the ensuing removal.

Security accounts – changes regarding the reimbursement of Federal Government costs

The duty to reimburse and provide security deposits is replaced by a limited contractual contribution. Accordingly, each gainfully-employed person must make a contribution to the total costs incurred by all gainfully-employed asylum seekers including family members. As hitherto, employers are required to pay to the Federal Office for Migration 10 % of the relevant income, calculated according to the Old Age and Survivors' Insurance scheme. This provision applies up to a maximum amount of SFr. 15 000.– or the maximum duration of ten years after temporary admission, resp. seven years after arrival (for persons with Permit F). Young gainfully-employed persons are liable to this special contribution on 1 January of the year they reach the age of 18.

In the revised Asylum Act, confiscated assets are set off against the special contributions in full until the maximum amount resp. the maximum duration has been reached. Thereafter the confiscation of assets is no longer possible. Likewise there is now the possibility of reimbursement of the confiscated assets. Provided departure takes place within seven months after the filing of the asylum application, confiscated assets may be reimbursed upon request. As a rule, this happens on departure; in exceptional cases the confiscated amount is also paid out abroad.



3 Foreign population in Switzerland – facts and figures

3.1 Aliens sector

At the end of 2007 Switzerland's permanent resident population amounted to 7 591 400 inhabitants. At the end of December 2007 the permanent foreign population amounted to 1 570 965 persons (without 27 271 international officials and their family members, 61 028 short-term residence permit holders > 12 months and 40 653 asylum seekers).

960 785 are EU-27/EFTA nationals, 610 180 come from other countries. The number of EU-27/EFTA nationals registered an increase of 48 279 or 5.3 % in comparison with the previous year. Nationals from other countries decreased by 900 or 0.1 %. Ranked first in the Top Ten by nationality (see Appendix) is Italy with 289 589 persons (18.4 %), followed by Germany with 201 889 persons (12.9 %), Serbia with 187 365 persons (11.6 %), Portugal with 182 324 persons (11.6 %) and France with 77 433 persons (4.9 %).

The largest increase with 29 309 persons was registered in the case of German nationals, followed by Portugal (8847) and France (5899). The greatest reduction was recorded in the case of Serbian nationals (3429) before Spain (3184) and Italy (2095).

3.2 Asylum sector

In 2007 the number of asylum applications amounted to a total of 10 387; this means a reduction in comparison with the previous year by 1.4 % (-150). The number of persons in asylum proceedings (persons undergoing proceedings or execution) amounted to 40 653 persons at the end of December 2007; this means a reduction of 4216 persons in comparison with the previous year (-9.4 %) (see Appendix).

At the end of 2007 there were 5425 persons undergoing the process of execution (see Appendix); this makes, in comparison with the previous year, 2547 fewer persons (-31.9 %). A total of 3664 persons are in the process of acquiring papers; this makes 1769 fewer persons (-32.6 %) than at the end of December 2006.

9577 asylum applications were settled at first instance in 2007; this is 1594 fewer (-14.3 %) than in 2006. A decision to dismiss the case was made in 2644 cases, 1561 were granted asylum, 3289 applications were rejected and 2083 applications were withdrawn or written off.

In 2007 the recognition rate lay at 20.8 %. In 2003 it amounted to only 6.7 %, 9.2 % in 2004, 13.6 % in 2005 and in 19.5 % in 2006. This progression shows that persons who are being persecuted or are exposed to the risk of potential persecution can depend on Switzerland's protection. In contrast, persons who cannot submit any asylum-relevant grounds receive a decision dismissing their application or a negative decision with a deadline for removal unless they are granted temporary admission.

In 2007 there were 2749 temporary admissions.

The number of recognised refugees amounted to 22 901 persons at the end of 2007 (see Appendix).

3.2.1 Switzerland in an international context

As already mentioned, 10387 asylum applications were filed in 2007 (cf. Chap. 4.2.); this makes 150 fewer applications (-1.4%) than in the previous year. In the EU and EFTA Member States (incl. Switzerland) approximately 246 000 asylum applications were filed. This represents a slight increase (by approx. 8%) in comparison with 2006. Thus asylum applications throughout Europe recorded a slight rise again for the first time since 2001. At that time, however, more than twice as many persons applied for asylum in Europe. Approximately 4.2% of the asylum applications filed in Europe in 2007 fell to Switzerland.

The development in the major European target countries in 2007:

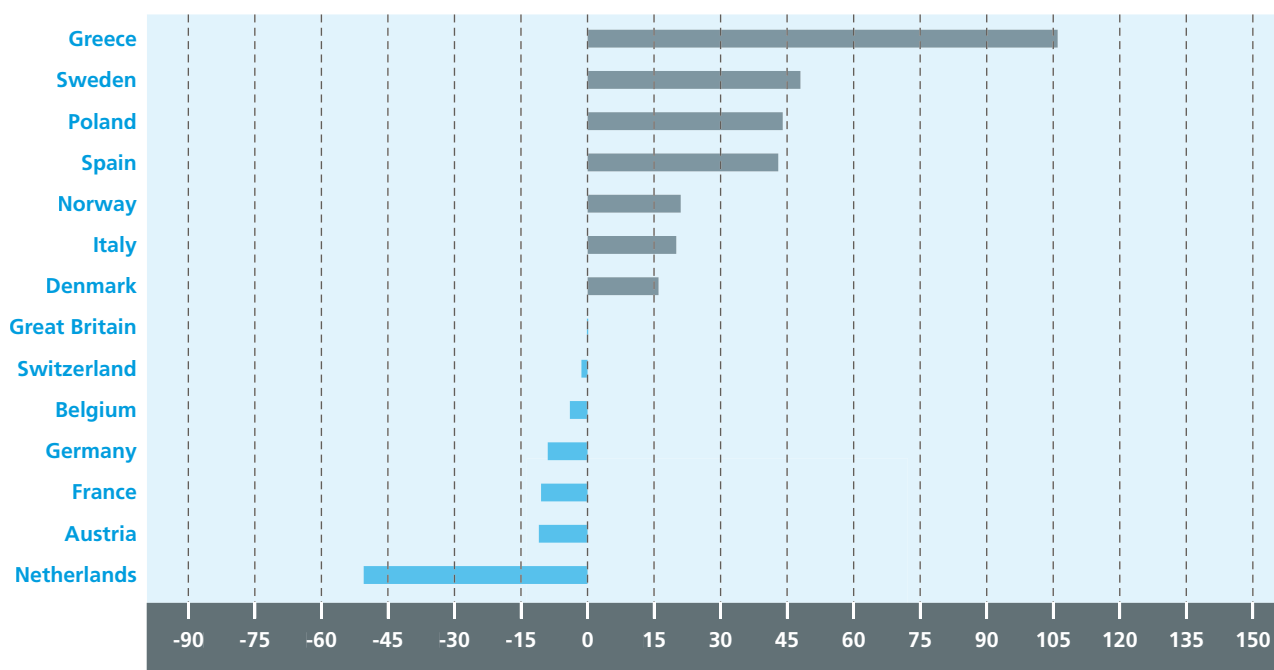
In the past year the major countries targeted by asylum seekers in Europe were Sweden (36200 applications), France (35200), Great Britain (27900), Greece (25100), Germany (19200), Italy (12300), Austria (11900), Belgium (11100) and Switzerland (10387).

The major European target countries: Comparison of the 2006 annual total with the 2007 annual total

The largest increase in the level of asylum applications was recorded by Greece, where the number of asylum applications more than doubled from 12300 in 2006 to 25100 in 2007. Greece is situated on the increasingly important migration route Turkey-Greece-South-eastern Europe/Italy-Western Europe. Owing to the increasingly strict border controls and the diminishing attractiveness of the traditional target countries, more and more people are filing their asylum applications in Greece.

Sweden also registered a considerable increase. The number of applications rose from 24300 in 2006 to 36200 in 2007. This is mainly due to Sweden's relatively generous admission policy. Together with a large Iraqi Diaspora, this has also led to Sweden becoming the most important destination of Iraqi asylum seekers in Europe. With 18559 applications in 2007, Iraqi nationals made up more than half of the asylum seekers in Sweden. By tightening its asylum practice, Sweden has made several so far unsuccessful attempts to halt the flow of Iraqis.

The development in the major European target countries varied considerably (in %)



The large reduction in the level of asylum applications experienced in the Netherlands (–50.9 %) is essentially the result of a change in the way application numbers are evaluated.

The relatively slight reduction in the number of asylum seekers in Switzerland (–4.8 %) in comparison with Germany, France and Austria (between –9 % and –13 %) can be explained by the large influx of Eritrean asylum seekers (1662 asylum applications, +461 applications).

The major countries of origin of asylum seekers in Europe

In 2007 by far the most important country of origin of asylum seekers in Europe was Iraq, with approximately 38 000 asylum applications. 935 Iraqi nationals (approx. 2.5 % of all Iraqi asylum applications in Europe) filed their applications in Switzerland. In the last months of 2007, for the first time, more people returned to Iraq than left the country. Many returnees, however, find the homes they left destroyed, plundered or occupied. Owing to the rising pressure of further migration to the neighbouring countries – in particular to Syria – there is however still a high potential for migration, also in the direction of Europe.

In second place comes Serbia with approximately 13 000 asylum applications. The number of asylum applications in Europe from Serbia has successively declined since 2002 (30 800 applications). With 953 applications, Switzerland has a relatively high proportion (approx. 7.5 %) of asylum applications filed by Serbian nationals. This is due to the fact that Switzerland is a traditional target country for asylum seekers from Serbia. Most Serbs coming to Switzerland are from Kosovo.

The major countries of origin of asylum seekers in Switzerland

In 2007 the major countries of origin of asylum seekers in Switzerland (see Appendix) were Eritrea (1662 applications, +38.4 %), Serbia (953, -22.2 %), Iraq (935, +14.6 %), Turkey (621, -10.4 %), Sri Lanka (618, +88.4 %), Romania (538, +782.0 %), Somalia (395, +44.7 %), Nigeria (310, +48.3 %), Afghanistan (307, +31.8 %) and Syria (290, +80.1 %).

An important reason for the high level of asylum applications from Eritrea is the fact that Switzerland lies on the main migration route for the Eritreans from North Africa via Italy to Western Europe. Switzerland's asylum practice, in contrast, does not significantly differ from that of other European countries.

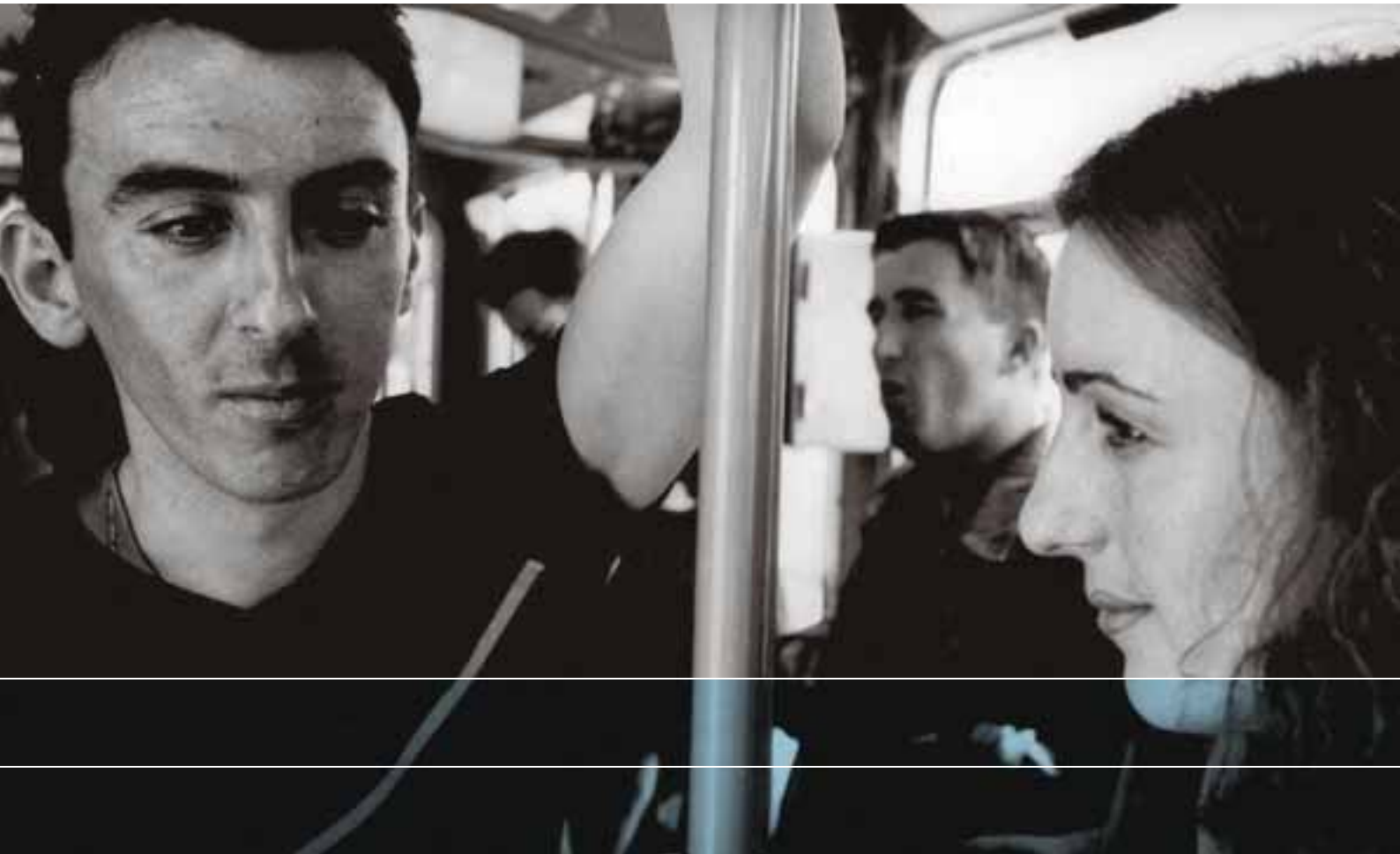
Turkey and Sri Lanka (each with a proportion of around 10 % of the asylum applications filed in Europe) are traditional countries of origin of asylum seekers in Switzerland. Whereas, following the global European trend, the number of Turkish asylum seekers registered a decline, the number of asylum seekers from Sri Lanka showed a sharp increase as a result of the further flare-up of internal armed conflict. In addition, for both countries of origin there is a relatively large Diaspora in Switzerland, which further enhances our country's attractiveness.

Romanian asylum seekers come almost exclusively from the Roma ethnicity. Within a few days last spring a relatively large group of Roma applied for asylum in Switzerland. These applications were swiftly processed; a few days later the persons concerned had returned to Romania.

For the last two years Somalia and Afghanistan have been afflicted by serious internal conflicts. For nationals from these two countries, Switzerland is one of the many target countries in Europe. Owing to the deteriorating situation in both countries, asylum applications in Switzerland and Europe have registered a general increase in the past year.

Nigeria is the most densely-populated country in Africa. A relatively high number of Nigerians leave their country – often from non-asylum motives – with the aim of building a new existence in Europe. Some of these persons try to legalise their stay in Europe by applying for asylum. As, however, representatives of these groups are not recognised as refugees in any European country, the number of asylum applications fluctuates widely in the individual target countries.

The sharpest decline in comparison with 2007 was recorded by asylum applications from Serbia (-272 applications, -22.2 %), from Russia (-231, -54.2 %), from China (-224, -47.2 %), from persons of unknown origin (-193, -60.5 %), from Bosnia (-134, -51.3 %), from Mongolia (-109, -48.9 %) and from Georgia (-88, -30.7 %).





4 **Entry** and admission

4.1 Visas

National and international factors mean that the legal provisions as well as responsibilities for issuing visas are continually subject to change. 1 January 2008 marked the entry into force of the new Foreign Nationals Act (AuG)¹ and its Ordinance on Entry and Visa Procedures (VEV)²; these replaced the existing Swiss Aliens Act (ANAG) and the Ordinance on the Entry and Registration of Foreign Nationals (VEA) respectively. The new act and ordinance do not differ substantially from the earlier legislation, with the visa still serving as proof that entry requirements³ were satisfied at the time of issue. The aim of this system is to combat illegal immigration and to safeguard law and order in Switzerland.

As a general rule, all foreign nationals require a visa to enter Switzerland. However, over time, this requirement has been lifted for a number of countries as the result of bilateral and multilateral agreements, as well as unilateral declarations and decisions. For example, nationals from most European countries and US citizens no longer require a short-stay visa.

The regulations governing responsibility for issuing visas vary depending on the purpose and length of the stay. The cantons are responsible for issuing entry visas in cases where a residence permit is also required. The Federal Department of Foreign Affairs (DFA) is responsible for special categories, such as foreign diplomats and holders of a diplomatic, service, or special passport. Otherwise, the FOM⁴ is basically in charge of all visa matters. Besides operationalising the law by issuing directives, it designates the countries whose nationals require a visa to enter Switzerland. Over 90% of visa applications are handled in accordance with FOM guidelines by the Swiss representations abroad. However, the FOM can partially or completely revoke this power for a number of reasons, for example on political or security grounds.

Every year Switzerland issues over 500 000 visas (542 168 in 2007).

Certain changes will have to be made to the short-stay (maximum of three months) visa procedure when the Schengen Agreement comes into effect. By adopting the same visa policy as that of Schengen countries⁵, Switzerland will also have to adopt the list of countries whose citizens require a visa to enter the Schengen area. Other EU rules which will affect Swiss entry and visa procedures include the Schengen Border Codes and the Common Consular Instructions. Furthermore, the Schengen Agreement means that Switzerland must link up with the joint visa information system (VIS); this will require a number of technical adjustments at national level.

¹ SR 142.20

² SR 142.204

³ Art. 5 AuG

⁴ Art. 21 – 24 VEV

⁵ *Individual cases, such as diplomats, are always exempt. The Federal Government may independently conclude agreements with other countries in this sector.*

4.2 Admission of foreign nationals

In terms of admission procedures, the FOM is responsible for the first-time admission of foreign nationals. It is important to make a distinction between two types of stay: one with gainful employment and the other without. The Entry and Admission Division of the FOM is in charge of regulating these stays. As far as stays for purposes other than gainful employment are concerned, a further distinction must be made between short stays (maximum of three months) which are not subject to visa requirements (e.g. tourism, visiting or business), and longer stays which do require a visa.

Generally speaking, the cantonal migration offices are responsible for the administration of stays requiring a visa. In some instances, cantonal permits allowing stays for purposes other than employment must also receive prior approval from the FOM. These include stays by students, senior citizens and foster children. During the authorisation procedure the Entry Division also decides on whether to grant dispensations, as allowed for in the Foreign Nationals Act and the supplementary Ordinance on Admission, Stay and Gainful Employment (VZAE). People who may be granted dispensation include those in grave personal distress, i.e. hardship cases, those who should be admitted if it is in the overriding public interest, and human trafficking victims or witnesses. Such a decision presupposes cantonal approval.



5 Asylum procedure

5 Asylum procedure

The Asylum Procedure Directorate at the FOM handles asylum applications submitted in Switzerland or to a Swiss representation abroad. In 2007 its 190-strong staff focused on performing its core tasks and to meeting the targets it had set for that year, namely the accelerated, yet still legally compliant handling of new as well as pending asylum applications. To ensure that it reached its targets and to optimise its use of all available human and financial resources at the various locations of the Asylum Procedure Directorate, new application categories and eligibility rules were defined as part of the staff's workload management.

Besides handling asylum applications and participating in various projects, directorate staff also dealt with the following four main issues during the course of 2007:

5.1 Country analyses

The situation in the country of origin must be constantly monitored during the process of examining individual applications in order to fully understand why individuals have fled and sought asylum in Switzerland. Based on situation analyses carried out by Asylum Procedure Directorate staff, comprehensive situation reports were produced in 2007 on the asylum and removal practices of Iraq, Sri Lanka and Afghanistan.

Over the last two years Switzerland has observed a sharp rise in the number of asylum seekers from Eritrea. In 2006 and 2007 the majority of asylum seekers were Eritrean nationals, who claimed to be deserters or draft evaders. Given the steady rise in both new and pending cases as well as an ever-growing number of positive asylum decisions, directorate staff decided to focus on Eritrea-specific asylum application and practice trends in 2007. As part of an existing project and in close co-operation with other federal departments and offices, a range of measures aimed at making Switzerland less attractive to Eritrean deserters and draft dodgers and at preventing those already in other European countries making their way to Switzerland were subjected to an intensive review. Throughout this work, staff considered the decision-making practices of the Federal Administration Court as well as the worrying human rights situation in Eritrea.

5.2 Quality action plan

The decision by directorate staff on whether to grant asylum or not has wide-reaching implications for the asylum seeker. This is why it is of vital importance to guarantee the quality of the assessment procedure. Consequently, in early 2007, work began on producing a comprehensive "Quality Action Plan for the Asylum Procedure Directorate", aimed at ensuring the continued observance and further development of existing quality assurance standards. The action plan is divided into four sub-projects. The first concerns quality principles and the creation of a quality charter for all directorate staff members. The second deals with the development of effective quality assurance instruments. The third focuses on the design of training measures needed to guarantee the quality of all directorate activities. The fourth and final sub-project focuses on improving situation management by gathering documentation on country-specific practices. These four sub-projects will be gradually implemented during 2008. This action plan goes hand in hand with the constant adoption of measures aimed at guaranteeing the quality of directorate products and processes, even when circumstances change rapidly.

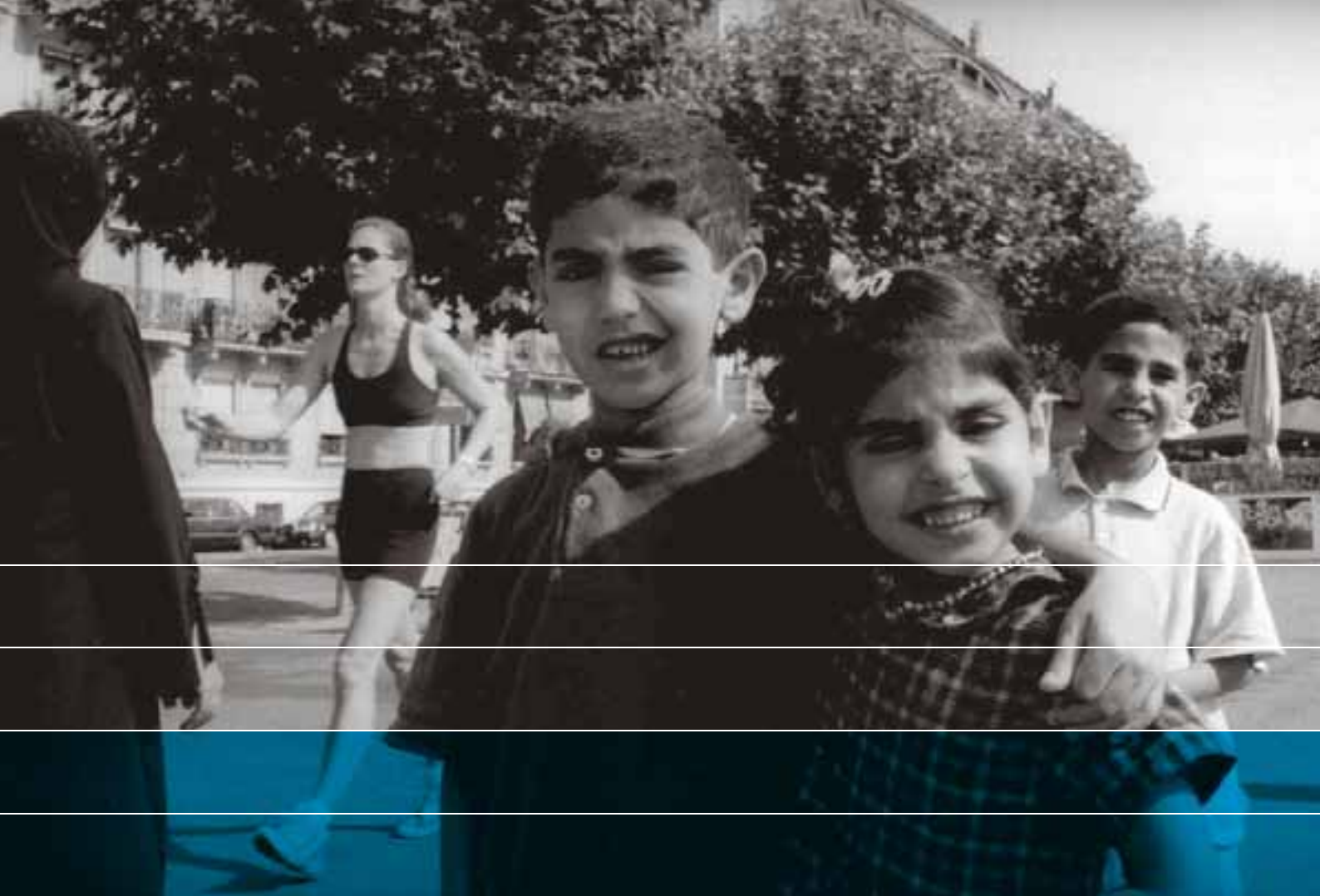
5.3 Implementation of the revised Asylum Act

A further priority for directorate staff in 2007 was the implementation of the revised Asylum Act and new ordinance, both of which entered into force on 1 January that year. At the same time, intensive work began on preparing each area of the revised Asylum Act (scheduled entry into force – 1 January 2008). This was a lengthy and resource-intensive process. The implementation of the decision to hand over sole responsibility for all asylum hearings to the FOM placed a particularly heavy burden on directorate staff. This measure is therefore tantamount to a paradigm shift since it will signal the end of the long-standing co-operation between the cantons and the FOM with regard to asylum hearings.

5.4 Roma asylum seekers

In early 2007 asylum applications from Romania quite literally soared. In the first half of the year alone, over 500 Romanians formally sought asylum in Switzerland (see Appendix); most were ethnic Roma. There were several reasons for this steep rise in applications, such as the tough social and economic difficulties faced by the Roma. In addition, these asylum seekers also stated during asylum proceedings that they had sought asylum in Switzerland because they had heard about the good quality of life here and that they would also be given assistance to return home. The FOM therefore decided that EU nationals would no longer be entitled to assistance to return home. In May 2007 around 150 Romanian asylum seekers voluntarily decided to return to their native country. In June 2007 a further 120 followed suit. The FOM and the International Organisation for Migration (IOM) jointly arranged a charter plane to fly the group back to Bucharest. In subsequent months Switzerland received only a few isolated asylum applications from ethnic Roma.





6 Residence

Regulations governing hardship cases

Since 1 January 2007 the law and practice distinguish between three types of hardship cases:

Persons who are in Switzerland without valid residence documentation may apply to the cantonal authorities for the recognition of exceptionally grave hardship cases. If the canton is prepared to grant a residence permit, the FOM must first check whether the personal circumstances of the applicant justify exceeding the foreign workforce quota. Although the necessary legal provisions were already in place, they are now legally enshrined in the new Foreign Nationals Act, which entered into force on 1 January 2008 (Art. 30 AuG).

Since 1 January 2007 temporarily-admitted foreign nationals who have been living in Switzerland for more than five years can apply for a residence permit from the canton in which they live. If the canton agrees to issue a residence permit, the FOM must check whether the applicant meets the corresponding requirements (exceptionally grave hardship cases owing to advanced integration). Since 1 January 2008 this provision is now legally enshrined in the Foreign Nationals Act (Art. 84 para. 5).

3395 persons who were provisionally admitted to Switzerland were granted a residence permit in 2007. As of 1 January 2007 persons who have applied for asylum in Switzerland and have been living here for five years may be granted a residence permit according to regulations on hardship cases, but only under certain conditions and with the prior agreement of the residence canton (Art. 14 para. 2 Asylum Act (AsyLG)).

800 persons were awarded a residence permit in 2007 on the basis of the regulations on hardship cases enshrined in the Asylum Act. Since 1 January 2008 the conditions for the recognition of exceptionally grave hardship cases were harmonised in the Foreign Nationals Act, viz. in Art. 31 Ordinance on Admission, Stay and Gainful Employment (VZAE).



7 Gainful employment

7 Gainful employment

In the 2nd quarter of 2007 foreign nationals accounted for 26.2 % of the working population in Switzerland, reflecting the importance of foreign workers for the Swiss economy. Individual sectors, such as construction, the catering branch and manufacturing, rely heavily on workers from abroad. Without them the economic development of peripheral regions would not have been possible.

It is not only the quantity but also the quality of the workforce which helps promote robust economic growth. Supply-side shifts (particularly those due to demographic changes), greater economic demand and structural changes in certain sectors linked to innovation and product development may lead to labour shortages. This can exert a higher pressure on wages, which in turn fuels inflation. Furthermore, labour shortages cast a shadow over economic development and growth, two key factors for the future of the Swiss social insurance system and the prosperity of the country as a whole.

7.1 Employment: Number 1 reason for immigration

48.4 % of foreign nationals who immigrated to Switzerland in 2007 (14.4 % with permits subject to quotas, 34.0 % with permits not subject to quotas) did so for employment reasons, compared to 32.3 % for family reunification, thus making employment the top reason for immigration (see Appendix). Over the last 10 years there has been a quantitative rise in employment-related migration, from 34.5 % in 2005 to 37.4 % in 2006.

7.2 Migrant workers key to a healthy Swiss economy

Both the quality and quantity of the migrant workforce are of crucial importance to the Swiss labour market. For example, every fourth job is filled by a foreign national. Employed in all manner of functions and at all levels, the foreign workforce is highly valued in Switzerland. Often working in key posts, they help ensure that Swiss firms remain competitive in an increasingly globalised market. To guarantee the future health of the national economy, Switzerland will continue to rely on migrant workers.

Access to the Swiss labour market for persons from non-EU or EFTA countries (referred to as "Third States") remains restricted to specialists, executives and other skilled workers. However, they must first satisfy several criteria (quotas, priority given to the native workforce, controls of wage and working conditions). This means that where EU/EFTA Member States are unable to meet Swiss labour market demands for skilled workers, it can be met flexibly by Third States despite the entry restrictions.



7.3 Access to the Swiss labour market in 2007: IT top of the list

The 2007 statistics on access to the Swiss labour market reflect the objectives of Swiss migration policy (preferential access for skilled workers, and only where the labour demand cannot be met at home or by EU citizens). The majority of work permits were granted in the IT sector, a field which requires considerable know-how and thus a highly skilled workforce. This

figure has trebled in recent years: since 2004 it has risen from 551 to 1403 (these figures do not cover authorised stays for up to four months, as these are not subject to quotas). Likewise, a similar trend can be observed in the banking and insurance sector, which reported the second highest number of permits granted to Third-State nationals in 2007. The total number of permits issued in this sector doubled during the 2004–2007 period, from 341 to 735. Although considerably lower, there was also an above-average rise in the demand for labour from the chemical industry. However, in the health sector where the impact of the (extended) free movement of persons is felt most keenly, the overall number of permits has remained largely stable or, in some instances, has fallen

slightly. This does not mean that labour demand has remained stable, but rather that the health sector now has more opportunities to recruit staff from EU countries. All in all, these figures reflect the general economic upturn observed in Switzerland during 2007, which has led to a greater demand for highly-skilled workers. It comes as no surprise then that this weighting largely reflects the share of these sectors in the Swiss gross domestic product.

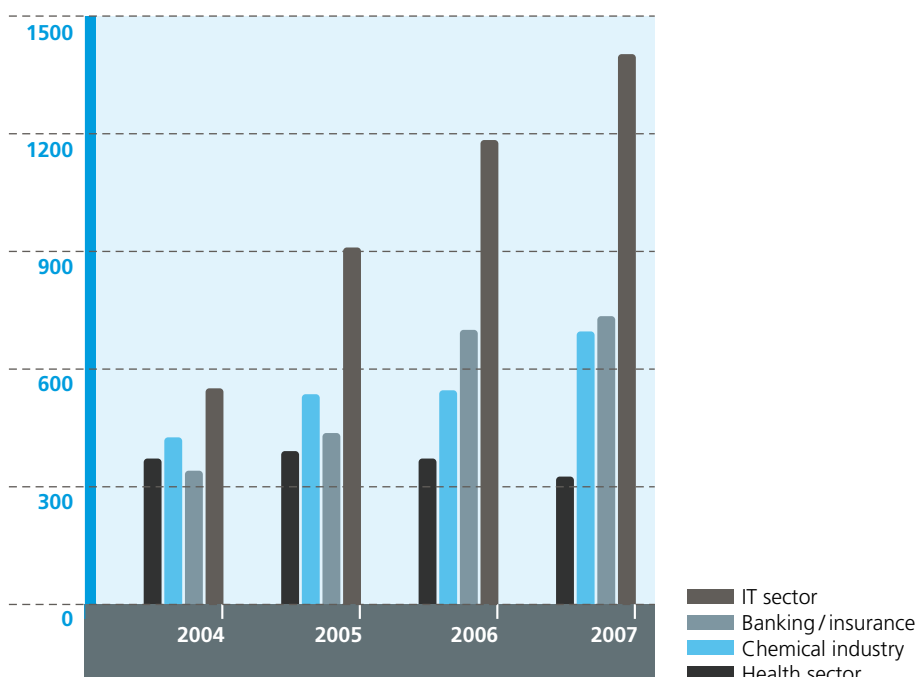


Table 1: Access of nationals from Third States to the labour market, by sector (Source: FOM/APA)

7.4 Access to the Swiss labour market in 2007: Indian nationals top of the list

Developments in various economic sectors have had a bearing on the nationality of workers who have been granted Swiss work permits. The strong rise in the number of permits granted in the IT sector has led to an increase in the number of Indian nationals coming to work in Switzerland; this is in line with the general trend observed in this sector. The admission of workers from the United States (which was in first place until 2005) and from Canada have remained stable in recent years and only began to rise again in 2007 (primarily due to the higher number of work permits granted in the chemical industry and banking sector). During the 2003–2005 period, the number of Chinese nationals rose significantly; they are employed in a number of sectors, e.g. health, catering, banking and insurance, and research.

7.5 Swiss social security system

Given their favourable structural characteristics, such as age, family and participation rate, foreign workers make a considerable contribution to the funding of the Swiss social security system. However, the participation rate of the foreign population is falling, placing an above-average burden on the social security system (esp. the unemployment and disability insurance schemes). Given its increasing focus on attracting highly skilled workers from Third States, the Swiss labour market and migration policy can be considered a driver of economic growth and guardian of the Swiss social security system.

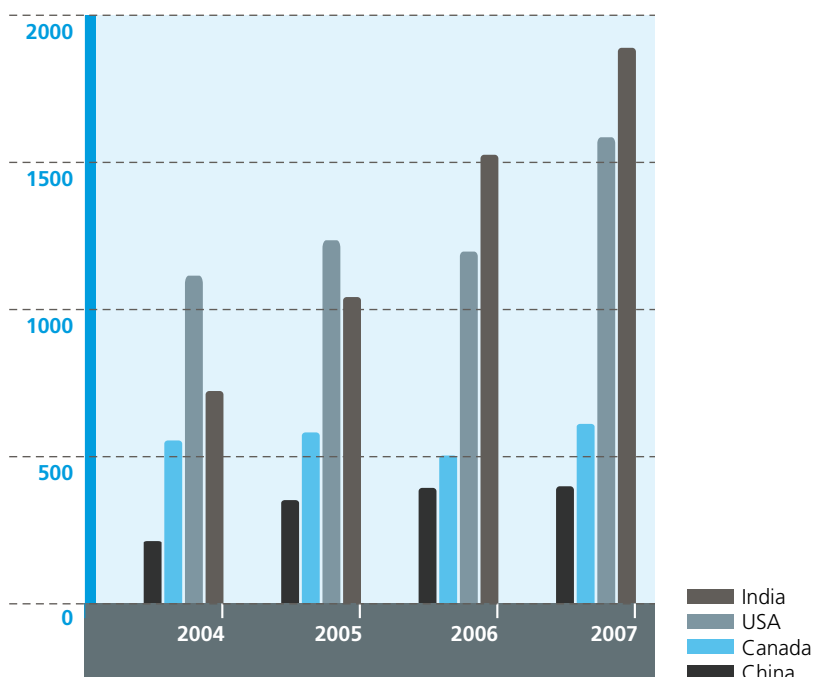


Table 2: Access to the labour market by nationality (Source: FOM/APA)



8 Integration

8 Integration

By setting out the objectives and principles of integration in federal legislation, the new Foreign Nationals Act brings much-needed change to this area. Integration is defined as a reciprocal process involving both Swiss and foreign nationals. It requires foreign migrants to respect the values of the Swiss Constitution, to abide by the national laws and to make efforts to integrate, particularly by learning a national language. The Swiss population, for its part, is required to show openness and a willingness to accept the migrants. Integration is deemed successful when the foreign national is able to enjoy the same opportunities as Swiss citizens from a similar social background. In 2006 the FOM conducted a comprehensive survey to ascertain the areas of life in which migrants already enjoyed equal opportunities as well as to pinpoint sectors where there are integration problems. 11 areas were investigated and the findings published in the "Integration Report". It showed that the integration of foreign nationals in Switzerland has been by and large successful, even though some of the statistics appeared to show otherwise. Particular problem areas were vocational training, labour market integration, as well as health and public safety. Generally, poor language skills and the communication difficulties they cause have serious repercussions for migrants and affect all areas of their lives.

On 30 August 2006, in light of the survey findings, the Federal Council commissioned the federal departments to investigate how these problems could be resolved in their various spheres of responsibility. Then, on 22 August 2007, based on the preliminary findings it received, the cabinet approved a package of 45 measures aimed at promoting integration. These will rely

essentially on existing structures and be applied jointly by all federal offices, cantons, communes, social partners and civilian organisations. Priority was given to the development of integration measures in the areas of language acquisition, education and work. The second priority was given to a project aimed at promoting social integration in residential areas. Finally, a number of measures were put forward involving sports, health, social security and the combat of racism. These measures are targeted primarily at young foreign nationals who are likely to stay in Switzerland in the long term. The offices have both the legal bases and funding to implement most of these measures.

8.1 Integration measures

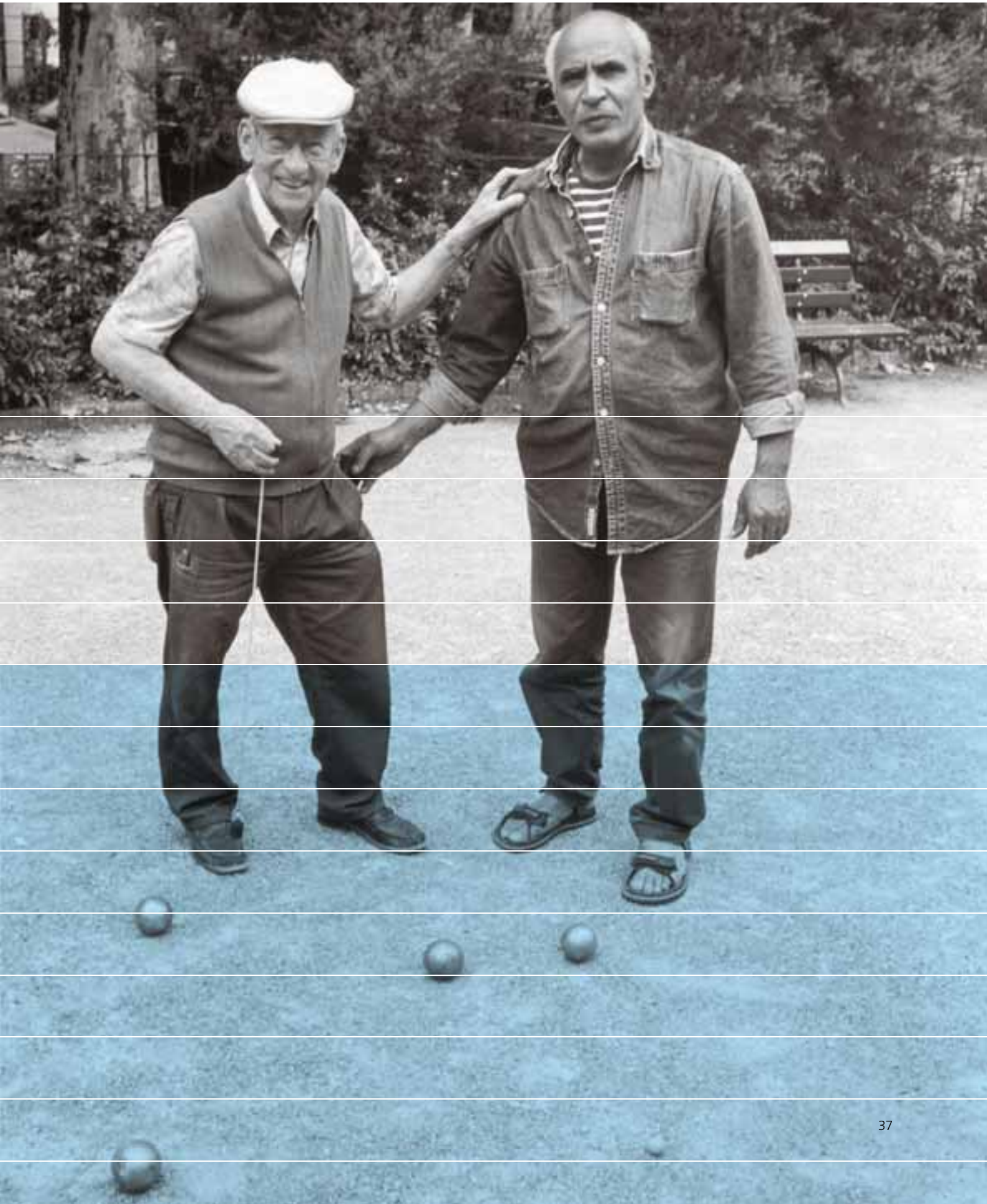
Language acquisition is a major concern since many integration problems are ultimately due to poor language skills. In terms of education and employment, the first priority is providing those concerned with more resources (introduction of measures to promote vocational qualifications), strengthening their resolve, and facilitating the recognition of previous educational qualifications or offering them more opportunities to become better educated. To this end, a global strategy is to be defined with the collaboration of the cantonal employment services to help improve the basic qualifications (reading, numeracy, computer skills and problem-solving skills) of unskilled job seekers; this should boost their employability. In terms of education, the "case management" instrument should provide young people with the necessary help from a very early stage. It could be used as early as the 7th class (13–14 year olds) and would continue until the young person is ready to enter the job market. By individually examining each case, the use of case management would allow the introduction of measures that are tailor-made to the given circumstances. This service is to be open to all young people seeking an apprenticeship. Given that they have often accumulated various shortcomings and have had difficulty making the transition to vocational training, there are an above-average number of young people from migrant backgrounds who could benefit. Furthermore, school leavers are to be supported in their search for employment.

An approach with a purely individual focus will only be successful if it is also to combat discrimination at the same time. A significant step in this direction comes with the Agreement on the Free Movement of Persons (AFMP), which was concluded by the 15 "original" EU member states, as well as Cyprus and Malta, and has been fully effective since 1 June 2007. It makes the principles of legal equality and equal opportunities a basic prerequisite for integration. Another measure concerns the recognition of existing educational qualifications. The skills and experiences gathered outside standard education programs are to be assessed and where necessary taken into account, either by the award of a partial certificate or by a reduction of the time spent on training in Switzerland. Migrants will be the main beneficiaries of this measure. Companies, too, should be more aware of discrimination against foreign workers and of the use of diversity management. More detailed information on the planned measures can be found online in the "Integration measures report" and its appendix "Package of measures".

The Integration Section within the Federal Office for Migration co-ordinates and monitors all measures taken to promote integration. Since many use existing structures, it is difficult to put a figure on the additional financial burden of these new measures for the state.

Considered as a multidisciplinary task, integration measures are to be implemented through the use of existing structures. However, special measures may be taken where necessary. The FOM can grant funding for programs aimed at promoting integration, such as projects to improve foreign language skills, to provide foreign nationals with information pursuant to Art. 56 Foreign Nationals Act, or to promote peaceful coexistence. In this sense, integration promotion concurs with FDJP priorities. In 2007 a budget of SFr. 14 million was earmarked for such projects. The same amount has been made available for 2008. Finally, the FOM also encourages the development of integration measures. It is also entitled to launch and fund its own innovative pilot projects to gather information that could be provided and applied nationwide. In 2006/2007, for example, the FOM carried out a study which looked at the employment status of refugees and individuals who had been temporarily admitted to Switzerland.

All the measures that have been taken in recent years by the FOM, by other federal offices as well as by cantonal and communal agencies, will not amount to much unless employers' and employees' associations, private institutions, especially foreigners' organisations, as well as private individuals, join forces to collectively promote integration. The largely successful integration of foreigners in Switzerland is due to the myriad efforts made by not only the state, but also the economy and civil society.



8.2 Integration of refugees and temporarily-admitted persons

Even though their status as temporarily-admitted persons implies that migrants will stay in Switzerland only provisionally, most remain here for several years or end up by settling here permanently. The revised Asylum Act has since created more favourable conditions for the integration of foreign nationals. It is now easier for temporarily-admitted persons to gain access to the labour market. They are now also allowed to bring their families to Switzerland insofar as they have lived here for three years and should also benefit from integration measures. At the same time, new regulations have been introduced for hardship cases in the asylum sector. With prior approval from the Federal Office for Migration, the cantons may grant a residence permit to persons who have been living in Switzerland for a period of five years and have become well integrated.

In future, the federal and cantonal authorities will take over responsibility for promoting the integration of refugees and temporarily-admitted persons from the Swiss Refugee Council (OSAR). In accordance with the revised Asylum Act, the Federal Government will make a one-off payment to the cantons for persons who have been temporarily admitted to Switzerland since 1 January 2008; these funds will be used primarily to improve their professional integration. To further aid integration, a lump sum of SFr. 6000.– will also be paid out for every person who is temporarily admitted to Switzerland and for every recognised refugee.

Since 2005 a priority of the Federal Office for Migration has been the improved professional integration of temporarily-admitted persons and refugees. The initial results from the short-term measures introduced to this end are encouraging. In 2006 the FOM provided SFr. 3 million in funding for 33 projects in 19 cantons, aimed at helping temporarily-admitted persons and recognised refugees to find a job. Given the vastly different levels of skills and language proficiency of the

participants, the range of solutions had to be wide in scope, too. While some projects focused almost exclusively on training, coaching and job placement, others focused on coaching, job placement and recruitment; a third type of project dealt with assessments and job placements. 341 found work, placing the overall employment rate of the 867 participants at around 40%. The catering branch, by far the largest sector, took on around 36% of all job seekers. A further 7% of participants retrained. Many of the other participants opted for daily courses or received additional help with finding a job. Around two-thirds of funds were used for temporarily-admitted persons, while one-third went on projects to promote the integration of recognised refugees. These projects were co-ordinated jointly by the cantons and OSAR. Existing structures and the experiences gathered during these projects, not to mention efficient co-operation between all the services concerned, have provided a solid foundation for the short-term development of new programs based essentially on existing projects. In 2007, the FOM earmarked a further SFr. 3 million for these projects.

8.3 Pilot projects

In autumn 2006 the FOM launched three projects together with business associations as well as training and employment program providers. These received a great deal of media attention and became known as “Refugee traineeships”. The “Logistics training” project, held in Marly (canton of Fribourg) under the auspices of the Swiss Association for Vocational Training in Logistics, was aimed at offering the ten participants a basic introduction to logistics and enabling them to find some work experience, after finishing the 45-day course. After three months’ supervision, participants were helped to find a job in this field.

As part of the “Overall” project held in Basel, 23 refugees were trained over a period of nine months in various fields, including construction, catering, housework and sales. Following three months’ supervision, the project participants went on to find jobs in their chosen field. The “Riesco” project held in the Lucerne suburb of Emmenbrücke enabled 15 refugees to acquire housekeeping, as well as cooking and service skills over 220 training days. These classes, given by the Hotel & Gastro Formation Weggis, were intended to help participants find a job in the catering branch.

All three projects were not concerned solely with dispensing specialist know-how. They also focused on the acquisition of personal skills, such as perseverance and time keeping, practical skills such as planning and working methods, as well as social skills and job application strategies. The three pilot programs have since finished and are currently being evaluated. The FOM intends to publish their conclusions and evaluation findings. The cantons, for their part, will issue a statement on the relevance of these professional integration projects for refugees.

8.4 Controlling

Corresponding to the 2006 general report on the integration of foreign nationals in Switzerland, the FOM has carried out a comprehensive survey of the situation with regard to recognised refugees (“B Refugees”). Thanks to close co-operation with the cantons, communes and the relief organisations, the FOM has gathered a wealth of information on labour market access, training, language skills, as well as the health and social integration of refugees. It subsequently issued a series of recommendations which would provide the basis for discussions with the cantons responsible for implementing integration measures; these will also help design or reformulate future measures. The report is available on the FOM website.



9 Naturalisation

9 Naturalisation

The rise in the number of naturalisations granted over the last few years reflects the fact that many foreign nationals have happily settled in Switzerland. Of the 45 042 people who obtained Swiss citizenship in 2007, 77 % (i.e. 34,879) did so via the regular proceedings. 9987 candidates benefited from the facilitated proceedings due to the fact that they were related to a Swiss citizen. An additional 176 people were renaturalised. Serbian nationals accounted for the largest group of new Swiss citizens in 2007. They were followed by migrants from Italy, Turkey, Bosnia-Herzegovina, Macedonia and Sri Lanka, in that order.

According to the Swiss Federal Statistical Office, the proportion of children and young people awarded Swiss citizenship rose steadily, from 28 % in 1990 to around 40 % in 2006. Around 70 % of under-19s who were granted Swiss citizenship were born in Switzerland. More young women tend to apply for Swiss citizenship than young men.⁶ Since Germany now allows its citizens to hold dual nationality (since August 2007), the number of German nationals requesting information on Swiss naturalisation conditions from the FOM has soared. It will probably lead to a rise in Swiss citizenship applications from German nationals. The same phenomenon was observed back in 1992 when Italy allowed its citizens to have dual nationality; in subsequent years the number of new Italian nationals who were granted Swiss citizenship tripled.

Naturalisation is also a serious political concern, as shown by the many parliamentary motions, not to mention the popular cantonal and federal initiatives. Most demand stricter requirements and a greater say of the Swiss population in the granting of Swiss nationality. In spring 2007, the FOM submitted its "Report on outstanding questions with regard to naturalisation" to the Federal Council. The report contains the following recommendations:

- In terms of regular naturalisation, the cantons are recommended to simplify and tighten up their procedures. Furthermore, efforts should be made to clearly define federal, cantonal and communal responsibilities. Both these measures will increase efficiency and reduce costs.
- Swiss citizenship obtained abusively is to be revoked within eight years instead of the current five years. A parliamentary initiative which is currently in abeyance pursues the same objective.
- Negative naturalisation decisions must be justified. The Pfisterer parliamentary initiative, which also covers this issue, has received the backing of the Federal Council.
- The report recommends that the current right to dual nationality is to remain unchanged and that multiple nationality should continue to be recognised.
- The cantons have considerable room for manoeuvre with regard to facilitating the naturalisation of young second- and third-generation foreign nationals without, however, infringing on the minimum requirements of federal legislation.

In March 2007 the Federal Council issued two recommendations based on the report's findings. First, it advised cantons to change their current regulations on dual nationality in the sense set out in the report. Second, it recommended that the cantons harmonise their statutory residence periods, which would then be written into the federal legislation. This report is also available on the FOM website.

⁶ Werner Haug, Marcel Heiniger, Sylvie Rochat (2007): *Kinder und Jugendliche mit ausländischem Pass in der Schweiz, Neuchâtel: Swiss Federal Statistical Office, p. 23.*



10 Measures to remove foreign nationals or ban their admission

10 Measures to remove foreign nationals or ban their admission

At the behest of the cantons, the Entry and Admission Division of the FOM may temporarily or indefinitely ban the admission of foreign nationals who have contravened public law and order or risk doing so (Art. 67 AuG), thereby preventing the entry of undesirables on Swiss territory. This constitutes an administrative measure rather than a legal sanction. Persons subject to this ban may not cross the Swiss border without the explicit permission of the FOM (Art. 67, para. 3 and 4 AuG). The FOM may issue this ban either on its own initiative or following a request made by another authority.

The contravention of public security, in the sense provided in the previous paragraph, concerns the serious or repeated violation of legal provisions or decisions issued by the authorities, or the non-fulfilment of obligations enshrined in public or private law. This is also the case where individual acts alone do not justify the application of such a measure, but the fact that they have repeatedly occurred indicates that the person concerned is unwilling to respect public order. An entry ban may therefore be issued as a preventive measure, if a person has committed a crime abroad and if this crime is linked in some way with Switzerland. Every year the FOM issues over 12 000 bans on entry.



11 Return

11.1 Removals

The Repatriation Division at the FOM assists the cantons in the removal and expulsion of foreign nationals (pursuant to the Asylum and Foreign Nationals Acts). Its work involves obtaining the necessary travel documents to remove such persons and organising their return. When seeking asylum, very few applicants supply valid identity or travel documentation. In addition, most of those who are forced to leave are reluctant to help the Swiss authorities obtain the necessary substitute travel documents and refuse to disclose their true identity or home country. This situation is exacerbated by the fact that certain countries show a certain unwillingness to readmit their citizens. When they do agree, these countries often make repatriation subject to certain conditions or services in return. If necessary, the Repatriation Division organises special flights for persons who are forced to leave the country but who resist or are prepared to resort to violence.

11.2 Tougher coercive measures

Following the entry into force of the Foreign Nationals Act on 1 January 2007, tougher coercive measures were introduced with the aim of tackling asylum and migration abuse more effectively. The maximum period of administrative detention was doubled, from 12 to 24 months (foreign nationals may now be detained for up to 6 months during the preliminary stage, and for up to 18 months following the decision to deport them). Minors aged between 15 and 18 may be detained for a maximum period of 12 months.

On 1 January 2008 a new type of detention came into force, namely detention as the result of non-compliance with official orders. (Art. 78 AuG). If a foreign national fails to comply with the order to leave the country within the designated deadline and if his/her behaviour means that they cannot be returned or expelled, he/she may be placed in detention. Such action is taken only when custody pending removal is not permitted or when more moderate measures fail. Detention due to non-compliance with official orders may not exceed 18 months; the total detention period (i.e. time spent in preliminary detention, custody pending removal and detention due to contempt) may not exceed 24 months.

Tougher coercive measures also include

- Detention during the official decision-making process or while the authorities establish the identity and nationality of the applicant; maximum duration 3 days;
- Detention with a view to the return of the asylum seeker from a reception centre when the application has been dismissed and that departure is imminent; maximum duration 20 days and
- Detention due to non-compliance with official orders where the applicant cannot be deported due to a failure to help the authorities obtain the necessary documentation; maximum duration 60 days.

As of January 2008 the FOM and the cantons will jointly evaluate the effectiveness of these measures.

11.3 Readmission agreements

To date (end March 2008), Switzerland has concluded 42 readmission agreements with 45 countries, most of which are EU Member States. The FOM is currently in negotiations, or holding preliminary discussions, with a further 20 countries. However, it is not always judicious to conclude formal readmission agreements with a country. This means that other solutions must be sought. Since 1 April 2006, the FDJP may now conclude agreements on the organisational aspects of repatriation (incl. return and reintegration assistance). Two such negotiations have already been concluded with Guinea and Sierra Leone.



11.4 Return assistance

The FOM works alongside the Swiss Agency for Development and Co-operation (SDC) in the Interdepartmental "Return Assistance" Steering Group (ILR) on return assistance programs. Currently, the main focus of its work is the Balkans, the Caucasus and West Africa. Together with the International Organisation for Migration (IOM), the FOM offers 10 return assistance programs for 19 countries.

Since 1 April 2006 reception centres can also offer return assistance programs. Asylum seekers in a reception and procedure centre, in a federal transit centre, or in an airport transit area, can request assistance regardless of whether their return is voluntary or forced. However, return assistance is not open to citizens from EU or EFTA countries. The role of the reception centres is to identify (from the early stages of asylum proceedings) applicants willing to return home and to oversee their repatriation. This constitutes an alternative to staying illegally in the country once their application has been officially dismissed.

All forms of return assistance are open to everyone in the asylum sector, including those whose application was dismissed or whose deadline for departure has expired. Every month around 130 people voluntarily return to their home country.

Art. 60 of the Federal Act on Foreign Nationals (AuG) also makes it possible to offer return or reintegration assistance to foreign nationals who have not sought asylum but have been victims of human trafficking or have left their home country in extreme circumstances, such as during a civil war.

Besides the local provision of structural assistance, the planning of new programs abroad pay greater attention to the issue of preventing illegal migration (Art. 93 AsylG). For example, funding is given to projects aimed at the introduction and use of reception structures for illegal migrants (e.g. in Serbia).





12 International co-operation

12.1 Migration partnerships

Growing pressures in relation to migration policy have led to the recognition of the need for countries of origins, as well as transit and host countries, to work together on the risks and opportunities associated with migration. Countries could make an invaluable contribution by entering into real dialogue on migration, as this would enable them to carry out an objective analysis of all ensuing problems and to seek appropriate solutions. All parties involved would benefit because such dialogue would lead to the identification of the positive impact of migration as well as help curb its negative effects. The principle of migration partnerships is set out in Article 100 Foreign Nationals Act⁷. According to the terms of this article, the Federal Council is responsible for promoting bilateral and multilateral migration partnerships. It can conclude agreements aimed at strengthening co-operation in relation to migration as well as preventing illegal migration and minimising its negative repercussions.

The committee responsible for country-specific migration strategies (“Länderstrategie Migration”) within the interdepartmental migration working group (IAM) is currently involved in the creation and introduction of such migration partnerships. The aim of one of its first projects is a comprehensive and uniform approach to the entire Balkans region. The migratory pressure which the West Balkans has exerted over the years as well as its large Diaspora has been a major concern for Swiss migration policy.

A delegation from the Interdepartmental Steering Group on Return Assistance (ILR)⁸ has held preliminary talks with Kosovo and in Bosnia-Herzegovina concerning the possible creation of a migration partnership between Switzerland and the West Balkans⁹. These involved discussions on current and future structural assistance projects in terms of migration dialogue, i.e. the clarification with the relevant ministers and authorities on what is actually needed. During these discussions Swiss representatives also voiced their own national interests. Promoting voluntary return continues to be a highly important issue.

⁷ Previously Art. 25b Swiss Aliens Act (ANAG)

⁸ The Interdepartmental Steering Group on Return Assistance is jointly chaired by the Federal Office for Migration (FOM; FDJP) and the Swiss Agency for Development and Co-operation (SDC; DFA). The group also has representatives from the IV policy department of the DFA and from the IOM. (International Organisation for Migration).

⁹ Based on the Balkans 07–09 strategy (Kosovo, Montenegro, Bosnia-Herzegovina and Serbia) passed by the Federal Council.

12.2 Schengen/Dublin

The Schengen and Dublin Association Agreements (SAA and DAA respectively) were signed on 26 October 2004 and were approved by the Swiss electorate on 5 June 2005. While Switzerland ratified both agreements on 20 March 2006, the European Union has yet to do so. When it met in session on 15 June 2007¹⁰, the Federal Council decided that, in light of the temporary solution concerning the missing persons and objects database, the SAA and DAA should enter into effect on 1 November 2008.

In terms of migration, the Schengen/Dublin Association Agreements imply that signatory states make greater efforts to combat illegal migration, as well as to promote and facilitate legal migration. It also means that Switzerland will have to take part in the system to detect multiple asylum applications and to determine the country responsible for examining an asylum application.

The implementation of the Schengen and Dublin acquis as well as the corresponding changes¹¹ in terms of migration was the focus of a project conducted by the FOM in autumn 2005. Of particular relevance¹² to the FOM are the Schengen Borders Code¹³, the External Borders Fund¹⁴ and the use of biometrics in both foreign identity cards/passports and the travel documentation of foreign nationals. On 24 October 2007 the Federal Council approved the bill on the authorisation and implementation of an exchange of notes between Switzerland and the European Union concerning the adoption of the Schengen Borders Code. The bill has still to be approved by the upper and lower houses of the Swiss parliament. Before the SAA and DAA enter into force, Switzerland must conclude a supplementary agreement on the use and financing of the External Borders Fund.

As far as the further development of the Schengen acquis is concerned, Swiss interests are represented in the joint committees of the EU Council (comix) and the EU Commission.

The FOM has divided its actual implementation work into a number of sub-projects:

Sub-project Entry/Schengen visa

- Application of entry criteria in accordance with the Schengen regulations, i.e. for short-term stays;
- Implementation of the Schengen regulations on internal and external borders;
- Implementation of the necessary measures and adjustments in relation to the Visa Information System (development work needed in Switzerland).

Sub-project AP (Advanced Passenger Information)

- Implementation of the Advanced Passenger Information system with a focus on the processing of API data;
- Implementation of the API Regulation¹⁵.

Sub-project Eurodac

- Setting up of a National Access Point (NAP) for the Eurodac Central Unit;
- Implementation of Eurodac Regulation 2725/2000/EC¹⁶, as well as the accompanying implementing regulation¹⁷.

Sub-project Dublin Procedure/DubliNet

- Creation of a Dublin office;
- Application of the Dublin Regulation 343/2003/EC¹⁸ as well as the accompanying implementing regulation¹⁹.

Sub-project New Residence Permit

- Introduction of standardised residence permits (credit-card format) for Third-State nationals²⁰;
- Use of biometrics in residence permits for Third-State nationals (development work needed by Switzerland).

¹⁰ Following the decision of 15 June 2007, the Federal Council confirmed its decision of 16 May 2007.

¹¹ By signing both the SAA and DAA, Switzerland undertakes to adopt all new Schengen- and/or Dublin-related legal instruments which have been, resp. are, approved by the EU following the signing of the agreement.

¹² <http://www.europa.admin.ch/themen/00500/00506/00510/00764/index.html?lang=de>

¹³ http://eur-lex.europa.eu/LexUriServ/site/de/obj/2006/1_105/1_10520060413de00010032.pdf

¹⁴ http://eur-lex.europa.eu/LexUriServ/site/de/obj/2007/1_144/1_14420070606de00220044.pdf

12.3 Free movement of persons between Switzerland and EU/EFTA

The Agreement on the Free Movement of Persons between Switzerland and 15 EU Member States²¹ entered into force on 1 June 2002. The agreement between Switzerland and the 10 new EU Member States²² became effective on 1 April 2006.

Switzerland agreed a seven-year transitional period involving restricted labour market access between both the original 15 and 10 new EU member states (quotas, priority given to resident workforce, controls on wage and working conditions). For the 15 original EU Member States as well as Malta and Cyprus, this period expired at the end of May 2007 and quotas were lifted on 1 June 2007. Since then, the demand for residence permits, in particular Permit B, has risen steeply. Around two-thirds of these permits were granted to persons who were already in possession of a Swiss short-term residence permit (Permit L) or a border-crossing permit for commuters (Permit G). The rise in the permanent resident population can largely be attributed to this changeover. During the first seven months after the quota was lifted (June–December 2007), around 48 000 L and B Permits were granted, compared to around 43 000 for the previous year.

The fact remains, though, that the supply of labour from EU Member States has increased perceptibly – in line with the needs of the Swiss economy. The fall in the number of Third-State nationals immigrating to Switzerland is now offset by a heavier influx of EU/EFTA nationals. This is in line with the objectives of Swiss migration policy.

The migration of skilled and highly-skilled workers has satisfied the needs and expectations of the Swiss economy. So far, this has not had a negative effect on wage levels or on the unemployment rate, nor has it led to the Swiss workforce being crowded out. More Swiss workers are now employed in those economic sectors marked by high migration rates (e.g. academe, engineering, technology etc.). Far from taking the jobs of the local workforce, workers from the EU have in fact encouraged the creation of more jobs. Experience with the free movement of persons, therefore, has been positive so far.

The Agreement on the Free Movement of Persons (AFMP) has facilitated not only labour market access in both directions but also the settlement of EU citizens in Switzerland and likewise the settlement of Swiss nationals in EU countries. The agreement boosts the recruitment opportunities of companies and has contributed significantly to economic growth. The continued application and extension of the agreement has allowed Switzerland to strengthen its bilateral relations with the EU, and thus its access to the EU internal market and its 490 million consumers.

¹⁵ http://eur-lex.europa.eu/LexUriServ/site/de/loj/2004II_261II_26120040806de00240027.pdf

¹⁶ http://eur-lex.europa.eu/LexUriServ/site/de/loj/2000II_316II_31620001215de00010010.pdf

¹⁷ http://eur-lex.europa.eu/LexUriServ/site/de/loj/2002II_062II_06220020305de00010005.pdf

¹⁸ http://eur-lex.europa.eu/LexUriServ/site/de/loj/2003II_050II_05020030225de00010010.pdf

¹⁹ http://eur-lex.europa.eu/LexUriServ/site/de/loj/2003II_222II_22220030905de00030023.pdf

²⁰ http://eur-lex.europa.eu/LexUriServ/site/de/loj/2002II_157II_15720020615de00010007.pdf

²¹ EU-15: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden, and the UK.

²² EU-10: Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, and Slovenia.

Two major decisions are due to be taken in relation to the Agreement on the Free Movement of Persons (AFMP):

Extension of the agreement beyond 2009:

The AFMP was concluded as part of Bilaterals I for an initial period of seven years (i.e. until 31 May 2009). It can be extended indefinitely provided the EU or Switzerland does not inform the other party otherwise prior to the original deadline (31 May 2009). On the Swiss side, the Federal Assembly decided that the extension of the agreement should be subject to a legislative resolution, which in turn would be subject to an optional referendum. Bilateral Agreements I are bound by a "guillotine clause". This means that if one or other of these agreements is rejected or not extended, all agreements will automatically cease to be effective six months following the decision.

Extension of the agreement to Bulgaria and Romania:

As a result of the accession of Bulgaria and Romania to the EU on 1 January 2007, Switzerland and the EU negotiated, in an additional protocol to the agreement (Protocol II), an interim regulation on the inclusion of the two new states. It guarantees that the extension of the free movement of persons to Romania and Bulgaria will be introduced incrementally and in

a clearly controlled way (as was already the case for the EU-15 and for the Eastern European countries that acceded in 2004). The text of the protocol stipulates restrictions in relation to labour market access (priority given to national workforce, prior controls of wage and working conditions, quotas) during a transitional period of seven years beginning from the entry into force of the protocol (most likely some time in 2009). Consequently, a special safeguard clause allows for the re-introduction of a residence permit quota for both countries and for a limited period in the event of excessive immigration. This safeguard clause may be applied for an additional three years. On the Swiss side (as with the regulation concerning the countries that acceded to the EU in 2004), the protocol for Romania and Bulgaria must first be approved by a legislative resolution from the Federal Assembly; a referendum may subsequently be called. If Switzerland refuses the extension of the free movement agreement to Bulgaria and Romania, this will constitute discriminatory behaviour. As a result, there is a risk that the EU could find this situation unacceptable and that the agreement would be revoked. Due to the guillotine clause, all other agreements within Bilaterals I would also be revoked.



13 Emigration

13 Emigration

When talking of migration, the general public and politicians in Switzerland think first and foremost of immigration. However, it is easy to forget that many Swiss nationals decide to emigrate.

668 000 Swiss citizens – almost one out of ten – live abroad. This figure is quite startling if we consider that only two cantons in Switzerland – Zurich and Berne – have more Swiss than foreign residents. Every year, between 25 000 and 30 000 persons leave Switzerland, while between 20 000 and 25 000 return home. Although there are actually no emigration statistics, the FOM has observed, based on its counselling activities, that a large majority of Swiss nationals who return home have lived abroad only temporarily in order to advance their career or to improve their foreign language skills.

The FOM runs a counselling service for people who are interested in living abroad either temporarily or permanently. It includes:

- Free advice for people planning to go abroad (not tourism-related) or to emigrate;
- Files on the entry requirements, living conditions and labour market of over 40 countries
- A monthly job bulletin “Arbeit im Ausland/Emploi à l'étranger” (jobs abroad)
- Negotiating and implementing agreements with 30 countries on trainee permits for work experience abroad
- Running a central notification authority within the national labour market authority aimed at Swiss nationals living abroad who wish to return and work in Switzerland.

These services are the responsibility of the Emigration and Trainees Section of the FOM, which annually handles around 10 000 queries. It also has its own website [\[gration.ch\]\(http://www.swissemi-gration.ch\), which contains a host of information and receives around 8 million hits every year.](http://www.swissemi-</p></div><div data-bbox=)

Since the entry into force of the AFMP between Switzerland and the EU, interest in working abroad has flourished. One of the priorities of the section is to provide complex information on the situation and working conditions in the given country in an easy-to-understand way.

The FOM has concluded trainee agreements with 30 states. The aim of these agreements is to facilitate the access of young professionals to the labour market for a temporary period. However, since the AFMP between Switzerland and the EU came into force, these agreements have been suspended and are no longer applicable. Since then the number of trainee exchanges has fallen dramatically. Today, 400 young Swiss professionals carry out a traineeship abroad, while 150 young foreign professionals have been granted a Swiss trainee permit.

This section is also the registration office for Swiss jobseekers abroad who, after time spent away (short and long stays), need the help of a public job placement service to find work in Switzerland. Given that only 50 requests are received by the section per year, this service has considerably lost in importance.

Highlights 2007

- On 6 February 2007 the extended trainee agreement with Canada entered into force. For the first time, the agreement provides for an exchange of not only young people who have completed their vocational training but also students. The two parties were quick to realise that the minimum period of residence of four months stipulated in the previous agreement had not been adapted to take account of students, who generally have shorter summer holidays. This is why a mutual decision was taken to reduce the minimum period.
- The FOM has started working with Chile, Brazil and Japan (as part of negotiations on the conclusion of a free trade agreement between Switzerland and Japan) on the conclusion of bilateral trainee agreements.
- Until the end of August 2008, the AVAM IT application of the State Secretariat for Economic Affairs (SECO) will be used for the administrative management of trainee permit applications. In September 2008 this application will be replaced by a new instrument. From this time onwards, the FOM will have to develop its own software program, largely independent of Seco.



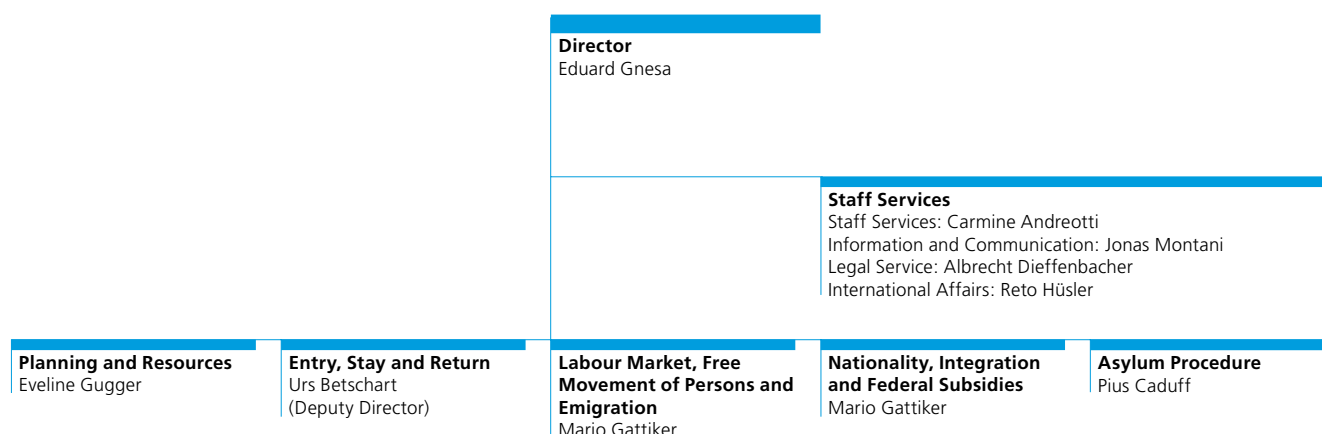
Appendix 1

The Federal Office for Migration (FOM)

On 1st January 2005 the Federal Office for Migration resulted from the amalgamation of the Federal Office for Refugees (FOR) and the Federal Office of Immigration, Integration and Emigration (IMES). This new authority regulates the conditions under which people can enter Switzerland in order to live and work here. It also decides who will receive protection from persecution. Moreover, the Federal Office for Migration coordinates Federal government, cantonal and communal efforts in behalf of integration and is the organ responsible for naturalisation matters.

In addition, the Office advises Swiss citizens planning to emigrate. An international dialogue on all aspects of migration policy is actively cultivated with countries of origin, transit and other target countries as well as with international organisations.

Organisation



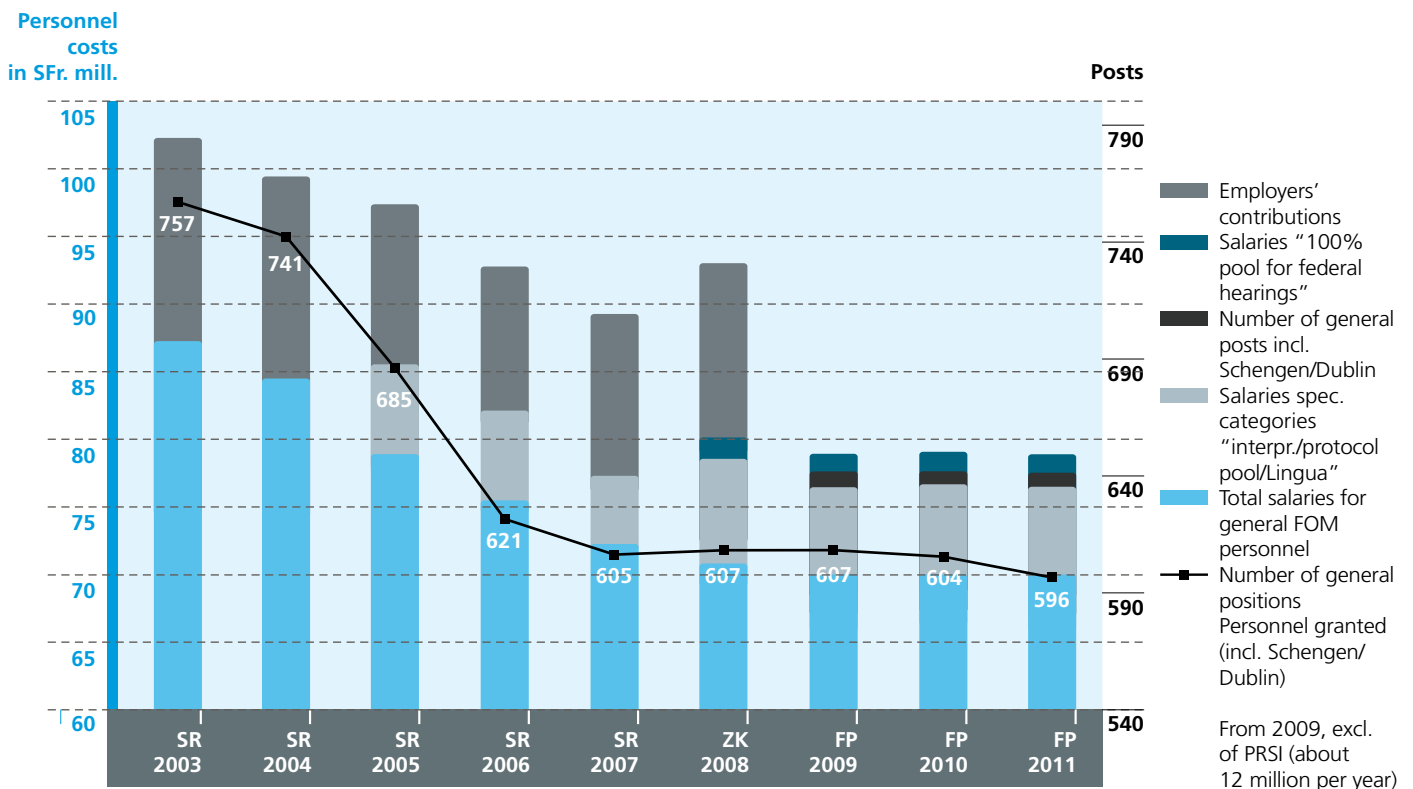
Personnel

The salaries (including social security contributions) of FOM personnel (see organisation chart) account for approximately 90 % of the total personnel budget. The remaining 10 % is used to cover the costs of interpreters (initial interviews at the reception and procedure centres and federal hearings), recording clerks and interviewers for federal hearings, and language experts (Lingua language analyses), all of whom are paid by the hour.

From 2003 to 2007 the personnel budget steadily fell due to staff cutbacks resulting from the task reduction strategy. Since 2008 additional funding has been required due to the implementation of the Schengen/Dublin Association Agreements as well as the transfer of responsibility for hearings with asylum seekers from the cantons to the FOM as of 1 January 2008 (rise in the costs of personnel involved in the hearings and interpreters).

Personnel development

(Public accounts 2003–07, payment authorisation 2008, budget years 2009–11)



Expenditure

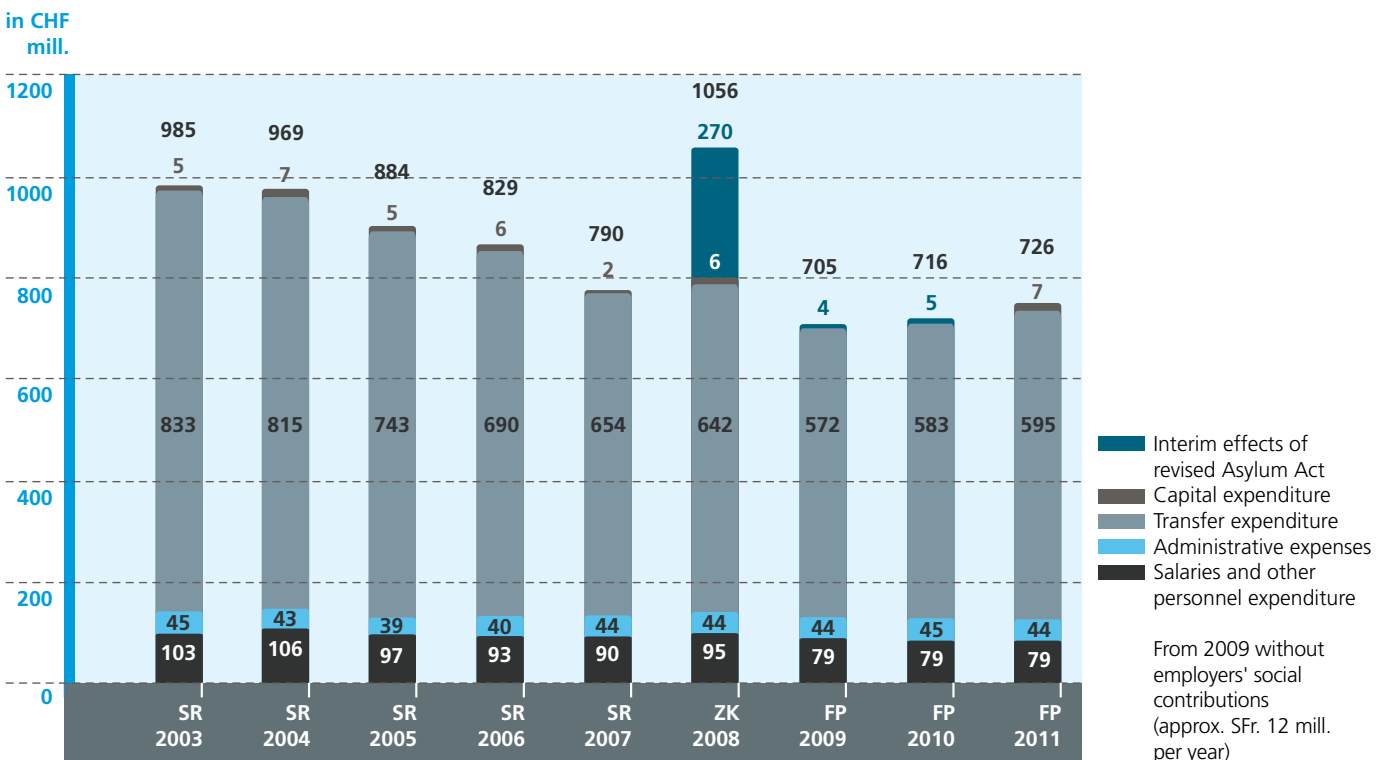
FOM expenditure can be divided into four categories:

- Transfer expenditure: Around 80 % of total expenditure goes on welfare assistance for asylum seekers, temporarily-admitted persons and refugees, on the costs of removal and return assistance, on the costs of integration measures for foreign nationals and on international co-operation in the migration sector.
- Personnel expenditure: Around 12 % of total expenditure goes on personnel wages including social security contributions, and on other types of personnel expenditure for all staff categories, as well as on basic and advanced training.
- Administrative expenditure: Around 7 % of total expenditure goes on the operating costs of reception and procedure centres, on the costs of IT and counselling services, as well as on other types of operating costs.
- Capital expenditure: Around 1 % of total expenditure goes on investments in specialist IT applications.

The reduction of personnel in the asylum sector as well as the constant stream of asylum applications (approx. 10500) led to a continual reduction in transfer expenditure during the 2003–2007 period. When the revised Asylum Act came into force in 2008, the changeover to the new funding system led to additional one-off expenditure. However, by 2009 the revision of the Asylum Act should show a positive effect on FOM finances.

FOM expenditure (impact on FOM budget)

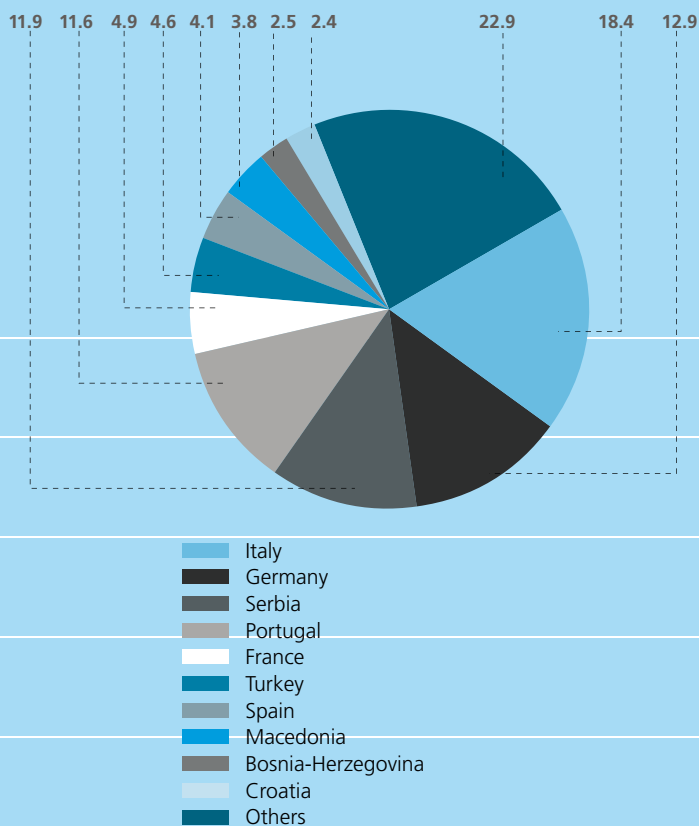
(Public accounts 2003–07, authorized credit allowance 2008, budget years 2009–11)



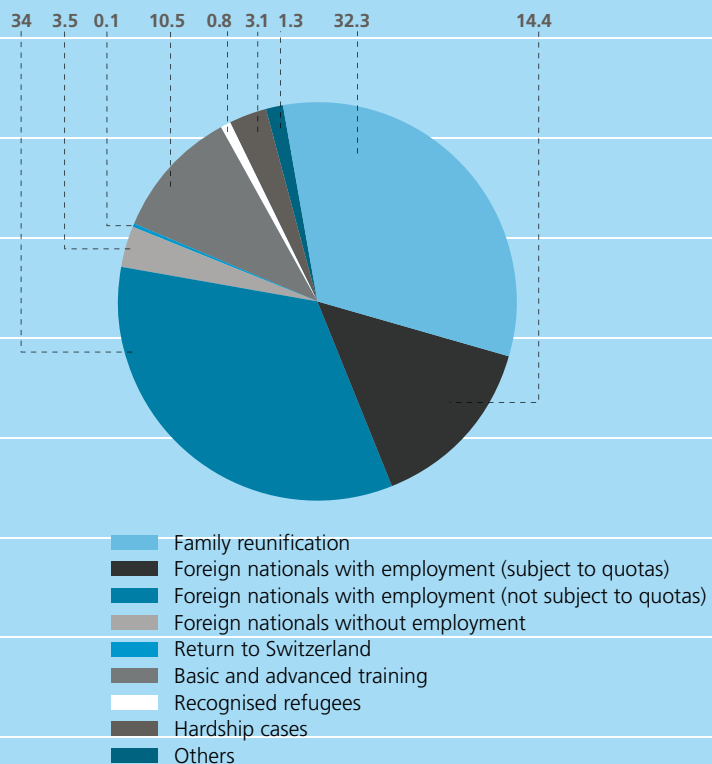
Appendix 2

Top Ten by nationality

(in %, figures as per 31 December 2007)

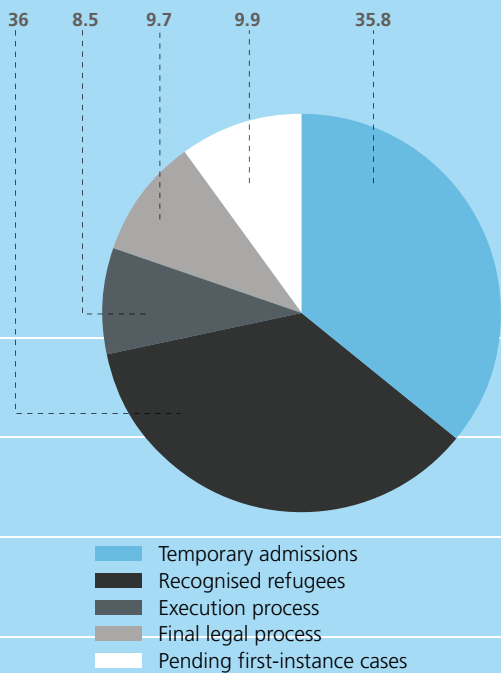


Entry by immigration grounds, 2007 (in %)

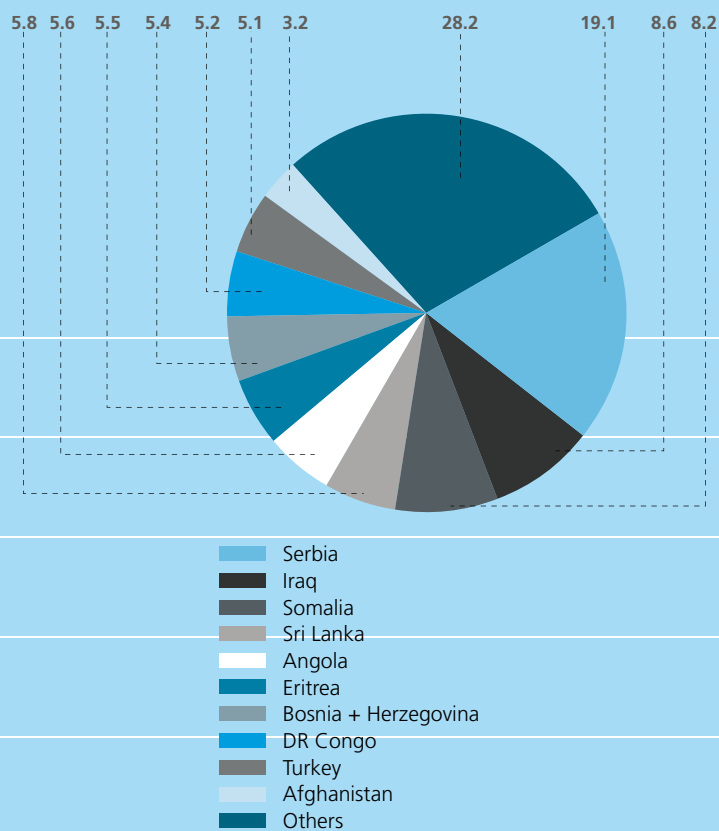


Appendix 3

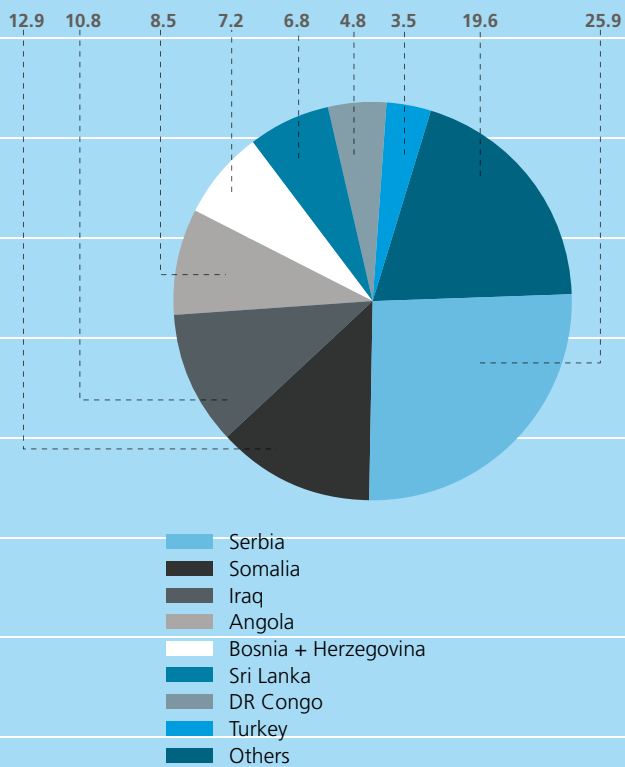
Persons in the asylum sector – status
(in %, figures as per 31 December 2007)



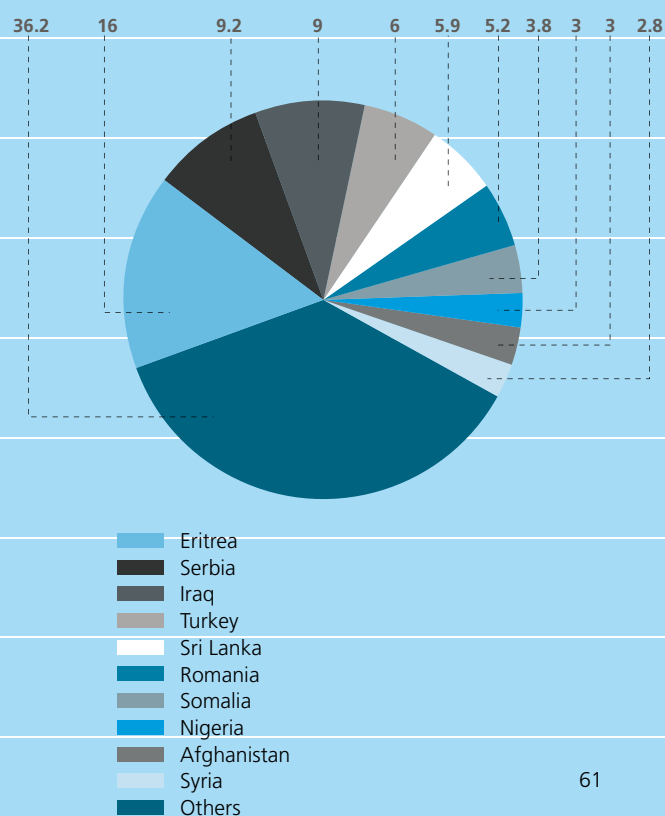
Persons in the asylum process by country
(in %, figures as per 31 December 2007)



Temporarily-admitted persons by country
(in %, figures as per 31 December 2007)

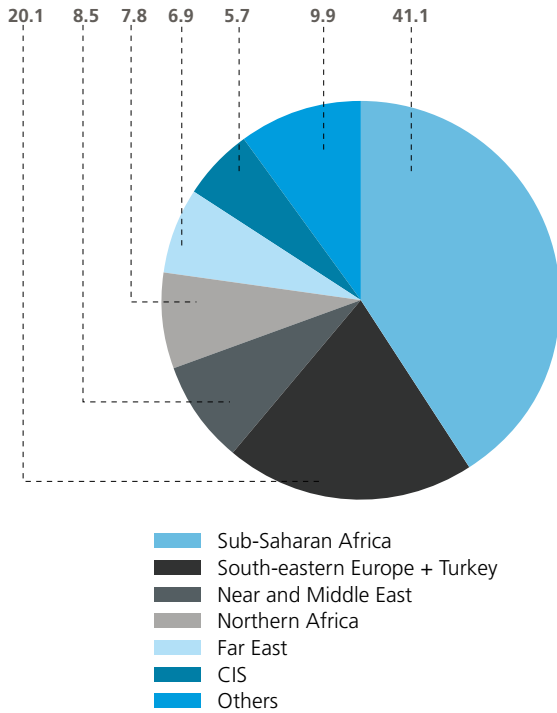


Asylum applications by country – 2007 (in %)



Appendix 3

Execution process (without TA) by region
(in %, figures as per 31 December 2007)



Sub-Saharan Africa

Continent of Africa, excluding North Africa

North Africa

Continent of Africa, excluding Sub-Saharan Africa: Egypt, Algeria, Libya, Morocco, Tunisia, Western Sahara

Middle East

Afghanistan, Bahrain, Iraq, Iran, Yemen (Popular and Democratic Republics), Qatar, Kuwait, Oman, Saudi Arabia, U.A.E., Israel, Jordan, Lebanon, Syria

CIS

CIS Central Asia: Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan as well as CIS Europe: Belarus, Moldova, Russia, Ukraine

Far East

Continent of Asia, excluding the Middle East and GUS Central Asia

South-eastern Europe and Turkey

Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Macedonia (former Republic of Yugoslavia), Montenegro, Romania, Serbia, Turkey

Asylum applications per year, 1994–2007

