

Eighth International Metropolis Conference: Gaining from Migration
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**Workshop 5.5: Integration policy in Switzerland: linking civil society's inputs with governmental strategy
& Governing, governance, and ethnocultural diversity: the Canadian case**

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Ladies and gentlemen,

Dear participants of this Canadian-Swiss cooperation, it's my great pleasure to start this workshop with a brief overview of the Swiss efforts to facilitate the integration of the roughly 20% of the population or 1.4 million people living and working Switzerland with a foreign passport.

I would like to talk about the tasks our federal office is working on, I'll inform you about some legal projects and I'll present you our government's integration strategy.

Right in the beginning, I would like to make one point clear: I'm talking about official migration and integration politics on a federal level in Switzerland. This does not mean that everybody in Switzerland agrees with these positions.

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The so called migration triangle illustrates the framework in which the migration politics of the Federal Council is evolving. Prosperity and economic growth for the whole society is one point of the reference; public safety has to be considered in every decision; and last but not least solidarity between the different groups of society has to be looked after.

Migration and integration issues are – also in Switzerland – an area of tension.

Consensus is difficult to achieve; on the other hand, it is widely accepted that an improvement of the terms of integration for immigrants in Switzerland is necessary.

In its beginnings back in the 19th century, the same federal government I am representing here had to warn the communal authorities to be more prudent in getting rid of their poor inhabitants. Many impoverished municipalities used to entrust them to irresponsible traffickers who shipped them to the Americas, were most of them had no real chance for a better life.

Only since a little bit more than one hundred years, there are more people *immigrating* to Switzerland than *emigrating*. Unlike for instance France or the Netherlands, Switzerland had no colonies and therefore no immigrants from former colonies like these countries. Nevertheless, since the sixties of the 20th century the working immigration from southern Europe led to very comparable situations in the more northern and western countries of Europe, as this depiction may show: from everywhere, we hear about migration related problems: unemployment, violence, expensive health systems – all this are problems we would not have without migrants – you could believe if you listen to some political parties in all Europe.

This list of indicators from the University of Bamberg in Germany shows the challenges of migration politics:

A worse integration of migrants in the job market and in education, persisting language problems, more migrants depending on social welfare lead to more “ethnic concentration” and even ghettos of migrants; ethnic networks tend to get stronger and to be the only social context migrants are integrated in; statistics – also in Switzerland – show a growing deviance rate. Second and third generation migrants are at risk to find

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their unique and only identification in an ethnic group and are not interested in the host society.

On the other hand, in the host society the public opinion concerning migrants in general tends to decrease; “one-theme” political movements tend to develop a one-sided and biased discourse on migrants; violence against migrants and other minorities tends to increase.

Migrants themselves retreat more and more from the majority society. They show a tendency to organize themselves in ethnic organizations and even to adopt reactive ethnic identification.

I think we all are aware, that these crisis indicators or at least some of them are also to be found in our societies.

In Switzerland, an integration discourse on a federal level has begun to develop only a few years ago. In the Federal Office of Immigration, Integration and Emigration – IMES, this name is only a few months old – the coordination of integration is one – important – of different tasks.

Immigration and residence

Even though – subject to legal claims provided by treaties or the law – the cantons are free to grant immigration and residence permits, IMES gives its consent to cantonal decisions in certain cases.

Particularly in cases of hardship, the Federal Office may decide that a foreigner be exempted from the limits imposed on the number of foreigners in Switzerland, the so-called contingents.

Important role in visa policy

IMES plays an important part in the examination of immigration requirements, the issue of visas, and the enforcement of visa policy.

It issues directives regarding the issue of visas and border checks on people. In certain cases, the IMES shares the decision-making power for the issues of visas with the Swiss representations abroad.

Labour market and emigration

Moreover, the IMES is responsible for any labour-market issues in connection with foreigners and asylum-seekers, as well as for any economic and labour-market aspects of migration policy.

It makes decisions regarding work permits for foreign employees – provided such decisions are not within the conclusive competence of cantonal labour offices – and it determines federal quotas.

Finally, the IMES deals with emigration, i.e. with advice on professionally oriented residence abroad, the implementation of traineeship agreements for advanced vocational training, and employment agency services for Swiss nationals returning from abroad.

Integration

We will discuss later.

Naturalization

The IMES is also responsible for the examination of all applications for naturalization. In regular naturalizations, which are effected by communities and cantons, it first grants federal naturalization permits.

In facilitated naturalizations – most of which concern foreign spouses of Swiss nationals today, and foreign children with a Swiss parent – and in the renaturalization of persons who have lost Swiss nationality, it is responsible for the decision, which it makes after it has consulted the canton.

Termination of residence and exclusion measures

Deportation is in the responsibility of the cantonal immigration authorities. In the case of expulsions from cantonal territories, which are also decreed by the cantons, the IMES usually issues an order whereby the expulsion applies to the whole of Switzerland. It also issues the exclusion orders that are necessary because applicable law has been disregarded, or for other reasons.

Foreign population statistics

The Central Foreigners' Register, which is kept at the IMES, provides a statistical overview of the number and origin of foreigners resident in Switzerland. The information system, with which the cantonal immigration authorities are directly linked, also records ongoing changes (newcomers and leavers), and in certain areas allows for checks on the enforcement of the laws applicable to foreigners. We brought you some brochures of the foreigners' statistics 2002.

Let me also draw your attention to some legal projects which are actually debated in parliament.

Most important is the new federal immigration law

Switzerland's bilateral agreement with the EU regulates the movement of persons for EU nationals comprehensively. After it has entered into force, a new immigration law would therefore largely only apply to foreign nationals outside this area.

The Federal Council submitted the bill to the consultation process. A vast majority of the bodies consulted emphasize the necessity of a total revision of the present immigration law, which dates back to 1931. As far as the objectives and substance of the new law are concerned, however, opinions differ a great deal.

Main objectives of the new immigration law are:

- The dual admission system:

The admission of gainfully employed and not gainfully employed EU nationals is regulated by the bilateral Agreement on the Free Movement of Persons. The admission of people from other countries is clearly limited to urgently required qualified personnel. This policy, which has basically been pursued ever since 1991, is thus going to be fixed in law.

- Integration and improvement of the legal position of foreigners:

The situation of foreigners who are lawfully and permanently resident in Switzerland is meant to be improved generally. For instance, legal obstacles to changes of occupation, jobs and residence (in different cantons) are to be removed. As an innovation, the subsequent immigration of the families of short-term residents and students is also to be permitted, provided that residential and financial requirements are satisfied.

The notion of integration is included in the law and instruments are planned to provide authorities the political means to intervene in favor of a stronger promotion of integration. Swiss law does not explicitly contain a so called “obligation to integrate”. Nevertheless, the readiness to integrate – including efforts to learn one of our national languages – is an important point in the new immigration law. The authorities will have the possibility to reward successful efforts and to sanction the lack of integration intentions.

- Fight against abuse:

The abuse of applicable law by a small minority of foreigners calls for new measures, particularly against organized illegal immigration, illicit work and, in certain cases, also against the subsequent immigration of families. The bill contains the relevant proposals.

- Greater legitimacy of immigration policy:

While immigration policy has so far been determined by regulations issued by the Federal Council, its major principles - immigration, emigration, admission requirements, subsequent immigration of families, deportation and refusal of entry, as well as measures of security and constraint - will now be comprehensively regulated by law. This means that in future, parliament will be more involved in the formulation of immigration policy.

Another actual legal project is a **revision of the federal law on naturalization**, which includes two constitutional amendments and a project of law. One of the main issues is

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the facilitated naturalization of second generation immigrants and the automatic naturalization of third generation immigrants. Another subject treated in this law project are the naturalization fees. These vary greatly and reach to some exorbitant amounts of some 15'000 Euros; in the revised law, the fees are defined as compensation for administrative costs, which will probably mean about 800 Euros.

The votes on these two law projects – as you may know, over 50% of all votes worldwide take place in Switzerland¹ – is expected in the end of 2004 or 2005.

Another actual law project concerns the **EU extension and the extension of the Agreement on the Free Movement of Persons**

With regard to agreements of the EU with non-member countries which lie exclusively within the competence of the organs of the Communities, the extension will happen automatically. However, mixed agreements, which are concluded by the EU and the individual member countries with non-member countries, require formal negotiations.

The Agreement on the Free Movement of Persons is the only one of the seven bilateral agreements of 1999 between the EU and Switzerland that is such a **mixed agreement**. The extension will therefore take place through an additional protocol. The respective negotiations take place in these weeks.

The extension means that manpower from ten states now subjected to immigration regulations will have free access to the Swiss job market.

Let's move now to the field of integration:

Why should integration also be a public task?

The ideal ratio between the foreign and native populations cannot be determined with a slide rule. What counts is good integration. Or as our Federal Council puts it: Integration is a prerequisite of a successful migration policy.

Since the entry into force of the Integration Regulation in October 2000, the Confederation has been able to provide projects that are aiming at the integration of

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foreigners with financial support. Applications for such support are addressed to the Federal Commission for Foreigners (FCF), whose secretariat is located in the same building as the IMES. You will hear more about the Commission and the integration projects from Mrs. Prodolliet and Mr. Meier.

Integration means a process, and we know that such a process is only feasible in a mutual effort. Although the accentuation of this presentation lies more on the state side, it is important to keep in mind that the migrant side is expected to contribute actively as well, for instance by learning one of the Swiss national languages as soon as possible. Like in other European countries, integration as a federal task is a young field. The department for “Integration and Naturalization” has been installed in our office only this year – which doesn’t mean of course that before, nothing has been done.

For a long time, migration politics in Switzerland was reduced to the recruitment of foreign workers. These workers were thought to “go home” after they had done their work – reason also why they couldn’t bring their families along for a long time. So, integration was thought to be superfluous, and if somebody was expected to do something, it were the private employers, not the state.

Now, things have changed: some of the foreign workers stayed in Switzerland, their children live here and their grandchildren². Immigration today is in more than 40% of the cases due to family reunion. This means that these persons often won’t go into the job market. Therefore, “integration by working place” is not an option for them.

Another point is the so called structural integration which means access to education and job market as well as to public places like hospitals. In this area, there are a lot of problems in Switzerland and there are more accentuated than in some other countries. The results of the famous PISA study showed that foreign-language children are worse off in Switzerland than in most other European countries. Later, you will find about 30% of the immigrants at age 24 without any professional training, compared to 8% in Swiss people.

¹ Siehe Regula Stämpfli. 2003. Vom Stummbürger zum Stimmbürger. Das Abc der Schweizer Politik, Zürich. Orell Füssli Verlag.

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As a last point I'd like to mention that social cohesion is more complex and takes place on multiple levels compared to some 50 years ago. So, this is another argument for a commitment to integration from the state.

What are the main integration activities on a federal level?

In our federal system, most public tasks are in the responsibility of the cantons. This is the case for school, health, and also integration to a certain point. On the federal level, one of the most important tasks is coordination. In the case of integration, a typical cross-section subject, IMES has the overall control over the integration relevant projects and initiatives in all federal departments. This is what we call "horizontal coordination". By coordinating integration relevant activities of different departments, IMES is *mainstreaming* integration issues. As an example you may think of ensuring a dialogue between the authorities responsible for professional training issues and the authorities for foreigners: coordinating such a dialogue means to institutionalize it and this means mainstreaming integration issues.

"Vertical coordination" on the other hand refers to contacts to the cantonal and communal authorities working in the integration field. The new immigration law includes the nomination of an integration delegate in every canton. IMES will coordinate these structures.

Speaking of the integration relevant fields of activity on a federal level, we can differentiate three main pillars:

Efforts in the realm of structural integration mean first of all equal access to public services like hospitals and schools as well as to the job market. As mentioned before, the unemployment statistics as well as e.g. the PISA-Study point out that there is a lot of work to do here.

² Experience shows that of retreated immigrants about one third stays in Switzerland; one third went back to their home country, one third is commuting, living in two places.

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I won't discuss any further the promotion of social and cultural integration as this is the core business of the Federal Commission of Foreigners.

Participation in society is facilitated by political integration. Naturalization means access to all political rights, especially the active and passive right to vote. During the break you can hopefully watch some naturalization stories on our DVD if you like.

Let me briefly summarize:

1. For Swiss government, integration has become a core issue of migration policy.
2. The state has an active role to play, mainly by mainstreaming and coordinating integration politics, but also by giving additional support where this is necessary and by facilitating naturalization.
3. Taking seriously the fact that integration can only be achieved in a mutual process means that migrants too have responsibility.

Thank you very much for your attention.