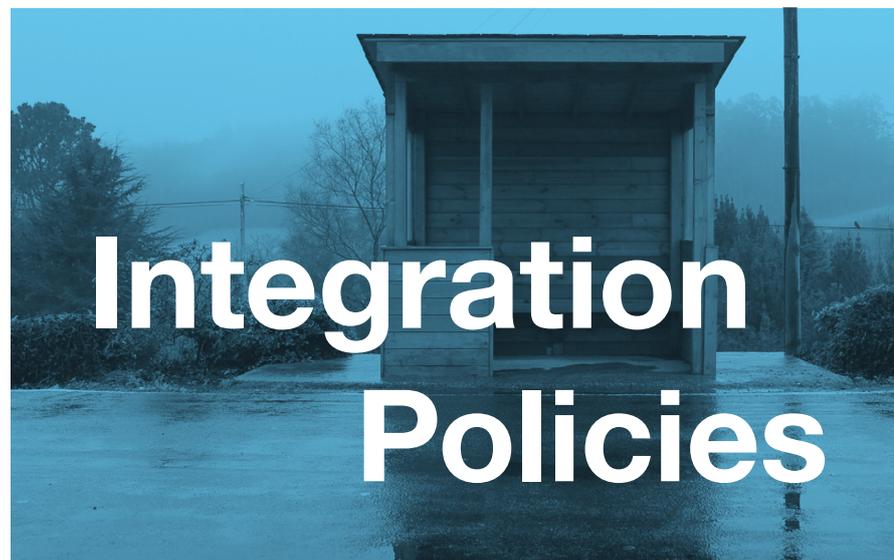


A Modest Start: Integration Policies in the Field of Asylum



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Integration and asylum are two much discussed topics in the current debate on Swiss migration policies, yet they are rarely discussed in conjunction. However, the number of people who have arrived through the asylum process and are likely to stay in Switzerland for at least some time – asylum seekers, persons with provisional admission, and those recognized as refugees – will increase in the coming years. Consequently, the government’s integration policies will become increasingly important in the field of asylum as well.¹

In Switzerland, the protection rate – that is the rate at which asylum seekers were granted refugee status or provisional admission – has remained more or less stable over the last two years: 48.7% in 2016 compared to 53.1% in 2015. The stability of the protection rate means that significant numbers of asylum seekers are likely to be granted protection and will, thus, stay in Switzerland over the longer term. Nevertheless, the Federal Asylum Act does not mention integration or employment programs for the various stages of the asylum procedure.² Integration is only mentioned in the Federal Act on Foreign Nationals (FNA) and its specific Ordinance on the Integration of Foreigners. Article 4 para. 2 FNA clarifies that integration is aimed only at “foreign nationals who are lawful residents in Switzerland

for the longer term”. Thus, there is an important legal distinction regarding integration depending on whether a person is still in the asylum procedure or not; integration policies are not aimed at asylum seekers or irregular migrants.³

“The stability of the protection rate means that significant numbers of asylum seekers are likely to stay in Switzerland, yet the law does not provide integration programs during the asylum procedure.”

These structural and legal aspects of integration policies are embedded in a political and social environment that perceives integration as intrinsically linked to the possession of a (secure) legal status. Asylum seekers are not considered to be lawful residents as long as they are

not recognized as refugees (and do not receive a residence permit – B permit – for recognized refugees) or granted a provisional admission (F permit). Therefore, they are usually not entitled to participate in integration measures or programs. This is mostly justified by the widespread political and legal perception that it is more difficult for rejected asylum seekers to return to their countries of origin when they were given the possibility of integrating during the asylum procedure. In fact, cantons receive a unique integration allowance of CHF 6,000 aimed at professional integration measures and language courses⁴ – but only for each provisionally admitted person, recognized refugee and person in need of protection (S permit), and not for asylum seekers.

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As a result, integration projects and initiatives only rarely focus on the integration of asylum seekers specifically.

Main Focus of the Federal Authorities: Encouraging Integration on the Labor Market

The labor participation rate of people in the field of asylum has been stagnating for years: It is about 20% for refugees (five years after a positive asylum decision; people ages 18 to 65), and about 30% for provisionally admitted persons (seven years after a decision; people ages 18 to 65).

After Swiss voters approved the popular initiative against mass immigration in 2014, the Federal Council decided to encourage the labor market integration of the domestic workforce⁵ (i.e., people already living in Switzerland). In particular, the elderly, women and young people, people with disabilities, persons with provisional admission, and those recognized as refugees. As one concrete measure, Parliament decided to abolish the special charges on the salaries that provisionally admitted persons and asylum seekers had to pay until then based on the Asylum Act⁶; the revision is not yet in force.⁷ In December 2016, Parliament – in the framework of the latest partial revision of the Federal Foreigners Act (when it comes into force: Foreigner and Integration Act) – further supported replacement of the authorization requirement with a notification requirement when employing provisionally admitted persons. The process will, therefore, become less bureaucratic, as only notification will be required. Both legal measures facilitate access to the labor market for foreign nationals already in the country, including people in the field of asylum.

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Additionally, in 2015 the Federal Council announced the start of a pilot project that aims to strengthen the integration of provisionally admitted persons and refugees in the labor market (up to 1,000 people per year). These measures will be implemented in 2018 at the earliest. The pilot program is based on two pillars: first, places for pre-apprenticeship will be created for provisionally admitted persons and refugees so they can acquire the necessary job skills and professional qualifications and, second, language courses will be offered to people in the asylum process who have a high likelihood of staying.

The idea of connecting the acquisition of working and local language skills was tested in a similar project in 2006 that was also launched by the federal authorities. Selected companies from different industries (logistics, construction, retail, cleaning, etc.) started to train refugees with a view to encouraging them to integrate in the labor market. An evaluation of the project results showed that it was unsatisfactory, as the expected effect of creating jobs for the participants was not achieved in most cases. However, a similar program that combines language courses and work programs is currently underway in the Canton of Glarus. The initial experiences have been positive.

Integration Projects at the Local Level

Some cantons and municipalities are also implementing labor market integration projects. The following section gives a non-exhaustive overview of some of the cantonal and communal integration projects, many of which focus on mentoring and networking.

The “Bernetz” project in the Canton of Bern is a mentoring program for qualified migrants who do not have a job in line with their qualifications. The objective is to enable migrants to collaborate with “gatekeepers” to better promote their labor market potential. The “Capacity” project in the Canton of Zurich follows a similar direction. This project seeks to help individuals reach their human potential. The main aims are to create opportunities for networking and collaborations, to support self-employment or employability with workshops and training sessions on business and integration, and finally to build a network.

Civil society and non-governmental organizations are also involved in the issue of labor market integration. Online platforms, such as www.jobs4refugees.ch, have been developed to better connect the needs of the economy with potential employees. Such projects are complementary to (or even the implementation of) projects initiated by the cantonal authorities. The general situation on the labor market and economic conditions in the various cantons play an important role with regard to the structure of such projects. Furthermore, the legal recognition of professional experience or education is a complex process in Switzerland, particularly for migrants from non-EU/EFTA countries. It is even more difficult (or even impossible) for people in the field of asylum if their

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original professional or educational documents are missing.

While there has been a sharp focus on migrants' integration in the labor market in the debates on the integration of people in the field of asylum, there has been little to no consideration of the role and function of socio-cultural elements in the integration process, especially with respect to asylum seekers. Nevertheless, a few projects at the cantonal level are helping to boost the active participation of asylum seekers.

“The main focus continues to be on migrants' integration in the labor market, but there are also socio-cultural integration projects, primarily centered on the acquisition of a national language.”

Volunteers, government institutions, and civil organizations offer free (or low-cost) language classes, which are also open to asylum seekers. For example, the Faculty of Humanities at the University of Neuchatel, in partnership with the Migration Service of the Canton of Neuchatel and with the support of the Institute of French Language and Culture, has been offering French classes to people in the field of asylum, including asylum seekers, since January 2013. The Canton of Neuchatel also offers various programs on integration and civic knowledge. The Canton of Geneva created a website on which languages and literacy classes can easily be found. Thus, even if the main focus remains on migrants' integration in the labor market, various actors offer a number of socio-cultural integration projects, mainly focusing on the acquisition of a national language.

Furthermore, many cantons and civil organizations implement projects that focus specifically on migrant women and/or children. For instance, Swiss Interchurch Aid

(HEKS/EPER) rents out parcels of community gardens in Zurich and Schaffhausen. These gardens become a space where female refugees can do something useful together while simultaneously establishing social contacts. There are integration programs that are specifically aimed at women in some municipalities as well. For example, the city of Zurich offers female migrants a course on “daily life in Zurich”, including childcare. The course aims to give the women an introduction to the city's culture, history and political system.

Integration Projects for Asylum Seekers during the Asylum Procedure: A Modest Start

Most of the measures and projects presented above address the needs of migrants living in Switzerland with a lawful residence permit, but they rarely include asylum seekers. Recent initiatives, however, hint at a new push to target people who are still in the asylum procedure, but who may stay in Switzerland when a decision on their asylum application is made. The Federal Council recently published a press release about the “In-Limbo” project – a fairly (positive) surprise, given the lack of attention paid to the integration of asylum seekers until now.

“Recent initiatives hint at a new push to target people who are still in the asylum procedure, but who may stay in Switzerland.”

The “In-Limbo” project offers asylum seekers and provisionally admitted persons⁸ basic education and some initial professional experience. The three-phase concept is implemented in the collective asylum center in *Büren an der Aare* (Canton of Bern). Asylum seekers gain experience and skills through internal work experiences, language classes and weekly workshops during the first phase.

In the second phase, the goal is to acquire specific knowledge through participation in internal project groups, organized like companies, and later in external work projects. Phase three includes individual job coaching and support. The goal is to prepare people for future employment. The ability to participate in the program starts the second day after a person's arrival at the center. The concept of “In-Limbo” is based on asylum seekers' interests and their existing knowledge. Internal projects are, for example, related to communal kitchen tasks (cooking), working in the laundry or running a kiosk. In external projects, asylum seekers offer different services and products to authorities, organizations, businesses, and private individuals, such as gardening, manufacturing and beekeeping. Finally, the “In-Limbo” project is based on the idea that integration programs might also encourage the voluntary return of asylum seekers if their asylum application is rejected.

The private association *Lernwerk* has proposed a similar project in the Canton of Aargau. It aims to motivate asylum seekers to participate in work programs and to learn German during the asylum procedure. *Lernwerk* collaborates with the Department for Economy and Work and the Department for Migration and Integration of the Canton of Aargau, as well as with the Department for Social Affairs of the city of Zurich.

Integration Policy: A Moving Landscape

In addition to this brief and non-exhaustive overview of federal, cantonal and local integration projects, it is worth mentioning that because of recent total or partial legal revisions the general field of integration in Switzerland is changing.⁹ More specifically, implementation of a new

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asylum structure, which is currently in progress, will have a significant impact on integration issues. The first processing centers are already in operation, while others are in the planning stage. The aim of the revised structure is to implement faster asylum processes and, consequently, faster yet constitutional decisions regarding asylum applications. Faster decisions require integration measures to be implemented more quickly.

“The aim of the revised structure is to implement faster asylum processes: faster decisions require integration measures to be implemented more quickly.”

However, the fact remains that the Asylum Act does not mention integration projects during the asylum procedure. The current focus on facilitating and encouraging the integration of provisionally admitted persons and refugees in the Swiss labor market excludes asylum seekers for the most part. In fact, integration is supposed to start only after a positive decision on the asylum application has been made or provisional admission has been granted.

However, federal authorities have started – albeit tentatively – to connect integration matters with people in the asylum procedure, such as the “In-Limbo” project and the private *Lernwerk* project show. It can be argued that such projects are economically attractive as they may reduce asylum costs.¹⁰ Although Swiss integration policies do not require and the Asylum Act does not mention integration processes, in reality, these processes start the moment foreigners enter Switzerland. The authorities, politicians, and society in general need to be aware that, whether or not the legal and political will is there, some form of integration is taking place.

- 1 The legal framework presented in this article refers to the situation in April 2017.
- 2 The word integration is only used with regard to the application of hardship cases or with regard to refugees and persons who need protection; see art. 82 para. 5 AsylA, art. 14 para. 2 let. c AsylA.
- 3 Achermann, Alberto and Cesla Amarelle, 2017; Achermann, Alberto, 2010
- 4 Recently the *Schweizerische Konferenz für Sozialhilfe (SKOS)* published a report that demands, among other things, an increase in the integration allowance because real costs are higher.

5 Domestic workers include Swiss citizens, foreigners with a permanent residence permit and people with a residence permit who have authorization to work (art. 21 para. 2 FNA). In the future, domestic workers will also include provisionally admitted persons who have authorization to work; cf. art. 21 para 2 let. d and e, BBl 2016 8917, p. 8,917.

6 Currently, asylum seekers and provisionally admitted persons are required to pay a special charge amounting to 10 percent of their gross income in addition to regular taxes, see art. 86 AsylA, art. 88 FNA, art. 10 and 13 ff. AsylO 2. The purpose of the special charge is to repay the costs (social welfare benefits, return, enforcement and federal appeals procedure) generated by people in the asylum procedure and their families.

7 The consultation process for the ordinances under revision is on-going.

8 The website of the project “In-Limbo” does not mention the participation of provisionally admitted persons, but it is written in the press release.

9 Cf. Total revision of the Citizenship Act and its Ordinance, enter into force on the 1st January 2018, BBl BBl 2014 5133, AS 2016 2755; Partial revision of the National Foreigners Act, BBl 2016 8917, BBl 2016 8899.

10 The website of “In-Limbo” cites a reduction of social welfare costs as one of the project’s goals.

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Further Reading

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