Compared to poor citizens, non-citizens receiving social assistance face consequent additional risks, amongst which is deportation. But there is also an important symbolic dimension to the exclusionary effects of such provisions: they indicate that non-citizens are not considered as belonging, as being part of the solidarity group that is entitled to indefinite support when in need. This has become particularly salient at the heart of the COVID-19 crisis when welfare support associations witnessed the extent to which households renounced or did not make use of their right to social assistance for fear of losing their residence permits. Yet, the Swiss Constitution states the right to assistance to whomever in need and "unable to provide for themselves" (Art. 12 Constitution).

Further Reading


Governing Migration and Social Cohesion through Integration Requirements: A Socio-Legal Study on Civic Stratification in Switzerland
Christin Achermann and Stefanie Kurt
A project of the nccr – on the move
This socio-legal project questions how and with what effects the notion of "integration" has become a decisive criterion, in migration law, administrative and court practice, based on which states select who shall be granted or denied access to specific rights. This reveals how social cohesion is conceived in both law and practice, and who is considered to belong or not.

Contact for in a nutshell #23: Christin Achermann, professor, University of Neuchâtel, christin.achermann@unine.ch and Stefanie Kurt, professor, HES-SO Wallis-Valais, stefanie.kurt@hevs.ch

The nccr – on the move is the National Center of Competence in Research (NCCR) for migration and mobility studies. It aims to enhance the understanding of contemporary phenomena related to migration and mobility in Switzerland and beyond. Connecting disciplines, the NCCR brings together research from the social sciences, economics, and law. Managed at the University of Neuchâtel, the nccr – on the move is currently in its third phase (2022–2026) for which it receives SNSF funding of 10.8 million Swiss Francs. The network comprises eleven research projects at eight universities in Switzerland: The Universities of Basel, Geneva, Lausanne, Neuchâtel, as well as the ETH Zurich, the Graduate Institute Geneva, the University of Applied Sciences and Arts of Western Switzerland, and the Zurich University of Applied Sciences.

“in a nutshell” provides answers to current questions on migration and mobility – based on research findings, which have been elaborated within the nccr – on the move. The authors assume responsibility for their analyses and arguments.

Contact for the series: Nora Bardelli, Knowledge Transfer Officer, nora.bardelli@nccr-onthemove.ch
Since 1997, Swiss social services are legally obliged to spontaneously report foreign nationals receiving social assistance to migration services. When deciding on the renewal or prolongation of residence permits, migration agents must assess the “causes” for welfare receipts under the premise that such receipts are a sign of a lack of “integration”. Migration control thereby diffuses into other legal and administrative fields, particularly social assistance administrations.

Studies on migration control have for a long time analyzed the discourses, policies, and tools deployed by states to regulate the entry and stay of foreign nationals in their territories. In this Policy Brief, we take a specific interest in the implementation of Swiss migration law that establishes a strong link between ideas and requirements regarding “integration” and economic independence from the state. Observing the work of frontline agents in social and migration services, we investigate how they implement legal provisions in their everyday practices, internally, with other administrations, and in their interactions with foreign nationals.

An Economic Understanding of “Integration”

A reading of Swiss legislation on foreign nationals over time shows that economic motives, such as financial self-sufficiency or independence from social assistance, are fundamental to Swiss migration policies. As such, the reception of social assistance has long been one of the drivers for the revocation of a residence permit or the refusal of family reunions. Under the former law, foreign nationals residing in Switzerland for more than 15 years could not lose their permanent residence permit, should they receive social assistance. In contrast, in EU law, receipt of social assistance can no longer be a reason for deportation after five years of regular stay in a host country. Recent changes introduced in 2019 by the Federal Act on Foreign Nationals and Integration (FNIH) and the Ordinance on the admission, residence and exercise of a lucrative activity (OARIA) require social services to spontaneously report to migration services whether and to what extent foreign nationals are dependent on social assistance (Art. 97 para. 3 let. d FNIH). The FNIH also includes the possibility to downgrade a permanent residence permit into a residence permit if the holder does not fulfill the “integration” criteria (Art. 83 Abs. 1 let. c FNA).

The interpretation of the legal relevance or not of this reception is not the responsibility of the social authorities, but of the migration office.

Cantonal migration office

Following the Swiss “integration-step-model”, the counterpart to obtaining an increasing degree of self-sufficiency is the revocation of an individual’s permanent residence permit (Art. 97 para. 3 let. d FNA). Additionally, in the case of a migrant receiving social assistance, migration services’ agents proportionally assess the amount of social assistance already allocated, the prospect of dependency, as well the individual effort.

Variety of Objectives, Meanings, and Practices

Our case studies findings in several Swiss cantons highlight different practices both in cantonal migration services and communal social services. Some of the latter may for instance consider not that all of their contributions to a client are part of social assistance per se, and they would therefore not communicate certain aid to the migration services. How the “obligation to communica- tion” (DARIA) is understood by the migration offices is carried out can also differ. The period between the initial recep- tion of social assistance benefits and the communication might be immediate, or could intervene after a certain amount of social assistance to the client is reached, or be done in the context of the content of the case, when social and migration services have set a protocol to share relevant data bases. This communication may be done by the social worker who is directly dealing with the client, by an administrative agent, or it may be automated.

“Sometimes [in the file sent to the migration service] the lawyers see that the social worker is really giving the information against their will.”

Legal advisor

A consistent feature is that social workers, when addressing their clients, consider the risk of receiving social assistance for holders of residence permits. While social assistance is the last safety net, social workers can encourage foreign nationals to further consider alternatives or urge them to get into work inclusion programs to show good faith in trying to re-enter the workforce. Social workers may also advocate for their clients, sharing further information with migration ser- vices about the efforts deployed to cease the reception of social assistance. They thereby aim at disproving the migration office’s idea that the reception of social assistance is “self-inflicted” by the person. Conversely, some public officials believe that the revocation happens; they thereby aim at disproving the migration office’s idea that the reception of social assistance is “self-inflicted” by the person. Conversely, some public officials believe that the revocation happens; they thereby aim at disproving the migration office’s idea that the reception of social assistance is “self-inflicted” by the person.