Report on International Cooperation on Migration[1]

Summary and recommendations

Migration is a complex phenomenon that has intensified under the effects of globalisation. The complexity of migration is reflected in the various foreign policy interests that Switzerland has in the field of migration. It is in Swiss interests, for example, to encourage regular migration as a means of stimulating the Swiss economy; to afford protection to refugees in keeping with its international commitments and humanitarian tradition or to take steps to ensure that irregular migrants return to their countries of origin. The Swiss foreign migration policy is faced with numerous challenges (perception of migration, regular migration, irregular migration, return, affording protection, migration and development, EU migration policy, global governance of international migration flows). Switzerland has developed a series of instruments to enable the actual implementation of its foreign migration policy and overcome the various challenges it faces. These instruments are based on three principles: 1) a comprehensive approach to migration that considers the economic, social and cultural opportunities offered by migration without losing sight of its challenges (e.g. irregular migration, return, human trafficking); 2) close partnerships between Switzerland and countries of origin, transit and destination combined with a balanced consideration of the interests of all stakeholders; 3) close interdepartmental cooperation to ensure that Swiss migration policy remains coherent and that the instruments developed to address migration issues are used as part of a comprehensive approach. The most important instruments are the international dialogue on migration, migration partnerships, programmes to protect refugees in their regions of origin (protection in the region programmes) as well as return assistance and structural aid programmes.

- The current approach of Swiss foreign migration policy has proven to be effective and several promising instruments have been developed in recent years. However, in order to achieve greater effectiveness, current instruments (especially migration partnerships, protection in the region programmes and international dialogue on migration) must be implemented to a greater extent. Beyond ensuring the effectiveness of migration policy, the aim is also to preserve the Swiss government's credibility in the eyes of the international community and its bilateral partners. Monitoring and evaluation of these instruments takes place at periodic intervals within the existing interdepartmental cooperation structure.

- A new, simpler and clearer interdepartmental cooperation structure is needed. This new structure will include all relevant federal agencies. The *Plenum of the Interdepartmental Working Group on Migration (IAM Plenum)* will become the most important strategic body for interdepartmental cooperation on migration. The IAM Plenum will assemble twice a year. The Federal Department of Justice and Police (FDJP) will chair meetings on integration and domestic migration issues and will co-chair meetings on foreign migration policy issues with the Federal Department of Foreign Affairs (FDFA). Through addressing integration policy and foreign migration policy at the same time the Swiss migration policy shall become more

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[1] English is not an official language of the Swiss Confederation. This translation is provided for information purposes only and has no legal force.

coherent. No changes will be made to the coordination structure responsible for integration policy, which is currently comprised of three working groups reporting to the IAM Plenum.

- *Interdepartmental Steering Committee on Return Assistance (ILR)* and *The Committee of the Interdepartmental Working Group on Migration (IAM Committee)* will be merged into a single operational body: the *Committee of the Interdepartmental Working Group on International Cooperation on Migration (IMZ Committee)*. The IMZ Committee will coordinate the operational implementation of all Swiss foreign migration policy instruments (e.g. migration partnerships, return assistance programmes, protection in the region programmes). The IMZ Committee will also serve as a think tank for the IAM Plenum and will manage the activities of the various thematic or geographical working groups. The IMZ Committee will also coordinate the use of funding by the various federal agencies within the framework of priority programmes. The IMZ Committee will be jointly chaired by representatives of the Federal Office for Migration (FOM), the FDFA's Political Affairs Division IV: Human Security (PD IV) and the Swiss Agency for Development and Cooperation (SDC) and will meet at least six times per year.

- In order to ensure the adequate implementation of Swiss foreign migration policy instruments more financial resources are necessary. The funding from the line of credit for return assistance – which the Federal Council allocated to the ILR back in 1999 – has now been entirely used up, which makes the current situation all the more urgent. The main federal agencies involved in migration (FOM, SDC, PD IV) have pledged – within the scope of their respective mandates – the allocation of greater resources for the implementation of the Swiss foreign migration policy. This commitment has been expressed, for example, in Federal Council Dispatches on the activities of the SDC and PD IV. The FOM is the main federal agency responsible for Swiss migration policy matters. Therefore, and after consulting and obtaining support from the FDFA, the FOM intends to take the necessary steps to obtain its own line of credit for activities and projects relating specifically to Art. 100 of the Foreign Nationals Act[2]. This will be done in order to fund its commitments in the area of international migration and thereby contribute to ensuring adequate funding of the various Swiss foreign migration policy instruments.

- Each year, the IAM Plenum drafts a progress report for the FDJP and the FDFA, to be submitted to the Federal Council. This report should enable foreign migration policy priorities to be set for the following year or for the medium-term. It may also be used as the basis for reports to the Swiss Parliament.

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[2] Federal Act of 16 December 2005 on Foreign Nationals (SR **142.20**)

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1. Introduction

1.1. Reasons for this report

Various parliamentary initiatives launched in recent times have expressed the increased interest in Swiss foreign migration policy and a stronger commitment to migration partnerships, protection in the region programmes and return assistance (Müri Motion 09.3601, Fluri Interpellation 09.3647, Moret Interpellation 09.4265, CVP Fraction Motion 10.3071, Bischof Postulate 09.4311[3]). In its statement on the Müri Motion, the Federal Council announced that the FOM would "in collaboration with the FDFA, develop a concept that takes into account the concerns expressed in the Motion." In other words, the FOM and FDFA were asked to devise a concept to increase the effectiveness of Swiss foreign migration policy.

In 2004, the Federal Council approved the report drafted by the *Interdepartmental Working Group on Foreign Policy on Migration and Return (IDAG Migration)*. In this report, specific measures were proposed for the increased use of foreign policy instruments within a comprehensive migration strategy. To this end, a Committee of the Interdepartmental Working Group on Migration (IAM Committee) was created. Since the IDAG Migration report was released, Switzerland has developed a series of innovative instruments to implement Swiss migration policy. The migration partnerships concept is one example. It is based on Art. 100 of the Foreign Nationals Act, which came into effect in January 2008. Another example is the protection in the region concept, which is based on Art. 113 of the Asylum Act[4].

Discussions held in various migration-related interdepartmental bodies in 2010 have shown that the substantial findings presented in the IDAG Migration report remain valid. There is still a need for an effective migration policy that enables the negative consequences of migration to be reduced while seizing opportunities at the same time. There is also a need for a continued close cooperation between countries of origin, transit and destination. The chief aim is to find a solution that allows all federal agencies involved in migration issues to move forward with the implementation of the instruments developed. Also, discussions revealed a general consensus that the various mandates, priorities and objectives of the Federal Departments need to be devised in a more coherent manner. Finally, attention was drawn to the fact that the current interdepartmental cooperation structure needs to be improved in order to further this aim. Experiences over the past few years have shown that Swiss foreign migration policy objectives can only be achieved if the various federal agencies involved in migration policy show a stronger commitment and through closer cooperation.

In this respect, a decision was reached on 1 July 2010 at the Plenum of the Interdepartmental Working Group on Migration (IAM Plenum) to establish a working group under the co-chairmanship of the FOM and PD IV. This working group was asked to draft the present "Report on International Cooperation on Migration", which is to be submitted to the Federal Council.

1.2. Objectives of this report

The present report intends to show how the effectiveness of Swiss foreign migration policy may be improved. We shall first present the results of our analysis and then make various suggestions on how this objective may be reached. Specifically, this report includes:

- Analysis of current Swiss foreign policy challenges in the area of migration and the corresponding objectives;
- Analysis of whether current interdepartmental cooperation instruments and structures enable these challenges to be overcome;
- Proposals on how to strengthen Swiss foreign migration policy by making adjustments to the existing interdepartmental cooperation instruments and structures.

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[3] Motion 09.3601 of the Swiss Parliament defeated as recommended by the Federal Council; Motion 10.3071 has not yet been discussed in the two chambers; Postulate 09.4311 approved by Swiss Parliament.
[4] Federal Act of 26 June 1998 on Asylum (SR **142.31**)

This report examines aspects of Swiss foreign migration policy as well as internal coordination mechanisms. Specific aspects of Swiss domestic migration policy (e.g. integration, asylum procedures or labour market access requirements) will not be directly covered by this report. Nevertheless, these aspects need to be taken into account if overall coherence of Swiss migration policy is to be achieved. The present report only touches upon immigration from EU/EFTA member states, which is governed by the 2002 Swiss-EU/EFTA Bilateral Agreement on the Free Movement of Persons. The report therefore limits itself to Swiss foreign migration policy as it relates to third states. The terms "third state" and "EU/EFTA member state" exist for the purpose of drawing a distinction when admitting qualified foreign workers to Switzerland. EU/EFTA nationals are given priority over third state nationals (i.e. non-EU/EFTA nationals) on the Swiss labour market.

2. Current situation

2.1. International migration today

Nowadays, migration is one of the key policy issues. It is a complex phenomenon that has further intensified under the effects of globalisation. Due to new technologies, capital, goods, services, information and ideas are transferred expeditiously between countries or continents. Countries, societies and cultures from various regions around the globe are increasingly interdependent. The United Nations (UN) estimates that in 2010, the number of migrants reached 214 million (i.e. over 3% of the world population). Migrants leave their home countries for various reasons. Some leave of their own volition to escape poverty or to seek a better future for themselves. Others are forced to leave due to external circumstances. The number of migrants fleeing persecution, armed conflict or environmental disasters has been increasing steadily. While refugees and internally displaced persons account for only a small proportion of migrants (the UN High Commissioner for Refugees [UNHCR] estimates some 42 million in 2008), they are among the most vulnerable groups overall and are in need of comprehensive protection. Most migrants reside in close proximity to their country of origin. Few have the intention or even the possibility to travel to another continent. Migration flows from developing countries to industrialised countries account for only one-third of total international migration, meanwhile regional agreements enable the free movement of persons regionally (e.g. European Union [EU], Economic Community of West African States [ECOWAS]). This leads to tensions between the realities of international migration and the actual possibilities of migrants to legally migrate to other countries and contribute to the development of countries of origin, transit or destination.

One of the main challenges is creating the necessary conditions that ensure safe and legal migration, preserving the rights and interests of all stakeholders and also empower migrants to become drivers of development. Therefore improved management of migration at both the international and national level is discussed. Effective and innovative migration policy seeks to minimise the negative and maximise the positive aspects of migration. It includes bilateral and multilateral initiatives to address the various facets of this phenomenon. Such a migration policy upholds Switzerland's international commitments and humanitarian tradition. At the same time, it considers the legitimate interests of security and social cohesion. It combines regular migration in the interest of the host country with elements to combat irregular migration as well as measures which preclude the long-term causes of forced migration (development cooperation and human security initiatives). In order for migration management to be successful, it has to be coordinated with all national stakeholders and governments concerned (countries of origin, transit and destination).

Swiss migration management efforts are mainly focussed on migration from third states, i.e. countries outside the EU/EFTA area. Since the 2002 Swiss-EU/EFTA Bilateral Agreement on the Free Movement of Persons, all EU/EFTA nationals are free to live and work in Switzerland. Today, net immigration from EU/EFTA member states is higher than from third states. In 2004, accompanying measures were taken in order to avoid the negative effects the free movement of persons might have on wages and working conditions. According to the transitory provisions of the Swiss-EU/EFTA Bilateral Agreement on the Free Movement of Persons, Switzerland may maintain restrictions on labour market access to nationals from EU-8 member states (Estonia, Latvia, Lithuania, Poland,

Slovakia, Slovenia, Czech Republic and Hungary) until 2011 and from EU-2 member states (Bulgaria and Romania) until 2016. With the conclusion of the bilateral agreement, Switzerland resolved to no longer apply quotas to limit migration from EU/EFTA member states but rather to tap into the economic growth potential that the free movement of persons offers. Furthermore, certain instruments increase the domestic security of Switzerland (e.g. through the Schengen/Dublin Association Agreements).

2.2. Swiss interests and foreign migration policy objectives

The complexity of migration is reflected in Switzerland's diverging migration policy interests. This complexity requires close coordination and cooperation between the federal agencies involved to ensure coherence and a balancing of interests between the various mandates, priorities and objectives. According to the IDAG Migration report (approved by the Federal Council in 2004) and the Foreign Policy Report 2010, Swiss foreign migration policy interests include the following:
- Encourage regular migration to serve the economic, social and cultural interests of Switzerland and partner countries;
- Protect refugees and vulnerable persons, taking into consideration the specific needs and vulnerabilities of women and children;
- Combat irregular migration and human trafficking;
- Encourage migrants to return to their countries of origin and foster programmes that provide them with return and reintegration assistance;
- Recognize the advantages of migration to further the development policy objectives of Switzerland and partner countries and empower migrants to become drivers of development in Switzerland and countries of origin;
- Contribute to the global governance of international migration.

These interests are part of the three pillars upon which Swiss migration policy rests: *prosperity, solidarity and security*. Swiss migration policy aims at guaranteeing the necessary immigration to guarantee the economic, social and cultural prosperity of Switzerland. Migration policy should also contribute to prosperity in countries of origin, transit or destination by establishing greater synergies between migration and development. Furthermore, migration policy should reflect Switzerland's humanitarian tradition by affording protection to people fleeing persecution. At the same time, it should ensure the safety of Swiss nationals and migrants by facilitating the integration of regular migrants, fighting irregular migration and human trafficking and ensuring the dignified and safe return of irregular migrants.

By maintaining a consistent foreign migration policy commitment, Switzerland will be able to ease pressures on its borders and territory and optimise the potential economic and social benefits of migration. This can be achieved without undermining the interests of other stakeholders. Every improvement to the global governance of migration represents an added value for Switzerland.

2.3. Current Swiss foreign migration policy challenges

The greatest challenges for Swiss foreign migration policy include the following:

- *Perception of migration*. Migration has been perceived by the media and by the general public mainly as a problem. In so doing, the fact that migration contributes to economic and social development in countries of origin, transit and destination is neglected. In an aging, service-based society, migration is indispensable for labour market sectors with labour shortages (e.g. health care) in order to guarantee a sound economy. Even if other measures are taken with regard to domestic workers (e.g. increasing employment rates among women), migrants are still needed in order to adequately address labour shortages. Under specific preconditions, countries of origin can derive benefits from the transfer of knowledge and capital inflows *(remittances)* from their citizens who live and work abroad, even though the brain drain phenomenon remains a problem in certain sectors in developing countries. In addition, migrants who are given access to the labour market often enjoy greater purchasing power. The issue of migration needs to be perceived in a more differentiated manner by the general

public and the media, thereby enabling migration policy to be developed and implemented in a manner which minimizes the negative aspects of migration and realizing the potential of migration (e.g. for economic growth).

- *Regular migration.* The Swiss-EU/EFTA Bilateral Agreement on the Free Movement of Persons allows Switzerland to resolve labour shortages. In an aging Swiss society, it is likely that the supply of workers from EU/EFTA countries will no longer adequately cover shortages on the Swiss labour market in the long term. EU/EFTA countries themselves are also faced with the problem of demographic aging, which will reduce their emigration potential. A future challenge for Switzerland will be to recruit the qualified workers it needs for economic growth in the face of increasing international competition.

- *Irregular migration.* Many people have only limited possibilities of freely migrating to other countries to seek employment. Current migration flows from poorer to wealthier regions of the globe are therefore mostly irregular in nature. Irregular migration undermines state sovereign and legitimate right to decide which individuals are entitled to enter and remain on national territory. Inadequate control of migration has direct or indirect consequences in many policy areas (e.g. security, health, education, labour market). The resulting security risks undermine the rule of law and the credibility of migration management policies. Moreover, irregular migrants often find themselves in a vulnerable position, which exposes them to the risk of exploitation (human trafficking) or involvement in criminal activities. Since their irregular status generally deprives them of social rights and protection mechanisms, such migrants often fall victim of human smugglers or traffickers. To this effect, efficient strategies have to be developed to counter irregular migration. Irregular migration can be reduced by offering better alternatives in countries of origin or by adopting innovative labour migration policies in destination countries. However, local development in the countries of origin will not suffice to prevent migration. The phenomenon of irregular migration is rather to be viewed in conjunction with the restricted possibility of regular migration.

- *Return.* For many years, in negotiations for the return and readmission of irregular migrants Switzerland has been faced with demands from countries of origin to make concessions, particularly with regard to labour market access and cooperation in other areas. An unyielding position in response to such demands has proven ineffective. In order to face this challenge, it is necessary to utilize the new instruments to reconcile the interests of Switzerland and countries of origin. The bilateral agreements signed with these countries must address the desired return and reintegration outcome both in form and content. In addition to negotiations with countries of origin, a major challenge has been ensuring the safe, dignified and sustainable return of migrants. The return to one's country of origin preferably takes place on a voluntary basis. However it can also take place by force under the terms of a readmission agreement or other form of practical cooperation between the countries involved. After having fled from war, persecution, natural disasters or poverty, returning migrants are often faced with a torn social fabric and ruined infrastructures, generally occupational and social reintegration assistance is therefore needed.

- *Affording protection.* The number of people who leave their home country to escape armed conflict or serious human rights violations is steadily increasing. According to UNHCR estimates, at the end of 2008 there were 42 million displaced persons, 15 million of whom were refugees. Women and children are often the most vulnerable victims. The vast majority of refugees seek asylum in countries located in their region of origin. In many cases, however, these countries lack sufficient capacities to afford effective protection. The proportion of migrants who find themselves in a vulnerable position along the way – either because they depend on human smugglers or traffickers or because they have become stranded in a transit country – is also steadily increasing. Regardless of whether these migrants are granted refugee status or not, one of the most important challenges for the international community remains the protection of these vulnerable people. For Switzerland, the aim is to provide refugees with long-term protection, in keeping with our country's humanitarian tradition. A challenge for Switzerland is intensifying the use of resettlement policies to protect refugees

who receive no such protection in their regions of origin. A further challenge is finding solutions for people who require assistance in the wake of environmental disasters, for instance, but who currently do not fall into the refugee category. Also, affording effective protection to vulnerable migrants, internally displaced persons or refugees in their region of origin or along migration routes poses a challenge for Switzerland.

- *Migration and development.* The potential role that migrants have in furthering development, economic growth and poverty reduction objectives, not only in their country of origin but also in countries of transit and destination is now recognised. The development potential that migration offers can nevertheless be used to a greater extent. Migration issues, for instance, need to be more systematically included in sectoral policies or, more generally, in regional, national or local development strategies. Even more generally, benefits may be derived from including international migration in international economic strategies and corresponding governance mechanisms. Many countries of origin and transit lack the capacities and know-how to take advantage of possible synergies between migration and development. Policymakers dealing with issues such as migration, the labour market, education and health, need to have access to more up-to-date, precise and detailed information regarding migration flows. Such countries require assistance in their efforts to devise a coherent and comprehensive migration policy. While governments remain the main stakeholders when it comes to managing international migration flows, other stakeholders from the private sector, non-governmental organisations (NGOs), civil society organisations (CSOs) and migrant associations can also contribute their expertise to the formulation and implementation of migration policy. Swiss migration policy can be made more coherent by increasingly taking into account the impacts of fundamental decisions on trade policy, labour market policy and education policy on the development prospects of countries of origin, transit as well as Switzerland.

- *EU migration policy.* For years, the EU has been working to develop a consolidated European migration policy. These efforts have been recently reinforced by the Stockholm Programme, which guides the EU agenda in the areas of justice, freedom and security for 2010–2015. In this programme, migration policy plays a key role. Between now and 2012, a common asylum system will be created. With the Swiss-EU/EFTA Bilateral Agreement on the Free Movement of Persons and the bilateral Schengen/Dublin Association Agreements, Switzerland is already actively involved in two key aspects of EU migration policy. The EU's developments in the area of migration beyond the Schengen/Dublin Association Agreements are increasingly having an impact on Swiss migration policy practices. Therefore Switzerland has been faced with the challenge to identify relevant areas of cooperation with the EU beyond the bilateral agreements signed in relation to Schengen, Dublin and the free movement of persons (e.g. mobility partnerships, EU recruitment and asylum policies). All possible forms of cooperation need to be assessed in terms of the benefits for Switzerland. Generally speaking, it is nevertheless in Swiss interests to avoid unjustified contradictions and distortions between Swiss legislation and EU standards, particularly with regard to international issues such as migration and asylum.

- *Global governance of international migration flows.* Migration policy has traditionally been considered to be a national issue falling under the jurisdiction of the sovereign state. At the international level, there is increasing awareness that migration flows are a transnational phenomenon, which require regional and international cooperation in order to find adequate solutions that reconcile the interests of all stakeholders. However, there is currently no consensus on the introduction of a formal system of global governance of international migration flows. Such a system would require new legal instruments or a new international organisation. The issue of global governance of international migration has nevertheless been raised in numerous international and regional forums (e.g. UN High-level Dialogue on Migration and Development, Global Forum on Migration and Development [GFMD], Intergovernmental Consultations on Migration, Asylum and Refugees [IGC]); Switzerland has long played a key role in these forums. Moreover, many international organisations deal with migration directly (e.g. the Office of the United Nations High Commissioner for Refugees

[UNHCR], the International Labour Organization [ILO], the International Organization for Migration [IOM], the Organisation for Economic Co-operation and Development [OECD], the United Nations Office on Drugs and Crime [UNODC], United Nations Relief and Works Agency for Palestine Refugees in the Near East [UNRWA]) or indirectly (the United Nations Development Programme [UNDP], the World Bank, the United Nations Children's Fund [UNICEF]). Switzerland also maintains regular institutional dialogue with the governing bodies of these organisations. The challenge is how to gradually develop a consolidated and coherent understanding within the Federal Administration of the role that Switzerland can play in the global governance of international migration flows and the role that the various international organisations should play in this area. The objective is to create an international framework that would permit the governance of international migration flows and ensure that migration is safe, legal and respectful of the rights and interests of all stakeholders.

3. Main foreign migration policy instruments

In order to substantiate migration policy and achieve the corresponding objectives, Switzerland has developed various policy instruments. These instruments can be used to at least partially address current challenges in the area of international migration and are based on the following principles:

- *Comprehensive approach to migration.* Effective foreign migration policy considers both the opportunities and challenges of migration in economic, social and cultural areas. A comprehensive understanding of migration is also needed to reconcile the interests of all stakeholders. At the same time, it enables Swiss migration policy interests to be advanced through partnerships and cooperation without disregarding the needs of partner countries and migrants.

- *Partnership approach.* Close cooperation between countries of origin, transit and destination as well as with other stakeholders (international organisations, NGOs, diaspora, private sector) is absolutely essential for an effective foreign migration policy. In order to ensure successful cooperation, the interests of all stakeholders must be adequately taken into account. Switzerland is committed to finding cooperative solutions at the bilateral, regional and multilateral levels.

- *Whole-of-government approach.* Close interdepartmental cooperation is absolutely essential for efficient and consistent implementation of the various foreign migration policy instruments. It also ensures that the sectoral policies of the various federal agencies involved remain coherent. Within the scope of their respective mandates, numerous federal agencies bring specific added value to Swiss migration policy. Each agency contributes in its own way to foreign migration policy instruments. Opposing interests can be settled in a constructive manner due to coordination between the various federal agencies; this ensures that Swiss migration policy remains coherent. To this effect, a successful foreign migration policy optimises mutually complementary instruments that are already available. In collaborations with a partner country, Switzerland generally strives to combine several instruments in a flexible manner. The ongoing commitment of the federal agencies to their respective mandates is reflected in the instruments described below. The SDC's Humanitarian Aid and SHA Domain, for instance, seeks to assist and support refugees and internally displaced persons directly in their country or region of origin. Furthermore Switzerland is committed to the prevention of human trafficking and victim assistance. Both development cooperation and a commitment to human security have long-term effects on the sources of migration.

3.1. International and regional dialogue on migration

International migration dialogue enables Switzerland to work multilaterally towards migration management which reconciles the interests of all stakeholders. Over the past ten years Switzerland has taken part in numerous initiatives. Both the Berne Initiative and the report "*Migration in an interconnected world: New directions for action*", which was published by the Global Commission on

International Migration (GCIM) in October 2005, have contributed on a global level to a common understanding of migration as a phenomenon with both opportunities and risks and challenges. Migration issues were also raised at ministerial level for the first time at the UN General Assembly's High-level Dialogue on Migration and Development in 2006. Switzerland supports continued discussions in this forum, which is recognised by all countries. Switzerland was partly responsible for the decision to hold an Informal Thematic Debate on International Migration and Development at the sixty-fifth session of the UN General Assembly in 2011 as well as for the decision to hold the second High-Level Dialogue on International Migration and Development at the UN General Assembly in 2013. In addition, Switzerland actively supports the Global Forum on Migration and Development (GFMD). The GFMD was launched by a group of countries for the purpose of providing an informal platform for global discussion. Switzerland is convinced of the potential of this platform. Currently 140 to 160 countries take part in the GFMD. The platform has enabled specific experiences to be exchanged and migration and development partnerships to be established. In 2011, the GFMD is chaired by Switzerland.

Furthermore, Switzerland is also involved in several processes of regional dialogues on migration (Rabat Process, Budapest Process, Intergovernmental Consultations on Migration, Asylum and Refugees [IGC]). These processes build bridges between countries of origin, transit and destination. They encourage a shared understanding of the migration phenomenon and enable joint mechanisms to be devised to reduce the negative aspects of migration and take advantage of the opportunities it offers.

Finally, Switzerland is a member of international organisations that are involved in migration issues either directly (e.g. UNHCR, ILO, IOM, UNODC, UNRWA) or indirectly (e.g. UNDP, World Bank, UNICEF). Switzerland takes part in various institutional mechanisms (e.g. strategic committees or certain technical working groups) that enable policy dialogue with these organisations. Within this framework, Switzerland seeks to uphold signed international agreements that determine its rights and obligations in the area of migration.

3.2. Bilateral agreements on migration with non EU/EFTA member states

Bilateral agreements on migration form the legal framework for bilateral cooperation in specific areas such as return, visas or trainee exchange programmes. Readmission agreements are intended to enable the quick and risk-free readmission of irregular migrants. These agreements specify the terms of implementation, the readmission procedure and applicable timeframes applying to both Switzerland and the country of origin. To date, Switzerland has signed 44 readmission agreements with other countries. In many cases, however, negotiations prove to be difficult due to the diverging interests of partner countries which cannot always be addressed in a bilateral agreement focused solely on one aspect of migration. Therefore, more comprehensive instruments are needed which enable additional aspects to be included such as dialogue on various aspects of migration or migration arrangements which go beyond readmission (e.g. cooperation on visas, border control or return assistance). These comprehensive solutions greatly facilitate negotiations on readmission agreements. The most suitable instrument enabling a comprehensive approach to migration is the migration partnership.

3.3. Migration partnerships

The innovative migration partnership concept was enshrined in law with the entry into force of the new Foreign Nationals Act in January 2008 (specifically Art. 100). The migration partnerships were created in an effort to intensify cooperation with countries of origin and transit countries through taking into account the interests of all stakeholders. Moreover, a comprehensive approach to migration issues shall be pursued. Migration partnerships establish a general framework for all aspects of cooperation on migration between Switzerland and the respective partner country (bilateral agreement, various projects etc.). Migration partnerships are formalised through the signature of a bilateral agreement or a Memorandum of Understanding. The content of migration partnerships is flexible and differs from one partnership to another. Key aspects covered in a migration partnership include cooperation in "traditional" areas such as readmission, return assistance, visa policies or combating human trafficking. Migration partnerships also cover projects in more innovative areas such as the creation of

synergies between migration and development or exchange programmes for further education (e.g. trainee exchange programmes). The interests expressed by the partner country may also include general migration-related aspects which do not affect Switzerland directly, such as development projects. Partner countries generally would like labour market access clauses to be included in Memoranda of Understanding. However, Switzerland's ability to effectively cater to these interests is limited under applicable legislation (Foreign Nationals Act). Switzerland offers the possibility of regular migration in certain niche areas such as exchange programmes in the field of education and training. It is also worth noting that the migration-related interests of partner countries are not limited solely to labour market access. Therefore, balanced and mutually satisfactory partnerships are still possible notwithstanding labour market restrictions.

The development of migration partnerships requires a close interdepartmental collaboration ("whole-of-government approach"). The very first migration partnerships were signed with the Western Balkan states and Nigeria. These migration partnerships have been substantiated through a regular dialogue on various aspects of migration and the implementation of projects in new areas such as human trafficking or the creation of synergies between migration and development.

In order to preserve its migration policy interests, Switzerland must first determine the priority countries for migration partnerships. Migration partnerships also require considerable financial and human resources from the Federal Administration.

In general, Switzerland pursues a comprehensive approach to migration and aims at cooperation on the various aspects of migration. This approach on migration is also extended to countries with no formal migration partnership. To further this aim, Switzerland combines various instruments such as return assistance, trainee exchange programmes and measures to protect vulnerable migrants.

3.4. Protection in the region (PiR) programmes

The search for sustainable solutions for refugees and persons in need is an essential component of Switzerland's humanitarian commitment. On the basis of the Swiss concept to afford better protection to refugees in their regions of origin (protection in the region programmes), Switzerland has strengthened its commitment to help refugees in their first host country. This should also contribute to the reduction of secondary irregular migration flows. Most refugees reside in countries in close proximity to the crisis regions from which they have fled. In many cases, these countries are developing countries which themselves do not possess sufficient capacities to admit and afford adequate protection to large numbers of refugees. In order to escape persecution and seek protection, many refugees are forced to continue to migrate to other countries or regions. For this reason, Switzerland provides support for measures to protect refugees and improve their living conditions in the first host country. Switzerland also seeks for measures to improve national capacities to protect refugees and implement sustainable solutions (return, permanent or temporary local integration or resettlement). Switzerland is currently implementing two protection in the region programmes: one in Yemen for refugees from the Horn of Africa and one in Syria for refugees from Iraq.

3.5. Return assistance and structural aid programmes

Based on Art. 93 of the Asylum Act, return assistance and structural aid projects seek to facilitate the return and reintegration of irregular migrants to their countries of origin. For people with an irregular migratory status voluntary return is considerably superior option to forced return. At present, around one hundred irregular migrants monthly return to their country of origin either through individual return assistance or within the framework of one of five country programmes (Georgia, Guinea, Iraq, Nigeria, and Western Balkans). In addition, structural aid projects are currently being implemented which benefit not only returnees but also the entire local population. These programmes may, for example, lead to improvements in the areas of education and healthcare and may create new opportunities for employment. A further objective of structural aid programmes is to improve capacities and structures in countries of origin in order to achieve a successful reintegration of migrants.

3.6. Prevention of irregular migration (PiM)

Projects to prevent irregular migration are also based on Art. 93 of the Asylum Act. Their objective is mainly to reduce irregular migration flows in the short term by various means such as information campaigns. PiM projects are also aimed at irregular migrants who are stranded in a transit country (e.g. Maghreb countries) to return to their country of origin.

4. Main stakeholders within and outside the Federal Administration

4.1. Main stakeholders within the Federal Administration

Several federal agencies deal with Swiss migration policy; each agency brings its own added value within the scope of its respective mandate. Migration issues potentially affect all federal agencies.

- The Federal Office for Migration (FOM) is responsible for leading Swiss migration policy. Its main areas of responsibility in foreign migration policy include bilateral, regional and multilateral dialogue on migration, voluntary and forced return, prevention of irregular migration, services rendered in relation to protection in the region programmes and migration partnerships in cooperation with the FDFA.

- The Federal Department of Foreign Affairs (FDFA) plays an important role in foreign migration policy matters, working mainly through the SDC and PD IV. PD IV seeks to facilitate cooperation and coordination between federal agencies to ensure the coherence of Swiss migration policy and implementation of foreign policy instruments. PD IV also helps to develop new instruments and is actively involved in international migration dialogue and efforts to reduce human trafficking.

- The Swiss Agency for Development and Cooperation (SDC) is responsible for providing humanitarian aid and searching for lasting solutions for refugees, internally displaced persons and vulnerable persons. Special emphasis is placed on the vulnerabilities of women and children. The SDC also attends to the implementation of Swiss-authorised and FOM-funded structural aid projects within the framework of return assistance. The SDC also maintains institutional policy dialogue with the UNHCR and other international organisations (e.g. IOM, UNRWA, International Committee of the Red Cross [ICRC]). The SDC takes part in the international dialogue on migration and development and provides funding for global projects which foster the positive capabilities of migration on development, in particular including projects involving the Diaspora, labour migration and development policy planning.

- The State Secretariat for Economic Affairs (SECO) also directly or indirectly contributes to implementation of foreign migration policy through its activities in the following areas: economic development cooperation, including debt relief measures and cooperation with various international organisations (e.g. International Labour Organization [ILO], Organisation for Economic Co-operation and Development [OECD]), as well as labour market policies. Within its competencies SECO is also responsible for further migration-related activities, particularly within the framework of agreements on trade in services (General Agreement on Trade in Services (GATS) and free trade agreements). Such agreements contain international legislative provisions regarding the cross-border supply of various categories of services rendered by foreigners (e.g. managers, specialists and contractors).

- Other federal agencies become involved in Swiss foreign migration policy in an ad hoc manner. These mainly include: the Federal Office of Police (FEDPOL), which is responsible for cooperation in police matters as well as measures to combat human trafficking and smuggling; the FDFA's Directorate of Public International Law (DPIL), mainly in regard to MoUs and agreements on migration; the FDFA/FDEA's Integration Office, which is concerned with safeguarding Swiss interests associated with the EU; the Federal Office of Public Health (FOPH), concerning migration and health services; the Federal Statistical Office (FSO) and the Swiss Federal Customs Administration (FCA).

- In order to strengthen interdepartmental cooperation, the Federal Council appointed a Special Ambassador for International Cooperation on Migration Issues, who represents Switzerland's whole-of-government approach. The Special Ambassador supervises implementation of migration policy instruments such as migration partnerships or protection in the region programmes, which require close interdepartmental cooperation. The Special Ambassador's mandate is to ensure that Switzerland and the various federal agencies concerned are represented accordingly in high-level discussions.

In addition to the federal agencies located in Switzerland, Swiss embassies and coordination offices abroad contribute to local implementation of the instruments described earlier. The capacities and analytical work provided by Swiss embassies and coordination offices should also be considered more carefully when considering a special project in a given country (e.g. migration partnership or a protection in the region programme). Migration attachés who currently represent Swiss interests in Kosovo, Turkey, Nigeria and Senegal, greatly facilitate implementation of foreign migration policy instruments. At present, some of the migration attachés are funded by the FDJP and some by the FDFA. Also, the mandates are not systematically coordinated by the departments. In general, greater synergies between the federal agencies in Switzerland and the Swiss embassies and coordination offices abroad could be achieved.

4.2. Other important stakeholders in Switzerland

To a large extent, implementation of both domestic migration policy (integration, labour market, asylum) and foreign migration policy (return assistance, return) fall under the jurisdiction of Swiss cantons and communes. Greater involvement of civil society in migration and development themes is currently being considered (e.g. NGOs for development assistance as well as organisations concerned with the Diaspora). Switzerland also favours partnerships with certain research institutes. At present, the private sector is barely involved, nevertheless interesting prospects exist which should be further developed, for example, further education within the framework of legal migration.

4.3. Main international and regional stakeholders

Partners primarily include countries of origin, transit countries and other countries with whom Switzerland shares certain interests and priorities. Swiss cooperation with other countries takes place in both bilateral and multilateral frameworks (*Global Forum on Migration and Development*, *High-level Dialogue on Migration and Development*). At the operational level, Switzerland works closely with key organisations involved in migration policy (e.g. IOM, UNHCR, UNODC, ILO, International Centre for Migration Policy Development [ICMPD]) as well as with regional organisations such as CEDEAO or Intergovernmental Consultations on Migration, Asylum and Refugees (IGC). As a member of the governing bodies of these organisations, Switzerland is able to exert an influence over policymaking decisions in the respective bodies.

The European Union is another strategic partner for Switzerland. Switzerland currently takes part in various key aspects of EU migration policy: This participation accrues certain benefits for Switzerland. The Swiss-EU/EFTA Agreement on the Free Movement of Persons has contributed to Swiss economic growth; the Dublin System has reduced the number of asylum applications processed in Switzerland; the Schengen System has facilitated the free movement of persons, namely third-state nationals who require a visa to travel to Switzerland for tourism or business. The participation of Switzerland in the EU's External Borders Fund (EBF) as well as in the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX) has helped to improve cooperation between member countries seeking to monitor the external borders of the Schengen Area, particularly with regard to the prevention of irregular migration. As aforementioned, expanding cooperation with the EU in other areas such as cooperation with countries of origin or transit (joint migration dialogue, mobility partnerships, projects to prevent irregular migration, guidelines for the resettlement of refugees etc.) is necessary. Also, closer cooperation with EU member states that share Swiss migration policy interests could lead to increasing the clout of Swiss commitments.

5. Strengths and weaknesses of current foreign migration policy instruments

In recent years numerous innovative instruments have been developed to increase the level of coherence and effectiveness of Swiss foreign migration policy. These conceptual and legal enhancements include migration partnerships (Art. 100 of Foreign Nationals Act), protection in the region programmes as well as projects to prevent irregular migration (PiM, Art. 93 of Asylum Act). On an international level, Switzerland has strengthened its position as an important partner and is actively contributing to the international dialogue on migration and development within the United Nations and within the Global Forum on Migration and Development. Switzerland has implemented a number of important institutional reforms such as: the creation of the SDC's Global Programme Migration Section, which should enable Switzerland to create even closer synergies between migration and development; the restructuring of the FOM, which came into effect on 1 September 2010; and the appointment of a Special Ambassador for International Migration Cooperation in May 2009. The expert knowledge gained through the implementation of the above-mentioned instruments has proven that Swiss foreign migration policy interests can be adequately served in this manner. The combination of return assistance programmes with structural aid projects, for instance, has led to the effective return and reintegration of thousands of people from the Western Balkans and other regions or countries (e.g. Congo, Nigeria, Georgia). Implementation of a protection in the region programme (PiR) in Syria has contributed to the protection of Iraqi refugees. The dialogue between Syria and Switzerland and the increased support to the Syrian government have improved relations between the two countries in other aspects of migration policy cooperation. Prevention of irregular migration projects (PiM projects) carried out directly in the Horn of Africa region are a third example where positive effects have been achieved. Implemented by the IOM and the UNHCR, these PiM projects seek to quickly identify migrants in need and prevent the irregular migration of people who might otherwise be inclined to search for a better future abroad.

The current Swiss foreign migration policy instruments are not being called into question. However, in order to increase the effectiveness of Swiss foreign migration policy the implementation of the instruments has to be increased. Implementation of the various instruments will be monitored within the framework of an interdepartmental cooperation structure. An evaluation of the various instruments is intended as soon as adequate implementation experience has been gained. Admittedly, Switzerland has encountered certain difficulties implementing these instruments. For instance, successful migration partnerships depend on adequate support, including financial, from the various federal agencies involved in order to ensure a comprehensive migration policy approach. Also, due to the fact that federal agencies often pursue very different mandates, priorities and objectives, implementation of migration partnerships becomes very difficult. As far as protection in the region programmes are concerned, the concept is firmly established. Additional resources are nevertheless needed to significantly increase Swiss commitment to such programmes. In order to play a greater role in migration issues and gain greater visibility within the international dialogue on migration, Switzerland needs to show stronger political support for a substantial international commitment. In order to achieve and improve cooperation between the various federal agencies and also to secure a stronger commitment (also financially) the current interdepartmental cooperation structure needs to be improved.

6. Structure of the interdepartmental cooperation in the area of migration

6.1. Current structure: description, strengths and weaknesses

The various federal agencies involved in Swiss foreign migration policy have been working closely together for around ten years. The following interdepartemental coordination bodies exist:

- *Plenum of the Interdepartmental Working Group on Migration (IAM Plenum).* Created by a Federal Council Decree, this working group has facilitated cooperation between federal agencies in the area of migration since 1998. Members of the concerned Federal

Departments, usually at the level of director, are invited to join the IAM. The FOM Director chairs IAM meetings, which are held no more than four times per year.

- *Interdepartmental Steering Committee on Return Assistance (ILR).* Responding to a Federal Council initiative, the Swiss Agency for Development and Cooperation (SDC) and the Federal Office for Refugees (FOR) - today the Federal Office for Migration (FOM) - launched a joint programme in 1996 to provide return assistance and resettlement services to nationals of Bosnia and Herzegovina who were living in Switzerland at the time. In 1999, this form of cooperation was institutionalised and expanded to cover other regions. The ILR is currently responsible for the development and implementation of measures relating to return assistance, reintegration and the prevention of irregular migration. Its mandate is based on Art. 93 of the Asylum Act. The ILR is co-chaired by the SDC (Head of Humanitarian Aid and SHA Domain) and the FOM (Deputy Director). Some ILR members have decision-making responsibilities while others act in an advisory capacity (PD IV, IOM Bern). The FOM provides the necessary resources for structural aid projects and the SDC is tasked with the operational control. The ILR's credit line for 1999–2009 was CHF 235 million. This funding has been completely used up.

- *Committee of the Interdepartmental Working Group on Migration (IAM Committee).* The IAM Committee seeks to ensure that foreign policy instruments are used in a manner that is consistent with a comprehensive migration policy. It devises strategies for countries that Switzerland considers to be priority countries for migration policy. It also seeks to coordinate the instruments used by various federal agencies (*Länderliste Fokus Migration*). While the IAM Committee's mandate also includes preparing and deploying the migration partnership concept under Art. 100 of the Foreign Nationals Act. However, the IAM Committee has received no specific budget for the implementation of migration partnerships and other activities. The IAM Committee coordinates specific tasks that fall under the mandates of the various federal agencies. The IAM Committee is jointly chaired by the FOM (Deputy Director) and PD IV (Head). All federal agencies involved in migration may take part in the IAM Committee. The committee is generally comprised of representatives from: the Swiss Agency for Development and Cooperation (SDC); the FDFA's Political Affairs Division I and II; the FDFA's Directorate of Public International Law (DPIL); the FDFA/FDEA integration office; the Federal Office of Police (FEDPOL); and the State Secretariat for Economic Affairs (SECO).

- *Working groups.* Numerous thematic and geographical working groups coordinate the operational implementation of projects in specific countries or regions. Some of these working groups are linked to the ILR (e.g. Western Balkan states, PiM); others are linked to the IAM Committee (e.g. PiR in Yemen, migration partnership with Nigeria); still others have no links with any coordination body (e.g. International Dialogue on Migration Task Force).

Switzerland was one of the first countries in the world to establish a structure for interdepartemental coordination and cooperation. For over ten years, the above-mentioned bodies have helped to coordinate Swiss foreign migration policy instruments and contribute to the monitoring of the quality of projects. While the aim is to ensure overall coherence of migration policy and various sectoral policies, the existing structure is rather complex. At present, two bodies share responsibility for implementation of specific aspects of Swiss foreign migration policy: the ILR and the IAM Committee. The result has been considerable overlapping and an excessive number of coordination meetings. This structural complexity is the result of historical developments. The IAM Plenum was the first body to be created and was given responsibility over integration issues at a time when there was little political support for the intensification of foreign migration policy. The IAM Committee, launched in 2004, has therefore played a strategic role in Swiss foreign migration policy. Operational overlapping of ILR and IAM Committee activities can be ascribed to the newly created instruments (e.g. migration partnerships and PiR programmes). Notwithstanding the historical reasons for the current situation, there is no justification to refrain from creating a simpler and more effective structure for the interdepartmental cooperation.

Current approaches to funding Swiss commitments in the area of international migration are pragmatic but complicated. For example, funding for instruments coordinated by the IAM Committee (e.g. migration partnerships) is drawn from the various budgets of the federal agencies involved. Funding for projects managed by the ILR, on the other hand, originates from a credit line approved by the Federal Council back in 1999. Apart from the duplication of efforts, the fact that funding for instruments coordinated by the IAM Committee are aleatoric and insufficient is challanging. In contrast, the ILR had considerable resources at its disposal but those were exclusively available for the purpose of funding voluntary return and reintegration. Today, in order to ensure an effective migration policy a comprehensive approach is needed. Moreover, the ILR's credit line approved in 1999 has been entirely used up. Additional resources are therefore needed.

6.2. Suggestions for improvement

6.2.1. New interdepartmental cooperation structure

A new interdepartmental cooperation structure is needed to improve effectiveness. This new structure will be based on the following principles:
- *Simplicity.* A simple structure to prevent overlapping and duplication of efforts.
- *Clearness.* A clear delimitation of strategic and operational responsibilities and clear relations between the various bodies.
- *Embedding.* The involvement of all federal agencies concerned.

The new structure will be comprised of the following bodies (see chart in the Annex):

- *Plenum of the Interdepartmental Working Group on Migration (IAM Plenum).* The role of the IAM Plenum, the most important strategic coordination body, will be strengthened. The IAM Plenum will align itself with the migration policy priorities and objectives established by the Federal Council and the Federal Departments. The IAM Plenum will enable both integration policy and foreign migration policy priorities to be set within the same forum. In regard to foreign migration policy, the IAM Plenum will reach decisions in the following areas:
    o Approval of regional and country-specific strategies;
    o Identification of partner countries for operational programmes;
    o List of countries with which Switzerland will pursue a coordinated foreign migration policy commitment;
    o Basic principles underlying the Swiss position in the regional and international dialogue on migration.
The IAM Plenum will convene biannually to discuss both integration policy and foreign migration policy issues. For issues concerning integration policy the director of FOM is solely responsible. The current structure used to coordinate integration issues through three working/steering committees under the IAM Plenum will remain unchanged.[5] For foreign migration policy issues the IAM Plenum is co-chaired by the FOM (Director) and the FDFA (State Secretary and SDC Director-General). Differences will be settled by a joint decision reached by the head of the FDJP and the FDFA or by the Federal Council. The following participants will also be invited: SECO (member of the directorate), the Special Ambassador for International Cooperation on Migration Issues and three chairs of the IMZ Committee (FOM Deputy Director, the Head of PD IV and the SDC Deputy Director-General).

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[5] The remit to coordinate integration policies is based on the Federal Council Degree of 22 August 2007 (Report on Integration Measures 2007, pg. 74). In keeping with a subsequent Federal Council report dated 5 March 2010 on Continuation of Federal Integration Policies, there is a need to review coordination in the area of integration (pg. 37).

- *Committee of the Interdepartmental Working Group on International Cooperation on Migration (IMZ Committee).* The IMZ Committee is responsible for the coordination of the implementation of IAM Plenum decisions and operational guidelines. (i) the IMZ Committee coordinates the implementation of all operational aspects of interdepartmental cooperation on migration as well as the various foreign migration policy instruments (e.g. migration partnerships, return assistance programmes, protection in the region programmes, etc.); (ii) as the operational body, the IMZ Committee contributes to the reflexive process of the committee responsible for the strategy. The IMZ Committee also prepares strategic documents to be examined by the IAM Plenum. In addition, the IMZ Committee has the possibility to propose new Swiss commitments or instruments; (iii) the IMZ Committee assigns the various thematic or geographical working groups. The Committee is responsible for supervising and ensuring the proper functioning of these working groups; (iv) the IMZ Committee coordinates financial commitments of the various federal agencies in relation to priority programmes.

  The IMZ Committee is jointly chaired by the FOM (Deputy Director), the SDC (Deputy Director-General) and PD IV (Head). The IMZ Committee convenes six to nine times per year. Experts and representatives from the federal agencies involved in foreign migration policy attend these meetings. In general the following should be represented: the FDFA's Political Affairs Division Iand II; the FDFA's Directorate of Public International Law (DPIL); FEDPOL; and SECO. In particular the representatives from SECO participate perpetually. At the IMZ Committee's discretion, representatives of international organisations (e.g. UNHCR, IOM, ICMPD) can be occasionally invited to take part in meetings of the IMZ Committee or specific working groups.

- *Special Ambassador for International Migration Cooperation.* For the time being the Special Ambassador's responsibilities are set forth in his/her mandate. The Special Ambassador is actively involved in the formulation of decisions at the IAM Plenum (the strategic body) and the IMZ Committee (the operational body). The IAM Plenum establishes the basic principles underlying the activities of the Special Ambassador. Specific activities (e.g. leading a Swiss delegation in relation to a migration partnership, a PiR project, or at the GFMD) are devised by the IMZ Committee.

- *Working groups.* The role and responsibilities of working groups will be strengthened. In other words, the individual details of specific projects are attended to at the working group level rather than at the operational body level. The IMZ Committee appoints the chair of each working group. Working groups will be devoted either to a specific subject (e.g. international migration dialogue, EU, Diaspora) or geographical location (e.g. Western Balkan states, Nigeria, Horn of Africa, Sri Lanka). Working groups coordinate the operational aspects of existing or new projects relating to their assigned subject, region or country. Each federal agency bears responsibility for effective implementation of the projects that they have prepared and funded. Each federal agency also sends representatives to the corresponding working groups. Switzerland's positions on a given subject or its commitment in multilateral bodies are consolidated in the corresponding working group and subsequently approved either by the IMZ Committee (as the operational body) or by the IAM Plenum (as the strategic body). The chairperson of the respective working group coordinates communications with Swiss representations, partner countries and project partners.

- *Secretariat.* The Secretariat is responsible for providing administrative support to the IAM Plenum and the IMZ Committee. Its tasks include the organisation of meetings, drafting minutes of meetings and managing documents. The Secretariat is comprised of three specialists, one from the FOM, one from the SDC and one from PD IV.

6.2.2. Financial resources

This new interdepartmental cooperation structure requires adequate financial resources to implement Swiss foreign migration policy instruments. Without this foundation, Switzerland will be unable to address the various foreign migration policy concerns. At present, there are two main problems: first of all, the ILR's credit line approved by the Federal Council back in 1999 has been used up. This credit line covered the costs of return assistance programmes and structural aid projects that enabled the lasting return and reintegration of around 80,000 people from the Western Balkans. The second problem relates to the need for a more comprehensive approach to ensure the effectiveness of Switzerland's commitment. Efforts should not be limited to the voluntary return and reintegration of migrants. At present, new instruments (e.g. migration partnerships and protection in the region programmes) lack adequate funding. Switzerland's commitment to certain key partners must be maintained or increased to ensure an effective return policy and the credibility of Swiss migration policy as a whole.

One solution to the problem would be to require all federal agencies to plan project budgets so that instruments will receive the resources needed to reach established objectives. The IMZ Committee coordinates the funding provided by the various federal agencies and ensures that this funding is utilized in a coherent manner. The IMZ Committee also seeks satisfactory solutions to ensure the funding of instruments launched. To the extent of their respective mandates and resources, the main federal agencies responsible for implementing Swiss foreign migration policy (FOM, SDC, PD IV) contribute a sizeable portion of funding. For instance, efforts should be made to ensure that a significant migration policy commitment is included in the next Federal Council Dispatches prepared by the SDC and PD IV for the Swiss Parliament.

Another solution to the problem aims at the release of additional resources. As the main federal agency responsible for Swiss migration policy, the FOM provides most of the funding for Swiss foreign migration policy. However, the resources available to the FOM are currently limited. Instead of replenishing the ILR's credit line for return assistance, the FOM could - in consultation with the FDFA and with the FDFA's support - apply for its own credit line based on Art. 100 of the Foreign Nationals Act with the Federal Council and Swiss Parliament. This credit line would list the main foreign migration policy instruments. With this new credit line, the FOM would be able to allocate funding to various instruments or projects relating directly to its mandate. Some of these instruments would be approved by the IAM Plenum and IMZ Committee (e.g. return assistance programmes, migration partnerships, prevention of irregular migration, protection in the region programmes). The Federal Council has repeatedly expressed its desire to further develop activities in these areas. This was done in its responses to the Parliamentary motions mentioned in the first chapter of this report and secondly when Switzerland gave its approval to already established migration partnerships.

7. Annex: Organizational chart of the new interdepartmental cooperation structure

Plenum of the Interdepartmental Working Group on Migration (IAM Plenum)
→ *Strategic level*

IMZ issues → jointly managed by FOM (Dir) – FDFA (PD STS – SDC Dir) + SECO participation (upper management), Special Ambassador, 3 heads of IMZ Committee

Integration issues→ Head of FOM

Special Ambassador: *special remit*

Issues mandate

Informs / shapes decisions

Submits requests, informs

Instructs

Secretariat IAM Plenum / IMZ Committee

Committee of the Interdepartmental Working Group on International Cooperation on Migration (IMZ Committee)
→ *Operational level*

→ *Jointly managed by FOM - PD IV - SDC*

Introduces, coordinates, instructs

Informs, instructs

| Project team: Region A | Project team: Country B | Project team: Theme X | Project team: Y | Project team: Z |