

Report - Field trip to Switzerland**20. – 23.09.2021****7 participants (AVRR counsellors from 6 different countries)**

The report is the summary of Information collected by the participants of the field trip during the exchange with actors of the Swiss migration and return field.

Background information on Switzerland

Switzerland is a small country which is positioned in the middle of Western Europe. Therefore, it plays a significant role in migration flows within Europe. It shares borders with Italy and France which are interesting countries in terms of migration in Europe. Switzerland is a federal republic with 26 cantons with federal authorities located in Bern, the location of our field trip.

When migrants arrive in Switzerland, they first are welcomed in one of the six reception centers in Switzerland (BAZ). Persons with a rapid asylum procedure due to the origin from safe third countries they undergo their asylum procedure there. For persons who will go through a normal asylum procedure or whose procedure takes longer for various reasons, they are transferred to the cantons. If the migrant receives a positive answer, they are located in transit centers where they wait for their housing. If they receive a negative answer, they could be placed in cantonal governed detention centers or could disappear into undocumented life where eventually cantonal organizations are responsible for AVRR counseling. We will now go in depth to define all different actors.

SEM

The state Secretariat of Migration (SEM) is the main actor in the migration chain in Switzerland. They are a branch of the Federal Department of Foreign Affairs (FDFA). On a federal level, they are responsible for the implementation of all migration policies including return and reintegration policies. Furthermore, they make the decision on asylum applications in the first stage. They are a federal institution and are thus on the “top of the hierarchical pyramid” regarding return and reintegration counselling and financial support for a voluntary return. They also provide subsidies for various projects and organizations on both federal levels as well as cantonal levels which aid return and reintegration.

Initially the state secretary of migration (SEM) together with the Swiss Agency for Development and cooperation (SDC) created a country specific return assistance program which was designed to help asylum seekers from Bosnia and Kosovo, who fled from the conflicts, return home in the 1990s. It made it possible to return 10 000 to people to resettling in Bosnia and 40 000 in Kosovo. By now the SEM finances the return to many more countries of origin. The SEM uses different providers for the implementation of return counseling called Return Counseling Services (RCS) depending on the stage of the asylum procedure.

Counselling providers:

- In the federal reception centers (BAZ) IOM Switzerland provides return counseling (as seen in the reception camp in Bern) or the respective cantons carry the responsibility for the RCS.
- For asylum seekers with a normal length asylum procedure and rejected asylum seekers the RSC is provided on a cantonal level by the cantonal migration department or NGOs such as

Caritas; Caritas is mandated to provide return counseling in three Cantons (Schwyz, Zug, Obwalden)

- Rejected asylum seekers with the risk of absconding or non-cooperation can be held in detention centers where the Swiss Red Cross in the canton Bern offers the RSC for example.

Introduction to IOM return counselling

The International Organization for Migration (IOM) is an international organization addressing various migration issues and is a UN Agency. They operate in an independent fashion, however, adhering to the policy of the country in question. In Switzerland they operate on both the federal and cantonal level. On a federal level they are visible in the reception centers (BAZ) where they provide AVRR counseling for migrants who are in the asylum procedure or have just received a negative decision on the application. The IOM counselors are present in the centers with procedure (Altstätten, Basel, Bern, Boudry, Chiasso, airports), centers without procedure as well as temporary centers (Biasca, Giffers, Glaubenberg, Kreuzlingen, Stabio). They provide support with voluntary return to country of origin. Return counselling starts within the first 5 days after the migrant asked for asylum in the BAZ. IOM's counselors and qualified partners explain how AVRR works and the available options to ensure an informed decision. They also accompany migrants throughout the whole process, explaining that migrants can change their mind at any time until departure. They receive at the same time free legal advice by the lawyer following their case. IOM supports the returnee with applying for financial support as well as other organizational matters. In Switzerland, the policy on financial support for voluntary return is based on a digressive system whereby the amount of support decreases over time. For example, a migrant who decides to return before applying for asylum receives the largest amount of financial support. When they receive a negative decision, they receive a certain amount if they decide to return in 24 hours and so on. This poses difficulty for IOM counsellors in the BAZ to work according to their policy on return and reintegration because IOM believes everybody should be treated equally. Furthermore, it poses great pressure on the counsellors because they work under time pressure – mainly working with asylum seekers with a Dublin decree, since they are under the constant risk of being deported to another EU country.

Secondly, IOM Bern operates on a cantonal level indirectly. Here, they support other NGOs and local migration offices which offer AVRR counselling with country specific information and assistance in vulnerable cases through the RIF project (Swiss Return Information Fund) : they conceive countries informational documentation and they help counselors to answer migrants questions to prepare the return. IOM creates link between counseling for voluntary return to Switzerland, return logistics, coordination of reintegration and clarification of information on the situation in original countries. (Country info: <https://switzerland.iom.int/fr/rif-fr#CIS>) IOM offers various trainings on voluntary return and reintegration counselling and published a helpful tool: Reintegration Handbook - Practical guidance on the design, implementation and monitoring of reintegration assistance. Refresher courses are also organized annually.

Notable facts mentioned during the visit at IOM Bern:

- The vulnerability form: IOM has uniformed vulnerability criteria to raise the financial return support (such as pregnant women, lonely parent, number of children, ill and/or old people, human trafficking).
- 70 % of the returns are done within either during the asylum procedure or right after the rejection of the asylum case
- Only people with valid travel documents can participate. If they don't have document, they will have to contact their Embassies themselves.

- IOM provides also help for transit and/or at the arrival at the airport. 70 % of time migrants ask help during the transit.
- The assistance may include family tracing for unaccompanied migrant children, risk assessment for victims of trafficking or planning for health-related needs during the journey.
- Medical assistance: SEM can cover medical expenses until 1000 CHF and during 3 months (prescribed medicine or treatments). In the most severe cases, IOM can cover expenses for medical escorts during flights.

Financial support for voluntary return from Switzerland for (rejected) asylum seekers

The financial reintegration assistance depends, among other factors, on the needs of beneficiaries, the specificity of each program and the available resources. IOM for example can help returnees to set-up income generating activities, access basic services or re-establish ties with their families and friends.

Most of the money for reintegration is granted by the SEM. That's why if IOM is doing all the coordination, the last authorization for return and reintegration comes from the SEM. However, it seems clear that SEM has a total recognition of IOM competences and knowledge about the situation in the return country and the business possibilities. IOM has special found to help for difficult return or to add to the help of SEM in case of deep vulnerabilities.

Reintegration examples: <https://www.youproject.ch/home.html>

Reintegration support on a federal level granted by the SEM:

- Digressive system since 2019– the longer the client stays after a rejection of the asylum request, the less support the client will receive
 - Phase 1 : Migrants receive 1000 CHF grant if they end the asylum request within the first week (till the first meeting with IOM).
 - Phase 2 : Migrants receive 500 CHF grant if they decide to return 24h after their asylum request is rejected (SEM is thinking to make this period a bit longer).
 - Phase 3 : Out of these two phases, Migrants can't ask for reintegration program. They will get the normal grant and flight only.
- Returnees to countries bordering the European Union including North African countries are not eligible for reintegration support; neither visa-free countries (such as Albania and Georgia). For migrants who applied for asylum
- Return counseling services are carried out by IOM or state or NGO counselling providers on a cantonal level

Support includes:

- All costs of the return journey
- Cash allowance: max 1000 CHF/ adult, 1500 CHF/ couple, 2000 CHF/ family
- Individual return assistance up to 3000 CHF => project money if the client leaves during the asylum procedure or within the first 30 days after rejection
- Individual medical assistance: payment for medication or treatment + possible medical escort

Additional financial support granted by local providers on a cantonal level:

In the Canton it is possible for undocumented people and resident permit holders to apply for the AVRR program. Here it is not strictly for the group of asylum seekers. Additional support can include money earned in an Employment program Emergency Aid for example.

Employment program Emergency Aid

People whose asylum request was rejected are prohibited from working in Switzerland. They are able to stay in a night shelter where they receive 10CHF per day for food. During the day they have to leave the shelter. The ban from work makes it hard to help this group of peoples to fill up their time. Usually this group of people is also very reluctant to leave Switzerland. Therefore Caritas created an employment program in the canton Schwyz for potential returnees which allowed participants to earn 30CHF total per day with up to 60 days per year and an a participation of maximum 2 years. 15CHF as a compensation for their work, which is transferred to a locked bank account with Caritas dedicated to return, and 15CHF as pocket money for survival. On a weekly basis they receive an overview of the money they have saved. The savings from the employment program is added to the financial return assistance granted by the SEM. A requirement for participation in this program is to sign a voluntary return declaration and a stay of minimum 1 year in the shelter.

Return counseling in deportation centers (prisons) by the Swiss Red Cross Bern

When a refugee arrives and applies for asylum, the SEM will decide about the asylum case. If asylum is granted, integration actions will follow. If the decision is negative, the canton will oversee the definite removal decision and a deportation will be pending. The Swiss Red Cross has a service contract with the canton of Bern to provide counseling for immigrants and asylum seekers without a legal permit to stay in Switzerland. This program was initiated in 2009. The aim is to provide free, voluntary, and confidential counseling for prisoners and detainees pending deportation after a definite removal decision has been made by the canton. The Swiss Red Cross offers 500-600 counseling sessions per year on average. There are 26 cantons in Switzerland, but only three with counseling for detainees/prisoners provided by NGOs like Swiss Red Cross. It differs from canton to canton but in most cantons state actors are the provider of such counseling service. The asylum seekers cannot choose which canton they get referred to. Maximum stay for detainees awaiting deportation is 18 months. These detainees stay in regular prisons and not detention camps as we know from other countries.

Swiss Red Cross also refers cases to legal advice centers when needed (free of charge)

Counseling content:

- Assessment of personal circumstances
- Future prospects counseling (life circumstances, future possibilities)
- Preparations for return (documents, contact to NGOs)

Types of support:

- The Swiss Red Cross offers 300 CHF (50 CHF within the EU) cash support to all voluntary returnees
- The SEM offers 2000 CHF - only cash support
- Additional financial medical assistance

- In some instances, extra in-kind support by NGO's is possible (for example through the ISS, International Social Service)

Some facts and figures:

In 2020, the beneficiaries represented 55 different countries of origin. The total number of voluntary returns from a detention center was 227 (incl. 35 were women).

2/3 are people in administrative detention awaiting deportation while 1/3 are people serving a sentence (it is possible to return voluntarily after 2/3 of the sentence served)

Covers counseling in 8 prisons, but 50% takes places in the same prison – they operate with fixed days in the respective prisons

In order to get in contact with Swiss Red Cross the beneficiary either informs the respective prison staff about the desire to receive counseling or they fill out a contact slip with contact details.

The counsellors do not undertake certain training aimed at deportees, but they operate after some standards/method which is:

- Focus on the individual
- Focus on the voluntary (return)
- Focus on autonomy/choice
- Clarify expectations and roles

