



Resettlement Country: Switzerland

Last updated: 16th January 2023

1. Resettlement Policy and Programme Description

1.1 Programme Year/Cycle:

Start date: 01-Jan-22 End Date: 31-Dec-23

1.2 Resettlement Policy and Programme

Since its ratification of the Geneva Convention in 1955, Switzerland has regularly received refugee groups through resettlement. This included, among others, refugees from Hungary, Tibet, Indochina (Boat People), Chile, Iraq, Sudan, Tunisia and former Yugoslavia.

When large numbers of refugees from former Yugoslavia arrived in Switzerland in the 1990s, the Swiss government (Federal Council) refrained from further proactive admissions of refugee groups. In the wake of the humanitarian crisis in Syria, the Federal Council approved a number of resettlement quotas from 2013 onwards, before it decided in 2019 to consolidate the Swiss resettlement policy through bi-annual programmes (cf. chapter 1.9).

The main objectives of the Swiss resettlement programme are the admission of particularly vulnerable refugees and providing relief to countries of first asylum with particularly high numbers of refugees. With regards to the selection of refugees, vulnerability is the main criteria.

In contrast to the regular asylum procedure in Switzerland, the State Secretariat for Migration (SEM) conducts an assessment in the country of first asylum to determine whether a person collectively fulfils the requirements for resettlement to Switzerland. The following criteria apply:

- Recognition of refugee status by the UNHCR;
- A special need for protection that cannot be met in the country of first asylum;
- Willingness to integrate in Switzerland;
- Absence of any exclusion criteria (based on Article 1F of the Geneva Convention and Article 53 of the Swiss Asylum Act¹).

If all requirements are met, the SEM organises in cooperation with the UNHCR and the International Organisation for Migration (IOM) the transfer of the selected resettlement refugee groups to Switzerland. Upon arrival, resettlement refugees are granted asylum in accordance with Article 56 of the Swiss Asylum Act.

The Swiss resettlement programme distinguishes its activities from:

- Relocation

¹ [SR 142.31 - Asylum Act of 26 June 1998 \(AsylA\) \(admin.ch\)](#)



Relocation describes the transfer of asylum seekers from one EU Member State to another. Relocation is an intra-EU solidarity mechanism supporting those EU Member States confronted with a particularly large number of asylum seekers. Switzerland as state associated with the EU has repeatedly participated in this mechanism.

- Humanitarian visa admissions (cf. Addendum on Complementary Pathways)
The humanitarian visa admission is generally applied for individuals whose life and limb are in concrete, immediate and serious danger in their home country or country of origin.

Contrary to refugees admitted to Switzerland as part of the resettlement programme, persons admitted via relocation or humanitarian visa admissions are required to file an asylum application upon their arrival.

1.3 Ministries and Departments

The Federal Department of Justice and Police (FDJP) is responsible for the Swiss resettlement programme, whose implementation is ensured by the State Secretariat for Migration (SEM). Certain aspects of the resettlement process require other government agencies. Security checks, for example, are carried out in cooperation with the Federal Intelligence Service (FIS), which is part of the Federal Department of Defence, Civil Protection and Sport (DDPS). Entry arrangements are made in close collaboration with the Federal Department of Foreign Affairs (FDFA).

1.4 Process for Determining the Resettlement Admission Targets

In Switzerland, granting of asylum to large groups of refugees, such as the admission of refugees through resettlement, requires a decision by the Federal Council. The determination of who belongs to such a group is in the competence of the SEM (Art.56, Asylum Act).

On 30 November 2018, after several years of ad hoc decisions, the Federal Council took the decision in principle to continue participating in the resettlement programme of the UNHCR. In the spirit of this consolidation, it approved on 29 May 2019 the resettlement implementation concept “planning and management of the admission of recognized groups of refugees”. This concept had been drawn up jointly by experts from the Federal Government, the cantons, communes and cities and from other organisations. It envisions the consolidation of Switzerland’s resettlement policy, with the aim of improving the planning of accommodation and long-term care of refugees. The concept approved by the Federal Council mandates the Federal Department of Justice and Police (FDJP) to elaborate a bi-annual resettlement programme based on an analysis of the global resettlement needs, and to submit it to the Federal Council for approval. By approving it, the Federal Council decides on the exact admission quota within the range of 1’500 to 2’000 persons.

2. Eligibility for Refugee Status and other forms of International Protection

2.1 National Legislation defining refugee status eligibility

Refugee status is granted on the basis of the 1951 Convention relating to the Status of Refugees (1951 Convention). The Swiss Asylum Act regulates the granting of asylum and the legal status of



refugees in Switzerland as well as the temporary protection of persons in need of protection in Switzerland and their return.

The Swiss Asylum Act (Art. 3 par. 1 and 2) defines refugees as follows:

“Refugees are persons who in their native country or in their country of last residence are subject to serious disadvantages or have a well-founded fear of being exposed to such disadvantages for reasons of race, religion, nationality, membership of a particular social group or due to their political opinions.

Serious disadvantages include a threat to life, physical integrity or freedom as well as measures that exert intolerable psychological pressure. Motives for seeking asylum specific to women must be taken into account.”

Art. 3 par. 3 and 4 refers to the exclusion of the refugee status:

“Persons who are subject to serious disadvantages or have a well-founded fear of being exposed to such disadvantages because they have refused to perform military service or have deserted are not refugees. The provisions of the Convention of 28 July 1951 relating to the Status of Refugees are reserved.

Persons who claim grounds based on their conduct following their departure that are neither an expression nor a continuation of a conviction already held in their native country or country of origin are not refugees. The provisions of the Convention of Refugee Convention are reserved.”

Persons who are admitted to Switzerland under the resettlement procedure are granted refugee status on the basis of Art. 56 para. 1 and 2 of the Asylum Act (asylum for groups). The criteria for granting family asylum are set out in Article 51 of the Asylum Act.

2.2 Additional Information

Switzerland may grant temporary protection to persons or groups who do not qualify as refugees but are exposed to a situation of generalised violence, in accordance with the Asylum Act Art. 4 and 66.

The facts of ineligibility for asylum or exclusion from asylum are based on Article 1F of the Geneva Convention and Article 53 of the Asylum Act.

3. Resettlement Decision-Making

3.1 Resettlement Admissibility and Public Interest Criteria

The Swiss resettlement programme currently focuses on vulnerable refugees from conflict zones in the Middle East and along the migration route across the central Mediterranean. For each bi-annual programme, between three to five countries of first asylum are selected. In addition, a quota is earmarked for groups from sudden emergency situations outside the two regional focuses. The Swiss Resettlement Admissibility Procedure is threefold. In a first step, the UNHCR determines whether the candidates fulfil the requirements for consideration of the Swiss resettlement programme. These include:

- Recognition of refugee status by the UNHCR;



- Inability to return to their country of origin or to stay permanently in the country of first asylum;
- A special need for protection that cannot be met in the country of first asylum;
- Selection criteria specific to the Swiss resettlement programme.

In a second step, the UNHCR submits candidates who fulfil these requirements to the SEM, which carries out a thorough assessment in cooperation with other units of the Federal Administration. The assessment includes, among others, interviews with all candidates aged 14 or older. These are carried out either on site during selection missions, or at times remotely via video link. Moreover, the identity and documentation provided by the candidates are verified. The overall assessment examines whether or not the following criteria are met:

- A special need for protection that cannot be met in the country of first asylum;
- A person's willingness to integrate in Switzerland;
- The absence of exclusion criteria.

In a third step, the SEM reaches a decision whether or not a candidate fulfils the requirement for admission to Switzerland under the resettlement programme and informs the UNHCR accordingly. Only the UNHCR (and no other agency or organisation) informs the candidates about the final decision. Candidates whose cases are rejected are generally not re-considered for the Swiss resettlement programme, nor are their cases re-examined. There is no procedure in place for contesting the inadmissibility for resettlement.

Persons inadmissible for the Swiss resettlement programme are:

- Persons who are a security threat to Switzerland;
 - Persons whose admission to Switzerland would not in any way successfully address a specific health problem that led to the candidates' submission to the resettlement programme in the first place (e.g. terminal stage of cancer).
- Outline the procedures for contesting inadmissibility.

Not applicable

3.2 Requests for Reconsideration

- Explain any procedures for refugees or UNHCR to request reconsideration of negative resettlement decisions based on inadmissibility, public interest criteria, eligibility for international protection or other reason.

Not applicable

3.3 Dependency

Dependent family members or caregivers of resettlement applicants not in need of international protection may be included in the main applicant's file by the UNHCR. Only persons submitted by the UNHCR to the SEM are considered for potential resettlement to Switzerland.



4. Legal Status on Arrival and Citizenship

4.1 Legal Status on Arrival

Upon arrival, resettlement refugees are granted asylum in accordance with Article 56 of the Asylum Act. With regards to their legal status, there is no difference between asylum seekers that are granted asylum and refugees that are resettled to Switzerland.

Those who are granted asylum are entitled to a residence permit in the canton in which they are legally residing. They receive a residence permit B. The validity of this permit is limited to one year. However, it is usually extended provided that the reasons for refugee recognition continue to exist. After ten years of residence in Switzerland, an unlimited settlement permit (C permit) can be issued. Subject to the issuance of a permit C is the fulfilment of certain integration criteria, and if there are no grounds for revocation. In exceptional circumstances (successful integration into Swiss society and proof of language level), an application for a permanent settlement permit can be submitted after only five years.

4.2 Eligibility for Citizenship

Federal law requires at least ten years of residence in Switzerland, three of which must have been during the five years preceding the submission of the application for naturalisation. The time a person has lived in Switzerland between the ages of eight and 18 counts double. However, an application for naturalisation cannot be submitted earlier than after six years of effective residence in Switzerland.

Depending on the canton, it is also required that a person must have lived in the municipality or canton where he or she wishes to be naturalised for at least two to five years before applying for naturalisation.

5. Processing Priorities

5.1 Processing Priorities

- Outline the processing priorities (e.g., if certain groups are prioritized for processing, name these groups and the reasons for their prioritization). If no processing priorities, indicate "N/A."
- Indicate whether UNHCR or non-UNHCR referrals are prioritized, and which organizations (if any) may be involved in case identification and referrals for resettlement consideration besides UNHCR.

Not applicable

6. Special Considerations

6.1 Unaccompanied and Separated Children

The Convention on the Rights of the Child (CRC) entered into force in Switzerland on 26th March 1997. It contains various principles that influence the course of the asylum procedure for minor applicants and shapes the correspondent national legislation. As defined by the national asylum



legislation, minors are considered unaccompanied if they have been separated from both parents and are not under the care of an adult who – by law or customary law of the country of origin – has been appointed for that purpose. Derived from this, all minor asylum seekers who are residing in Switzerland together with a person who exercises parental custody or who can be considered as a legal representative are in principle considered as accompanied children.

The Federal Administrative Court (FAC) specifies in its case law that underage asylum seekers are regarded as accompanied if they are under the care of at least one parent or a person entrusted and responsible with their upbringing and education in Switzerland. This term includes only persons who have parental custody of the minor. The FAC also states that the parental custody of minor asylum seekers is not entitled ex officio to their adult siblings who are residing in Switzerland (EMARK 2004/9). In this situation the persons concerned must be considered as unaccompanied.

With regard to the concept of accompaniment, it should be noted that minors arriving in Switzerland together with their parents are considered accompanied, whereby parents are not only the biological parents, but can also be adoptive parents.

The international texts that refer to the problematic of minors in the context of migration emphasise the importance of adequate protection for them wherever they are. It is clear from these texts that any protective measures ordered in favour of minors must be based on the best interests of the child (art. 3 CRC).

Switzerland has no specific requirements for BID and BIA procedures conducted by the UNHCR.

In general, Switzerland accepts the submissions of UASC. The admission of unaccompanied and separated children requires specific infrastructure to ensure the children's needs are met. Hence, a thorough analysis of each UASC's individual situation is carried out prior to any definite submission of UASC to Switzerland.

6.2 Minor Marriage

In Switzerland, forced marriage is punishable and minor marriage is against the law. The Swiss legal framework states that sexual acts against minors (under 16) are liable to prosecution (Art. 187 StGB). No penalty may be imposed if the difference in age between the persons involved is three years or less. Pursuant to Art. 22a paragraph 1 of the Swiss Federal Personnel Act, authorities are obliged to report to the prosecution authorities all crimes and misdemeanours that are prosecuted ex officio and of which they become aware in the course of our duties. Hence, the resettlement team is obliged to report any cases to the prosecution authorities where sexual acts against minors were carried out.

As a consequence, and based on Switzerland's legal provisions, Switzerland is not able to accept the submission of the following cases for resettlement:

- Families whose eldest children considered for resettlement as part of the RRF were fathered at a time when the mother was younger than 16 years old (and the age difference between the parents is more than three years), and the father is part of the RRF;



- Families who inform during their interviews with the UNHCR that sexual acts against minors were carried out and the age difference between the persons involved is more than three years.
- Explain whether, once resettled, the spouses would be legally permitted to live together.
- Explain whether there is a risk of a split decision, e.g. accepting the child, but not the child's spouse.
- Explain the legal rights of the child, the child's spouse, and his/her children.
- Explain the possibility for accommodating the submission of minor marriages, including case composition, and any documentation and other requirements.

Not applicable

6.3 Refugees with psychosocial, intellectual, sensory or physical disabilities or a serious medical condition

Switzerland does not have any limitations on the consideration of refugees with specific needs associated with disability or serious medical conditions. However, the submission of cases with severe medical needs should not exceed 5%.

6.4 Large families and single adults

Switzerland has limited processing capacities for single cases, for families of more than six persons and for cases including more than three individuals over the age of 13. The submission of these cases is only accepted if the persons concerned are especially vulnerable and if the SEM is consulted prior to submission.

6.5 Polygamous Marriage

The principle of monogamy of marriage is still one of the fundamental principles of the Swiss legal and value system, which is expressed in various ways. According to Art. 215 of the Criminal Code, polygamy is a criminal offense. According to Art. 105 No. 1 of the Civil Code, a marriage is invalid if at the time of the marriage one of the spouses was already married. Consequently, a polygamous marriage, which was validly entered into abroad, is generally not recognized in Switzerland because of the violation of the Swiss "ordre public".

Furthermore, the Federal Administrative Court (FAC) states that the fight against polygamy is a legitimate state objective, which can in principle justify interventions in protected family life. Therefore, Switzerland is not accepting the submissions of cases in polygamous marriage.

- Explain the legal rights of each of the spouses and all of the children as well as the rights for cohabitation.

Not applicable

- Explain the possibility for accommodating the submission of polygamous families, including case composition, and any documentation and other requirements.

Not applicable



- Explain whether there is a risk of a split decision.

Not applicable

6.6 Other

- Explain any other case composition scenarios which involve special considerations.

Not applicable

7. Dossier Selection Processing

Cases submitted on a dossier basis do not involve resettlement country selection interviews. Acceptance decisions are based on the documentation submitted by UNHCR. If the programme does not include dossier selection processing indicate "N/A."

7.1 Dossier Selection Policies

- Explain the policy for receiving selections on a dossier basis, including the decision-making process.
- Indicate which submissions are eligible to be received on a dossier basis.

Not applicable

7.2 Additional Information

- Provide any other relevant information.

Not applicable

8. Interview Selection Processing

8.1 Interview Selection Policies

For each bi-annual resettlement programme, between three to five countries of first asylum are identified in which on-site, hybrid or remote selection missions are conducted.

The State Secretariat for Migration (SEM) carries out the selection and reception procedures for refugees in close cooperation with the UNHCR. In a first step, the UNHCR determines whether a person fulfils the basic conditions for resettlement: the person is accepted as a refugee by the UNHCR, is unable to return to the country of origin nor to stay permanently in the first-asylum country, and has a special need for protection. If all these basic conditions for resettlement are met, the UNHCR will send the candidates' files to the SEM.

The SEM then carries out a thorough assessment of all the candidates proposed for admission. During the selection missions, all candidates above 14 years of age are interviewed and their protection needs and willingness to integrate assessed. The SEM also carries out an identity verification and checks if there are grounds for exclusion, such as if candidates pose a risk to the safety of Switzerland. Only candidates who fulfil all the requirements for resettlement to Switzerland are admitted.



Since 2018, medical cases or individuals with health problems are also examined by an accompanying doctor during on-site selection missions. This medical assessment helps to evaluate the refugees' general state of health and to determine specific care needs for the allocation to the host canton. In August 2022, Switzerland was the first country to benefit from the Resettlement Support Facility's (RSF) medical screening services as part of a pilot project during a remote selection mission in Türkiye. All refugees were medically examined by a partner clinic of the RSF in Istanbul, allowing to compensate for the absence of medical personnel and enabling better identification of medically vulnerable cases in the context of remote-processing.

Once a decision for the admission of resettlement refugees is reached, the SEM prepares for their entry in close cooperation with the UNHCR and the International Organisation for Migration IOM. The host cantons are informed well in advance about the refugees' medical conditions and other specific needs. Resettlement refugees are allocated to the various cantons in proportion to their population on the basis of Article 21 of the Asylum Ordinance No. 1.

8.2 Additional Information

- Provide any other relevant information.

Not applicable

9. Processing Timeframes

9.1 Policies for receiving emergency and/or urgent submissions

For persons who are in imminent danger to life and limb and who are under the protection mandate of the UNHCR, the UNHCR may submit a request for the implementation of an urgent resettlement procedure. To do so, the following conditions must be met and the relevant information must be included in the UNHCR request:

- Immediate danger to the person(s) concerned;
- Reference to Switzerland or justification as to why the UNHCR is addressing the request to Switzerland and not to another country;
- Confirmation of recognition as a refugee (Refugee Status Determination, RSD);
- In the case of unaccompanied minors, age certificate and assessment of the best interest of the child (Best Interest Determination; BID).

A request will only be considered under an urgent resettlement procedure if the request is sent directly from the UNHCR to the SEM. Requests from other organisations for persons with a UNHCR connection as well as refugees recognised by the UNHCR applications submitted independently are not dealt with in the context of resettlement, but as applications for humanitarian visas in accordance with Art. 4 para. 2 of the Ordinance on the Entry and the Issuance of Visas (VEV, SR 142.204) and the relevant directive of the SEM "Humanitarian visa pursuant to Art. 4 para. 2 VEV".

9.2 Average Processing Times for Emergency Cases

The average processing time for emergency and/or urgent cases greatly depends on various factors. For example, the submission of incomplete requests, the presence of unfavourable local



conditions or the identification of risk factors that require additional analysis by partner agencies within the Federal Administration can prolong the processing time.

9.3 Average Processing Times for Urgent Cases

- Indicate and explain reception of submission to decision timeframe.
- Indicate and explain decision to departure timeframe.

See above

9.4 Average Processing Times for Normal Cases

The time frame between submission deadline and decision timeframe, respectively expected date of departure differs greatly between countries of first asylum where only on-site missions are carried out, and countries of first asylum where remote and on-site missions are carried out.

Cases interviewed during on-site missions might be prioritised due to their high level of (health) needs, hence the time frame can increase for families interviewed during remote-missions (as remote missions are usually carried out prior to on-site missions).

On average, the time frame between submission and departure amounts to approximately six to eight months, the time frame between the first interview and departure amounts to five to seven months. Adverse external circumstances, such as travel restrictions, exceptional reception difficulties in the host country, complications in the process to obtain the necessary travel documents and a deterioration in refugees' health condition, can prolong this time frame for an indefinite period.

9.5 Additional Information

Not applicable

10. Pre-departure Arrangements

10.1 Pre-departure Medical Screening

The IOM carries out “pre-embarkation checks” (PEC) of all refugees shortly before departure to ensure individuals are equipped for their transfer to Switzerland. The IOM performs additional “migration health assessments” (MHA) – more thorough medical checks – no later than two weeks prior to departure for selected cases with significant medical conditions. The IOM sends all relevant medical documentation to the SEM. This will be a valuable source of information for the receiving Federal Asylum Centres (FAC) as well as cantonal and/or municipal authorities responsible for the care of refugees. Medical or group escorts require prior approval by the SEM.

10.2 Required Pre-departure Treatment

- Include information about any required pre-departure treatments, including presumptive treatments and cost coverage.
Refugees selected for resettlement to Switzerland can be referred for additional examinations and treatment by the IOM if the fitness to travel and travel requirements are not clear, if the



person concerned is in unstable, due to inadequately managed conditions or medical emergencies. The SEM covers all costs of pre-departure checks and treatment related to the establishment of refugees' fitness to travel.

10.3 Pre-departure Orientation

The SEM aims to provide preparatory information to refugees selected for resettlement to Switzerland through a cultural orientation programme carried out by the IOM. A full cultural orientation programme consists of approximately 15 hours of information per individual (provided in a group-setting).

The main topics discussed are work and education, housing, health care, language acquisition, education, integration agreements and permits. Orientation programs are conducted mainly in Arabic, with the assistance of interpreters as needed.

10.4 Travel Arrangements and Documents

The SEM cooperates with the IOM and the UNHCR in making travel arrangements for individuals to be resettled. It can take several months to prepare the transfer to Switzerland after the decision for admission to Switzerland was reached. Before the refugees can travel, arrangements must be made in order to prepare the Swiss Feder Asylum Centres (FAC) and the respective cantons that can receive the individuals or families, obtain the necessary exit permits from the country of residence's authorities, issue travel documents and visas, and provide the IOM with travel details such as information on final destination and health status.

At the time of requesting the IOM to start preparing for the refugees' departure, the UNHCR and the respective Swiss embassy or consulate are also instructed to start preparing for exit permits and to issue travel documents and visas. It is preferred that preparations for the departure are initialised at an early stage, and that possible obstacles or delays are communicated to the SEM in a timely manner.

11. Reception and Integration

11.1 Overview

- Describe which integration model(s) (i.e., community sponsorship, co-sponsorship, government-led integration, etc.) is (are) used to support reception and integration of resettled refugees.
- Explain which agencies, entities, organizations (or which types of organizations) facilitate reception and integration arrangements.

The host cantons are responsible for the implementation of integration measures. The resettled refugees are looked after within the framework of the "Swiss agenda on integration" and the cantonal integration programmes. The organisation and responsible bodies vary from canton to canton.

Integration is a cross-cutting task and links the state, the economy and civil society in equal measure. Depending on the canton and region, different organisations (NGOs, migrant associations, etc.) are involved. The state (federal government, cantons, municipalities) and



established structures are responsible for the funding of social assistance (housing, health care, basic needs), schooling, vocational training, etc. The extent of the assistance for resettlement refugees is similar to that provided to Swiss citizens.

The “Swiss agenda on integration” is directed at refugees, temporarily admitted persons (TAP) and asylum seekers with a perspective to stay. Throughout the process of integration, professionals generally support these persons with a continuous case management over a period of up to seven years (or beyond).

The main five (impact) goals of the IAS are:

- All refugees and TAP have acquired basic skills in a national language after three years;
- Eighty percent of children aged zero to four are able to communicate in a national language before starting school;
- Two thirds of the persons aged 16 to 25 are enrolled in an educational institute after five years;
- Half of the adult persons are participating in the labour market after seven years;
- All persons are should be accustomed and familiar with Swiss values and norms after a few years.

These goals are translated into the following measures:

- Informing refugees/TAP about the Swiss legal and political system and its values, norms and rules upon arrival (primary information);
- Assessing the potential of each individual (with a focus on either education, labour or social integration);
- Preparing the refugees/TAP for regulatory education or the labour market;
- Ensuring an exchange with the local Swiss community;
- Providing language courses directed to their needs, starting shortly after arrival.

The Swiss agenda on integration is included in the cantonal integration programmes (CIP), ensuring common goals throughout the state of Switzerland, but leaving room for cantonal priorities.

11.2 Placement

Upon arrival in Switzerland, the resettled refugees are accommodated in the Federal Asylum Centres (FAC) under the responsibility of the SEM for the duration of one to three weeks. Following this, they are distributed among the 26 cantons according to a distribution key. The distribution of resettlement refugees is completed and communicated a number of weeks prior to the refugees’ admission to Switzerland. From cantonal transfer onwards, the host canton is responsible for providing assistance to resettlement refugees.

11.3 Reception

Upon after arrival, the SEM is responsible for the reception of persons resettled to Switzerland. This includes, among others, the pick-up from the airport, the transfer to the Federal Asylum Centres (FAC) and the provision of information to the refugees. Once the resettled refugees are



transferred to one of the cantons (usually one to three weeks after entering Switzerland), the responsibility is handed over to the respective canton and its various agencies, entities and organisations. Language assistance services are provided for official appointments and important health appointments.

11.4 Orientation

Depending on the canton, different offices are responsible for the provision of initial information and counselling. An important and regular contact point is the Integration Case Manager and the cantonal counselling centres (e. g. integration offices).

The means by which initial information is provided during the initial phase differs between the cantons (e.g., information can be provided through individual appointments or group modules, with most cantons providing cultural interpretation). Moreover, the agencies responsible as well as the cooperation with organisations varies from canton to canton.

11.5 Support Services

As part of the social assistance and individual integration support measures financed by the state, refugees resettled to Switzerland receive financial support and material assistance, including, among others, accommodation, food, clothing and other items for their daily needs, financial support for medical assistance, health insurance and social security. For approximate guidelines on social assistance, please refer to the following website: <https://skos.ch/skos-richtlinien/aktuelle-richtlinien>). Social assistance is provided until a person reaches financial independence.

11.6 Housing

Upon arrival in Switzerland, the resettled refugees are accommodated in Federal Asylum Centres (FAC) that are under the responsibility of the SEM for the duration of one to three weeks. After transfer to the previously identified host canton, the provision of accommodation lies with the respective canton.

The type of accommodation varies between the cantons and can include, among others, cantonal collective centres or private apartments. Refugees are informed of their individual situation in their future canton as part of the Pre-Departure-Orientation provided by the IOM in the country of first asylum.

11.7 Health

The cantons to which resettlement refugees are assigned are responsible for the provision of mandatory health insurance. The resettlement refugees receive medical benefits within the framework of social assistance support.

11.8 Language

The resettled refugees are enrolled in language courses according to the guidelines of the “Swiss agenda on integration”. These are financed by the state. The organisation of the language courses



differs from canton to canton. The language courses cover levels from general alphabetisation up to language level B1, in some cantons even beyond.

11.9 Education

Children of compulsory school age are enrolled in the regular structures. Each canton provides measures to help young adults to integrate into Vocational Education and Training (VET) structures.

11.10 Employment

The "Swiss agenda on integration" follows an "education before work" approach. Whenever possible, adults of working age should complete vocational training or other training courses for their sustainable integration into the Swiss labour market.

The measures are planned with the help of an individual integration plan and an analysis of every individual's potential, and adapted to the refugee's personal situation (learning and language skills, health, family situation, working experience, etc.) The individual integration plan also includes a job coach. The job coach supports the refugees with applying for jobs and acts as a focal point for employers, networking etc.

11.11 Financial Assistance

The cantons are responsible for the organisation of asylum social assistance. This regulation is based on Article 115 of the Federal Constitution and Article 82 paragraph 1 of the Asylum Act. The determination, payment and duration of social assistance benefits are therefore determined by the cantonal social assistance laws. The cantonal social assistance laws also determine whether resettlement refugees must repay social assistance benefits they have received if they are in a corresponding financial situation (see also 11.5).

11.12 Supporting Specific Needs

Unaccompanied minors and persons with special needs are cared for within the framework of the regular structures. The cantons have specific concepts for the care of unaccompanied minors. Assigned case managers are responsible for individual solutions for persons with special needs (e.g. the provision of therapy places, specific accommodation for persons with disabilities, etc.).

11.13 Family reunification

Under certain conditions, family reunification allows family members of Swiss nationals and foreign nationals with a residence permit (C, B, L and F permits) to join them in Switzerland in order to live together in Switzerland. This is a procedure carried out jointly by the cantons, the Swiss representations abroad and the SEM. It concerns third-country nationals; in the case of EU/EFTA citizens, the free movement of persons applies. The Swiss legal system offers various possibilities for family reunification. The legal basis and the requirements differ depending on the legal status of the family member living in Switzerland.



Resettlement refugees are granted asylum in accordance with Article 56 of the Asylum Act upon arrival in Switzerland. Hence, applications for family reunification by resettlement refugees are in principle considered according to Art. 51 of the Asylum Act. If the requirements for family reunification under asylum law are not met, an application for family reunification under the Aliens and Integration Act (AIG) can be made.

Legal basis

Family reunification according to Art. 51 Asylum Act

Persons with asylum who are recognised as refugees in Switzerland are entitled to family reunification of their spouses and minor children from abroad on the basis of Art. 51 para. 1 and 4 of the Asylum Act, if certain conditions are met.

Family reunification under the Aliens and Integration Act (AIG, 142.20)

The Swiss legal system distinguishes between situations depending on the legal status in Switzerland of the family member applying for family reunification in Switzerland and the family relationship.

The Federal Law on Foreigners and Integration sets out the following conditions for family reunification:

- a. they live with that person;
- b. suitable accommodation is available;
- c. they do not depend on social assistance;
- d. they are able to communicate in the national language spoken at their place of residence; and
- e. the family member they are joining is not claiming supplementary benefits under the Federal Act of 6 October 2006 on Benefits supplementary to the Old Age, Survivors' and Invalidity Insurance (SBA) or would not be entitled to claim such benefits due to family reunification.

The beneficiaries of family reunification are defined in the law (spouse and unmarried minor descendants). There are also time limits for applying for family reunification. The purpose of these deadlines is to ensure that the children in particular are brought in as quickly as possible, thereby significantly promoting their integration.

The main reasons for refusing family reunification are a lack of common life, insufficient financial means, unsuitable housing and dependence on social assistance. Exceptions to the requirement of a common household and language skills are possible if there are compelling reasons for doing so. The same applies if the deadline for applying for family reunification has passed.

If a recognised refugee marries after having been granted asylum in Switzerland, family reunification is governed by the Aliens and Integration Act.

Criteria and procedure

Family reunification under the Asylum Act

Since an amendment to the law came into force in 2014, family reunification under asylum law has been limited to members of the nuclear family (spouses and minor children). Persons living in a marriage-like community (concubinage) or a registered partnership are treated the same as spouses.



The prerequisite for family reunification under the Asylum Act is that the family has been separated by flight and that there are no "special circumstances" to the contrary.

The purpose of the provision of Art. 51 para. 4 Asylum Act is the reunification of pre-existing family communities, provided that the community was separated solely due to the circumstances of the flight and thus involuntarily. Therefore, only family communities that already existed before the flight from the home country are covered.

"Special circumstances" is an indeterminate legal term that has been concretised by practice, the purpose of which is to prevent abuse and to give the authorities the option of not granting asylum to persons who, from an objective point of view, do not need the specific protection of asylum. Special circumstances are, for example, if the identity is not disclosed, if there is no actually lived relationship or if there is a polygamous relationship.

If the requirements for family reunification under asylum law are not met, an application for family reunification under the Aliens and Integration Act can be made.

Family reunification according to the Aliens and Integration Act

a) Provisionally admitted persons and provisionally admitted refugees (Art. 85)

According to Art. 85 of the Federal Immigration Act, provisionally admitted persons and provisionally admitted refugees may have their spouses and unmarried children under the age of 18 join them in Switzerland three years after the order for provisional admission, provided they fulfil a number of conditions. The registered partnership of same-sex couples is equivalent to marriage.

The family must intend to live together, there must be an apartment that meets their needs and the family thus united in Switzerland must not be dependent on social assistance. In addition, the person joining the family must not receive any annual supplementary benefits (under the Federal Act of 6 October 2006 on Benefits supplementary to the Old Age, Survivors' and Invalidity Insurance (SBA)) or benefit from such benefits as a result of the family reunification. Furthermore, the person to be included must be able to communicate orally in the national language spoken at the place of residence at least at reference level A1 of the reference framework, or he or she must at least have enrolled in a language support programme. There is an exception to the requirement of language competence for children under 18 years of age or if there are important reasons, namely a disability, an illness or another restriction that leads to a significant impairment of the ability to acquire the language.

After a three-year waiting period, the application must be submitted within five years. The application for children over the age of twelve must be submitted within twelve months of this date. Subsequent family reunification, i.e. after the expiry of the aforementioned deadlines, may be granted if there are important family reasons. If children are involved, important family reasons exist according if the best interests of the child can only be safeguarded by the reunification with their family in Switzerland. If the family relationship only arises after the expiry of the three-year waiting period, these time limits begin to run at this later point in time.



Unlike in the case of family reunification under asylum law, it is not a prerequisite for reunification that the persons concerned have previously lived in a joint household and have been separated by flight. In the case of family reunification of provisionally admitted persons and provisionally admitted refugees, new family units can therefore be created.

b) Refugees with asylum

Refugees with asylum can submit an application for family reunification according to the provisions of the Foreign Nationals Act in addition to the application according to the Asylum Act. Except for the three-year waiting period, the same requirements apply as for provisionally admitted persons and provisionally admitted refugees.

12. References & Resources on resettlement

- *Include links to any relevant references and resources about the country resettlement programme*

Addendum on complementary pathways

- Describe the additional safe and legal admission avenues (complementary pathways) available to persons in need of international protection and/or broader humanitarian needs, including:
 - Humanitarian pathways (e.g. humanitarian corridors)
 - Sponsorship pathways
 - Skills-based pathways (e.g. labour or education)
- *Include links to any relevant references and resources on complementary pathways*

Swiss law provides several options to enable people in need of protection to find a safe and regular way to Switzerland under the concept of complementary pathways.² A study project conducted by the Swiss State Secretariat for Migration which was published in October 2022 offers an analysis of the corresponding possibilities.³

Humanitarian visa

Switzerland is one of the few countries that formally allow people in need of protection to apply for a humanitarian visa at a foreign representation.⁴ Persons in immediate, serious and concrete danger can thus seek entry into Switzerland and subsequently apply for asylum, even if they are residing in a first host country that is not the focus of the Swiss resettlement programme. The humanitarian visa is thus complementary to the Swiss resettlement activities.

Sponsorship pathways

In Switzerland, the asylum sector is basically a joint task between the federal government, the cantons and the cities/municipalities. Accommodation is the responsibility of the federal government and the cantons. Some cantons involve civil society organisations and private individuals. These play a particularly important role in the accommodation of people in need of

² Regardless of the reason for admission and any (even temporary) residence regulation, there is always the possibility of applying for asylum in Switzerland and, if asylum is granted, of remaining in Switzerland permanently.

³ [Analyse des voies d'admission complémentaires \(admin.ch\)](#). The study project consists of two documents: The external study is currently available in English, the SEM analysis in the national languages German, French and Italian.

⁴ However, various European states make other use of the humanitarian visa, which cannot be based on Schengen law according to the ruling of March 7, 2017 by the European Court of Justice.



protection arriving from Ukraine since March 2022. If a city/municipality wishes to accommodate additional refugees who have received the admission by the federal government, it can regulate this within the framework of cantonal law or in an agreement with its canton. Thus, Switzerland is already implementing the idea of community sponsorship in certain approaches, whereby the selection of the persons to be admitted as well as the financing of residence and integration is a competence of the federal government in the first seven years.

Skills-based pathways

The entry of non-EU nationals into Switzerland by means of a visa for residence for the purpose of gainful employment is only possible under certain conditions. Admission is based on the needs of the labour market, it also concerns highly qualified specialists and, as a rule, provides for a macroeconomic interest. In principle, the law does not exclude any categories of persons - including refugees. However, in view of the priority given to nationals and the qualification requirements, a majority of people in need of protection are unlikely to be able to meet the regular admission requirements.

In Switzerland, the visa for education and training is in principle open to all persons abroad. However, in practice, obtaining it involves considerable hurdles, such as academic and financial requirements. The latter can be overcome, namely through funding by private, civil society or local actors such as cities or educational institutions. Corresponding scholarship programmes exist in Switzerland.