INTI-PROJECT

“INTEGRATION AGREEMENTS AND VOLUNTARY MEASURES”

National Report:
Programme Analysis including analysis of the Experts` Interviews
by ICMPD
commissioned by the Federal Office for Migration/Bundesamt für Migration (BFM)

Country Report Switzerland
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1. Introduction

The INTI project aimed at collecting information on the impact of compulsory and voluntary integration measures, as well as to compare content and implementation of these measures. The present country report on Switzerland is based mainly on the policy and legal situation until 31 March 2005. Since no compulsory introductory programmes and integration measures existed in Switzerland as such then, this study largely refers to experiences made with regard to voluntary integration measures while at the same time attempting to also refer to the new regulations on compulsory integration measures which will enter into force in the near future and are planned as legislative drafts, based on current proposals for new legislation such as the new Foreigner Nationals Act and the revision of ordinance on integration. Furthermore, assessments based on expert interviews will be outlined.

1.1. Present Situation

As comprehensively presented in the legal analysis of this project, in Switzerland, due to its federal system, most public tasks lie with the responsibility of the cantons. This also refers to the so-called “regular structures” (school system, health system, labour market etc.), which are considered to be most relevant with regard to integration measures. The task of integration policy and integration measures therefore lies mainly in the competence of the cantons. Meanwhile, many cantons and municipalities have developed their own Integration Models (Integrationsleitbilder) and appointed Integration Delegates (Integrationsdelegierte). On the other hand, the debate on the cantonal and municipal level regarding integration showed a development quite similar to the federal level. The implementation of specific administrative measures related to integration and the development of corresponding institutional structures took place prior to the federal level but also dates back only to the recent past. These models influenced policy development on the federal level to a large extent, regarding both the underlying concepts and the implementation procedures. The federal level has first and foremost a coordination function. Still, the changes of the aliens law in 1996 and the entering into force of the “ordinance on integration” in 2000 gave the federal level the authority to actively implement integration measures, by allocating federal funding to integration projects.

Regarding the future development of the legal framework of Swiss integration policy, changes are intended to take place in two main areas: the creation of a new Foreign Nationals Act (Ausländergesetz – AuG) and the partial revision of the ordinance on integration.

At present, a new Foreign Nationals Act is being discussed that, even though it abstains from explicitly implementing an “integration agreement”\(^1\) or imposing compulsory integration measures, would still contain a (limited) system of incentives and sanctions that will enable the authorities to reward or sanction successful or omitted integration efforts by foreigners.

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\(^1\) Although in the draft version of the New Foreign National Act of the National Council, the lower chamber of the Federal Assembly, (Nationalrat) debate in June 2004 it is states that the possible condition (for the issuing of a residence permit) of having to attend a language or integration course can be laid down in an integration agreement (Art. 52 Abs. 2bis).
Furthermore a partial revision of the ordinance on integration, which forms the legal basis for integration policy in Switzerland on federal level, is envisaged to take place in 2005.\(^2\)

Apart from regulations on immigration and residence, the federal aliens law will for the first time in Swiss history include regulations specifically referring to principles and objectives of integration in a separate chapter on integration (chapter 7). The draft law intends to strengthen the integration aspect. The notion of integration will be included in the new law and instruments will be put in place to provide authorities with the necessary means to intervene in favour of a stronger promotion of integration. Furthermore the draft law is taking into account the experiences made in connection with the implementation of the ordinance on integration. It defines goals and principles of integration as well as areas and basic principles for allocating funds. It emphasises the importance of the foreigners’ willingness to actively contribute to their integration. It also provides, as already mentioned, for a limited system of incentives and sanctions to reward or sanction the foreigners’ integration efforts. Nevertheless, the entering into force of the new Foreign Nationals Act is not expected prior to 2007.

The ordinance on integration which entered into force in 2000 proved to be an appropriate and effective policy tool in the area of integration on the federal level. Still, first experiences showed that it needed certain modifications on a technical level as well as regarding its content. The latter refers also to provisions defining the required contributions of foreigners. The revised ordinance includes also funding for asylum seekers with “\textit{vorläufiger Aufnahme}”\(^3\) (VA), who will also be able to participate in integration measures.\(^4\)

Foreigners residing in Switzerland are requested to actively participate in the integration process themselves. Existing legislation as well as the proposed changes to legislation abstain from explicitly implementing an “integration agreement”. At the same time the new regulations will include an “integration obligation” by defining specific requirements to be fulfilled by the migrants but also by enabling the authorities to influence successful or omitted integration efforts by introducing a limited system of incentives and sanctions. As mentioned above integration is perceived as being a task of the so-called “regular structures” and therefore primarily lays in the responsibility of the cantons. The federal integration promotion program is intended to complement these measures by allocating federal funds to projects such as integration and language courses with special regard to target groups not integrated in the regular structures. Examples of such projects eligible for federal funding would be, such as projects fostering integration into the labour market, projects and initiatives with a special focus on the situation of female migrants etc.

According to the understanding that integration is a mutual process strongly relying on the migrants’ participation the proposed new regulations in Switzerland formulate basic requirements to be fulfilled by the migrants, such as compliance with the legal system, acceptance of the “codes of behaviour” and principles assessed to be fundamental for a peaceful living together (equal opportunities for all), as well as the willingness to language acquisition.\(^5\) Though none of these principles will be obligatory, migrants are still urged to adhere to these principles since the authorities are entitled to take into account integration efforts made by migrants by applying a limited system of sanctions and incentives, namely

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\(^2\) The revised ordinance was adopted after completion of this report on 07.09.2005 and enters into force on 01.02.2006.
\(^3\) Requirements for asylum ground not fulfilled, return not possible.
\(^4\) The revised ordinance was adopted on 07.09.2005 and enters into force on 01.02.2006.
\(^5\) The draft of the revision of the ordinance also mentions the willingness to participate at the economic life and to gain education.
with regard to the extension of a residence permit. According to the proposed legal changes, it
is at the discretion of the responsible authorities to place the issuing of a residence permit
under the condition that the applicants attend a language or integration course.
According to the Revision of the ordinance on integration, this will notably be applicable in
cases where public interest is touched, e.g. when the applicant intends to assume a public
function in the migrant community (e.g. community teachers for language and culture of
country of origin, ministers of religion, religious support person etc.). The responsible
cantonal authority will then refer the foreigner to the relevant course offer. In case of
successful integration efforts a premature issuing of residence permits on more favourable
terms can be considered. In addition authorities are entitled to consider positively or
negatively successful integration efforts or non-willingness to integrate in decisions regarding
expulsion and refusal of entry.

Furthermore, in canton Basel-city (together with canton Basel-county), a cantonal Integration
draft law with a compulsory element is currently being discussed. The period for statements
during consultation has elapsed now and currently the statements are being analysed and
evaluated concerning possible changes of the draft law. (See below.)

1.2. Selection and numbers of the Interview Partners

The Federal Office for Migration (FOM)\(^6\) provided important guidance and information
regarding the selection process for the relevant interview partners, laying the basis for
information gathering by pointing out stakeholders and key persons, providing the necessary
contacts and referring to the integration delegates in place.
The actual selection of interview partners was intended to allow for providing a rather
comprehensive picture of existing integration policies and measures and their implementation
in Switzerland.\(^7\) Keeping in mind that every canton has its own policy in this regard, a
complete inventory including all Swiss cantons was not within the scope of this study.
Nevertheless, integration policies and programmes of several cantons were analyzed, in order
to observe differences and similarities in cantons’ integration policies and approaches across
Switzerland. In addition, programme managers of different NGOs were interviewed to get an
insight into and a local perspective of various integration projects and courses, as well as of
local integration policies in Switzerland.

In order to achieve a manifold overview on the Swiss integration policy considering as many
perspectives as possible, a total of 62 persons were interviewed coming from diverse
environments working in the field of integration.\(^8\) They may be classified as follows:

- 16 “integration experts” including
  - 2 experts from the Federal Office,
  - 4 from the Federal Commission for Foreigners,
  - 2 from the State Secretariat for Economic Affairs,
  - 5 cantonal experts (integration delegates) and municipality experts,
  - 1 integration expert,
  - 1 politician,

\(^6\) The Federal Office for Immigration, Integration and Emigration (IMES) being the relevant institution
at the time.
\(^7\) Qualitative interviews.
\(^8\) They have been assured confidentiality.
1 representative of the forum for integration of migrants (migrants organisation)

➢ 13 “programme managers” and NGO experts amongst others, interviews with the managers of various projects have been carried out. Thus, projects ranged from the field of language promotion, to social orientation and integration courses; the field of education as well as vocational training and integration. Some were in a gender-specific context.

➢ 5 teachers/course instructors in voluntary programmes
➢ 2 teachers/course instructors in a mandatory programme for recognized refugees

➢ 12 migrants who were or had been participating in voluntary courses

14 migrants who were participating in mandatory courses for recognized refugees

Indeed, additional interviews were carried out with both female and male immigrants who were participating in different projects and courses. The target group comprised participants in language and integration courses as well as participants of local integration projects as well as gender-specific projects respectively. Some migrant interviews were conducted as individual interviews, whereas the majority was conducted as group interviews.

The projects and target groups covered migrants as well as recognized refugees.

In addition, experts from various fields related to integration (integration delegates, education, youth etc.) provided us with written information upon request.

It should be noted, that not all of these interviews could be included or were in the end considered as being relevant to this report.

2. Current Integration Policy and Legislation

2.1. Development/history/background of integration policy on national/cantonal/municipality level seen by experts

The interviews conducted in the course of the study revealed that most of the information provided by experts on the historical development and background of integration policy on the different levels were coherent with the picture outlined in the legal analysis. Occasionally more detailed information was presented in this regard.

Interview partners stressed the quantitative importance of the foreign-born population and population with foreign citizenship in Switzerland.

In particular, it was stated that especially labour recruitment of guest workers and the decision to grant immigrants access to welfare benefits lie at the root of the need for the development of a coherent and comprehensive integration policy. There was also occasionally the view expressed that there would have been a need for a coherent approach to migrant integration already earlier, as soon as it became clear that a considerable share of recruited workers were here to stay. Similarly, it should have been acknowledged earlier that a policy of “fostered return” did not prove to be successful. Immigrants had already intensively started to try to improve their legal status, while family
members who had stayed behind were joining immigrants in Switzerland through family reunification. Subsequently family reunification replaced labour recruitment as the main source of immigration to the country. The rise of unemployment in the beginning of the 1990s compelled policy-makers to deal with the issue of integration more thoroughly for the first time. Unemployment affected foreign workers more than the Swiss population, since foreigners were occupied in economic sectors most affected by the economic downturn. While in the past these foreign workers were often forced to leave Switzerland after the expiry of their contracts out of economic necessity - but also because of legal requirements -, their access to the welfare system also meant that they had the financial means to stay even in case of unemployment.

At the same time it has to be taken into account that the labour market needs and developments continuously had a tremendous influence on integration policy. During economic upturns the necessity of immigration due to labour market needs was emphasized, while at the same time the integration of immigrants did not raise too many concerns. In periods of economic downturns it became evident that foreigners in general, but particularly immigrants from non-EU and non-EFTA countries, were overrepresented among those unemployed. This created a pressure on state policy to become active in this respect and for reform. Data on immigrants’ performance in education and employment can indicate the difficult situation immigrants regarding their competitiveness on the labour market.

The fact that family reunification replaced labour migration as the main channel of immigration in general, has also meant that a large part of newly arriving immigrants (children, wives, husbands) did not automatically enter the labour market anymore. Therefore the traditional concept of “integration by workplace” became less effective and increasingly did not reflect the empirical reality anymore. Hence the increasing need for a much broader and active integration policy one of whose points would nevertheless still also be to facilitate the (re-)integration of migrants on the labour market.

Indeed, the Federal Council (Bundesrat) defined the improvement of the integration of non-nationals as one of its priorities for the legislative period 1999 – 2003.

### Conclusion

Labour market needs and the general economic situation have always been very important as regards the development and discussion on integration policy in Switzerland. It was only with rising unemployment rates as a result of the economic downturn together with the replacement of traditionally dominant labour migration as the main channel of immigration by other forms of immigration, in particular family reunification without occupation (and also

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9 The explanation for this argument is that those foreign workers (because of poorer school education) are usually largely employed in the so-called low-wage sector, whereas only a few natives work in this sector. Thus, they can be easily substituted and are consequently more vulnerable to fluctuations on the labour market respectively unemployment. In addition, differential employment policies of employers has also been shown to be a relevant factor.

10 The unemployment rate of nearly 6.5% among foreigners compared to 2.9% for the Swiss population supports this thesis. Every 4th employed person is a foreigner (25%) but in the unemployment insurance they represent 40% - therefore a disproportional representation.

11 Additionally one should also take into account the considerable asylum migration.
asylum), that integration increasingly became a major issue with regard to long-term policy discussions.

2.2. Integration Included in the Legal Provisions

As there is no federal legislation in existence that would comprehensively regulate and deal with migrant integration in Switzerland\(^\text{12}\) (prior to the forthcoming Foreign Nationals Act) the question is, whether and to which extent a stronger commitment to integration is reflected in the law at all.

2.2.1. Integration without a specific law on migrant integration

In principle Swiss integration policy pursues a comprehensive approach. It does not intend to regulate integration issues exclusively in the framework of specific legislation or a number of regulations, but to use different policy tools. The political goal is to create a favourable framework and conditions for migrant integration and to promote the equal participation of foreigners in a broad variety of policy areas and in all relevant sectors of Swiss society. This overall goal is to be reflected in legislation and state policy following two main principles:

- All governmental institutions and structures are called upon to take into account legitimate requests referring to the integration of migrants. Possible barriers hampering successful integration shall be reduced (e.g. regarding the educational system: the fact that the country’s language is not the children’s mother tongue shall not impede successful school education etc.)
- In cases where the regular structures do not meet specific requirements referring to integration, specific measures shall be adopted and offers shall be made available (e.g. special arrangements in the asylum legislation with regard to traumatized refugees etc.).

As outlined in detail in the legal analysis, due to its federal system, in Switzerland most public tasks lie with the responsibility of the cantons, comprising those regular structures with relevance to integration policy in general, and for the implementation of integration measures in particular. Hence, on the federal level no comprehensive law as such exists. Still, the changes of the aliens law in 1996 and the entering into force of the “ordinance on integration” in 2000 provided the federal level with the authority to actively support integration measures, namely by the possibility to allocate federal funding for integration projects. The legal basis for this task are amendments to the “Federal Law on Temporary and Permanent Residence of Foreigners” (ANAG), which entered into force on 10 October 1999. Two regulations in the ANAG specifically refer to integration. Art. 25a Sec. 1 defines state competence in integration matters to that effect that the federal level is entitled to generally provide financial assistance for the social integration of foreigners. Art. 25a Sec. 2 mandates the Federal

\(^{12}\) As will be shown below, the Integration Ordinance is in this regard predominantly an “indirect” measure one of whose main objective is to provide the federal level with the authority to actively support integration measures, i.e. to regulate the allocation of funds for integration measures, including projects, at lower levels of governments and also of private organisations.
Commission for Foreigners (FCF) with the competence to promote the implementation of integration activities by proposing funds to selected projects.\textsuperscript{13}

More important regarding substance is the corresponding implementation provision of the ANAG, the “ordinance on the integration of foreigners”, which entered into force on 1 October 2000. Art. 1 states that the ordinance regulates the tasks and form of organisation of the Federal Commission for Foreigners (FCF), its relationship with the Federal Office for Migration (FOM)\textsuperscript{14} as well as the prerequisites for the granting of federal financial aid for the promotion of integration according to Art- 25a ANAG.

Art. 3 Sec. 1 refers to respective responsibilities by defining integration as a cross-sectional task to be implemented by federal, cantonal, municipal and local authorities in cooperation with migrant associations.

Furthermore, in many cantons and municipalities Integration Models (Integrationsleitbilder) were developed in the recent past, often regarding both underlying concepts and implementation procedures. In three cantons\textsuperscript{15} cantonal integration laws exist or are under discussion.

### 2.2.2. Funding and Support of Projects

As mentioned above, the changes of the aliens law in 1996 and the entering into force of the “ordinance on integration” in 2000 provided the federal level with the authority to actively support integration measures, namely by the possibility to attribute federal funding for integration projects. Art. 25a Sec. 1 defines state competence in integration matters to that effect that the federal level is entitled to generally provide financial assistance for the social integration of foreigners.\textsuperscript{16} Art. 25a Sec. 2 provides the Federal Commission for Foreigners (FCF) with the competence to promote the implementation of integration activities by allocating\textsuperscript{17} funds to selected projects.\textsuperscript{18}

Additionally, Art. 1 of the “ordinance on the integration of foreigners” states that the ordinance regulates amongst others the prerequisites for the granting of federal financial aid for the promotion of integration according to Art. 25a ANAG.

According to Art. 25a ANAG and the “ordinance on integration” the federal integration promotion program is intended to complement integration measures implemented in the framework of the regular structures and on level of the cantons, municipalities or private organisations. According to the ordinance on integration the attribution of funding for the years 2001 – 2003 put main emphasis on projects in the following areas:


\textsuperscript{14} The Federal Office for Refugees merged with the Federal Office of Immigration, Integration and Emigration (IMES) with the 1st of January 2005. The new office is called: Federal Office for Migration (FOM) (Bundesamt für Migration - BFM).

\textsuperscript{15} Geneva, Neuchâtel and Basel city/county.

\textsuperscript{16} As a rule, the federal level only contributes towards the costs if the cantons, municipalities or third parties also make appropriate contributions.

\textsuperscript{17} These amounts are granted at the request of the Federal Commission for Foreigners and the Federal Office for Migration (FOM/BFM) – the former Federal Office of Immigration, Integration and Emigration (IMES) respectively.

• Promoting general education and fostering the sufficient command of language (through integration and language courses) with special regard to target groups which are not reached within the regular structures.
• Fostering migrant integration in the labour market.
• Promoting initiatives and projects with a special focus on the situation of female migrants.
• Promoting the maintaining of linguistic and cultural ties to migrants’ respective societies of origin.
• Implementing a coherent information policy both for and on migrants in Switzerland.
• Promoting intercultural dialogue and active participation of the foreign population
• Supporting measures designed to improve the health of the foreign population
• Providing extended professional training for key personnel working in the area of intercultural exchange (mediators, community interpreters etc.).
• Promoting innovative projects on the cantonal or municipal level and exchange of related information
• Coordinating specific integration measures, development of quality standards and controlling mechanisms
• Supporting research in the field of integration.

On 13 May 2003 new priorities for the years 2004 - 2007 for the Integration Promotion Programme have been adopted based on Art. 17 of the ordinance on integration (VIntA). These priorities are:

• Fostering communication (language courses for everyday life in the framework of regional concepts specifically addressing target groups which face obstacles in having access to existing courses and other measures)
• Opening up institutions, by providing support to community leaders who have a key role in promoting integration with a view to strengthen their positive role in regard to integration and helping them to carry out their functions more efficiently, and by providing support to civil society institutions aiming at enhancing civic participation of migrants
• Facilitating cohabitation, in particular at the local level and by supporting local initiatives and projects
• Developing competence centres, by allowing for service agreements between state authorities and regional foreigners services (Auszändidenten) who will be charged to fulfil specific functions in regard to integration policy as well as agreements with other regional bodies charged to ensure and coordinate the provision of language courses and intercultural education offers
• Innovation and quality assurance, by supporting projects and initiatives aiming at quality management and exchange of experience (including pilot projects) and other relevant information

Apart from the policy areas defined by the ordinance on integration there exist instruments in other legal areas specifically aimed at promoting integration. Based on the asylum law the

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19 Verordnung über die Integration von Ausländerinnen und Ausländern (VIntA) of 13 September 2000 (as of 26. September 2000) (Ordinance on the integration of foreigners), Art. 16.
20 Art. 91 para. 4 AsylG (asylum law) taken together with Art. 45 para. 1 AsylVO (asylum ordinance) 2.
Federal Office for Migration (FOM)\textsuperscript{21} can contribute financially to integration measures according to the specific requirements of recognised refugees. Defined priorities for the years 2001 – 2003 were: job training, communication skills etc. Recognised refugees receive language courses paid by a “Sprachenpauschale” of about 3500 Euros.

Since open-mindedness by the Swiss population is considered a key element of any kind of integration policy, the Federal Department of Home Affairs (Eidgenössisches Departement des Inneren) provides funds for projects related to the fight against racism and discrimination and for projects fostering human rights issues for the years 2001 – 2005. Defined priorities of this programme are: information campaigns, youth and education, youth and sports etc. Since 2003 the Swiss Federal Office of Public Health (Bundesamt für Gesundheit – BAG) allocates funds to foster integration projects in the area of health. The department’s main priorities are: intercultural competence of personnel working in the health service, courses for interpreters, information campaigns, prevention programmes, facilitating access to the health system, research etc.

\begin{center}
\textbf{Conclusion}
\end{center}

According to the legislation in force, integration policy and its implementation is not regulated in one individual law, not least since the main responsibility and competencies in this field lie with the cantons. Nevertheless various relevant provisions and forthcoming draft laws and revisions exist. Additionally, project funding and support is regarded as being crucial components of a successful integration policy.

\section*{2.3. Target Groups of Integration}

Up to the present, integration measures at the federal level were principally limited to foreigners holding a residence permit (Aufenthaltsbewilligung) or a permanent residence permit (Niederlassungsbewilligung). In line with the Integration Models (Integrationsleitbilder) of the cantons and communities the revised ordinance on integration will provide for integration of foreigners who reside in Switzerland legally and on a long-term basis. Persons with the status of “vorläufige Aufnahme” are also included in integration promotion since the revision of the ordinance in 2005. Current local based projects on the voluntary sector offer programmes for newcomers as well as for settled migrants, sometimes courses and programmes tend to cover even a mix of both target groups.

\section*{2.4. Concept of Integration}

In order to understand the impact of the current integration policy on immigrants it is necessary to show which concept of integration is applied in the legal provisions. Thus, it is

\footnotesize{\textsuperscript{21} Formerly the Federal Office for Refugees (Bundesamt für Flüchtlinge – BFF).}
vital to know which underlying aim is to be achieved by means of the legal provisions for integration.

As described above, integration became the focus of attention during the second half of the 1990s. The debate attempted amongst others a definition of an overarching concept of “integration” as well as the identification of political responsibilities, arrangements and instruments deemed to be necessary to put integration policy into practice. The development of related legislation reflected both attempts. In 1997 an expert group on migration (Expertengruppe Migration) issued a report to the Federal Council. A general theoretical concept of integration is defined by distinguishing 3 different types:

- **Structural integration** refers to foreigners’ participation in the economic life and their access to the education and health system, i.e. integration through the regular structures and integration also perceived as non-discrimination and combating discrimination as a major concern.
- **Social and cultural integration** refers to foreigners’ participation in social life and their orientation on commonly shared values
- **Political integration** refers to foreigners’ participation in the political decision-making process on equal terms with citizens.

Therefore according to the Federal Council’s position integration is primarily to be seen as task of the so called *regular structures* (school system, integration by workplace, labour market instruments etc.). The equal access of foreigners legally residing in Switzerland to governmental and societal institutions is considered to be the key element of integration policy in general. Integration is interpreted as a typical *cross-sectional-task*, which is based on the interplay of different levels of administration (federal, cantonal, municipal) and different fields of action (education, labour, health etc.). Cooperation between the actors is intended to take place both on the horizontal (federal agencies) and the vertical level (cantons, municipalities, organisations, private societies etc.).

Art. 3 Sec. 2 of the ordinance on integration of foreigners provides a definition of integration by defining four fundamental principles, on which all state action shall be based:

- All efforts to foster mutual understanding between the Swiss and foreign population.
- All efforts to facilitate living together on basis of commonly shared fundamental values and behaviour patterns.
- All efforts to acquaint foreigners with state structures, facilities, rules and regulations, societal and living conditions in Switzerland.
- All efforts to create favourable framework conditions for equality of opportunity for foreigners and for their participation in social life.\(^{22}\)

The draft for the new Foreign Nationals Act\(^{23}\) states that integration shall enable long term legal foreign residents to participate in the economic, social and cultural life. The draft

Revision of the Ordinance also mentions favourable framework conditions for the share of responsibility of the foreign population in the society.

Hence, the Swiss approach towards integration strongly emphasizes the involvement of both the migrants and the resident population as a precondition of a successful integration policy. Integration is perceived as a mutual process, which requires the foreign national’s readiness to integrate as well as the openness on the part of the Swiss population to allow this process to take place. Legislation currently implemented and the draft for the new Foreign Nationals Act define fostering the migrants’ readiness to integrate as one of their main objectives. The revision of the ordinance on integration as well emphasizes the importance of the readiness to integrate next to the openness on the part of the Swiss population.

Finally, the Federal Commission for Foreigners (FCF) perceives integration as the possibility and aptitude of a person, to move independently in its concrete, constantly changing social environment. Integration therefore means equal opportunities in participation of all residents in Switzerland in the resources and processes of the society.

2.5. Areas and problems of the integration policy

Swiss integration policy put main emphasis on all aspects of structural integration (access to the labour market, the education system, health service etc.). Considered as one of the more problematic areas of integration in the Swiss context, this field is considered to be of special importance to all future integration efforts, especially as it is widely acknowledged that integration is not working automatically but does require active governmental support.

Representatives from the government side as well as from non-governmental organisations identified the fields of education, including language, and labour as the main problem areas to be tackled by integration policy. Both aspects are of vital importance for the integration process, as they lay the foundation for immigrants’ social integration.

2.5.1. Education

Some integration experts emphasized the strong correlation between success in school and social background. Consequently, experts now argue that specific support of children, especially from socially vulnerable families, has to be a major focus of any attempt to foster immigrants’ integration more thoroughly.

23 In the version of the National Council (Nationalrat) debate in June 2004.
25 The draft for the New Foreign Nationals Act which went into the National Council (Nationalrat) debate in June 2004 explicitly states as aim of integration: cohabitation of national and foreign resident population, which is shaped by mutual respect and tolerance.
26 As a complementary factor next to the already mentioned openness on the part of the Swiss population.
28 For instance in case of the comparatively lower general educational level of children with migration background.
Indeed, also the PISA studies of 2000 and 2003 for Switzerland identify the importance and influence of the economical, social and cultural background and status in this regard. A major part of the foreign-born adolescents in Switzerland does not speak the local language at home and originates mostly from a socially deprived family. Those adolescents may be considered to be to a certain extent disadvantaged twofold. According to experts, the performance backlog of migrant youth can be explained in large part through their social background and milieu characterized by low educational level and attainment. The recent PISA studies clearly establish a correlation between the low level of education of the parents and underperformances at school, which disadvantages persons of foreign-language background especially regarding reading (which cannot only be learned in school).

Consequently, Swiss authorities have and are continuing to look for appropriate means, methods and programmes sometimes under the form of innovative pilot projects to tackle these issues.

### 2.5.2. Labour Market

About 1 Million foreigners are working in Switzerland, which represents about 25% of the economically active, although the representation is regionally very diverse. There are cantons which have a very high number of foreigners among the employed, namely border cantons. Every second man-hour in the hotel and restaurant industry is done by a foreigner.

Migration policy in Switzerland was and still is closely linked to labour market policy. The admission of foreign workers to the Swiss labour market is primarily based on “macroeconomic interests”. There is no precise definition of this concept in the law, but immigration policy shall always be based on the assessment of the situation on the labour market. In this regard Swiss policy in principle prioritises EU- and EFTA-citizens. Only in cases where no qualified persons of these two categories can be found, third-country nationals shall receive residence and work permits. Though this shall mainly apply to persons with key qualifications, in reality the majority of foreign population in Switzerland (especially those coming from non-EU and non EFTA countries) is engaged in the low-skilled sector. Related legislation contains a number of specific measures to foster labour market integration of individuals with restricted access to job opportunities. These offers, for instance special job training measures, internships, educational programmes for specific target groups are also available for migrants who find themselves more often in a situation covered by these programmes than Swiss nationals.

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30 This does not necessarily conflict with the fact that in some cases humanitarian reasons gain upper hand when deciding that a person shall be granted a residence permit, even if doing so speaks against economic interests.


32 Although it should be noted there are no courses or measures in the framework of the Swiss unemployment insurance targeting as specific target group “foreigners”, but rather that certain contents and designs of courses are more often used by migrants.
Another contributing factor was the fact that family reunification with children sometimes takes place at a rather advanced age (up to the age of 18), which means that part of the school education and qualification was gained outside Switzerland. This lead occasionally to qualifications not adapted to the Swiss labour market and its resulting problems.

**Conclusion**

The insufficient integration in the area of the regular structures, namely with regard to education and the labour market is perceived as constituting a major obstacle for immigrants’ integration as a whole. Enhancement of language proficiency and school education are regarded as being crucial components of successful integration. The experts interviewed argue that the promotion of integration shall ensure that immigrants are better enabled to finish their education with a solid qualification.\(^{33}\)

3. **Implementation of the Current Legislation, Integration Policy and its Impacts**

The following part of the interview analysis deals in particular with the practical implementation of the legal provisions and their impact on the day-to-day work of the stakeholders involved. A similar set of questions was applied to all interviews conducted in the course of the study. However, one might expect a quite diverse assessment in regard of the integration work carried out.

3.1. **Stakeholders**

In the following those stakeholders who were regarded to be of special importance for the research topic will be shortly presented according to the respective fields of activities and institutional imbedding.

3.1.1. **Field of activities**

The interview partners from the government and various authorities side as well as from the NGOs emphasised the undeniable fact that successful integration affects large parts of the Swiss society: All various sectors would profit from successful integration or suffer from the

\(^{33}\) It should be noted that an internal comprehensive integration report is currently planned by the Federal Office for Migration (FOM/BFM), which shall present comprehensively existing achievements and gaps in Swiss integration policy in all relevant areas.
consequences of disintegration. That is the reason why integration of immigrants has to be the concern of all political, economic and societal sectors, at all levels, starting with the immigrant him/herself, the non-immigrant population, local communities, the Cantons as well as the Federal Government. Integration policy, however, has to be perceived as being a specific and specialised policy approach while at the same time requiring political measures in the field of education and labour, economy and other issues. Measures and activities in these fields must also ensure that the specific interests and needs of immigrants are being considered sufficiently.

3.1.2. Responsible institutions and basic duties

The Federal Office for Migration (FOM/BFM) is commonly assessed to be the most important institution on federal level. The new Federal Office comprising the former Federal Office of Immigration, Integration and Emigration (Bundesamt für Zuwanderung, Integration und Auswanderung – IMES), represents the highest authority for aliens responsible for the controlled immigration of foreign labour force and their families, the admission and presence of foreign nationals in Switzerland as well as the integration of foreign nationals permanently living and working in Switzerland. The Integration Section is concerned with all the integration tasks that fall within the competence of government and responsible for implementing integration measures on the federal level, its role comprises the mainstreaming and coordinating of integration policies, giving additional support where it is necessary and examining all applications for naturalisation. Tasks concerning legislation and international cooperation also fall within its competence. In the Revision of the ordinance on integration and in the new draft law for the Foreign Nationals Act, it is planned that the Federal Office (Bundesamt) coordinates the measures of the Federal Offices (Bundesstellen) for integration of foreigners, especially in the areas of unemployment insurance, vocational training and health care. It should further secure the exchange of information and experience with the cantons, whereas the cantons assign a contact office for integration issues for the Federal Office.

The Federal Commission for Foreigners - FCF (Eidgenössische Ausländerkommission – EKA) was founded in 1970 as a commission of experts and consultative body to the Federal Council in migration and integration issues. Since 2000 the Federal Commission for Foreigners’ (FCF) Secretariat has been part of the structure of Federal Office. Its main responsibility is to deal with all aspects of integration outside the competence of government.

34 Office fédéral de l’immigration, de l’intégration et de l’émigration, Ufficio federale dell’immigrazione, dell’integrazione e dell’emigrazione – the IMES was merged into in the new Federal Office for Migration (FOM) on 1.1.2005.
37 Indeed, in the light of the new law on foreign nationals, it is, in particular, responsible for coordination functions between the integration-relevant federal offices (horizontal coordination) and the cantons (vertical coordination).
38 The Revision of the ordinance additionally states that the municipalities will be incorporated conveniently.
39 As mentioned before, the Federal Commission for Foreigners (FCF) perceives integration as the possibility and aptitude of a person, to move independently in its concrete, constantly changing social environment. Integration means equal opportunities in participation of all residents in Switzerland in the resources and processes of the society. Available at [http://www.eka-cfe.ch/d/Doku/prioritaetenordnung_d.pdf](http://www.eka-cfe.ch/d/Doku/prioritaetenordnung_d.pdf) (18 November 2005).
authority. While one of the main tasks of the Integration Section is to coordinate interactions between administration offices on respective governmental levels the FCF is responsible for practically implementing the integration promotion program and at the same time for fulfilling an important bridging function to civil society actors active in the field of integration.\textsuperscript{40} In this context, it cooperates with cantonal and communal authorities, immigrant services and actors of immigration such as charities and economic associations. Its tasks primarily concern information and mediation, and it publishes opinions and recommendations.\textsuperscript{41}

In the draft of the new Foreign Nationals Act\textsuperscript{42} it is explicitly stated that the federal level, the cantons and the municipalities, the social partners (Sozialpartner), the NGOs and migrant associations work together regarding integration.

Furthermore, it is pointed out that the advisory Commission for Foreigners shall deal with social, economic, cultural, political, demographic and legal issues, which arise from the residence of foreigners in Switzerland. It cooperates with the responsible federal authorities, the cantons and the municipalities, the cantonal and communal foreigner services and commission for foreigners as well as with the migrant associations and the NGOs, which are active in the field of integration. It participates in the international exchange of views and experiences.

Due to the fact that the better part of integration issues is decided upon on the local level, possible success and failure of integration policies largely depend upon related offers provided for on the local level, such as local communities, municipalities and cantons. The cantons and municipalities have created or are in the process of creating an infrastructure constituting the basis for deliberate local activities in the integration of immigrants mainly in co-operation with communities, but also immigrant organisations, facilities of adult education and further organisations providing integration offers.

### 3.2. Language Courses

The promotion of language acquisition and related courses is considered to be one of the most important objectives of Swiss integration policy. All interview partners regardless of their respective function or institutional imbedding agreed that the acquisition of local language skills is an inevitable precondition for integration. The sufficient command of the local language enables dialogue and communication but most importantly, independence and self-confidence. Many interviewed experts agreed that good levels of language proficiency in the local language in word and writing is absolutely necessary in order to achieve equal opportunities in social and economic life. Oral communication is often considered a very important element, as it especially allows active and unlimited communication which can provide the conditions for integration, settlement and equal opportunities in the society. Taking into the account the special situation of the different dialects and idioms in a country such as Switzerland, knowledge of these respective dialects can have a positive effect on integration into society or especially into the labour market. However the discourse highlights the fact that also Swiss children’s language knowledge may be deficient and that in school all

\textsuperscript{40} Vernehmlassungsverfahren, Erläuternder Bericht (Consultation procedure, explanatory report) May 2003, p. 8 and draft version of the New Foreign Nationals Act in the National Council (Nationalrat) debate in June 2004.


\textsuperscript{42} Version of the National Council (Nationalrat) debate in June 2004.
children should learn and be able to speak standard German (and not only Swiss German) respectively the so-called standard language. Migrants usually learn German (not Swiss German) and one starts now to urge public authorities and offices, but also teaching staff on parent-teacher conferences and ultimately, all persons who talk to migrants, to also speak German and not dialect.

A number of selected examples of language courses offered in Switzerland is described briefly in the following to give an idea of the diverse offers existing. (See Final Report Integration Agreements and Voluntary measures for more details)

In the Canton of Neuchâtel, French language courses, especially designed for newcomers and offered by various institutions and bodies, supported also by the integration delegate.

Several NGOs offer specific language course for women migrants, often in the framework and the setting of a much wider range of activities.

In St. Gallen, a language school for women\footnote{AIDA.} aims to support and educate women based on a comprehensive offer and philosophy. The target group covers a broad variety of backgrounds, education and needs. The applied philosophy especially targets women without school education and experience in their countries of origin and the orientation is therefore as “low-level”\footnote{“niederschwellig”} as possible. Generally, there is a wide spectrum of offers with a concentration on “certificate courses”\footnote{“Zertifikatskurse”} as well as on “low-level”. Another Centre in Geneva\footnote{CAMARADA (Reception and Formation Centre for exiled women and their children)} has also a very “low level approach”, embedding their language courses in a comprehensive offer of diverse surrounding activities.

Another project in Basel\footnote{German and integration course in the quarter by K5 course centre (Kurszentrum für Menschen aus fünf Kontinenten)} (but similar focuses also existing in other cities) offers German and integration courses for female newcomers in different quarters and neighbourhoods including site-visits.

In general, NGOs and language courses offer diverse intensive language courses of different levels, for newcomers, general target groups or specifically targeting women.

A part from NGOs who offer diverse levels of language courses across Switzerland, local migrant organisations also occasionally develop efforts to organise such courses.

Such an example has been encountered for instance in the municipality of Langenthal where the local Alevi Association has set up a low level German language course, focusing amongst others on shift workers, which reflects in the course structure and time schedule, but generally having a mixed target group including mainly settled migrants. The underlying stated goal being the promotion of integration, subjects such as the school system, the government system, elections and generally the Swiss system are also being tackled. The course is partly financed by the federal level (trough the Federal Commission for Foreigners), partly by the association and therefore only a minor contribution is requested from the participants.

For unemployed persons, a considerable amount of language courses are provided in the framework of labour market measures. (See below).

Finally one pilot project “German intensive” in Bern already has a compulsory element in a language scheme for recognised refugees including a sophisticated language analysis at the start.

The interviews with immigrants also showed that there is quite a comprehensive offer of different language courses in the urban areas, the picture being more diverse in the country side. The regular time schedules of the courses were considered to meet the immigrants’
needs in most of the cases – this was attributed to the great variety of courses from which the immigrants are able to choose, which makes it comparatively easy to find the offer most favourable to him/her. The stated satisfaction with course offers indicates the usefulness of a diverse and comprehensive variety of course offers. Indeed, there is an existing offer and there are further thoughts regarding low-level (niederschwellig) language courses towards adaptation to the European Language Portfolio and certification (of the participants, the teachers and the offers).\textsuperscript{48}

Especially the female migrant group appreciated accompanying measures to the actual language courses. The availability of children care facilities was called as one crucial aspect to practically enable female migrants to attend a language course, as they often lack the necessary social contacts or help in their own environment to ensure that their children are taken care of while attending a course.

The following fact seems to be a problem and positive effect at the same time: Though all people interviewed unanimously stated that the number of social contacts did increase because of the language courses, the contacts were often limited to other foreigners. In their own assessment they managed to establish only limited contacts to members of the receiving society, during but sometimes also after finishing the course. Herein, one can observe, that knowledge of language is certainly a very important factor but is just one element in the integration process and not in itself sufficient.

On the other hand, critics highlight the lack of systematic character in the “course landscape” as well as the lack of clear goals and objectives in the very diverse and scattered offers of language courses in Switzerland. Others highlight the fact that defined and common benchmarks are missing as well as criticise the sometimes too short durations of the several courses.

\textbf{Conclusion}

The different types of courses are to be assessed as a main facilitating factor with regard to the accessibility of language acquisition for immigrants and contribute substantially to attendance rates. At the same time the sometimes insufficient interconnection between the existing individual options and the accessibility of information regarding these options, i.e. existing courses, is perceived as a major problem hampering the potential success of related courses.

\textbf{3.3. Vocational qualification}

Many interview partners, especially those working in the field of vocational qualification, agreed upon that the significance of successful integration into the labour market cannot be estimated high enough, as it not only ensures maintenance, but also helps to shape the personal development and consequently is one of the basic units in the integration process.

\textsuperscript{48} Although nothing has been decided yet in this regard.
Vocational integration depends on various factors, mainly on the degree of language knowledge, the degree of education and the qualification profile of the individual immigrant.

3.3.1. Promotion of Vocational Integration

The vocational integration of people immigrating to Switzerland is being fostered in various ways. It has to be considered that these measures are sometimes even combined with language courses, as language knowledge is considered to be crucial for vocational integration. There are various examples of measures carried out in the framework of federal labour market measures, as well as of various cantons, municipalities and NGOs fostering vocational qualification, also for specific target groups such as women or migrant youth.

3.3.2. Actors and implementation

The interview partners identified several institutions or organisations which are assigned specific roles in the field of vocational qualification.

First, this is the unemployment insurance. On the one hand, this institution offers regular programmes for vocational qualification which are open to foreigners as well as to members of the majority society; on the other hand, they also provide qualification measures especially considering the needs of immigrants, albeit without treating them as a specific target group of tailor-made measures.

Looking at the costs for the implementation of labour market measures in 2003, out of a total costs of about 582 Millions, about 240 Millions (41%) have been spent on foreigners, concerning occupational measures the cost even represent 48%.

Proportion of labour market measures spent on nationals and foreigners in 2003:

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>CH</th>
<th>CH %</th>
<th>foreigners</th>
<th>CH %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total of registered unemployed (status quo Feb. 2004)</td>
<td>165.979</td>
<td>96.354</td>
<td>58.1</td>
<td>69.625</td>
<td>41.9</td>
</tr>
<tr>
<td>Total benefit recipients (cumulated 2003)</td>
<td>318.740</td>
<td>195.516</td>
<td>61.3</td>
<td>123.224</td>
<td>38.7</td>
</tr>
<tr>
<td>Total costs labour market measures (in 1'000 CHF)</td>
<td>582.677</td>
<td>342.426</td>
<td>58.8</td>
<td>240.251</td>
<td>41.2</td>
</tr>
<tr>
<td>Total participants</td>
<td>129.706</td>
<td>75.949</td>
<td>58.6</td>
<td>53.757</td>
<td>41.4</td>
</tr>
<tr>
<td>Costs education measures (in 1'000 CHF)</td>
<td>314.267</td>
<td>183.397</td>
<td>58.4</td>
<td>130.871</td>
<td>41.6</td>
</tr>
<tr>
<td>Participants education measures</td>
<td>103.758</td>
<td>61.701</td>
<td>59.5</td>
<td>42.057</td>
<td>40.5</td>
</tr>
<tr>
<td>Costs occupational measures (in 1'000 CHF)</td>
<td>230.956</td>
<td>118.782</td>
<td>51.4</td>
<td>112.174</td>
<td>48.6</td>
</tr>
<tr>
<td>Participants occupational measures</td>
<td>31.668</td>
<td>16.209</td>
<td>51.2</td>
<td>15.459</td>
<td>48.8</td>
</tr>
<tr>
<td>Costs special measures (in 1'000 CHF)</td>
<td>37.454</td>
<td>26.456</td>
<td>70.6</td>
<td>10.999</td>
<td>29.4</td>
</tr>
<tr>
<td>Participants special measures</td>
<td>8.224</td>
<td>5.920</td>
<td>72</td>
<td>2.304</td>
<td>28</td>
</tr>
</tbody>
</table>

Source: State Secretariat for Economic Affairs (SECO)
One important part of the measures offered in this context is as already mentioned language courses:

<table>
<thead>
<tr>
<th></th>
<th>2003</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of</td>
<td>German</td>
<td>French</td>
<td>Italian</td>
<td></td>
</tr>
<tr>
<td></td>
<td>participants</td>
<td>Sw</td>
<td>Sw</td>
<td>Sw</td>
<td></td>
</tr>
<tr>
<td>Costs in M. Fr.</td>
<td>68,51</td>
<td>38,54</td>
<td>27,23</td>
<td>2,62</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>24,927</td>
<td>13,954</td>
<td>9,568</td>
<td>1,405</td>
<td></td>
</tr>
<tr>
<td></td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>Men</td>
<td>10,832</td>
<td>6,242</td>
<td>3,980</td>
<td>610</td>
<td></td>
</tr>
<tr>
<td></td>
<td>43%</td>
<td>45%</td>
<td>42%</td>
<td>43%</td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>14,095</td>
<td>7,712</td>
<td>5,588</td>
<td>795</td>
<td></td>
</tr>
<tr>
<td></td>
<td>57%</td>
<td>55%</td>
<td>58%</td>
<td>57%</td>
<td></td>
</tr>
<tr>
<td>Swiss nationals</td>
<td>10,353</td>
<td>4,694</td>
<td>4,811</td>
<td>848</td>
<td></td>
</tr>
<tr>
<td>Status of</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>foreigner</td>
<td>58%</td>
<td>34%</td>
<td>50%</td>
<td>60%</td>
<td></td>
</tr>
<tr>
<td>Yearly sojourn</td>
<td>7,407</td>
<td>4,819</td>
<td>2,336</td>
<td>252</td>
<td></td>
</tr>
<tr>
<td></td>
<td>30%</td>
<td>35%</td>
<td>24%</td>
<td>18%</td>
<td></td>
</tr>
<tr>
<td>Settled</td>
<td>5,903</td>
<td>3,741</td>
<td>1,894</td>
<td>268</td>
<td></td>
</tr>
<tr>
<td></td>
<td>24%</td>
<td>27%</td>
<td>20%</td>
<td>19%</td>
<td></td>
</tr>
<tr>
<td>Other foreigners</td>
<td>1,264</td>
<td>700</td>
<td>527</td>
<td>37</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5%</td>
<td>5%</td>
<td>6%</td>
<td>3%</td>
<td></td>
</tr>
</tbody>
</table>

Source: State Secretariat for Economic Affairs (SECO)

Other entities acting in the field of vocational qualification are the local municipalities and NGOs which usually closely cooperate with the cantons. They also offer regular measures as well as special activities for immigrants in order to foster their vocational qualification. Furthermore, they often offer counselling and care facilities.

Some of the NGOs provide local language courses and special vocational qualification activities for vocational integration of immigrants in the field of integration courses funded by various sources.

Different organisations offer a wide range of offers and comprehensive approaches in one, such as for example an institute in Basel\(^49\) which covers work, continuing education, advanced vocational training and research as well as integration courses constituted of different modules including site-visits and relying on mediators.

### 3.3.3. Situation Assessment

The interviews can only serve as a limited basis for assessing impact and effect of vocational qualification measures, primarily based on past experiences in this respect. It would be therefore interesting to carry out a follow-up and more extensive examination in order to analyse the success of such measures with regard to whether the immigrants in fact managed to successfully enter the labour market after completing the respective vocational training measure and to what extent the successful integration into the labour market took place.

\(^{49}\) ECAP.
Non-state representatives sometimes argued\textsuperscript{50}, that many promising smaller projects remain without having all the positive effect they potentially inhere, as immigrants are not sufficiently informed about their existence. Larger and well established institutions are clearly in a more favourable position, as they are known among the social networks of immigrants who tend to recommend them within their community.

### 3.4. Orientation Courses

Orientation courses are not offered on a nation-wide basis in Switzerland. With the entering into force of the new Foreigner Nationals Act it will still be the Cantons only who have the possibility at their disposal to implement such courses. Nevertheless, in the various Cantons there are many offers already in existence, some of them with a special focus on new immigrants; mostly, they are implemented, organised and carried out on the local level (NGOs) and in connection with language courses as mentioned and outlined above. One must consider that respective orientation courses are differently organised depending on which local community is responsible for the implementation. Some again concentrate on specific target groups such as migrant women. These projects are of great interest, as with carrying out these courses on local community level practical experience has been gathered.

### 4. Some Cantons and their integration system and measures

This section intends to look at a selection of Swiss cantons to give a short general idea of possible existing integration systems, policies and measures in Switzerland. In this regard, it should also be kept in mind that many municipalities and cities also have very active integration policies and measures, which cannot be covered since this goes beyond the scope and possibilities of this study.

It should first also be mentioned in this context that a few cantons support political integration in introducing or at least discussing passive and active voting rights for foreigners. The foreign nationals living in the French part of Switzerland have in most cases voting rights at least on the communal level.

#### 4.1. Canton Basel-Stadt

The percentage of the foreign population in Canton Basel-Stadt amounts to about 29%. The integration policy of Basel is often quoted among experts and public authorities as pioneering and ground-breaking. It has served and continues to serve as a role model for many decision-makers inside and outside of Switzerland, who ask counselling and sharing of experience for related attempts in other municipalities.

\textsuperscript{50} as they have often in the framework of this project also regarding other integration areas.
4.1.1. Integration policy and underlying concepts

In the governmental program 1997-2001 integration was defined as an important cantonal task and the aim of “developing a migration and integration policy, which promotes a peaceful cohabitation of foreign and national resident population” was determined. In March 1998 the office of the Delegate for migration and integration issues was introduced to achieve these aims as quickly as possible.

In August 1999 an Integration Model (Integrationsleitbild) was adopted in Canton Basel-Stadt as a strategic basis for the implementation of a coherent integration policy. The Grand Council (Grosse Rat) deliberated on the Integration Model in the framework of a specifically set up Commission and approved by majority in January 2001 a positive report of the Commission on the Integration Model, which amongst others suggested the creation of a specific Integration Law.

The integration policy of the Canton Basel-Stadt is declared to be based upon the following three main principles:

1. The foundation on which the integration policy rests, is formed by the existing potential and resources, that is the achievements, experiences, capabilities and competences of those concerned.

2. Integration is to be seen as a concern of society and the city as a whole, i.e. the totality of all members of the community - be they Swiss nationals or immigrants - is the focus of attention and efforts.

3. An integration policy attains the desired depth and binding nature if a conscious and careful handling of difference is guaranteed. Socially or structurally created problems may not be superficially culturalized and ethnicized, nor may gender-specific aspects be ignored or neutralized.

The actual integration policy is to be implemented along these three main principles, pursuing the following main objectives:

- A comprehensive social policy is to be pursued. The basic principle is equality. When counteracting social discrimination, socio-economic criteria are to be used to define the target groups and not the ethnic origin. Special measures are to be seen as temporary measures; the aim is the avoidance of social decline.
- The existing resources are to be utilized and the individual advancement is to be promoted. Social mobility and a willingness to achieve are to be supported by the reduction of structural barriers; the expectations of the integration policy are to be clearly communicated.
- Information gaps are to be closed and prejudices broken down on all sides, since numerous tensions and problems only arise through lack of knowledge and poor communication.

To counteract tendencies of inequality in the education, labour and housing sector as well as

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51 In the political plan of 2003-2006 as well as 2004-2007 integration policy is retained as a main focus.
52 Canton parliament, the highest organ (organ with supreme legislature) of most of the cantons.
in the field of political participation, the following aspects are to be clearly addressed in the process of implementation:

- promotion of multilingualism in schools
- youth counselling outside the schools and throughout the institutions on integration into the labour market
- coordinated organization of education for adults
- opening up of government institutions
- empowerment of the neighbourhood population with the help of neighbourhood bureaus and mediation programmes
- extensive public relations campaign of the Cantons Basel-Stadt and Basel-Land in order to objectify the discussion
- participation

Seen as a process of society as a whole, integration is perceived as the positive inclusion of all members of society. In order to guarantee for the positive inclusion of newcomers too and in order to utilize their motivation, the promotion of integration is also aimed at introducing compulsory elements in the areas of education, namely German language courses, political education and social orientation (following the Dutch example as is being stated). Basel’s approach in integration policy defines equal opportunities for all as reciprocity of rights and duties.

The future integration policy focuses on the individual, intending to respect and promote the people living in the canton as individual persons rather than as members of an ethnic group. It relinquishes the communitarian (focusing on the common) integration model which defines ethnic-national groups (Swiss, Italian, Albanian, Kurd etc.) as collectives and looks upon their members almost exclusively as parts of collectives. Basel’s approach further stresses that under no circumstances the underprivileged must be excluded; while emphasising at the same time that foreigners must not be burdened with the prejudice that they are always in need of help. Structurally caused social decline is to be avoided, the new integration policy is predominantly achievement- and advancement-oriented.

### 4.1.2. Cantonal draft law on integration

In 2004, the governments of the cantons Basel-Stadt and Basel-Landschaft have proposed, after having been commissioned by the Grand Council (Grosse Rat), together a cantonal draft law on integration of the migrant population which is currently at the stage of the consultation procedure (Vernehmlassungsverfahren). The period for statements during the consultation procedure has elapsed now and currently the statements are being analysed and evaluated concerning possible changes of the draft law. The content of the draft law shows clear similarities to the current legal revisions, policies, trends and discussions at federal level, especially to the draft of the New Foreign Nationals Act:
Integration is defined as the establishing of equality of opportunity and as a mutual process referring to the individual. The law is oriented on the principle “fostering and demanding” ("Fördern und Fordern"), thereby the language acquisition is given main priority.
The Target group of the cantonal draft law are the migrants in the canton and their descendants, provided that they are in need of promotion of integration.
The two Cantons shall be given the authority to make the issuing of a residence permit depend on the attendance of a course. Employers are to be involved in integration work.
The Canton and the municipalities grant financial contributions for integration; those are adapted according to the share of the federal participation and participation of third parties.
The Cantons Basel-Stadt und Basel-Land would be with this law the third striving for an integration law - in addition to the Cantons Neuchâtel and Geneva which already have based their integration policy on legal regulations.\textsuperscript{53}

\textbf{4.2. Canton St. Gallen}

\textbf{4.2.1. Integration policy and underlying concepts}

Although integration policy has been done for some time already in the canton of St. Gallen, the position of the Integration Delegate has been created a few years ago.\textsuperscript{54} The function of the Integration Delegate is notably to coordinate between the Confederation and the Canton, between Canton and municipalities as well as between public and private actors.
The discussion on integration really started in 1999, the immediate event leading to the public debate being the murder of a teacher in St. Gallen, shot by a catholic Kosovo-Albanian.
The political discussion and process really started after this incidence and a working group was established\textsuperscript{55} with the task to provide an analysis of the situation on the subject “intercultural living-together”, to identify problems and fields of action and to develop possibilities of action. All these outcomes were compiled in a catalogue of measures and this report was the starting signal for the integration policy in today’s form.\textsuperscript{56}
But this report is no system, it is an accumulation of ideas and besides an action plan, no more effective integration concept was developed since practical approaches and solutions are preferred.

Some of the main principles of the report are the following:

- Appreciation of what migrants bring to Switzerland and their contribute to Switzerland’s high prosperity and wealth.
- To approach each other
- Concentration on integration promotion

\textsuperscript{53} Although mainly dealing with the organizational structure while the draft law of Basel is going further.
\textsuperscript{54} Integrationsdelegierter Kt. St. Gallen, Koordinationsstelle für Integration des Kantons St. Gallen, Departement des Innern.
\textsuperscript{55} Consisting among others of migrants, NGOs like the consortium für integration issues (Arbeitsgemeinschaft für Integrationsfragen), representatives of schools, of the teachers, of the security police field as well as the public prosecutor’s office and the city of St. Gallen.
\textsuperscript{56} The report was finished in 2000 and delivered to the administration. The government adopted the report in October 2000 and passed it on to parliamentary consultation. The cantonal council (canton parliament, the highest organ of most of the cantons) debated it in February 2001 and approvingly noted, that from now on it should be worked in this sense.
Integration is being considered to concern social, economic, and political participation as well as equal opportunities. It is further considered to be important in this context to avoid as much as possible parallel structures and that as much as possible should be integrated in the regular structures. This means that municipalities should not set up separated counselling and information centres for migrants, but to extend and equip existing ones in order to be able to also advise migrants.

Additional existing legal regulations are a social aim in the cantonal constitution which defines social integration as cantonal objective and of course in the domain of primary school concerning pupils of foreign-language, but no integration law as such exists.

The Canton furthermore strives to also operate through projects financing based on a list of applications of regional project. No contents of possible projects are defined, although certain basic conditions have to be fulfilled to be eligible for funding such as self-organisation, being decentralised and regional. Furthermore, the management of each project group has to be composed of a mix of migrants and nationals born in Switzerland. Only intercultural project have the possibility to be funded, in this way also influence can be exerted.

### 4.2.2. Implementation

The Canton St. Gallen has about 680,000 CHF (approx. 440,000 EUR) per year as it disposal for integration activities respectively promotion of integration whereby half of it are contributions for organizations such as the aforementioned women language school AIDA. The other half is for funding of projects – services are “bought”.

In order to follow the principle of priority to integration into regular structures, an interpreter placement service has been set up in the last years. To implement this, institutions are urged interpreter costs, so that the existing interpreter service can be used.

As generally in Switzerland no systematic system of language courses currently exists in the Canton of St. Gallen. For two years the office of the Integration Delegate has been supporting German courses and numbers of participants have been increasing constantly. Almost half of all municipalities offer for instance courses for female migrants today, often based on the work of committed private persons and based on personal responsibility.

In general, one third of the costs are covered by the municipality, one third by the migrant and one third by the Confederations´ integration promotion programme. The Canton itself cannot contribute financially, because these courses fall under adult education, which by parliamentary regulation is not financed by the Canton.

Supported projects are currently starting: considered successful are for instance the language courses for women in the municipalities, the development of a handbook for integration at the work place and the improvement of participation. Regarding the latter, impulse days with 120 participants have for example organised for the establishment of an umbrella association for foreigners, which has resulted in project and working groups. The government has offered regular meetings with such an umbrella organisation, which should also get a seat in the “integration coordination” of St. Gallen. Support of project is considered to be especially there successful where regional networks already exist. Many projects which are only

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57 For instance that each pupil of foreign language counts double for the size of the class.

58 Whereas social issues as these are competence of the municipalities.
targeting and concerning the “migrant society” are being rejected. The set up of a project data base is planed including all projects with the aim to make structures of already completed projects available for those interested, in order that in case of new projects, those would not have to newly develop all structures.

4.3. Canton Neuchâtel

4.3.1. Integration policy and underlying concepts

In Neuchâtel 43000 out of 150 000 inhabitants are foreigners, out of which 150 nationalities are represented. The legal base of integration is the law on integration of foreigners59 adopted in 1996. Furthermore, since 2002 a new cantonal constitution includes the integration idea in the constitution itself.

The political goals are defined as harmonisation of relations between nationals and non-nationals as well as supporting integration of the foreign population in the perspective of equality of rights and duties.

One characteristic of the Canton of Neuchâtel is the existence of the right to vote for foreigners which dates from the revolution in Neuchâtel in 1948 and the formal inscription in 1950. This is considered to be seen by a majority of foreigners as a symbol of opening and willingness of inclusion of foreigners.

The concept of integration considers integration as a process of adaptation, of both national and non-national populations on the level of the collective, with a dimension of participation in the political, economical, social and cultural structures and simultaneously with acculturation processes as well as re-evaluation of the cultural and identity references. Both are lead to modify their own representation of who they are respectively their own identity. Deliberately or not, people are taken in this process of intermixture.

Integration measures are taken by the political authorities. Target groups of integration policies are nationals and non-nationals regardless of the judicial residence status.

According to the local authorities, what distinguishes Neuchâtel from the rest of Switzerland in general and other cantons is a clear distinction between integration policy and immigration and asylum policy.60

The priorities of the legislative period of 2002-2005 are introductory and welcome programmes for newcomers and actions of public communication and campaigning.

Finally, the underlying philosophy is that learning has to be voluntary and the obligation an exception.

59 Loi sur l’intégration des étrangers
60 The latter being an exclusive competence of the Confederation, whereas the integration policy is foremost a competence of the cantons and municipalities. Integration in the sense of living together, establishment of favourable conditions for good relation between the populations – organization of the life of people sharing the same territory.
4.3.2. Implementation

Numerous language courses and introductory and welcome programmes for newly arrived immigrants as well as diverse projects are being organised and/or supported and funded by the Office of the Integration Delegate. Courses and programmes for special target groups are also being set up. Institutions which promote integration are financed too by the Office of the Integration Delegate.

The voluntary Welcome programme comprises organisation of reception, direct contact with municipalities, and information of division of tasks in the municipality (who is doing what).

Results of policies and measures could be analysed the population census of 1990 and 2000 where one can observe a clear progression of French as the official language and language acquisition of the foreigner population.

5. The draft laws: The New Foreigner Nationals Act and the revision of the ordinance on integration

Regarding the future development of the legal framework of Swiss integration, policy changes are intended to take place in two main areas: the creation of a new Foreign Nationals Act (Ausländergesetz – AuG) and the partial revision of the ordinance on integration.

The following will give a further short overview of the development of the new legislation in the field of integration and the underlying motivation:

5.1. Motives for the New Regulations

The ordinance on integration which entered into force in 2000 proved to be an appropriate and effective policy tool in the area of integration on the federal level. Still, first experiences showed that it needed certain modifications on a technical level as well as regarding its content. The latter refers also to provisions defining the required contributions of foreigners. As mentioned before, the revised ordinance includes also funding for asylum seekers with “vorläufiger Aufnahme” (VA), who can also participate in integration measures.61

5.2. Assessment of the New Foreigner Nationals Act and the revision of the ordinance on integration

The following will analyse again shortly the basic reforms contained in the new possible integration regulations. It will also summarise the most important issues that meet with criticism as well as related suggestions for improvement.

61 The revised ordinance was adopted on 07.09.2005 and enters into force on 01.02.2006.
5.2.1. Differences to the Current Regulation

One basic difference to the existing regulation is that migration as a whole will be regulated in the framework of the new Foreign Nationals Act which is intended to replace the existing Law on the Residence and Settlement of Foreign Nationals. Besides regulations on immigration and residence it will be for the first time in Swiss history that a federal law includes regulations specifically referring to principles and objectives of integration, in a separate chapter on integration (chapter 7). The draft law intends to strengthen the integration aspect. The notion of integration will be included in the new law and instruments will be in place to provide authorities with necessary means to intervene in favour of a stronger promotion of integration. Furthermore the draft law is taking into account the experiences made in connection with the implementation of the ordinance on integration. It defines goals and principles of integration, and areas and basic principles for attributing funds. It emphasises the importance of the foreigners’ willingness to actively contribute to their integration. It also provides for a limited system of incentives and sanctions to reward or sanction the foreigners’ integration efforts. Nevertheless, entering into force of the new Foreign Nationals Act is not expected prior to 2007.

Though the Federal Council did not propose to explicitly implement an “integration agreement” in the new law and did not impose general compulsory integration measures, authorities will be given the possibility to reward successful integration efforts and to sanction a demonstrated lack of willingness. A limited system of incentives and sanctions will enable authorities to actively influence successful or omitted integration efforts by migrants. The new law implicitly presumes an “integration obligation” of the migrant and contains essential elements of models of integration agreements as imposed by other European countries.

The draft of the New Foreign National Acts also includes a paragraph on the promotion of integration, stating that the federal level, the cantons and the municipalities shall always

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62 In particular, it regulates the admission and residence of non-EU/EFTA nationals who are not asylum-seekers since Switzerland's bilateral agreement with the EU regulates the movement of persons for EU nationals comprehensively.


64 Vernehmlassungsverfahren, Erläuternder Bericht (Consultation procedure, explanatory report) May 2003, p. 3.

65 Currently the draft of National Council (Nationalrat) is in the consultation of the responsible state political commission of the National Council of the Council of States (Ständerat), which consultations will probably last until Spring 2005.

66 Although in the draft version of the New Foreign National Act of the National Council (Nationalrat) debate in June 2004 it is states that the possible condition (for the issuing of a residence permit) of having to attend a language or integration course can be laid down in an integration agreement (Art. 52 Abs. 2bis).

67 Gnesa E., Presentation: Integration policy in Switzerland: linking civil society’s inputs with governmental strategy, Eighth International Metropolis Conference: Gaining from Migration, Vienna, 18 September 2003, p. 2
consider the concerns of integration while fulfilling their tasks. They aim at creating favourable framework conditions for equal opportunities and the participation of the foreign population in public life. Furthermore they specifically promote language courses, career advancement, health care as well as efforts to facilitate the mutual understanding and cohabitation between the Swiss and foreign population. Finally, they allow for the special concerns of women, children and youth.

Additionally the draft law emphasizes that the federal level, the cantons and municipalities should provide adequate information for the foreigners regarding living conditions in Switzerland, with special focus on their rights and duties. Foreigners shall be informed about existing offers for promotion of integration. On the other hand, the federal level, cantons and municipalities shall inform the Swiss population about migration policy in general and the special situation of foreigners in particular.

Furthermore, the revision of the ordinance foresees that the Federal Office can participate in the costs related to the intended information task in the framework of a service agreement with foreigner services. Additionally, it is indicated that the federal level shall contribute to the financing of the foreseen language and integration courses on a regular basis.

Supplementary, it is planned that financial support can be granted to projects for the prevention of criminality and delinquency of those juveniles and young adults particularly at risk to become socially disintegrated.

According to the understanding that integration is a mutual process strongly relying on the migrants’ participation the proposed new regulations formulate basic requirements to be fulfilled by the migrants:

- Compliance with the legal system
- Acceptance of the “codes of behaviour” and principles assessed to be fundamental for a peaceful living together: evenness of opportunity for all
- Willingness to language acquisition

None of these principles will be obligatory, but the authorities are entitled to take into account integration efforts made by migrants by applying a limited system of sanctions and incentives. Instruments available for rewarding or sanctioning successful or failed integration attempts mainly refer to the area of residence and the taking into consideration of the integration level during the related legal discretion of public authorities. The issuing of residence permits can be placed under the conditions that the applicants attend a language or integration course. According to the Revision of the ordinance on integration, this will notably be applicable in cases where public interest is touched, e.g. when the applicant intends to assume a public function in the migrant community (e.g. community teachers for language and culture of

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68 This is again emphasized under the section of the draft law referring to financial contributions where it is mentioned that especially projects are being supported which serve to learn a national language.

69 A similar regulation can be found in the Revision of the ordinance which explicitly includes vocational and career counselling.

70 The draft of the Revision of the ordinance also mentions the willingness to participate at the economic life and to gain education.

71 According to the version of the draft of the new Foreigners Act of the National Council (Nationalrat) debates in June 2004, this also applies to the issuing of permits in the framework of family reunification.
country of origin\footnote{Lehrkräfte für heimatliche Sprache und Kultur (HSK)}, religious support person etc.). The responsible cantonal authority refers the foreigner to the relevant course offer. In case of successful integration efforts a premature issuing of residence permits can be considered. Further to that authorities are entitled to consider positively or negatively successful integration efforts or the lack of readiness to integrate in decisions regarding expulsion and refusal of entry.\footnote{52}

5.2.2. Target Group

In line with the Integration Models (\textit{Integrationsleitbilder}) of the cantons and communities the revised ordinance on integration will provide for integration of foreigners who reside in Switzerland legally and on a long-term basis.

Please see sections above regarding target group and concept of integration.

Nevertheless, the overall target group of integration courses are usually newly arrived immigrants. Some interviewed experts pointed out that a new integration policy should not only focus on new immigrants with the perspective of permanent residence but also on a much broader circle of beneficiaries, i.e. above all those immigrants who are already residing in Switzerland.

Particularly the non-state representatives express the opinion that it is wrong to exclude new immigrants from EU-countries from being a target of future regulations and implementation. Many experts stated that they see no real reason why immigrants from EU countries, like Italians for instance, should be in less need of support with regard to integration than immigrants from third countries such as Croatian or Turkish for example. Integration experts from the Federal Office, on the other hand, argue that such a distinction can be justified because problems of integration and the resulting need for integration measures are more pressing for migrants of non-European countries such as the mentioned groups of nationalities than for Western Europeans or North Americans. More importantly, due to the agreements on the free movement of persons, EU and EFTA nationals cannot be obliged to comply with compulsory integration provisions (which therefore can only refer to migrants of non-EU and non-EFTA nationals). However, they can also not be deprived of benefits. It is therefore furthermore argued by the Swiss authorities that the \textit{right} to integration measures exists for all, i.e. that language courses cannot be mandatory for nationals from EU and EFTA countries, but that they would have to have the right (the possibilities) to use the offers as well.

5.2.3. Accompanying Measures

The introduction of a system of initial promotion of integration for newly arrived immigrants was assessed positively by all the experts interviewed. The non-state representatives, however, point out that promotion of integration should not be limited to language training only.
Conclusion

It is mainly the non-state representatives who criticise certain regulations of the new regulations in the field of integration, although some representatives of authorities do express concerns as well as necessary surrounding conditions.

But at the same time a number of the non-state representatives acknowledge positive aspects of the new policies. In summary, experts from the government tend to assess the measures in the area of integration provided by the new up-coming regulations predominantly positive, whereas the experts’ assessments from some cantonal authorities and the non-governmental side provide a more differentiated - although not necessarily negative - picture. (see below)

6. Views on Compulsory and Non-Compulsory Integration Measures

6.1. Assessment of Voluntary Integration Measures and Integrations Policy

In order to be able to thoroughly assess a possible “added value” of the introduction of compulsory integration measures one must take a closer look at the advantages and disadvantages of the present approach first, i.e. the system of voluntary integration measures. State and non-state representatives as well as various project managers and immigrants have been interviewed on this issue.

The immigrants’ and course instructors’ point of view may be summarised as follows: A majority of interviewees is of the opinion that the immigrants’ motivation in case of a voluntary participation in an integration measure is much higher than in case of compulsory participation. A closer look at experiences made in connection with integration courses support this assumption. The attending participants are all said to be eager to learn and attentive. The reason for this, immigrants feel, is that the participants in voluntary integration measures usually have a residence status, have often found employment already and want their children to attend school in Switzerland. Some of them have gone through a relatively long-term integration period for themselves already, planning their future activities in the process of integration step by step, after having gone through a period of becoming „accustomed to life in Switzerland“. In most cases, this process starts with the attendance of one or more language courses and orientation courses (if the latter are offered in the respective towns) and is continued with measures focussing on vocational integration. Some of the persons interviewed had resided in Switzerland for a longer period of time already, but...

73 Vernehmlassungsverfahren, Erläuternder (Consultation procedure, explanatory report) May 2003, p. 6.
had not been able to learn the language - mainly because of their working necessity and schemes did not allow them to do so - and now had finally the time and money to tackle this long-lasting issue. One further advantage of voluntary participation thus is that it enables the immigrant to choose the offer most suitable for his/her personal interest and needs.

Interviewed project managers noted that with the present situation they have been quite independent in the actual defining of the contents of the courses. Also during the courses they have been able to react quite flexible to groups’ concerns or particular needs. It is because of the possible future obligation that some fear this flexibility endangered. When being confronted with the concerns of the project managers the state representatives emphasised that the envisaged legal changes would maintain this flexibility in the future as well and especially with higher quality should represent no difficulty.

Furthermore, the non-state interview partners in particular stated that the present system had been quite progressive, as the organisations offering projects continuously had to try to fill all vacancies in their courses. Thus, they constantly had to ensure to appeal to the people with adequate contents. In the future, the measures offered will have to remain interesting and up-to-date in order to make full use of the course capacity.

The limited range of the voluntary measures was said to be the greatest drawback by all interview partners. In particular immigrants who already reside in Switzerland for a longer time have established their own social contacts during their years of residence in Switzerland. These networks mainly consist of foreigners of their own ethnic group. In such cases the interest to take part in voluntary integration activities is often limited – they often live, work and spend their spare-time nearly separated from the receiving society.

**Conclusion**

The high motivation of the participating immigrants is a great advantage of voluntary integration measures. Their limited reach, however, is problematic – in particular with regard to certain immigrants groups who already live in Switzerland for a longer time they sometimes cannot reach or attract this group concerned and therefore not counteract stated integration deficits.

**6.2. Language and orientation courses as compulsory integration measures**

The following will examine how compulsory integration measures are assessed by the different parties involved in the integration process. All groups which were interviewed (i.e. state, cantonal and non-state representatives, project managers, course instructors and immigrants) were asked about their expectancies of such compulsory measures, especially compared to voluntary measures. Their standpoints vary considerably with regard to expected usefulness, impacts - including motivation of the target groups concerned - and consequences of compulsory integration measures. Their arguments will be shown below.
6.2.1. Immigrants

Interestingly enough the analysis of the immigrants’ interviews showed that many of them considered the introduction of compulsory integration courses not necessarily a negative development. In many of the interviews conducted they answered that compulsory regulations would be favourable for the integration process. In particular, they regarded them being approached at an early stage after arrival and the provision of relevant information as extraordinarily important; the obligation as such was considered as being of less importance. Strikingly often the immigrants mentioned that they knew people from their own social environment who had been in the Switzerland for a longer period of time (or cited themselves as such examples) and had only a very poor command of the local language. This, according to their opinion, could be counteracted by means of language courses which are compulsory and have to be attended at a very early stage, if embedded in certain conditions, especially financially affordable.

In order to put these views into perspective of an attempted assessment of the overall situation, however, it is necessary to stress the following factors which might bias the findings at least to a certain extent: All immigrants interviewed are presently participating in an integration project. Therefore, it must be assumed that these persons are basically more open-minded towards language courses because of their thoroughly positive experience than new immigrants who have not had such experience. New immigrants might tend to be less positive towards compulsory courses than the persons interviewed who have been partly residing in Switzerland for quite a while.

Having said this, a few of the migrants interviewed also reacted negatively to a possible obligation, fearing that this would endanger their own autonomy and freedom of decision-making, respectively “not wanting to be told what and how to do” as an independent adult person. It was noted that if naturalisation is made difficult, these obligations could be felt like harassment.

6.2.2. Advocates of Compulsory Measures

The opinions expressed by state and non-state representatives and project managers are diverse. Though there are voices which mainly advocate compulsory integration measures, there are also voices which clearly reject any compulsory measures. First, the advocating arguments will be looked into.

They basically reason that without the compulsory element of implemented measures integration efforts will not succeed and underlying aims will not be achieved. They are aware of the fact that with this approach a certain pressure is exercised on the immigrants – something that is intended and unavoidable to achieve the aims set. They admit that there are surely many immigrants who would make use of voluntary offers but that voluntary measures would not reach all of them. They assume the number of drop-outs to be relatively high in case of options with voluntary character.

Moreover, they frequently pointed out that fast and founded learning of a language would not only be in the interest of the immigrant but also in the receiving society’s. If immigrants are able to acquire basic knowledge of the local language right at the beginning of their residence, the integration process will start quicker for all parties involved, immigrants as well as natives.
Interestingly enough, one course instructor, who is currently giving language classes in the framework of a mandatory language scheme\(^{74}\) for recognised refugees in the Canton of Bern and therefore has gained a still rare experience in both voluntary and mandatory language courses, argued in favour of an obligation as being necessary and important, most of all for refugees themselves. Since the Swiss model of the welfare often is a novelty to refugees coming from different social systems and contexts, the target group is often not familiar with state response to occurring needs. It is of particular importance that refugees become somewhat “activated” in shaping their future from the very beginning of their residence, otherwise the inhibition threshold to register for a course automatically increases. This can result in growing passivity and retreat, exchange with others limited to contacts with countrymen only and find its final expression in an “ghettoisation”. Such attitudes, notwithstanding the fact that they are comprehensible from the point of view of foreigners residing in a strange environment, prove to be counter-productive in the long run. Under specific circumstances a certain amount of outside pressure can be assessed as be necessary, this does of course not only refer to foreigners but is characteristic for human nature in general regardless of nationality. Persons of the target group shall be encouraged to realize their personal responsibility as soon as possible and at the same time develop perspectives for themselves. Mandatory measures shall more than anything else contribute to the avoidance of a situation where individuals who have lived in Switzerland for years never acquire language proficiency. Wrong patterns should be reversed as early as possible, an obligation sometimes constitutes an appropriate means, reaching beyond mere “empowerment”, experience shows that persons concerned oftentimes also discover their pleasure of language acquisition and contact to other cultures.

At the same time it would be necessary to bear in mind that learning in language classes would only have a limited success, if it is not also accompanied by practical application outside the classroom. A good command of the local language and the knowledge of idiomatic expressions will only be achieved by active and natural communication in the societal environment. Experience gathered outside the classroom has to be processed, as they would otherwise lead to failure and difficulties in communication. The language courses do not only provide initial help in learning a language, they also give initial help in communication practice and social networking.

The Federal Commission of Child and Youth affairs (\textit{Eidg. Kommission für Kinder- und Jugendfragen-EKKJ}) has effectively made dealing with the issue of integration of children and youth with migrant background a priority in 2002/2003. In November 2002, it organised a 2-day conference and in June 2003, the EKKJ published the report “realise strengths – use strengths. Perspectives for an integration policy suitable for children and youth”\(^{75}\). With regard to the conference and the report, the EKKJ dealt of course also with the legal bases and Integration Models (\textit{Integrationsleitbilder}) of cantons and larger municipalities. It also conducted talks with juveniles with migration background.\(^{76}\) In the introduction to the political requirements\(^{77}\) the EKKJ is pleading for an “integration contract”, though in the sense of a “generation contract” not in the sense of a contract between individuals and the state.

\(^{74}\) A pilot project, see best practices.


\(^{76}\) However, the EKKJ is not specialist in integration questions and does not support or fund projects and therefore has no direct experiences with integration measures.

\(^{77}\) p. 30.
However, it should be mentioned that the counter-argument brought forward in this regard is that the “migration contract” (Migrationsvertrag) is a concept not a physical contract as such.

Finally against the frequent argument of the negative impact of compulsory measures and pressure on the learning is brought forward the existence of obligatory compulsory schooling.

Additionally, many of the stakeholders who positively assess the current legal drafts, still point out, that in case of implementation, the federal level should financially support the concerned courses and that according, and particularly individually adapted, offers of courses have to be made available.

6.2.3. Compulsory Measures: Any Impact at All?

The obligation to participate in language and integration courses is the core of the controversy often surrounding discussion on integration policy. Some federal representatives, some of the cantonal experts and most probably some politicians expect to achieve a real impact on integration through the obligation to attend and offer such a course.

The first expected impact to mention is, that immigrants already living in Switzerland are often - according to the assessment of the interviewed experts – not less in need of integration as the newly arriving immigrants. They expect that problems might arise in assessing the need of integration which are difficult to predict in advance. This might damage the efficiency of the compulsory system.

Moreover, they state, that the obligation would depend on numerous conditions. An actual obligation for an individual would only come into existence, when the cantonal authorities request the foreigner to attend a course. So, it is to be expected that local communities which can offer only a limited number of course vacancies will not be able to thoroughly apply such an obligation in all cases.

6.2.4. Critics of the Compulsory System

It must be pointed out that a number of the interview partners, particularly the NGO representatives and the project managers, but also some representatives of Cantonal authorities have also expressed their concerns about a compulsory system, respectively have drawn upon the conditions in which such a system should be imbedded according to their views.

The crucial point in their argumentation is the assumption that a system that is based on pressure and intends to force people to integrate will only lead to a result that is quite contrary to what was initially intended. Successful learning of a language cannot be achieved by applying pressure, but only on the basis of a voluntary participation of adult immigrants in adequate language training activities. In addition, NGOs argue that the compulsory nature of participation in language courses may lead to the suggestion that immigrants are generally unwilling to learn and integrate and thus may contribute to negative attitudes towards migrants rather than vice versa. The experience with immigrants, however, has shown that the vast majority of them are very eager to learn one of the Swiss languages. Migrants should be
welcomed, informed about the rules as well as about the chances and possibilities. It is feared that the opposite is being communicated through such obligations, i.e. their presence not to be welcome and wanted. Experts are concerned that compulsion and pressure might cause negative reactions and refusal by the immigrants, such as which could have a negative impact on the integration process. Thus, in critics perspective it is important to set positive incentives and work with clear communication not least since learning is most effective if based on the voluntary decision of persons to learn. “When it is worthwhile and profitable to learn the language, all automatically learn the language”, as one expert simplified it. The system should be as such that, in which it would be profitable to learn the language – a system based on incentives. Again the procedure of naturalisation was drawn upon as an example, that it is not worth while to learn the language, if the process of naturalisation is generally hampered. The approach should further focus more on the resources of migrants then on the deficits.

Additionally some teachers suggested that sanctions such as foreseen in the current discussion as well as an “integration obligation or agreement”, could be abused by teachers who are not “foreigner friendly” for instance by putting pressure on parents. They argue that I this way “denunciatory” forces could be nurtured, as xenophobic teachers, could for example inform the municipality or migration authorities that a certain family does not cooperate. Similar behaviours could be imaginable of employers, landlords etc.

The argument that certain specific target groups, such as for instance women living in patriarchal structures could be reached at all or in a better way by compulsory measures was rejected by one expert in particular by pointing out that some Swiss women also live in similar structures and that in this case the state is not intervening. The public opinion and interest is focusing on a minority, which are living in such patriarchal family structures preferring to reflect about “others”. One should communicate to and make clear to these migrant women that if they do not become active they disadvantage their children and themselves.

**Conclusion**

Learning the language is the key to integration – all interview partners agreed upon this. Agreement was also reached that immigrants should be recommended to learn the language as soon as possible. The opinions differ about the “added value” of a compulsory system. A large number of the experts feel that compulsory integration measures are the most appropriate and efficient way to initiate the integration process and reach specific target groups that otherwise might not be touched upon. But there are also voices who object to the pressure to integrate, which is exerted by the compulsory regulations; they favour the alternative of a guided and informed integration process.

**6.3. Selection of Topics**

The content of the language and integration course is not fixed and could vary from canton to canton. It could include elements which are designed to make the immigrant familiar with the
language, legal system, culture and history. It is the aim of existing voluntary integration courses to promote the immigrant’s integration with regard to social participation and equal opportunities. It is a further aim of such integration courses to make the immigrant as familiar with the living conditions in Switzerland as necessary to enable him/her to independently cope with matters in every-day life.

6.3.1. Language course

It meets overall appreciation by state, cantonal as well as non-state representatives and the various project managers to put the main focus of integration courses on the conveyance of knowledge in the local language. Having a good command of the language is indispensable to initiate the integration process, as it is the foundation of a successful schooling career and increases the opportunities on the labour market.

Learning the local language at an early stage has some special impact in the many areas.

Considering the uncertainty caused by immigration into a mostly unknown or rather unknown country the language course offers the opportunity to acquire a certain degree of self-assurance in the social contacts to members of the receiving society at an early stage. It increases the immigrant’s sense of self-esteem. It is further leading to independence and autonomy and amongst others to self-confidence.

As language courses are always linked to specific topics they provide the participants with a first insight into life in the Swiss society. They provide some help for the future orientation course by including topics dealing with the country in general, history or economy as the basis for language teaching and they help in coping with every-day-life situations as well as practising certain learning methods and combining it with the appropriate vocabulary. The language course opens the opportunity to present life in Switzerland at a very early stage and to introduce various communication situations focussing on everyday-life situations.

Finally, the language courses offer the opportunity to practice certain communicative strategies of understanding. Experts state that this content should also focus on everyday-life situations. Thus, it seems to be sensible to teach so-called “survival strategies”, if necessary with less emphasis on the language structure, at this very early stage where there are nearly no contacts to members of the receiving society.

The biggest drawback of language courses’ success is the great diversity within the target group.

It would be necessary to develop concepts for language courses being appropriate for a very diverse group of attendants. Immigrants not only differ in their country of origins, gender and age, but also in other factors – the most frequent one being the education they have undergone and the migration experience they have had; all these factors are to be considered. It also makes a difference as to whether immigrants came to the country for employment or as subsequent immigrants because of family reunion, as to whether they are children or came to the country because of marriage immigration or as to whether they had to flee from their country. Consequently, this would call for a large number of tailor-made measures and organisations offering different options meeting the local and individual requirements. Thus, the organisations conducting the language courses need to be very flexible, as the diversity of the local immigrant group constitutes the crucial factor for success or failure.
6.3.2. Orientation course

Generally, the overall aim of orientation courses is enabling the immigrants to participate in social life. A precondition for this, however, is that they must be made familiar with the “conduct of behaviour”, customs and its backgrounds practised in Switzerland in general or in their local environment in particular.

The interview partners’ assessment of the selection of topics to be dealt with in the orientation courses is more diverse than the one about the language courses, which were overall felt to be sensible. Others who are rather sceptical expressed their concern that immigrants would worry about other things at the beginning of their residence, they would have to cope with problems of everyday life. Basically, the experts favoured the following measures which could facilitate the first steps in the integration process.

The first would be integration counselling which should start right after the entry into Switzerland and be continued during the whole integration process. All immigrants should be informed about options and possibilities at a very early stage after their arrival in Switzerland. The authorities being involved – which is considered to be very useful – could range from the employment office to the school and youth welfare office, depending on the individual circumstances. The cooperation between various state and cantonal institutions in integration counselling guaranteed by law could safeguard that integration is seen as an obligation that involves everyone in the Swiss society.

Secondly, they demand a stronger focus on everyday-life situations. For certain immigrants (immigrant groups) this could be quite trivial and simple, e. g. dealing with the questions of where to buy food, how to operate a ticket machine, how the garbage system works etc. Nevertheless, it is to be noted that the NGOs feel that everyday-life situations are not sufficiently dealt with. The courses should not lack topics dealing with the town quarter the immigrants live and various other local issues – but these are exactly the basic topics orientation courses should deal with.

Indeed, there are thoughts to transfer more tasks to the communities in this regard, which in fact are already sometimes tackling topics dealing with the town quarter and other local issues.

Practically, integration usually proves to be most efficient in economic life, i. e. at the place of work. Many interview partners stated that they would appreciate if the topic of work is explicitly dealt with in order to counteract structural disadvantages immigrants are often faced with, e. g. high unemployment rates, over-proportionate representation in the producing sector and concentration on jobs with rather low qualifications, right from the beginning. Few experts suggested integration course models that would also focus particularly on the labour market. The crucial idea behind this is to involve (potential) employers in the integration measures and to establish contacts between immigrants and possible employers as soon as possible.

Conclusion

Indeed the so-called Integrationsschalter (integration counters) already exist and shall be further expanded.
Experts argue that every-day-life situations and situations at the work place should be more dealt with.

6.4. Vocational Integration

As already explained, foreign employees are extremely vulnerable to structural changes in economy and on the labour market. In order to improve the professional situation of immigrants living in Switzerland, some of the interviewed experts suggested several different measures. In the following you will find a short summary of the most important demands. Vocational training should be combined with language courses. Special measures targeting foreign apprentices were referred to. Employers should be involved, a certain obligation on their side should be considered as well such as dedicating and making available some of the working time in order for foreign employees to be able to attend integration programmes and courses. Other experts have rejected an obligation of employers as politically difficult to implement as well as doubting state interference in this area, suggesting more incentives for employers to become active in the area of integration and supporting measures. Some experts have expressed doubts if vocational training is apt to fit in introductory programmes and should be provided in a later setting.

Conclusion

Because of their massive impact on the whole integration process measures which promote more participation of immigrants in the labour market are of particular importance. Above-mentioned measures would be form a set of considerable options. On the other side, it is also important that the Federal Government as well as the Cantons use the means of employment promotion to reduce the deficits in education, language and vocational qualification.

6.5. Sanctions

If an immigrant does not observe his or her obligation to orderly participate in an integration course, new immigrants could be faced with sanctions with regard to their residence status and immigrants already living in Switzerland could be sanctioned with measures with regard to the granting of social benefits. Consequently, the participation in the integration course is to be considered when deciding about the extension of the residence status.

6.5.1. Immigrants

When analysing the interviews it became obvious that many immigrants considered possible future sanctions not necessarily as negative and assessed this kind of regulation as having a favourable impact on the integration process. Though it was pointed out that the average
financial means of the immigrant families are rather limited and further financial burdens would pose factual problems, it was still up to the individual migrant to avoid sanctions by orderly attending the course. It was considered as being especially important to include immigrants already living in Switzerland into such a system, as they also should be urged to learn the local language and integrate into Swiss society. The immigrants also perceived language acquisition as the first most important step towards integration.

6.5.2. Negative Sanction Models

The state, non-state representatives and the project managers do not agree on the positive effects of the sanctions foreseen. The minority among the advocates of the sanctions argue that the sanctions should not be less severe than the ones included in the draft law. They fear that a large part of new immigrants would not fulfil their obligation to participate in the integration course, if they had not to fear sanctions. But they also point out that the use of sanctions as a reaction to drop-out and failure to participation should be the ultima ratio in order not to cause rejection and refusal by immigrants right at an early stage in the new integration policy.

The majority regard negative sanction models which force participation in integration activities not as the most favourable option. The threat of cuts in the social benefits or the termination of the legal residence status would more or less lead to legal and social inequality among the immigrants. It should be rather the aim and precondition of every integration policy to reduce such inequality and to ensure equal opportunities to all people residing in the country.

Finally, they state that it is rather counter-productive for the immigrants’ motivation from the pedagogical point of view to force them to attend the integration course by means of sanctions. An immigrant who voluntarily attends an integration activity is more likely to successfully finish it. Negative sanctions could hardly increase the number of participants.

6.5.3. Positive Sanctions or Incentives

All interview partners felt that the alternative to the negative sanctions would be to increase the system of incentives to motivate immigrants to participate in integration courses. Positive sanctions were assessed as being by far the better means of raising the number of participants in the integration courses.

**Conclusion**

Some immigrants are quite open-minded towards the concept of negative sanctions. Most NGO experts and some experts from the public sector, however, would prefer a concept more based on incentives than the negative sanction system to be implemented by the foreseen new regulations, especially disapproving to the idea of linking these sanctions to the residence status.
7. Résumé

Which conclusions can be drawn from the various opinions expressed towards the present and future Swiss integration policy?

First, integration policy, as well as integration itself, has to be perceived as being a continuous process and not a rigid fact. It will need to be adjusted to the arising circumstances.

Existing and foreseen regulations on integration form the basis for a long-term integration policy of the country, the aim of which is to create equal opportunities for people to participate in social life irrespective of their origin.

Switzerland and its Cantonal system and competences create the possibility of very different approaches on integration policy within the Swiss borders. This study attempted to give some examples of policies without of course being the accurate and possible frame for a totally comprehensive picture of all 26 Cantons.

Language acquisition is assessed to play a crucial role in this respect, as participating in everyday life in Swiss will only be possible, if immigrants have a sufficient command of the respective local language. Being able to understand and speak the language has to be seen as the basic precondition for successful integration – this statement was supported by all parties involved in the Swiss integration process that were interviewed in the course of the study. Still, active promotion of integration must not be limited to language only, it must also comprise integration measures in the fields of orientation, schooling as well as employment. As in many other countries, one would have to look at fundamental and basic questions for efficient integration policies: which are the indicators for integration?

There is no consensus among stakeholders as well as in the different groups involved on compulsory measures, but there is definitely no complete rejection of compulsory measures. The emphasis is put more on the necessary preconditions and infrastructure surrounding such possible compulsory measures, which if fulfilled can have positive effects on integration efforts. Nevertheless, the continuous support and promotion of voluntary activities on this sector, which have the necessary expertise, confrontation with the needs on the market as well as the flexibility to react to the demands, through (but not only) financial incentives is considered to be crucial.

Expanding and improving the necessary infrastructure in this field as well as using existing infrastructure efficiently will be crucial for the success of integration policies in Switzerland, as will a pragmatic and realistic approach not lastly also while including integration provisions in the legal framework.