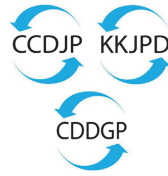




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DEI DIPARTIMENTI CANTONALI DI GIUSTIZIA E POLIZIA



“Integrated Border Management” Action Plan

2014–2017

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Abbreviations

ALO	Airline Liaison Officer	FCA	Federal Customs Administration of the → FDF
AP	Action plan	FDF	Federal Department of Finance
API	Advance Passenger Information (electronic system that sends passenger data to the relevant border management agencies immediately after airline check-in)	FDFA	Federal Department of Foreign Affairs
BE	Canton of Bern	FDHA	Federal Department of Home Affairs
BMS	Biometric Matching System (subsystem of → VIS; used to check that the biometric data being scanned match the data stored in the database)	FDJP	Federal Department of Justice and Police
CC Web	Competency Centre Web of the → GS-FDJP	FDPIC	Federal Data Protection and Information Commissioner
CD	Consular Directorate of the → FDFA	fedpol	Federal Office of the Police of the → FDJP
CHF	Swiss francs	FEDRO	Federal Roads Office of the → DETEC
CISA	Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders	FIS	Federal Intelligence Service of the → DDPS
CP	Cantonal police	FNA	Foreign Nationals Act (→ SR 142.20)
CS-VIS	Centralised European visa system	FOBL	Federal Office for Buildings and Logistics of the → FDF
DDPS	Federal Department of Defence, Civil Protection and Sport	FOJ	Federal Office of Justice of the → FDJP
DEA	Directorate for European Affairs of the → FDFA	FOM	Federal Office for Migration of the → FDJP
DETEC	Federal Department of the Environment, Transport, Energy and Communications	FSO	Federal Statistical Office of the → FDHA
DGC	Directorate General of Customs of the → FDF	GE	Canton of Geneva
DIL	Directorate of International Law of the → FDFA	GR	Canton of Graubünden
DPA	Directorate of Political Affairs of the → FDFA	GS-FDJP	General Secretariat of the → FDJP
DR	Directorate for Resources of the → FDFA	IBM	Integrated Border Management
EAER	Federal Department of Economic Affairs, Education and Research	ICAO	International Civil Aviation Organization
EBF	External Borders Fund	ILA	Integral survey of the external border
EFTA	European Free Trade Association	INAD	Inadmissible passenger (i.e. a passenger who does not meet the entry requirements)
EMF	Resident services, migration and immigration police of the City of Bern	IPAS	Computerised identity, legitimation and administrative system of → fedpol
EMN	European Migration Network (supports political decision-making processes in asylum-related and migration-related matters at a European level)	ISA	Information system for ID documents
EU	European Union	ISC-FDJP	IT Service Center of the → FDJP
EVA	Electronic visa issuance system	ISF	Internal Security Fund
		ISR	Information system for issuing Swiss travel documents and re-entry passes to foreign nationals
		KdK	Conference of Cantonal Governments
		KKJPD	Conference of Cantonal Directors of Justice and Police Directors
		KKPKS	Conference of Cantonal Police Commanders of Switzerland
		KSBS	Conference of Law Enforcement Authorities of Switzerland (since 2014 → SSK)
		LU	Canton of Lucerne
		MoU	Memorandum of Understanding
		PCN	Process Control Number (number unambiguously linked to a fingerprint taken within the context of EURODAC)
		RIPOL	Recherches informatisées de police (Swiss Confederation's automatic tracing system)

RPC	Reception and Processing Centres of the → FOM	SPI	Swiss Police Institute
RTP	Registered Traveller Programme (automatic border control system requiring preregistration)	SR	Systematic collection of federal laws
SAA	Schengen Association Agreement: Agreement of 26 October 2004 between the Swiss Confederation, the European Union and the European Community on the association of that State with the implementation, application and development of the Schengen Acquis → SR 0.362.31	SVZW	Swiss Civil Servants' Association
SBG	Swiss Border Guard of the → FDF	VIS	European Visa Information System
SDC	Swiss Agency for Development and Cooperation of the → FDFA	VKM	Association of Cantonal Migration Agencies
SECO	State Secretariat for Economic Affairs of the → EAER	VS	Canton of Valais
SIRENE	Supplementary Information Request at the National Entry (office in every Schengen Member State for exchanging police operations information in association with the → SIS between Member States)	VSAA	Association of Swiss Labour Market Authorities
SIS	Schengen Information System	ZEMIS	Central Migration Information System
SSK	Conference of Swiss Prosecution Authorities (until 2014 → KSBS)	ZH	Canton of Zurich
SO	Canton of Solothurn		

Action plan: List of specific measures required in order to attain the objectives defined in the border management strategy.

ALO: Airline Liaison Officers are document experts. After undergoing needs-based training and coaching, they support the airlines at the check-in and/or pre-boarding stage in verifying document authenticity and detecting misappropriated documents. ALOs are generally appointed by the border control agencies and are deployed outside of the Schengen Area.

ALO Steering Body: Deployments of Swiss ALOs are coordinated by a Steering Body comprising the FDFA (CD), the FDJP (FOM) and the FDF (SBG). The Steering Body is appointed by a tripartite agreement.

Border control agency: All federal and cantonal authorities responsible for the control of persons at Schengen external borders.

Border management: Border management encompasses all official activities along the migration or travel process. Apart from the actions and instruments falling directly under border control, this also includes upstream activities in countries of origin or transit (third countries) as well as internal measures downstream. It also covers actions related to international cooperation. This four-tier immigration control model ("four-filter model") is described in more detail in Chapter 4.

Border management agency: All authorities involved in the border management process, whether at a national or cantonal level (cf. 3.3).

Border management strategy: A catalogue of policy and operational goals as well as strategic guidelines and other tools for a comprehensive, effective and efficient border management system.

Border Steering Committee: A committee comprising a high-level representative from the Federal Office of Police, the Swiss Border Guard, the Federal Office for Migration, the Zurich Airport Police and the International Security Police of the Canton of Geneva. It assists the FOM in the planning of border control, in particular, and continually seeks to identify potential improvements to border control.

DUBLIN-OUT Procedure: When an individual seeks asylum in Switzerland, it must first be determined whether that person has already lodged an asylum application in another Dublin State, in which case that State is responsible for the asylum claim. If Switzerland establishes that another Dublin State bears responsibility, that State will be requested to take charge of the applicant (known as the Out Procedure). If the request is accepted, the application in Switzerland is dismissed. The asylum seeker must then leave Switzerland, and the Member State responsible must process the asylum application.

E-document System Platform: Technical subsystem that can be used to record biometrics data and check → e-documents.

E-documents: Documents that comply with ICAO Document 9303 and contain a chip with electronically stored data.

External borders: National borders (airports, land and maritime borders) between a Schengen Member State and a non-Schengen Member State, i.e. a third country.

External Borders Fund: The External Borders Fund was part of the European Commission's General Programme "Solidarity and Management of Migration Flows" for the period 2007–2013 (successor: see Internal Security Fund). The fund aimed to establish financial solidarity within the Schengen Area by supporting those countries for which implementation of the common standards for controlling and surveillance of the Schengen external borders represented a heavy financial burden.

Eurodac: The European Union's centralised fingerprint database for asylum-related matters.

FRONTEX: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. FRONTEX coordinates joint operations between Member States in the management of external borders, assists in the training of national border guards including the establishment of common training standards, carries out risk analysis, follows research developments relevant for the control and surveillance of external borders, assists Member States in circumstances requiring increased technical and operational assistance at external borders, and provides Member States with the necessary support for organising joint return operations.

Illegal immigration: All forms of migration that are unauthorised and therefore unlawful.

"Integrated Border Management Action Plan"

Steering Committee: Working group established by the Federal Council (hereinafter referred to as the "Steering Committee": cf. Annex II) comprising representatives from the Confederation (FDFA: CD; FDF: SBG; FDJP: FOM, fedpol; DDPS: FIS) and the cantons (KKJPD, KKPKS, VKM and one representative each from the cantonal police forces of Zurich and Geneva). The tasks of this Steering Committee encompass verification and decision-making regarding the results of project work and validation of the present action plan for the Federal Council.

Internal Security Fund: The Internal Security Fund (ISF) is part of the EU's proposed Home Affairs funding for the period 2014-2020. The ISF is comprised of two instruments: one for police cooperation (ISF Police) and one for financial support of external border management and the common visa policy (ISF Borders & Visas). As the successor instrument to the External Borders Fund (EBF), ISF Borders & Visas is a development of the Schengen Acquis and provides participating states with the means for supporting measures related to external borders and visa policy.

JANUS: Encrypted communication system of the federal criminal police (fedpol).

KKJPD: The Conference of Cantonal Justice and Police Directors brings together the cantonal government members responsible for the areas of "Justice" and "Police". Its purpose is to facilitate the cantons' cooperation among themselves, with the Confederation and with other organisations in the field of justice and police.

KKPKS: Based on its role as an operational specialist conference, the Conference of Cantonal Police Commanders of Switzerland acts as the executive body of the KKJPD and deals mainly with matters of police management. This committee focuses on cooperation among the police forces and on defining joint strategies and the generation of synergies.

ORBIS: New visa-issuance system (successor to EVA) (since 20 January 2014).

People smuggling, qualified: Facilitation of illegal entry or transit of a person and/or illegal residence with the intention of unlawful enrichment or as part of an ongoing commercial operation run by organised criminal gangs or networks as per Art. 116 (3) FNA. Whereas the IBM strategy uses the term "people smuggling" in this context, this action plan uses the term "qualified people smuggling", which is more precise in legal terms. In cross-references to the strategy document, however, the term "people smuggling" is kept. Both terms are primarily used as distinct from the offences described in Art. 116 (1) FNA, which are not the focus of the strategy document and this action plan.

Prefrontier area: Geographical area beyond the external borders (countries of origin and transit).

Prüm Decision: European Decision on the intensification of cross-border cooperation, particularly for the prevention of terrorism, cross-border crime and illegal immigration. Cross-border prosecution is facilitated through the easier exchange of DNA profiles and fingerprints between Prüm Member States.

Risk analysis: Structured gathering and evaluation of relevant data to assess the level of threat with regard to illegal immigration.

Schengen: The Schengen Agreement, in existence since 1985, promotes freedom of movement between the participating countries through the removal of systematic border controls without reasonable suspicion. To compensate for this, and to increase the Schengen Member States' internal security, checks at the Schengen external borders are intensified. Crossborder cooperation between national police forces is also stepped up. This cooperation is centred on the Schengen Information System (SIS), a joint electronic database for tracing individuals. The national operational structure behind the SIS is the SIRENE office (or simply SIRENE), which forms part of the fedpol operations centre.

Schengen commitment appropriation: The continuous development of the Schengen/Dublin Acquis and the acceptance of new states in the Schengen Area call for new and expanded IT applications at a national level. To finance this work (including the maintenance of existing systems), two commitment appropriations have been requested to date.

SSK (formerly KSBS): The Conference of Swiss Prosecution Authorities fosters cooperation and the exchange of views among all cantonal and federal prosecution authorities operating in criminal matters. Its primary activity is early participation in legislative work on criminal law and procedural law.

Swiss Police Institute: This Institute provides training and further development of police personnel from all over Switzerland. The SPI's Board of Trustees includes representatives of the Confederation, the KKJPD, the KKPKS, the Association of Municipal Police Chiefs (SVSP) and the Association of Swiss Police Officers (VSPB).

Technical Committee for ID Documents: A committee set up as part of the "Operating Concept for the E-document System Platform", with product responsibility for the → E-document System Platform. The committee includes representatives of FOBL, FOM, CD, fedpol and FCA.

Third country: A non-Schengen Member State.

Visa Steering Committee: Committee with representatives from the Consular Directorate (CD) of the FDFA, the cantons (represented by the VKM) and the FOM on institutionalisation of cooperation in visa-related matters. The Visa Steering Committee plays a leading role in developing strategies and procedures with respect to visas.

VISION: Visa Inquiry Open Border Network; automated procedure for consulting with other Schengen States regarding the granting of Schengen visas.

Foreword



Mario Gattiker
Director of the Federal Office
for Migration (FOM)

Dear reader

The tragic pictures from Lampedusa – and the suffering that takes place there regularly – have touched many of us. This small Italian island may be over 1000 kilometres away – but these human tragedies concern Switzerland nevertheless: in particular, our border management.

Within Europe, Schengen stands for an important milestone: the freedom of movement. Since Switzerland joined the Schengen Area in 2008, the systematic control of people at our borders made way to a more sophisticated system: free movement within the internal borders – tighter controls at the external borders.

To prevent organised crime groups, smuggling gangs and other criminals from misusing this freedom of movement, compensatory measures had been introduced alongside from the beginning. For example, police cooperation with Schengen states has been strengthened and harmonised, and equipped with state-of-the-art technology such as the Schengen Information System (SIS).

However, to keep abreast of the growing complexity and dynamics of legal and illegal migration, the individual Schengen member states – including Switzerland – must rethink their strategy.

An efficient and integrated border management is the most effective means of meeting these challenges. Following on from the Federal Council's approval in 2012 of a corresponding strategy, I am pleased to present the following action plan, which represents an important milestone in this matter.

As a tourist destination, Switzerland benefits from Schengen: visitors to Europe who have a Schengen visa no longer need an additional visa to also spend their holidays in Switzerland for example. However, the strongly increasing number of passengers travelling through our airports sometimes brings the border control agencies to the limits of their capacities today. Speeding up border controls by means of automatic gates, as foreseen under the action plan, will take some of the pressure off the border control authorities while expanding Switzerland's appeal as a tourist destination and economic centre.

In our federal system, with six different border management agencies at federal and cantonal level, harmonisation of border management practices must be ensured at all times. Harmonisation, from training to day-to-day work at the border, is thus a main pillar of the action plan.

Integrated border management equips us to deal with the challenges of the future. Greater efficiency in this field will ultimately take some of the burden off the federal and cantonal authorities. Costs arising from illegal migration, especially in the area of return, are expected to fall and, for legal travellers, crossing borders will become even easier.

I would like to thank all our partners for their committed and constructive cooperation, which made the compiling of this action plan possible.

A handwritten signature in blue ink, appearing to be 'M. Gattiker', written in a cursive style.

Mario Gattiker
Director of the Federal Office for Migration (FOM)

Dear reader



Hans-Jürg Käser
President of the Conference
of Cantonal Justice
and Police Directors (KKJPD)

The Cantons recommended the approval of the accession to Schengen/Dublin with great conviction in 2005. The agreements promised not only better mobility for citizens of the Schengen member states by abolishing the systematic control of people at Switzerland's borders, but also substantial improvements in combating crime. Nowadays, criminals – especially smugglers and human traffickers – operate transnationally. Schengen provides the authorities with additional instruments to fight crime, thus enhancing the security of Switzerland.

After more than five years as a member of Schengen, Switzerland has not become less safe: Switzerland's track record in fighting and solving crime proves this. The daily collaboration with our European partners illustrates the importance of the agreement for the police and judiciary in a Europe that has never been as interconnected and as open as it is today.

However, there would be no need for an action plan if there was no potential for improvement. Our federalist structure, with numerous border management agencies and police corps, requires close and end-to-end cooperation between all stakeholders to prevent Switzerland from becoming a gateway for criminals. The action plan will improve and intensify the at times complex cooperation between the cantons and their federal partners.

The cantons play a central role in Swiss border management since they are responsible, together with the Confederation, for the operative implementation of border measures. For example, Swiss border police at the airports are often the first face that foreign visitors see when they arrive in our country: they are Switzerland's "business card", so to speak. The cantonal police are also visible in their daily work, where they help to expose illegal activities in the field of migration and hence prevent evasion of our legal system and damage to our economy.

As in all migration matters, the basic message in protecting our borders should be: *"Harnessing the benefits of migration – opposing the problems efficiently!"*

You can find out more about our concrete measures in this action plan.
I wish you a good read.

A handwritten signature in blue ink, consisting of a stylized 'H' and 'K' followed by a flourish.

Hans-Jürg Käser
President of the Conference of Cantonal Justice
and Police Directors (KKJPD)

0. Management Summary

After acknowledging the Final Report of the “Integrated Border Management” Strategy Group in June 2012, the Federal Council set up an interdepartmental working group with cantonal participation under FOM leadership to formulate an action plan for implementation of the strategy.

Integrated border management creates the following added value for Switzerland, and thus also for the entire Schengen Area:

- Increased internal security;
- Smoother border crossings for the travelling public;
- Simplified and harmonised processes, resulting in a more efficient use of resources;
- Faster response times as a result of better cooperation;
- More targeted use of limited resources through improved national risk analysis;
- A long-term, joint strategic approach.

With the broad participation of all agencies directly involved, some 70 measures were defined in five subprojects (based on the four-filter model, cf. Chapter 4) with a view to attaining the objectives set out in the strategy.

- The **“Third Countries”** subproject encompasses the first filter of the four-filter model and thus the activities in countries of origin and transit (third countries). The measures here focus mainly on optimising procedures at Swiss representations abroad;
- The **“International Cooperation”** subproject, like the second filter, concentrates on measures for optimising cooperation within the Schengen Area;
- The focus of the **“Border”** subproject is on the third filter, i.e. the actual border control measures at Schengen external borders (airports);
- The **“Internal”** subproject covers measures within the Schengen Area (fourth filter), especially regarding enforcement and qualified people smuggling;
- Finally, the **“General”** subproject contains measures that could not be clearly allocated to one of the four filters/subprojects on account of their cross-cutting nature, e.g. information exchange, analysis, data reconciliation.

The measures defined in the action plan relate to operational as well as strategic aspects. They range from one-off measures for optimising the existing situation to large-scale innovations. Some of them have already been implemented, while some exist only in the form of studies to formulate further measures. Taken individually, but especially as a whole, all of the measures make an important contribution to improving Swiss border management, laying the foundation for attaining the general goals defined in the strategy.

The action plan envisages a staggered implementation of the measures in three realisation phases over the period 2014–2017. It also includes measures that are currently in progress or have already been implemented. The implementation work will be overseen by the Entry Division of the FOM and an extended configuration of the existing Border Steering Committee.

The cantons play a key role in implementation of this action plan. A framework agreement between the Confederation and the cantons will provide the basic commitment and consensus on the action plan, paving the way for further joint implementation work. The framework agreement will govern, among other things, issues of cooperation, organisation and monitoring.

Financing has been secured for those measures that have already been initiated or are even already implemented. The financial and personnel impact of the remaining measures on the Confederation and cantons has been estimated, subject to certain conditions. Measures that could not be sufficiently developed within the given time frame have been formulated as studies or concept mandates to further examine, in particular, the necessary resources. The action plan complies with the requirements of budget neutrality, where this is defined as an integral factor covering all government levels. The specialist offices involved in its formulation unanimously expect each individual measure to reduce future expenditure for the public sector as a whole to an extent that justifies the cost of their implementation. The financing remains the responsibility of the agencies entrusted with implementation.

What is border management?

Border management encompasses all official activities along the migration or travel process. Apart from actions and instruments falling directly under border control, this also includes upstream activities in countries of origin or transit (third countries) as well as internal measures downstream. It also covers actions related to international cooperation. This four-tier immigration control model (“four-filter model”) is described in more detail in Chapter 4.

1. Introduction

The Schengen Association Agreement fundamentally changed the regime for the control of persons at the external borders: while controls of persons have been virtually abolished at internal borders, checks at the external borders have been stepped up. This change to the system required new measures to be coordinated throughout the Schengen Area in the combat against illegal immigration and cross-border crime. This calls for closer cooperation between border management agencies, even at a national level, and better coordination of the various measures.

The EU Evaluation Committee, which in 2008/2009 evaluated implementation of the requirements of the Schengen Acquis at external borders (airports),¹ recommended in its report that Switzerland should develop a “comprehensive national plan containing all elements of integrated border management (...)”. Switzerland agreed to fulfil this recommendation and to formulate a national plan for the efficient and coordinated prevention of illegal immigration and cross-border crime.

The “Integrated Border Management” Strategy Group set up by the Federal Council has formulated an integrated border management strategy that comprises all relevant players at federal and cantonal level. This was based on the EU’s IBM strategy,² particularly the four filters of the Schengen border security model (cf. Chapter 4). In addition to the police-related aspects of border management, the strategy also defines objectives regarding the facilitation of legal entry.

On 1 June 2012, the Federal Council acknowledged the Strategy Group’s Final Report and, at the same time, issued a mandate for formulating an action plan. This was to contain concrete measures for attaining the individual objectives set out in the strategy. The work commenced in September 2012 under the leadership of the FOM. The agencies involved in the “Integrated Border Management Action Plan” working group were the same as those previously involved in formulating the strategy. At federal level, these were the FDJP (FOM, fedpol), the FDFA (CD), the FDF (SBG) and the DDPS (FIS). The cantons’ interests were suitably addressed through the participation of the KKPKS, the KKJPD and the VKM (one member each). The Geneva and Zurich cantonal police forces also contributed to the working group with one representative each. In order to cope with the broad thematic scope, the complexity and the large number of individual objectives to be addressed, the overall project management team placed five subprojects under the management of the agencies most concerned. The results from the subprojects were then conveyed to the “Integrated Border Management Action Plan” working group, which assumed the role of a steering committee within the internal project organisation (cf. Annex II).

¹ *A further evaluation of the external borders took place in June 2014*

² *Conclusions of the Justice and Home Affairs Council on 4-5 December 2006 (2768th Justice and Home Affairs Council Meeting in Brussels)*

In the present report (particularly from Chapter 5 on), the results of the “Integrated Border Management Action Plan” working group are consolidated to form the action plan itself.

The action plan should be viewed against the backdrop of the IBM strategy it seeks to implement. Chapter 4 thus provides a brief outline of the strategy and its essential features. In turn, the strategy is marked by the framework conditions (particularly legal) and by the phenomenology of legal and illegal immigration and cross-border crime. This is covered in Chapter 3. Even an integral approach, as underlies the IBM strategy and the ensuing action plan, must be defined in terms of the scope and interfaces with related issues and themes: this can be found under Chapter 3.4 below. The advantages of such an integrated approach form the subject of Chapter 2.

The following Chapters 2 to 4 are largely based on the chapters of the same name from the “Final Report of the Integrated Border Management Strategy Group” (hereinafter “the strategy”),³ which have been summarised and updated here to place the Final Report in context.

³ *Final Report of the “Integrated Border Management” Strategy Group, January 2012*

2. The added value of integrated border management

Underlying the concept of integrated border management (IBM) is the realisation that none of the various institutions and agencies involved in the vast field of border management can operate on their own: the task areas are simply too complex, and there are too many points of contact between the individual players. Only with increased networking of the relevant agencies can substantial improvements be achieved in border management, leading to:

- **Increased internal security**, e.g. by apprehending more people smugglers and illegal residents and thereby preventing associated offences such as unreported employment and human trafficking
- **Smoother border-crossings for the travelling public**, e.g. with shorter waiting times or fast-track procedures, which also help to make Switzerland more attractive for business
- **Simplified and harmonised processes** resulting in **a more efficient use of resources**, e.g. by coordinating the controls of various agencies
- **Faster response times** as a result of better cooperation between the agencies involved
- **Improved national risk analysis** at both the strategic and operational levels, making more targeted use of the limited resources
- A **long-term, joint strategic approach**, enabling border management agencies to act not solely on the basis of current threats but also with regard to future challenges.

The IBM concept has already been implemented in many EU and non-EU countries. There are successful examples of IBM existing among the old and the new EU Member States, e.g. in Germany, France, Finland as well as in the Czech Republic. However, as each country must adapt the form and content of its national IBM concept to its own geopolitical and institutional circumstances, and each country starts out with a different integration scenario, there can be no hard-and-fast rules for implementation.

As practice has shown, a plan involving so many different agencies has to be based on a common understanding of the various problems (e.g. basic analysis, problem catalogue) and the objectives to be fulfilled and must be reviewed on a regular basis and updated if necessary.

Following on from the federal and cantonal agreement in 2012 on a national integrated border management strategy (cf. Chapter 4), this report presents the action plan outlining the measures for implementing the strategy.

3. Scenario

3.1 Facts and figures

The world is becoming increasingly mobile, with a steady rise in Europe in the number of travelling public and in migratory pressure. In Europe alone, the number of people crossing airport borders is expected to increase from 400 million in 2009 to 720 million by 2030.⁴ Similarly, border management agencies are facing growing challenges in having to control and filter ever-increasing numbers of travellers and immigrants. If the number of border crossings at Switzerland's external borders were to increase to the same extent, the number of staff solely responsible for border control at Zurich Airport – Switzerland's largest external border – would have to increase by some 20 %, unless the increase in passenger numbers can be offset by technical innovations, greater efficiency and other measures as set out in the action plan.

3.1.1 Travel movements across the external and internal border

When the Schengen/Dublin Association Agreement came into effect on 12 December 2008, Switzerland became part of the Schengen Area, surrounded exclusively by other Schengen Member States. The borders to Germany, France, Italy, Austria and Liechtenstein are now internal Schengen borders with no systematic passport control. As a result, Switzerland's only external borders are at its airports. Switzerland currently has 12 such border-crossing points, the most important of these in terms of volume being Zurich, Geneva and Basel airports.

At the three largest airports alone, some 14 million people a year cross the border to and from non-Schengen countries. An estimated 240 million people cross Switzerland's internal borders annually, of whom some 24 million by air and 216 million by land.

In 2013 Switzerland processed around 500 000 applications for a Schengen visa⁵ (airport transit or short-term stay of up to 90 days), plus around 60 000 applications for a national visa (long-term stay of over 90 days). The overall rejection rate was around 5 %.

3.1.2 Illegal immigration

Switzerland is confronted by various forms of illegal immigration, such as qualified people smuggling and illegal entry/departure or illegal residence in Switzerland.

Qualified people smuggling

As an international phenomenon, people smuggling knows no boundaries. The criminal gangs involved in such practices are highly organised into international networks, which create the actual platform for illegal immigration. The vast majority of illegal immigrants use the services of international people-smuggling networks to get from their country of origin or a transit country to their destination. For instance, these networks arrange travel documents for would-be immigrants (e.g. a forged passport or fraudulently obtained visa), transportation and often also a fictitious reason for entry. This also applies for those seeking asylum in Switzerland.

⁴ EUROCONTROL Long-Term Forecast: Flight Movements 2010-2030, December 2010

<http://www.eurocontrol.int/publications/eurocontrol-long-term-forecast-flight-movements-2010-2030>

⁵ It should be noted that, in principle, individuals with a Schengen visa issued by another Schengen State can also enter Switzerland.

Also, certain visas allow for multiple entries. Therefore, the number of visas issued by Switzerland is not a direct or conclusive indication of the number of travel movements

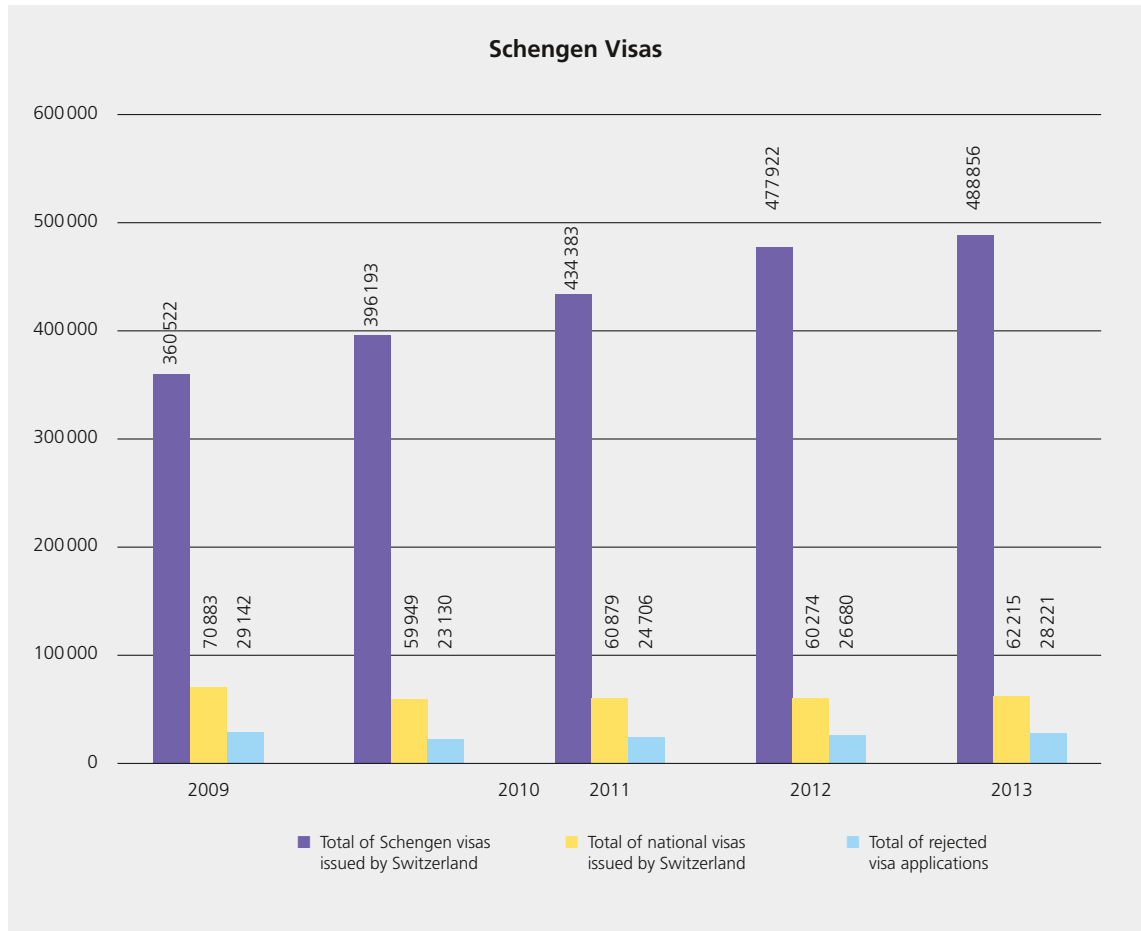


Fig. 1: Issued and rejected visas

Facilitating unlawful entry or departure or unlawful residence is a punishable offence (Art. 116 FNA). Depending on the form it takes, it may be classified as a misdemeanour (para. 1), contravention of the law ("minor offence" as per para. 2) or a crime ("qualified offence" as per para. 3) punishable by a custodial sentence of up to five years and a fine. Since enactment of the FNA, there have been several hundred convictions a year in application of the appropriate punishment. However, compared with the number of people thought to be smuggled each year, very few convictions (only around 20 a year) are deemed a qualified offence.⁶

Entry refusals at the external borders

In 2013 the border control agencies at Switzerland's Schengen external borders registered a total of 966 cases of denial of entry for failure to meet the entry conditions. The main reason given for entry refusal was failure to produce a valid visa or a valid residence permit, followed by enforcement of an entry ban pre-

viously issued by a Schengen Member State. The third most common reason for being denied entry was the lack of sufficient financial means. Other reasons included visa overstay, incorrect, forged or falsified travel documents, insufficient proof of purpose of stay, not being in possession of a valid travel document, presentation of an incorrect, forged or falsified visa or residence permit, or posing a threat to public security and order.

Given Switzerland's geographical circumstances, with no sea or land external borders, there is very little chance of entering the country unchecked via a Schengen external border. For the Schengen Area as a whole, however, it is estimated that some 500,000 people a year enter illegally⁷ and are subsequently free to move around the Schengen Area and make their way to Switzerland.

⁶ The corresponding statistics for 2013 were not yet available at the time of publishing this action plan

⁷ European Commission: *Justice, Freedom and Security in Europe since 2005: An Evaluation of the Hague Programme and Action Plan*. Brussels 2009. Page 6 and: University of Sussex. *Transnational migration. Theory and method of an ethnographic analysis of border regimes*. 2009. Page 8

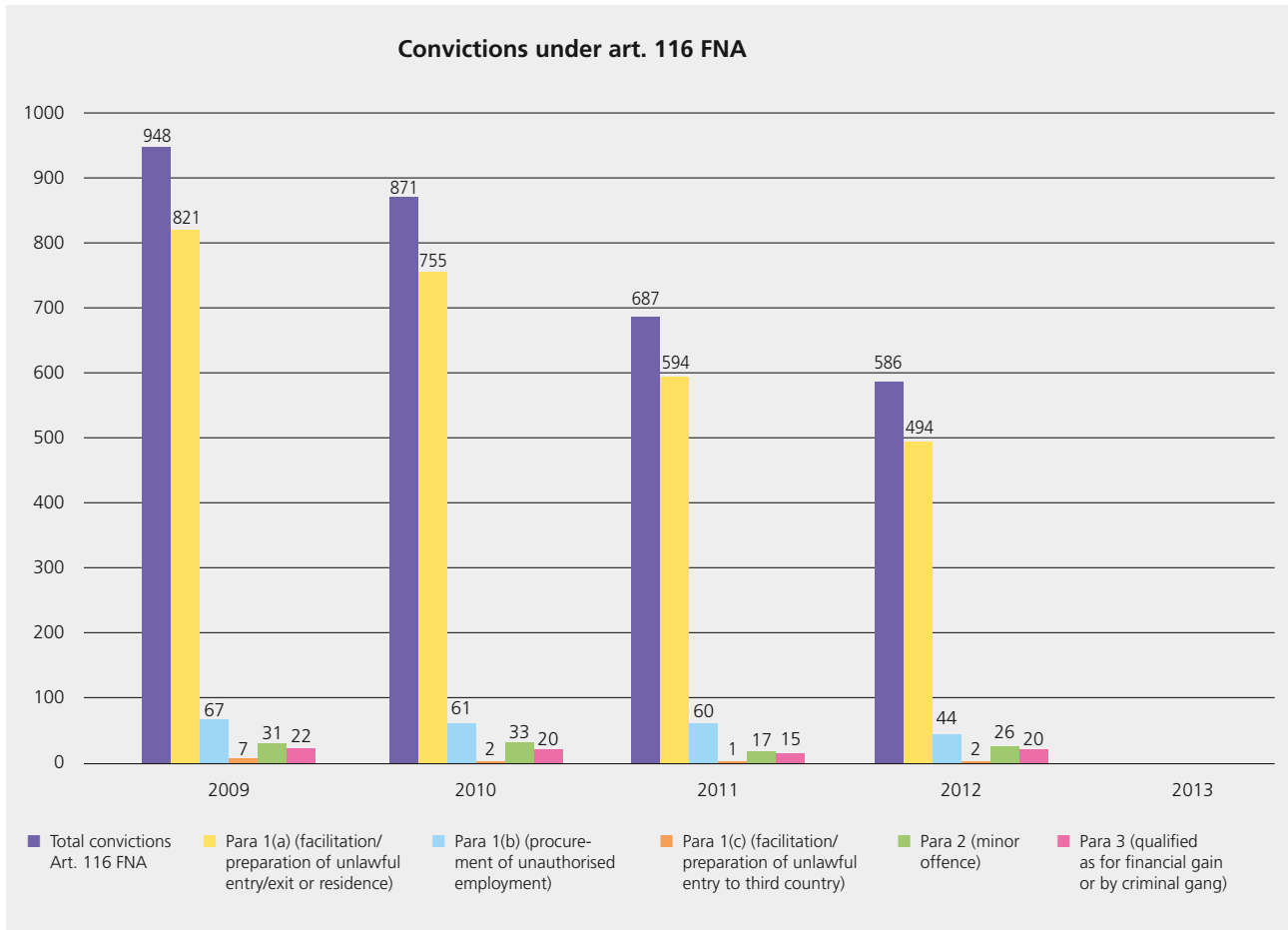


Fig. 2: Convictions for facilitating/preparing unlawful entry/departure or residence under Art 116 FNA

Illegal residence

Within the territory of Switzerland, illegal immigration is detected upon intercepting people who do not have a legal right of residence. The SBG alone recorded more than 10 000 people in 2013 without a legitimate residence status (no details are currently available from the cantonal and municipal police forces).

In 2013, there were some 3000 cases of illegal residence detected upon departure via the external border. This includes people who entered legally and subsequently overstayed their visa as well as those who entered illegally in the first place and never had a legitimate residence status.

A total of some 10 000 infringements of entry conditions (Art. 115 (1) (a) FNA) and some 18 000 cases of illegal residence (Art. 115 (1) (b) FNA) were detected within Switzerland in 2011.

Overall, it is estimated that some 90 000 undocumented immigrants⁸ are living in Switzerland.

⁸ Claude Longchamp et al., *Sans-Papiers in der Schweiz: Arbeitsmarkt, nicht Asylpolitik ist entscheidend*. Bern 2005. Page 1

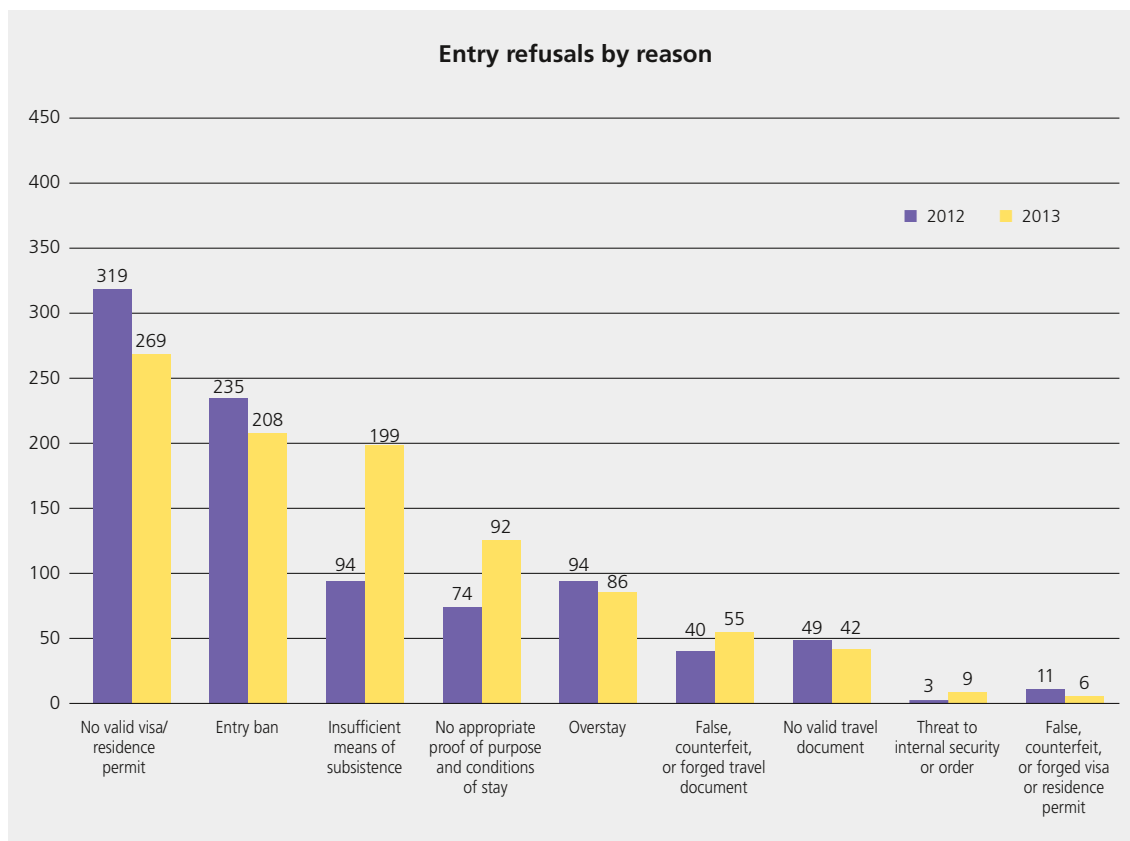


Fig. 3: Entry refusals by reason

3.1.3 Asylum

21 465 asylum applications were filed in Switzerland in 2013, of which 384 were at Zurich, Geneva, and Basel airports. In 5339 cases, immigrants intercepted by the SBG subsequently filed for asylum and were transferred to an FOM reception and processing centre.

There were thus 2.68 asylum seekers in 2013 for every 1000 inhabitants, placing Switzerland in third place in Europe (excluding the microstates), after Sweden and Malta. The European average in 2013 was 0.85 asylum seekers per 1000 inhabitants.

23 966 first-instance decisions were issued, with a recognition rate of 15.4%.

The average cost per asylum seeker was around CHF 18 000 a year.

3.1.4 Return

Some 6800 cases of administrative detention were recorded in 2012⁹ for the removal of undocumented immigrants and/or rejected asylum seekers (mainly detention pending deportation, but also coercive detention and detention in preparation for departure). This figure has been increasing since 2008.

In 2013, a further 12 000 people were officially removed from Switzerland by air. This was the first year-on-year decline since Switzerland joined the Schengen Area (2012: approximately 13 800 persons). A further 6800 people left the country unofficially or went missing.

The exit and enforcement costs incurred by the FOM came to over CHF 34.5 million in 2013. The main expenditure items were: exit costs (CHF 13.7 million); compensation of detention costs to the cantons (CHF 15.3 million); costs for acquiring travel papers; costs for determining origin and identity; flight costs; accompanying costs; delegation expenses for central consultations; and costs for airport services.

⁹ The corresponding statistics for 2013 were not yet available at the time of publishing this action plan

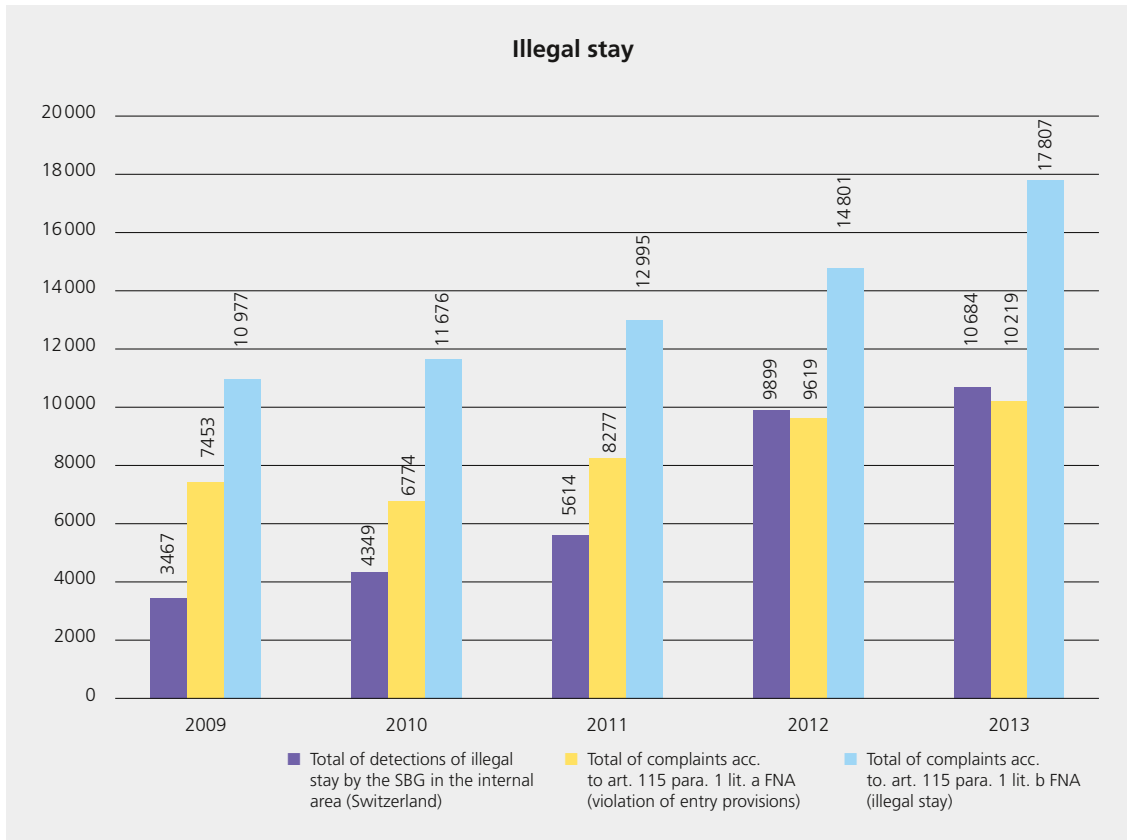


Fig. 4: Illegal stay

3.1.5 Cross-border crime

Following the removal of systematic controls on persons when crossing the border at European internal borders, crime in Central Europe has become more mobile and international (irrespective of Switzerland's participation in Schengen). To combat this trend, various instruments have been created within Schengen to expand and intensify the level of interagency cooperation in cross-border security. Also, mobile units can now conduct surveillance within the territory.

A range of Schengen Association measures serve to improve international judicial and police cooperation in the prevention of cross-border crime. These include security measures associated with increased cross-border police cooperation, such as the Europe-wide Schengen Information System (SIS) or better mutual legal assistance. The recording and exchange of biometric data among Schengen States in the centralised European biometrics database BMS (Biometric Matching System) also supports more efficient crime prevention.

In the public's perception of cross-border crime, this is a problem that tends to be associated with freedom of movement and Switzerland's membership of the Schengen Area. Opinions vary between the cantons, especially those adjacent to a national border, with some cantons barely noticing any change, while others are clearly experiencing higher crime rates (e.g. attacks on petrol stations), especially in urban areas (e.g. Geneva and Basel).

Based on the current facts, however, no direct relationship can be determined between immigration and/or the Schengen Association and rising crime rates in Switzerland. As border controls were not systematic even before the introduction of Schengen and customs checks continue at the same rate as before, the introduction of Schengen has merely shifted the focus of control but not actually changed its intensity to any great extent. Also, special-purpose checks can still be carried out, as before the Schengen Association.

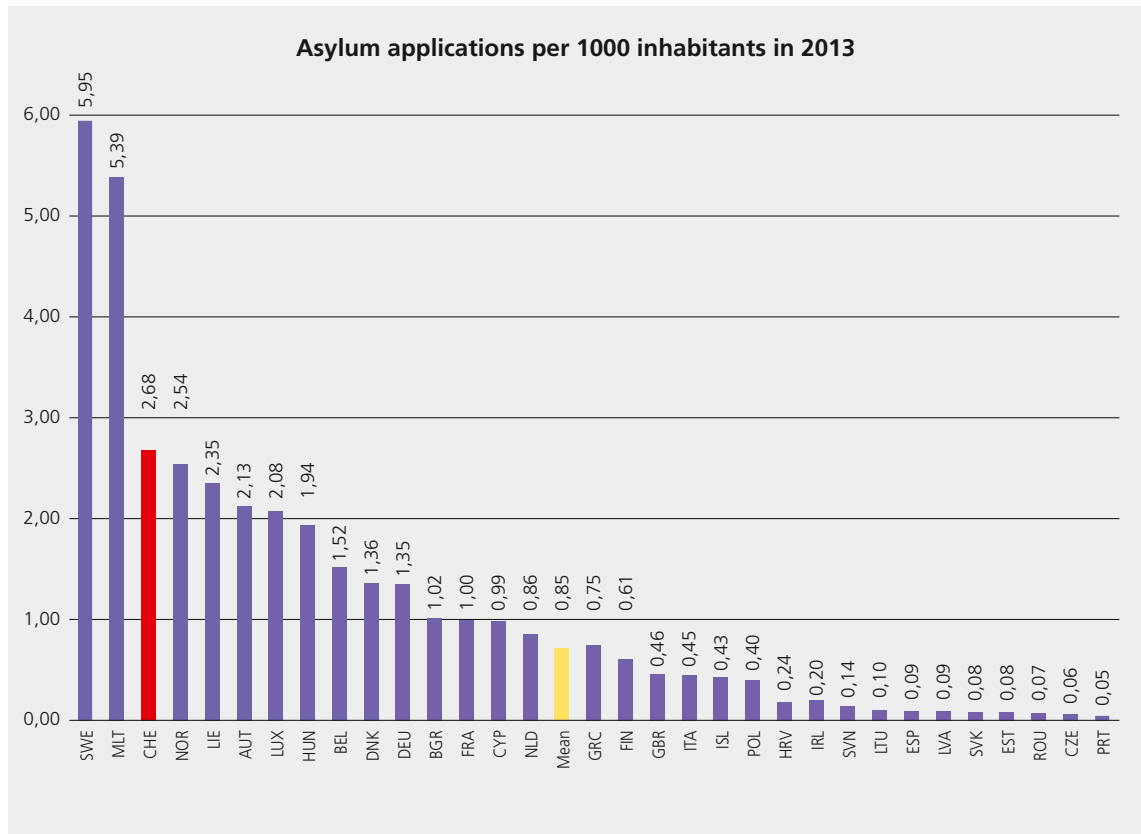


Fig. 5: Asylum applications per 1000 inhabitants in 2013

3.2 Legal aspects

Pan-European cooperation in police, judicial and migratory issues is primarily enshrined in the 1990 Convention Implementing the Schengen Agreement (CISA)¹⁰ With the Schengen Association Agreement (SAA)¹¹ from 2004, Switzerland assumed the Schengen Acquis applicable at that time and agreed to accept, implement and apply all future developments of Schengen. Switzerland is thus integrated into the Schengen system in most areas of border management. Switzerland is entitled to participate in future decision-shaping but not decision-making. It thus participates in expert meetings in Brussels, where it can make its position known. This right to decision-shaping is significant because, as a rule, the subsequent decision-making is made on a consensual basis. After being notified of the passing of a Schengen-relevant development, Switzerland has 30 days to

express its acceptance. If the legal act notified is mandatory, the EU's notification and Switzerland's reply form an exchange of notes, which represents an international treaty for Switzerland. Therefore, in accordance with the Constitution and the law, the power of approval lies with the Federal Council or Parliament. In the latter case, the exchange of notes is subject to parliamentary approval and possibly an optional referendum. Switzerland has a maximum of two years for acceptance and implementation in this case. For regulations concerning border management matters, the Borders Code¹² and the Visa Code¹³ are applicable. At a national level, these provisions are transposed primarily in the Foreign Nationals Act¹⁴ and the associated implementing ordinances.

¹⁰ EU Official Journal L 239 of 22 September 2000, p. 0019-0062

¹¹ SR 0.362.31

¹² Regulation (EC) No. 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)

¹³ Regulation (EC) No. 810/2009 of the European Parliament and the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)

¹⁴ Federal Act of 16 December 2005 on Foreign Nationals; Foreign Nationals Act (FNA; SR 142.20)

3.3 Definition of responsibilities

The Swiss Border Management Strategy and the present action plan derived from it are aligned with Switzerland's federal structures. While strategic responsibility for national border management lies primarily with the Confederation (FDJP)¹⁵, operational responsibility for implementing border control measures lies partly with the cantons.¹⁶ For instance, more than half of the Schengen external border traffic flows through Zurich airport, controlled by Zurich's cantonal police force. The other cantons have (at least partially) delegated their tasks in the control of persons at the external border to the SBG. Strategic and operational responsibility for measures within the territory lies also mainly with the cantons, particularly the police, the public prosecutor's office and the migration agencies. Here, too, some cantons have delegated certain tasks to the SBG. Responsibilities for measures in third countries and for international cooperation are distributed across various federal government departments (FDFA: CD; FDF: SBG; FDJP: FOM, fedpol). Consequently, implementation of a national strategy on integrated border management must include and politically commit a wide range of players at many different levels. As a rule, directives may be issued only within the individual organisational units but not beyond these. Incorporating such small-scale structures into the overall Schengen system, where transnational cooperation plays a key role, poses a major challenge. To complicate matters further, the agencies responsible for border management are having to cope with stagnating financial and human resources at a time when their workload is expanding and increasingly complex in terms of both quality and quantity.

3.4 Scope and interfaces

The Swiss IBM concept outlined here – like that of most other Schengen States – concentrates on policing measures to reduce illegal immigration and on ways to detect illegal immigrants and support enforcement of removal measures. This is closely related to efforts to combat qualified human smuggling, which in many cases acts as a platform for illegal immigration, and other forms of cross-border crime that frequently accompany or follow on from illegal immigration. At the same time, however, such a concept must also ensure that legitimate entry by the travelling public is processed as smoothly as possible and that border management as a whole complies with the law and with the principles of human rights.

This IBM concept overlaps with the report on **international cooperation in migration**¹⁷ on certain points (namely, activities in the countries of origin or transit of illegal immigration or cooperation with other countries). In that report, the Federal Council specifies the instruments of Swiss migration foreign policy and sets out the following three principles:

- Switzerland adopts a comprehensive approach that addresses the social, economic and cultural benefits of immigration as well as the associated challenges (irregular immigration, removal, human trafficking);
- Switzerland promotes cooperation between the countries of origin, transit and destination;
- An inter-departmental (whole-of-government) approach is taken so as to efficiently utilise the instruments available in the area of migration (international and regional migration dialogue, migration partnerships, programmes for refugee "protection in the region", prevention of irregular migration, and return and structural assistance).

¹⁵ Art. 12 of the Organisation Ordinance of the Federal Department of Justice and Police (OO FDJP; SR 172.213.1)

¹⁶ Art. 9 FNA

¹⁷ "Bericht über die Internationale Migrationszusammenarbeit", passed by the Federal Council on 16 February 2011

Switzerland's international cooperation in migration takes a holistic and thus an even broader approach than the concept of integrated border management, i.e. it also includes preventative measures targeting the causes of illegal immigration ("push factors"), which do not form part of the IBM concept.

The entire field of **customs control**, which concerns the cross-border transportation of goods, is to a certain extent closely related to border management. Special areas in this field include import/export measures for plants, animals and animal products, as well as immigration medical screening. In contrast to this, the IBM strategy and action plan concentrate on issues concerning the entry and exit as well as the residence of foreign persons.

Finally, the **economic sphere** also has various strategies dealing with the targeted promotion of tourist traffic. This often relates to economic promotion in the wider sense – such as growth strategies in tourism or marketing strategies of airport operators – and is less concerned with the actual management of these (legal) migration flows.

The Swiss border management strategy deliberately takes a narrower approach, excluding most of those areas just mentioned. It should be noted that this strategy is expandable, however, and it can be associated with existing strategies.

In the discussions on Switzerland's national IBM strategy, questions also arose on the distribution of tasks and responsibilities within the Confederation and, more especially, between the Confederation and the cantons. Particularly with respect to actual border control and police activities within Switzerland, the existing distribution of responsibilities was seen by some as problematic or at least less than ideal.

At the same time, and largely independently of this, the **distribution of responsibilities between the Confederation and the cantons** with regard to internal security underwent a general review as part of the Malama¹⁸ postulate. In its report in response to the postulate¹⁹, the Federal Council sees no reason for any major changes to the arrangements applicable in the areas covered by the IBM strategy. The Federal Council's response to the Romano²⁰ postulate is along the same lines, with a recommendation for rejection. This postulate has not yet been debated in Parliament.

It is thus possible to retain the same approach chosen in the strategy, which envisages only those objectives based on the current definition of responsibilities. The measures formulated in the present action plan follow this same logic.

¹⁸ Malama Postulate 103045, Internal Security. Clarification of responsibilities, 3 March 2010

¹⁹ Federal Council's report in response to the Malama postulate 103045 (in German), 2 March 2012

²⁰ Romano Postulate 133551, Expansion of the Border Guard's responsibilities. Illegal immigration and asylum, 20 June 2013

4. Switzerland's IBM strategy

The decision to formulate a Swiss strategy of integrated border management was prompted by a recommendation from the Schengen evaluation in 2008/2009, which specifically referred to the **four-tier immigration control model ("four-filter model")** used in the Schengen Area. This model assumes that measures to ensure efficient and successful prevention of illegal immigration should begin even before the Schengen external border, in the countries of origin or transit, and should also include measures within the Schengen Area.

Activities in countries of origin or transit²¹ form the **first filter** in the prevention of illegal immigration and cross-border crime. For example, a typical measure in this respect is the visa procedure or the use of Airline Liaison Officers (ALOs) to assist airlines by providing consulting and training in document control.

The **second filter** covers bilateral and multilateral cooperation with other countries (mainly Schengen Member States) in a joint effort to combat illegal immigration and cross-border crime. Apart from participation in various European and international organisations, this also includes, for example, re-admission agreements with other Schengen Member States.

The **third filter** constitutes the actual border control at the external border and focuses on technical innovations to assist in border control, such as the Registered Traveller Programme (RTP) or Advance Passenger Information (API).

The **fourth filter** covers all measures taken within the Schengen Area to prevent illegal immigration. This refers to all instruments that increase the likelihood of detection and/or improve or accelerate enforcement.

Activities that can be assigned to several filters rather than just one are called **filter-independent** activities.

This model, recognised in the context of Schengen, also serves as the basis for Switzerland's integrated border management model.

The various elements of the strategy are outlined below. More detailed explanations can be found in the Final Report.

4.1 General goals

Switzerland's strategy for integrated border management defines the following four general goals:

- Prevention of illegal immigration, particularly in association with people smuggling
- Prevention of cross-border crime
- Facilitation of legitimate entry for the travelling public
- Border management in compliance with the law and human rights principles

These general goals can be subdivided into two groups, each of equal importance. On the one hand, the strategy must make a key contribution to preventing illegal immigration as well as people smuggling. On the other hand, it must also ensure that legitimate travellers are processed as smoothly as possible and that border management as a whole complies with the law and the principles of human rights. As such, the general goals blend seamlessly into Switzerland's migration policy.

²¹ In the context of border management, third countries and countries of origin are often also referred to as the "prefrontier area"

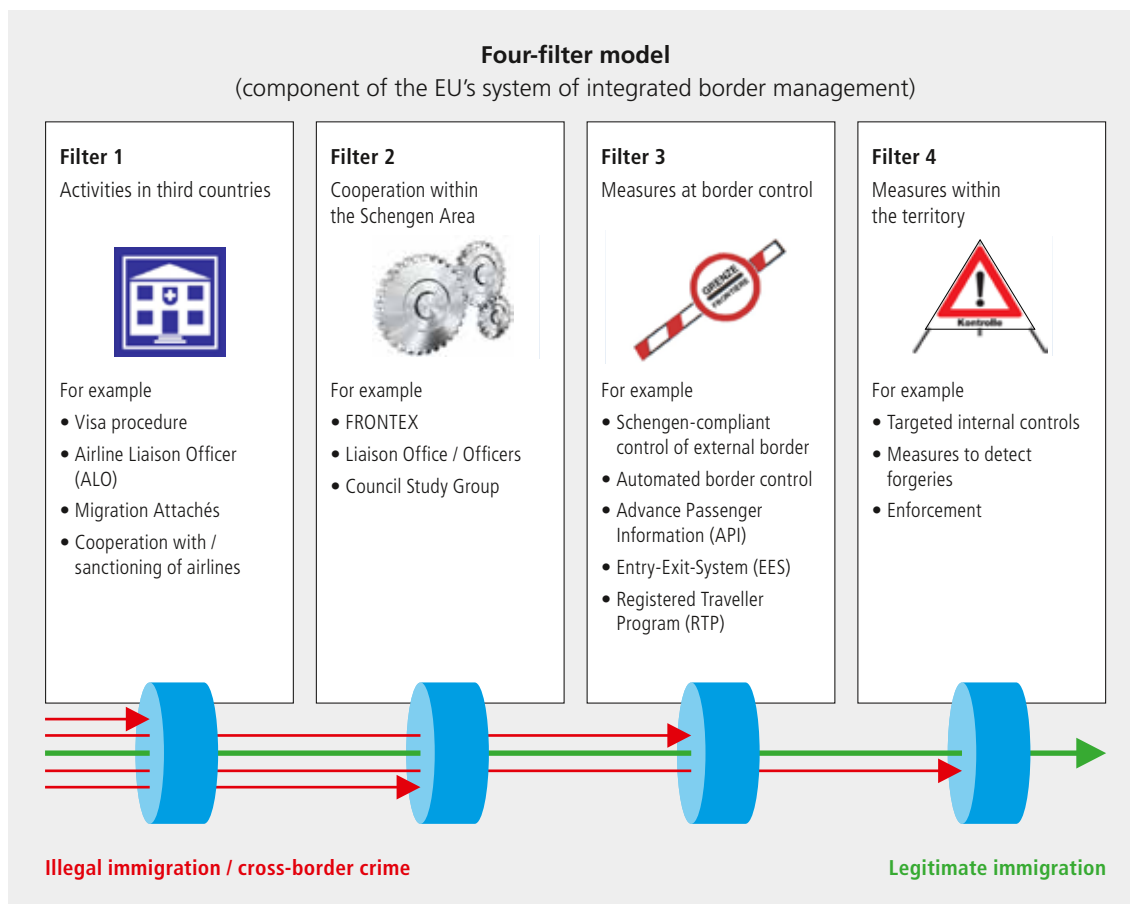


Figure 6: Four-filter model

4.2 Strategic guidelines

The strategic guidelines are, on the one hand, a reflection of Switzerland's political commitment to cooperate in the Schengen security union: they embed Switzerland's border management within the Schengen context and ensure its alignment with not just national strategies but also the strategic and practical development in the Schengen Area and contribute to its design. On the other hand, the strategic guidelines also contain general requirements for effective and efficient management.

4.3 Problem areas

Switzerland's strategy for integrated border management consciously focuses on those areas found to have definite potential for optimisation and in which strategic realignment is expected to yield the greatest effect. The result is a collection of specific problem

areas (problem inventory) based on the underlying analysis, broken down into four filters and reworked following extensive discussions.

4.4 Individual objectives

A total of 49 individual objectives (cf. Annex I) were derived from the problem areas, with each problem area generally assigned several objectives. The individual objectives can be presented according to the four-filter structure. They can also be divided into three main subject areas:

Intensification of nationwide approach

The Swiss border management system is characterised by a large number of agencies responsible: at federal level alone, these are spread over four of the seven federal government departments.²² There are also the cantonal administration and judicial authorities, i.e. immigration offices, police and judicial

²² FDFA (DEA, CD), FDF (FCA, especially SBG), FDJP (FOM, fedpol) and DDPS (FIS)

bodies. For around half of the 49 individual objectives, there is the hidden danger of failing to take a national approach, despite the many advantages to such a federal, decentralised allocation of responsibilities. Weaknesses were mainly identified in the areas of information exchange, analysis, and situational awareness with no or very little cost compensation.

Optimisation and harmonisation of training, equipment, infrastructures and procedures

The large number of agencies responsible for border management not only poses a risk to the required nationwide approach and the corresponding situational awareness. At an operational level too, around half of the individual objectives are attributable to the challenges posed by such a wide distribution of competencies. The aim is to attain equivalence in the main training points, efficient procurement and use of equipment and infrastructures, and uniform best practices.

Improved cooperation at an international level and with the private sector

Room for improvement was found in international cooperation with respect to operations (Filters 1, 3 and 4) as well as strategic policy (Filter 2). Around one-eighth of the individual objectives seek progress in the operational and strategic policy exchange with other Schengen and EU Member States, in cooperation with private-sector firms (especially airlines) and in the exchange of information between Swiss and foreign border control agencies and police agencies.

4.5 Sustainability

On 1 June 2012, the Federal Council acknowledged Switzerland's IBM strategy formulated in agreement with the cantons.

The strategy sets out the main thrust of Switzerland's border management and, in principle, was designed for the following five to seven years. This time horizon gives sufficient flexibility for thorough and sustainable implementation of the objectives defined in the present action plan.

However, the requirements set out in the strategy should not be viewed too rigidly, as it must still be possible to absorb unforeseen events and new trends. A periodic test of effectiveness and general review of the entire strategy is thus crucial. The Border Steering Committee takes charge of the annual review. This committee under FOM leadership currently includes representatives from the SBG, fedpol, and the Zurich and Geneva cantonal police forces. The Border Steering Committee meets once a year in an extended configuration with FDFA (CD), DDPS (FIS), VKM, KKJPD and KKPKS specifically to discuss "Integrated Border Management".

5. Action plan

5.1 Introduction

The action plan contains concrete measures for attaining the individual objectives set out in the strategy. The work on developing these measures commenced in September 2012 and was performed by the same agencies who had previously participated in formulating the strategy.

On account of the broad thematic scope, the complexity and the large number of individual objectives to be addressed, the overall project management team decided to define the measures within five separate subprojects. These correspond to the same subject areas as the four filters (cf. Chapter 4). In addition to the subprojects "Third Countries" (Filter 1), "International Cooperation" (Filter 2), "Border" (Filter 3) and "Internal" (Filter 4), a "General" subproject was set up to cover typical cross-cutting themes.

The main agencies involved in each case were brought in to lead the subprojects. These collaborated with the relevant cantonal and federal stakeholders for each subproject (cf. organisational chart in Annex II). In formulating the measures, therefore, a broad base of expert knowledge could be drawn upon. The measures were consolidated by the subproject staff directly with their submitting organisations, which led to considerable time savings with regard to the acceptance of measures in the steering committee and thus the project as a whole.

Differing perceptions of the various problems and disparities attributable to the different outlooks between operational agencies and those with a more strategic orientation were repeatedly encountered. The discussions within the subprojects also highlighted the difficulties raised by so many different players working together on a daily basis. Not unexpectedly, Switzerland's federal structures proved one of the greatest challenges in formulating measures with the level of integrality required by the strategy. To a certain extent, the creative scope was also restricted by financing issues and institutional framework conditions.

The results of the subproject work completed at the end of May 2013, i.e. the measures formulated within the subprojects, are presented in this chapter. The subchapters correspond to the five subprojects. For each subproject, the problem areas and the individual objectives are first outlined, drawn from the strategy and forming the basis for the subproject work. The drawn-up measures are then listed in the form of a table. Each table contains an explanation of the various measures, the agencies responsible, the indicators by which successful implementation can be measured, and the duration of the measures. An evaluation of the content of the measures developed can be found under the heading "Findings", followed by a short presentation of the financial impact of the measures.

Quite a few of the measures developed as part of the subprojects and described below were already implemented, or at least initiated, prior to acknowledgment of the action plan, on account of their broad acceptance and fast realisation. The measures described below also include some that were initiated directly after acknowledgment of the strategy outside of the IBM action plan and/or whose financing was already secured outside of the IBM action plan. The inclusion of projects that have already been implemented or initiated gives a comprehensive overview of all IBM measures and thus also of the efforts made to attain the four general goals defined in the strategy (cf. Chapter 4.1).

5.2 “Third Countries” subproject

5.2.1 Overview

The “Third Countries” subproject covers the first filter in the four-filter model (cf. Chapter 4), i.e. activities conducted in third countries and countries of origin focusing mainly on measures to **optimise procedures at Swiss representations abroad**. The strategy identified two problem areas in this subproject:

- Inadequate gathering, dissemination and/or use of information available on site (P1.1)
- Inadequate flow of information between the levels of operations and strategic policy (P0.2)

For these two problem areas, the strategy defines five individual objectives.

The underlying focus here is the trade-off between preventing illegal immigration and **promoting Switzerland as a business location and tourist destination**. Objective 1.1-5 calls for closer alignment between the promotional efforts of economic and tourism stakeholders and the objectives of visa agencies and border control agencies as well as a more efficient and traveller-friendlier visa procedure.



Objectives 1.1–1 and 1.1–2 address the availability of sufficiently qualified consular staff at the representations abroad and raising their **awareness** of the phenomena in relation to illegal immigration and people smuggling. The strategy also calls for more intensive utilisation of **local cooperation with other Schengen Member States** in the relevant third countries (Objective 1.1–3). The prevention of illegal immigration and people smuggling should thus be more targeted and successful by pooling the various on-site forces.

In the second problem area of the “Third Countries” subproject, individual objective 0.2–4 of the strategy seeks to make Switzerland’s assistance to the countries of origin and transit of illegal immigrants contingent upon their adoption of measures against people smuggling.

The measures formulated to meet the five individual objectives are listed in the following table.

5.2.2 Measures

Measure ²³	Explanation	Responsibility	Realisation phase ²⁴	Duration	Indicators	Comments
1.1-1-1: List of hot spot countries (illegal immigration vs. Switzerland's economic/tourism interests)	Keep a list of hot spot countries, updated yearly, with the variables "illegal immigration" (focus and "Switzerland's economic/tourism interests" with the objective of making a more targeted and conscientious use of resources at the representations abroad.	Lead: GNAM ²⁵ Participation: FOM, SBG, fedpol, CD, FIS, Visa Steering Committee	1	Permanent	Delivery of a specific list of countries by the offices involved (annually) and approval thereof by the Visa Steering Committee. Estimation of resources, training, etc. in "Prevention of illegal immigration" and "Economic/tourism promotion" on the basis of the list of hot spot countries Resources and task planning at the representations abroad on the basis of the list of hot spot countries	This measure serves as a basis for measures 1.1-1-2, 1.1-1-3, 1.1-2-1, 1.1-3-1 and 1.1-5-1 Dependent on measure 0.1-3-1 ("General" subproject): FOM will take the lead if the GNAM is not implemented, or in the period prior to its implementation
1.1-1-2: Coordination of Air-line Liaison Officers (ALOs), Immigration Liaison Officers (LOs), Police Attachés (PAs) and Defence Attachés (DAs)	Various coordination measures in the operations of these Officers and Attachés to improve efficiency, especially in the hot spot countries	Lead: CD Participation: Armed Forces Staff, FOM, SBG, fedpol	1	Permanent	Performance of a current-state analysis Definition of the overlapping of individual roles with respect to illegal immigration Coordination of stationing concepts (overlapping) between offices Functioning information flow between the Attachés/ALOs/LOs and the GNAM ²⁶	Information flow: Dependent on <i>inter alia</i> measure 0.1-3-1 ("General" subproject)
1.1-1-3: Training module "illegal immigration" and "People smuggling" for representations abroad	Location-specific training module in the fields of "illegal immigration" and "People smuggling" for the leading representations abroad on the list of hot spot countries Integration of this module into the training concepts of the agencies involved for staff awareness purposes	Lead: FOM Participation: SBG, fedpol, CD, FIS	1	Permanent	Existence of the general training module Country-specific content drawn up for the most important countries on the list of hot spot countries and integrated into the training module. Increasing or constant number of visas rejected on account of suspected people smuggling or applicants not expected to add here to stated purpose of travel	Dependent on measure 1.1-1-1
1.1-2-1: Clarification of needs regarding tasks, resources and specific know-how for the leading representations in the countries on the hot spot list	Targeted deployment of resources (consular staff and specialists) according to the representations' position on the list of hot spot countries	Lead: DR, CD Participation: FOM	1	1 year	Completed clarification of needs Hiring, training and assignment concept for hot spot representations Adjustments to specifications based on the results of the clarification of needs	Dependent on measure 1.1-1-1

²³ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

²⁴ Indicates the start of implementation, cf. Section 6.2

²⁵ Gemeinsames Nationales Analysezentrum Migration (working title; Joint national analysis centre for migration): see Measure 0.1-3-1 of the "General" subproject (cf. Section 5.6.2)

²⁶ Gemeinsames Nationales Analysezentrum Migration (working title; Joint national analysis centre for migration): see Measure 0.1-3-1 of the "General" subproject

5.2.2 Measures

Measure ²³	Explanation	Responsibility	Realisation phase ²⁴	Duration	Indicators	Comments
1.1–2–2: Project for optimisation of the visa procedure (POV)	Verification, adaptation and harmonisation of all visa processes with the federal and cantonal authorities involved so as to achieve fast, uniform, transparent and resource-saving visa processes	Lead: FOM Participation: Cantonal migration and labour market authorities, CD, Visa Steering Committee, VSAA	0	Permanent	Analysis and documentation of processes concerning the visa procedure Approval of optimised target processes and the implementation plan for measures Uniform application of processes by all participating authorities Definition of sequence and responsibilities for adaptation of processes Approval of measures for supporting the procedure with technical aids and for promoting transparency	–
1.1–3–1: Targeted use of local Schengen cooperation (LSC) by the representations abroad	Provision of simple tools, guidance and instructions for the representations abroad regarding a more targeted utilisation of LSC for the purposes of information and dissemination of own findings on illegal immigration and qualified people smuggling	Lead: FOM Participation: CD	2	Permanent	Definition of the rules for LSC Setting of communication paths Standardised feedback for central authorities Instructions from central authorities to the representations Testing of the measure through periodic inspections at representations	Dependent on measures 1.1–1–1 and 1.1–1–3
1.1–5–1: Memorandum of Understanding (MoU) between administrative, tourism and economic bodies on raising awareness and coordination of marketing activities	MoU between visa and border control agencies; Switzerland Tourism and Switzerland Global Enterprise on early information about marketing and promotional measures in the tourism sector and on formulation of the corresponding measures	Lead: CD Participation: FOM, SBG, CP BE, CP GE, CP SO, CP VS, CP ZH, SECO, Switzerland Global Enterprise, tourism sector	2	1 year	Signing of the MoU Agreement on annual workshops Coordination of ongoing planning Coordination of applications from Switzerland Tourism for the acquisition/increase of marketing means with the CD	Dependent on measure 1.1–1–1 and impacts on measure 2.2–2–2 (“International Cooperation” subproject)

²³ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

²⁴ Indicates the start of implementation, cf. Section 6.2

5.2.3 Findings

Drawing up the list of **hot spot countries** (measure 1.1–1–1), i.e. designating the focus countries for illegal immigration and Switzerland's economic and tourism interests in these countries is one of the core measures of the "Third Countries" subproject. It not only forms the basis for several other measures within Filter 1 but also replaces, with a simple and resource-saving principle, the previous "one size fits all" approach to the training and deployment of consular staff in the prevention of illegal immigration. This list serves as a basis for the representations' resources and task planning. It also contributes to more efficient handling of the trade-off between the prevention of illegal immigration and the promotion of Switzerland as a business location and tourist destination. Other measures in the "Third Countries" subproject also specifically seek to optimise the handling of this trade-off, mainly at Swiss representations abroad. Consular staff should continue to act as and be seen as service providers with respect to visa applicants. Nonetheless, in the training and deployment of individual employees, more emphasis will be placed in future on police-related aspects that are already of central importance in the successful prevention of illegal immigration.

Promoting legal entry and supporting Switzerland as a tourist destination are the subject of measure 1.1–5–1, which calls for the signing of a Memorandum of Understanding (MoU) between the immigration and border control agencies and the tourism and economic organisations for the purpose of mutual agreement. This MoU balances the above trade-off by ensuring that those involved in promoting tourism and the business location regularly inform the border management agencies of planned promotion and marketing activities. In return, they are kept informed by the immi-

gration and border control agencies of current developments and phenomena in relation to illegal immigration. This measure also seeks a close alignment between resource applications from Swiss Tourism (marketing funds) and the Consular Directorate of the FDFA (resources in relation to visas). Although already drawn up as a separated project prior to formulation of the individual objectives, the project for optimisation of the visa procedure (1.1–2–2) is another key measure under Filter 1. This project will optimise the quality of the visa procedure in view of the expected rise in the number of travelling public and limited official resources and harmonise the processes involved, making them more traveller friendly. This will take account of Switzerland's interests as a business location and tourist destination while also addressing the official interests in preventing illegal immigration. The starting point for the project is to document the entire set of visa processes for the first time, across all agencies involved, so as to identify the potential for optimisation in this respect on an interagency basis. The jointly agreed on process template will then be applied uniformly, making the entire procedure faster and more transparent.

The steering committee decided not to further pursue the draft measures developed in relation to objective 0.2–4.²⁷ This was on account of this objective being limited to the subject of people smuggling. The steering committee was of the opinion that the issue of conditionality should ideally be discussed within the framework of "International Migration Cooperation". The agencies responsible for this platform – FOM, SDC and DPA – have already indicated their willingness to examine the requirements for conditionality on an individual case-by-case basis.

²⁷ Switzerland's assistance to the countries of origin and transit of illegal immigrants is contingent upon their adoption of measures against people smuggling

In terms of implementation, the dependencies between the measures should be taken into account. Because of such interdependencies in this subproject, it is particularly important to check the measures' effectiveness at regular intervals.

5.2.4 Financial impacts

The financial impacts within the Third Countries subproject are primarily related to **personnel**. Implementing the remaining measures generates mainly one-off personnel expenses. These correspond to an estimated 150 man-days. Recurrent personnel expenses, often serving to update the instruments decided upon in the measures, are substantially lower at approximately 25 man-days. Most of these expenses for implementing the measures are incurred in the FOM and CD.

Measures associated with the list of hot spot countries (1.1–1–1) lead to a more targeted use of resources at Swiss representations abroad, resulting mainly in personnel shifts though not necessarily any savings.

The material costs incurred in this subproject are low. The "Project for optimisation of the visa procedure" (1.1–2–2) stands out as being resource intensive. The project proposal estimates the costs of initialising the project at around CHF 1 million and 440 man-days, with these expenses being distributed over four years. However, the project and implementation costs are already covered by the agencies involved, beyond the scope of the IBM action plan.

Positive financial impacts occur through the facilitation of legal entry, one of the general goals defined in the strategy. Measures in this area ensure that investments in promoting Switzerland as a business location and tourist destination reach more of the intended recipients and that the benefit thus generated is not restricted by the police-related aspects (preventing illegal immigration).

5.2.5 Summary

The measures developed in the Third Countries subproject produce a more effective handling of the phenomena of illegal immigration as a result of the targeted deployment of resources available at Swiss representations abroad. At the same time, these measures produce a more in-depth and institutionalised coordination between the tourism and business sectors and the visa and border control agencies. Finally, optimising the visa procedure helps to facilitate legal entry by way of processes that are more traveller friendly and transparent.

5.3 “International Cooperation” subproject

5.3.1 Overview

The “International Cooperation” subproject, corresponding to Filter 2 of the aforementioned four-filter model (cf. Chapter 4), focuses on measures to optimise cooperation within the Schengen Area. The strategy identified two problem areas with respect to international co-operation:

- Switzerland’s limited institutional integration in the EU (P2.1)
- Inadequate cooperation and exchange of information at the level of strategic policy (P2.2)

For these problem areas, the subproject drew up five individual objectives, all of which concern a similar subject matter. The first individual objective (2.1–1) focuses on **improving cooperation in security matters with the EU** and its Member States and studying the possibility of participation in international committees or signing up to international agreements. Switzerland should thus examine and actively defend its position within the European security architecture on the basis of its long-term strategic interests.



The other four individual objectives²⁸ seek to improve the somewhat flawed exchange of information and to ensure the strategic inclusion of Switzerland’s position at an international level. On the one hand, **Schengen-compliant measures for entry facilitation** should be identified and subsequently applied more specifically in international negotiations. On the other hand, Switzerland’s position, as defended by Switzerland at a European level, should be better consolidated internally in advance, and information in this respect should be more specifically disseminated on an inter-agency basis. This requires **a harmonised, fixed and broad-based position** on the subjects covered in this context.

The measures formulated to meet these five individual objectives are listed in the following table.

²⁸ 2.1–2, 2.2–1, 2.2–2 and 2.2–3

5.3.2 Measures

Measure ²⁹	Explanation	Responsibility	Realisation phase ³⁰	Duration	Indicators	Comments
2.1–1–1: Examination of Switzerland's participation in the European Migration Network (EMN)	Study to clarify the consequences of Switzerland's possible participation	Lead: FOM Participation: DEA	0	1 year	Decision on the basis of the study of Switzerland's participation in the EMN	The information refers solely to the study. This will make statements on costs, savings, precise responsibilities and the timing of any such implementation. It will also provide information on the possible need for organisational or institutional adjustment
2.1–1–2: Examination of the introduction of a Swiss Registered Traveller Programme (study)	Study to clarify the consequences of introducing a Registered Traveller Programme for Switzerland	Lead: FOM Participation: SBG, operators of Basle, Geneva, and Zurich airports, CP ZH, CD	0	1 year	Decision on the basis of the study on introduction of an RTP	The information refers solely to the study. This will make statements on costs, savings, precise responsibilities and the timing of any such implementation. It will also provide information on the possible need for organisational or institutional adjustment
2.1–1–3: Greater commitment in the field of visa liberalisation EU / third countries	Proactive inclusion of Swiss experience in the EU visa liberalisation processes with third countries	Lead: FOM, DEA Participation: FOJ, fedpol, CD, DPA	0	Permanent	Active inclusion of Swiss positions in the process of the EU visa liberalisation dialogue with third countries Discussion of the Swiss position on the visa liberalisations planned by the EU at bilateral and multilateral meetings Drafting of an overview on visa liberalisation	–
2.1–1–4: Examination of cooperation with other European states regarding identity checks and return	Appointment of a working group for the formulation of measures and coordination with other European countries in the field of identity checks on foreign nationals (who request asylum in Switzerland or apply for re-turn assistance) and also in the field of returning persons with an EU residence permit	Lead: FOM Participation: DEA, DIL, DPA	0	Permanent	Decision based on study If the study proves positive: Drawing up of measures by the working group Holding of international conferences on this subject Cooperation with other European countries for the purpose of identity checks	–

²⁹ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁰ Indicates the start of implementation, cf. Section 6.2

5.3.2 Measures

Measure ²⁹	Explanation	Responsibility	Realisation phase ³⁰	Duration	Indicators	Comments
2.1–1–5: Examination of adopting the Prüm Decisions for improving the prevention and prosecution of criminal offences	In-depth study of the repercussions and consequences of Switzerland's participation in the Prüm Convention by the cantonal and federal authorities involved	Lead: fedpol Participation: FEDRO, FOM, FOJ, DEA, DIL, FDP/IC, FFA, SBG, KdK, KKJPD, FIS, Swiss mission at the EU	0	Permanent	Periodic evaluation of whether to start negotiations on participation with respect to Swiss interests If this evaluation proves positive: start of negotiations and attainment of a favourable result for Switzerland, particularly in institutional matters with subsequent participation	–
2.1–2–1: Prioritisation of projects for the Internal Security Fund (ISF)-Borders	Organisation of an information meeting and a workshop on joint determination of the prioritisation of outstanding projects for the years 2014 to 2020	Lead: FOM Participation: DEA, DIL, SBG, fedpol, CP BE, CP GE, CP SO, CP VS, CP ZH, CD	0	1 year	Prioritisation complete	Prerequisite: Participation of Switzerland in the Internal Security Fund (ISF)-Borders
2.2–1–1: Catalogue of possible concessions regarding visas within the Schengen legislation	Catalogue listing all Schengen-compliant concessions in the visa-issuance process	Lead: CD Participation: FOM, FOJ, DEA, DIL	0	1 year	Creation of the catalogue	Basis for measure 2.2–1–2
2.2–1–2: Inclusion of measures to facilitate entry in negotiations on migration agreements and partnerships	Systematic inclusion of the catalogue (measure 2.2–1–1) on entry facilitation in Switzerland's negotiations with third countries about migration agreements and partnerships	Lead: FOM Participation: DEA, DIL, SBG, fedpol, CP ZH, CD, FIS, DPA	2	Permanent	Definition of the strategy concerning entry facilitation of the relevant Swiss agencies for negotiations with third countries	Dependent on measure 2.2–1–1

²⁹ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁰ Indicates the start of implementation, cf. Section 6.2

5.3.2 Measures

Measure ²⁹	Explanation	Responsibility	Realisation phase ³⁰	Duration	Indicators	Comments
2.2-1-3: Vade mecum with working principles for Swiss delegations in working groups at a European level	Drafting and regular updating of a vade mecum with concrete guidelines, principles and process descriptions for Swiss delegations in working groups / committees at a European level, including a presentation of the various Schengen/Dublin committees and working groups at a European level	Lead: FOJ, DEA Participation: FOM, DIL, SBG, fedpol, CD, cantonal representatives in the FDJP for Schengen/Dublin	0	2 years	Drafting and regular updating of the vade mecum and its dissemination to the staff concerned	-
2.2-2-1: Optimisation of the dissemination of information on Switzerland's position in relation to migration at a European level	Improvements to the search possibilities on the CH@World platform for systematic tracking of Switzerland's positions at a European level and also cross-committee developments within a dossier	Lead: FOJ, DEA, Swiss mission at the EU Participation: situational inclusion of other federal and cantonal agencies	0	2 years	Development, introduction and regular updating of the improved information platform	-
2.2-2-2: Contact list for "illegal immigration/people smuggling"	List of the agencies involved in the fields of border management, illegal immigration and people smuggling, international committees with Swiss participation in this field, the consultation mechanisms and the significance of the various topics for IBM	Lead: FOM Participation: all agencies involved in the areas of border management, illegal immigration and people smuggling	0	Permanent	Drafting and periodic updating of the list	-

²⁹ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁰ Indicates the start of implementation, cf. Section 6.2

5.3.3 Findings

The analysis of the subject areas covered by this sub-project, conducted together with all agencies involved, shows that there is already a good degree of inter-agency cooperation in defending Swiss interests at European level. Switzerland's inclusion in the European committee is largely satisfactory. The measures formulated thus concentrate on optimising and **occasionally improving** existing forms of national and international cooperation.

Examining the cooperation with EU Member States regarding identity checks and return (measure 2.1–1–4) is a key measure for including more of Switzerland's positions at a European level. This concerns migration flows of third-country citizens within the Schengen Area. One of the consequences of the economic crisis is the growing number of third-country citizens with a residence permit for an EU/EFTA Member State who travel for economic reasons to Switzerland, where they then apply for asylum or obtain social welfare or return assistance. This potential for fraud cannot be resolved solely in bilateral cooperation with the third countries, as these tend to have very little influence on their citizens' migratory movements within the Schengen Area. However, Switzerland can seek joint solutions through targeted cooperation with its European partner states. A working group will therefore be established to coordinate and align the procedure in the fields of **identity checks and returning third-country citizens** with a legal residence permit for an EU/EFTA Member State.

Measure 2.1–1–5 is also important with regard to cooperation at a European level. Based on a study, the possibility of Switzerland adopting the **Prüm Convention** will be examined. While this is not part of the Schengen acquis, a special Association Agreement gives the states associated with Schengen the possibility of participating in this cooperation of European states. At the operational level, in particular, participation would improve the prevention of cross-border crime, avoid a potential security gap, and supplement European cooperation in security matters within the framework of Schengen.

The issue of **facilitation**, i.e. the promotion and simplification of legal entry (cf. Chapter 4.1), forms the subject of measures 2.2–1–1 and 2.2–1–2. The first of these serves to identify all of the simplifications in the visa-issuance process that comply with the Schengen Acquis. These can then be applied within the framework of Switzerland's negotiations with third countries on migration agreements and partnerships as a strategic negotiation pawn (measure 2.2–1–2).

The agencies represented in the subproject decided not to formulate any measures for objective 2.2–3,³¹ as the present exchange of information was deemed to be sufficiently institutionalised and functioning, with respect to the cantons as well as the federal agencies.

Some of the measures³² shown in the table are already being implemented; however, as they still form part of the integrated border management system, they are also listed in the action plan. Nonetheless, the costs of such measures already in progress should not be included in the overall costs of the action plan as they have already been budgeted and covered elsewhere.

³¹ A regular and systematic flow of information exists between the federal offices and the cantons regarding the immigration-related topics discussed on the various committees

³² Measures 2.1–1–2 (Examination of introduction of a Swiss Registered Traveller Programme), 2.1–1–3 (Greater commitment in the field of visa liberalisation EU / third countries) and 2.1–1–5 (Examination of adopting the Prüm Decision to improve the prevention and prosecution of criminal offences)

5.3.4 Financial impacts

With the exception of measure 2.2–1–2 (Inclusion of measures to facilitate entry in negotiations on migration agreements and partnerships), all of the measures under the “International Cooperation” subproject have already been initiated or even implemented. Their financing was secured outside the scope of this action plan. Implementation of measure 2.2–1–2 does not require any substantial additional resources.

The costs incurred through implementation of the measures for this subproject are primarily **personnel costs**, borne mainly by the FOM. The FOJ, DEA and CD are also involved to a considerable extent.

The results of the three studies (measures 2.1–1–1, 2.1–1–2 and 2.1–1–5) or a decision to participate in the relevant committees, programmes and other forms of cooperation could possibly entail significant follow-up costs. Should adoption of the Prüm Decision be deemed desirable, the Confederation has already agreed on an allocation formula for the financial expenses.³³

Savings are made through the facilitation of legitimate immigration, e.g. through measure 2.2–1–2 (Inclusion of measures to facilitate entry in negotiations on migration agreements and partnerships). This is because optimisation of the visa-issuing process frees up certain resources that can be used elsewhere in the prevention of illegal immigration. Optimised and facilitated legal migration also increases **Switzerland’s attraction as a business location and tourist destination**.

5.3.5 Summary

Given the largely satisfactory cooperation with other Schengen States, the measures in the International Cooperation subproject mainly comprise occasional improvements to existing forms of cooperation. This will make it even easier in the future to secure a consistent Swiss position at international level and to introduce this in a more expedient way. In negotiations with third countries, Switzerland can simplify legal entry more specifically through Schengen-compliant entry facilitation. The measures also result in better mutual information and optimised harmonisation of the positions of national agencies. The focus remains on the evaluation of Switzerland’s possible participation in European committees such as the European Migration Network, the Registered Traveller Programme and the Prüm Decision. However, the results of these studies or any further steps will depend in part on Switzerland’s negotiations with the EU in institutional matters.

³³ Agreement of 27 July 2011 between the federal agencies and the KKJPD

5.4 "Border" subproject

5.4.1 Overview

The focus of the "Border" subproject is on the third filter of the four-filter model, i.e. the actual border control measures at Schengen external borders (airports).

This subproject covers six of the problem areas addressed in the strategy:

- Insufficient networking at an operational level (P2.3)
- Different standards in subareas of border control (P3.1)
- Insufficient networking of the border control agencies with regard to information exchange and cooperation (P3.2)
- Increasing computerisation of border control raises new challenges for the control staff (P3.3)
- Trade-off between economic interests and those of the border police (P3.4)
- Border control system is circumvented by persons who conceal their identity or who evade immediate removal through abuse of the asylum system (P3.5)

The strategy defines 11 individual objectives for these problem areas, divided into the following subject areas:

National and international exchange of information between border control agencies: With six different border control agencies covering Switzerland's 12 airports with external borders, improved coordination between these agencies is imperative.

Quality assurance of border control: The strategy criticised the different standards in subareas of border control, partly as a result of the fact that different agencies are in charge of border control tasks.

Training: For the most part, border control officers are today trained by their own agency, leading to discrepancies in the curriculum and thus also in practice.



Process optimisation: The procedures and processes in the field of border control are relatively complex and at times unnecessarily resource intensive on account of the many different players at federal and cantonal level.

Identification: Several of the identification difficulties raised in the strategy result in a higher level of abuse by illegal immigrants but also avoidable disruptions for legitimate travellers and tourists.

Financing of border control: In principle, the steady rise in tourist traffic has a positive impact on the Swiss economy. At the same time, however, it requires a constant input of new resources in the field of border control, which must be borne by the public sector.

The 15 measures formulated under this heading are outlined below.

5.4.2 Measures

Measure ³⁴	Explanation	Responsibility	Realisation phase ³⁵	Duration	Indicators	Comments
2.3–1–1: Exchange of information with foreign border control agencies	Annual contact between each Category A and B airport border control agency and a foreign border control agency (strategic and operational level) Registration of foreign contacts and exchange of findings made in the Border Steering Committee (permanent item on the agenda)	Lead: SBG, CP BE, CP GE, CP SO, CP VS, CP ZH Participation: Border Steering Committee	3	Permanent	Annual reporting by the Category A and B airport border control agencies in the Border Steering Committee on the findings from interaction with foreign border control agencies	–
2.3–1–2: Joint visits of foreign border control agencies	Joint visits by Swiss border control agencies to their foreign counterparts (e.g. to view new technology or for joint projects) Notification of visits and reporting in the Border Steering Committee	Lead: SBG, CP BE, CP GE, CP SO, CP VS, CP ZH Participation: Border Steering Committee	3	Permanent	Inclusion of findings from joint visits by Swiss to foreign border control agencies in the decision-making process in joint projects	–
3.1–1–1: Mutual audits of the Schengen external border airports (border control)	Drafting and implementation of a concept for performing regular audits of Category A and B airports (border control) During the audits: Verification of compliance with national directives and EU guidelines in the field of border control (particularly concerning Schengen evaluations) and the exchange of best practices	Lead: FOM Participation: SBG, CP BE, CP GE, CP SO, CP VS, CP ZH	2	Permanent	Regular performance of audits at Category A and B airports	–
3.1–2–1: E-learning tool for basic and further training in the field of border control	Development of a uniform teaching aid for basic and further training (e-learning tool + printed version) in the field of border control, covering the entire spectrum (including profiling)	Lead: SBG, CP ZH Participation: SBG, CP BE, CP GE, CP SO, CP VS	0	Permanent	Roll-out of a uniform e-learning tool for border control within the border control agencies Improvement and harmonisation of training, resulting in stronger cooperation between border control agencies	–

³⁴ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁵ Indicates the start of implementation, cf. Section 6.2

5.4.2 Measures

Measure ³⁴	Explanation	Responsibility	Realisation phase ³⁵	Duration	Indicators	Comments
3.1–3–1: Coordination of procurement processes in the field of border control	Registration of future IT projects and infrastructure in the field of border control in the Border Steering Committee The latter examines the need for joint or coordinated procurement (e.g. through the programme management "Harmonised Swiss Police IT [HPI]")	Lead: Border Steering Committee Participation: FOM, SBG, fedpol, CP BE, CP GE, CP SO, CP VS, CP ZH	1	Permanent	Coordination of the procurement of IT and infrastructure in the field of border control by the Border Steering Committee	–
3.2–1–1: National exchange of information on strategic and operational matters in the field of border control	Institutionalised exchange of information on operational and strategic findings between the border control agencies in the Border Steering Committee (permanent item on the agenda)	Lead: Border Steering Committee Participation: SBG, CP BE, CP GE, CP SO, CP VS, CP ZH	2	Permanent	Strategic or operational findings between border control agencies as a permanent item on the agenda in the Border Steering Committee	–
3.2–1–2: Examination of restructuring of existing working groups in the field of border control	Examination of whether the existing working groups in the field of border control could be restructured so as to avoid their further multiplication and thus an increase in the time commitments of border control agencies	Lead: FOM Participation: SBG, CP BE, CP GE, CP SO, CP VS, CP ZH	1	1 year	No additional time spent on meetings of the working groups in the field of border control after acknowledgment of the IBM action plan	–
3.4–1–1: Participation of airport owners in the costs of border control and legal basis for airport categories	Creation of a legal obligation for the owners of airports with Schengen external borders to provide the responsible border control agencies with the space, infrastructure and technical equipment required for border control and removal free of charge	Lead: FOM Participation: FOCA, FOJ	1	Permanent	Financing by the airport owners of the costs for the space, infrastructure and technical equipment required for border control	–

³⁴ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁵ Indicates the start of implementation, cf. Section 6.2

5.4.2 Measures

Measure ³⁴	Explanation	Responsibility	Realisation phase ³⁵	Duration	Indicators	Comments
3.4-1-2: Examination of abolishing the exemption regime for non-Schengen flights at Category D airports	<p>Examination of abolishing the currently applicable exemption regime for Category D airports (which do not constitute an external border but may occasionally be granted exemptions by the FOM for non-Schengen flights)</p> <p>Definition of the requirements for airports to be allowed to offer non-Schengen flights on a permanent basis (Schengen external border)</p>	<p>Lead: FOM, FCA/DGC</p> <p>Participation: FOCA, SBG, Owners of airports in Saanen, Mollis, Emmen and Buochs, CP BE, CP GL, CP LU, CP NW, CP ZH</p>	2	1 year	<p>Decision on the basis of the study</p> <p>If the study proves positive: Abolition of the exemption regime for non-Schengen flights at Category D airports</p> <p>List of the requirements for airports in order to be allowed to offer non-Schengen flights on a permanent basis (Schengen external border)</p>	-
3.5-1-1: General concept for the utilisation of flight passenger data	Drafting of a general concept for the utilisation of flight passenger data (especially in relation to Advance Passenger Information [API] and Passenger Name Record [PNR] data)	<p>Lead: FOM, fedpol</p> <p>Participation: FOCA, FOJ, DEA, DIL, FDPIC, FCA, CP BE, CP GE, CP SO, CP VS, CP ZH, KKKKS, FIS</p>	2	1 year	<p>Ratification of the general concept by the Federal Council</p> <p>Exchange of experience with at least one other Schengen State in the utilisation of flight passenger data</p> <p>Securing of follow-ups from the general concept</p>	-
3.5-1-2: Automated border control at airports	Performance of automated border control for adult EU/EFTA and CH nationals at airports (when crossing the Schengen external border)	<p>Lead: SBG, CP BE, CP GE, CP ZH</p> <p>Participation: CP SO, CP VS, fedpol</p>	3	Permanent	Border control for 10% of adult EU/EFTA and CH nationals is automated when crossing Swiss Schengen external borders	-
3.5-1-3: Strategy for performing key-point checks at the gate	<p>Definition of a strategy for performing advance border controls and police-led intra-Schengen controls at the gate by each border control agency</p> <p>Periodic exchange of strategies and findings in the Border Steering Committee</p>	<p>Lead: SBG, CP GE, CP ZH</p> <p>Participation: CP BE, CP SO, CP VS, Border Steering Committee</p>	0	Permanent	Increased interception of flight passengers having reached the gate without fulfilling entry requirements	-

³⁴ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁵ Indicates the start of implementation, cf. Section 6.2

5.4.2 Measures

Measure ³⁴	Explanation	Responsibility	Realisation phase ³⁵	Duration	Indicators	Comments
3.5-1-4: Regular contact with airlines	Close, regular contact between the border control agencies and the airlines stationed at the airport Instruction of airline staff in the detection of illegal immigration	Lead: SBG, airlines, CP BE, CP GE, CP SO, CP VS, CP ZH Participation: Border Steering Committee	0	Permanent	Reduction in the number of flight passengers who do not meet the entry requirements when crossing the Schengen external borders on the basis of their travel documents	-
3.5-1-5: Increased deployment of Airline Liaison Officers (ALOs) (concept)	Drafting of a concept for a demand-based increase in the number of Airline Liaison Officers (ALOs) Objective: To ensure that fewer flight passengers reach the Schengen external border without fulfilling the entry requirements (by way of the corresponding advance controls by the ALOs at the places of departure)	Lead: ALO Steering Body Participation: CP ZH	3	1 year	Reduction in the number of entry refusals of flight passengers from airports with an ALO presence	Intersects with measure 1.1-1-2 (Third Countries subproject):
3.5-1-6: Examination of the possibility of the FOM delegating removal authority to the border control agencies	Examination of a change in the legislative basis to allow the FOM to authorise the border control agencies to issue a justified and appealable order against persons to be removed	Lead: FOM Participation: SBG, CP BE, CP GE, CP SO, CP VS, CP ZH	2	1 year	Decision on the basis of the study If the study proves positive: Possibility of the FOM delegating removal authority to the border control agencies	-

³⁴ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁵ Indicates the start of implementation, cf. Section 6.2

5.4.3 Findings

Measures 3.1–3–1 (**Coordination of procurement processes** in the field of border control), 3.4–1–1 (**Participation of airport owners in the costs of border control** and legal basis for airport categories) and 3.5–1–1 (**General concept for the utilisation of flight passenger data**) stand out as the most important measures in this subproject on account of their financial and operational scope.

Some measures cover several individual objectives at once. For example, measure 3.1–1–1 (Mutual audit of the Schengen external border airports / border controls) simultaneously covers both objective 3.1–1 (Simplification of best practices) and 3.2–1 (Exchange of information among the border control agencies at national level).

Following thorough consideration by the agencies involved, it was decided not to take any measures regarding individual objective 3.2–3 from the strategy (Official internships and exchange programmes are promoted between the border control agencies). Internships and exchange programmes tend to tie up a relatively high level of resources, as the exchange staff often lack sufficient know-how about the local systems and processes to be deployed to the same extent as full members of staff. They therefore require intensive supervision. Moreover, the border control agencies already run internships as part of FRONTEX, with exchanges with European border control agencies. There are also already exchange programmes among the Swiss border control agencies in certain specialised areas (e.g. document inspection). Given the relatively high expense involved in increasing such resource-intensive activities, compared with the expected return, the border control agencies have decided not to formulate institutionalised measures in this respect.

The Swiss border control landscape is characterised by one federal and five cantonal border control agencies. Most measures strive towards **improved cooperation** between these agencies. However, many of these conflict with efforts to prevent a further increase in resources spent on border control. This forms the greatest risk to implementation of the measures.

Some measures intersect with other subprojects (International Cooperation, General), particularly in the cooperation with airlines (exchange of flight passenger data, entry facilitation, regular contact).

Furthermore, some measures, such as 3.4–1–2 (Examination of abolishing the exemption regime for non-Schengen flights at Category D airports), serve merely to launch a working group to examine a specific objective. The reasoning behind this often lies in the need to include different players to specify these concepts, for which there was not enough time during the subproject work.

Finally, it should be noted that the impact of most measures on illegal immigration, international crime and people smuggling can rarely be measured. For a start, there are very few current figures available for many factors, and what's more, there are too many other factors influencing these phenomena. As a result, only vague conclusions can be drawn on the impact of the measures.

5.4.4 Financial impacts

The outstanding measures under the Border subproject incur **non-recurrent expenses** of an estimated CHF 3 million in material costs and around 400 man-days, both of which are shared evenly between the federal and cantonal agencies. There are no expected **non-recurrent savings**.

The forecast **annual recurrent expenses** and **savings** are as follows: Expenses of some CHF 1 million in material costs and around 50 man-days are offset by savings of some CHF 2 million in material costs and around 2100 man-days. While these expenses are mainly borne by the Confederation, the savings are primarily enjoyed by the cantons.

Regarding these amounts, it should be noted that a small number of measures account for the bulk of expenses and savings. Most of the expenses are incurred by measure 3.5–1–2 (Automated border control at airports). The savings are predominantly made by measures 3.4–1–1 (Participation of airport owners in the border control costs and legal basis for airport categories) and 3.5–1–2 (Automated border control at airports).

5.4.5 Summary

The measures formulated in the “Border” subproject cover the entire scope of border control at Switzerland’s Schengen external borders.

The federal structure calls for a high degree of coordination, with six different border control agencies (one federal agency and five cantonal agencies) covering the 12 airports with external borders. The training material for border control officers is thus streamlined, and national and international exchange is institutionalised. In addition, the quality of border control will be constantly checked in the future, which will prove especially beneficial in the Schengen evaluations by the EU. Moreover, a range of process optimisation techniques will raise the efficiency of cooperation between the players involved in various fields (e.g. procurement).

In the identification of flight passengers, various measures ensure a faster and smoother border control experience for legitimate travellers (e.g. tourists or business travellers); meanwhile, illegal immigrants can more easily be detected as such and detained at an earlier stage.

Finally, one measure ensures a fairer allocation of infrastructure costs through the inclusion of airport operators in the financing of border control operations.

5.5 “Internal” subproject

5.5.1 Overview

The “Internal” subproject covers measures within the Schengen Area and addresses nine individual objectives in the following problem areas:

- Insufficient networking at an operational level (P2.3)
- Uneven distribution of enforcement costs creates false incentives (P4.2)
- Discrepancies in practices and weaknesses in the areas of forgery detection, investigation, prosecution and enforcement (coercive measures/removal) (P4.3)
- Insufficient prevention of people smuggling (P0.3)

All of these problem areas indicate the potential that lies in taking a nationwide approach to preventing illegal immigration and people smuggling.

Regarding the first problem area, objective 2.3–2 calls for an **improved exchange of information** among the national police bodies and between these and their European police counterparts in the field of illegal immigration. This institutionalises cooperation with police bodies in the Schengen Area and secures the information exchange that is so important for preventing illegal immigration.



Other individual objectives³⁶ seek to guide migration policy toward long-term interests and to harmonise **enforcement practices**. The uneven distribution of enforcement costs frustrates the creation of a uniform and thus also an effective removal practice. Cost compensation instruments and incentive mechanisms as well as supracantonal centres of expertise³⁷ should provide support in this respect. More consistency in the prosecution of people smugglers also calls for a smaller number of interfaces, which is what objective 4.3–2 seeks to achieve.

As shown with objective 4.3–5, the successful prevention of people smuggling also requires **more targeted training** and **greater awareness** among those involved. Cases of people smuggling must be prosecuted more consistently in general (individual objective 0.3–2).

The measures formulated to meet the above individual objectives are listed in the following table.

³⁶ Individual objectives 4.2–1, 4.2–2, 4.2–3 and 4.3–1

³⁷ Individual objective 4.2–4

5.5.2 Measures

Measure ³⁸	Explanation	Responsibility	Realisation phase ³⁹	Duration	Indicators	Comments
4.2-2-1: Mechanisms to redistribute the enforcement costs in relation to immigration and asylum (feasibility study)	Study to present the discrepancies that currently exist in the enforcement costs in immigration and asylum as well as examination of various cost compensation instruments and incentive mechanisms	Lead: FOM Participation: Cantons	1	1 year	Completion of feasibility study	This measure simultaneously covers individual objectives 4.2-1 to 4.2-3
4.2-4-1: Centre of expertise for processing immigration cases from rail traffic through a pilot project in Bern (feasibility study)	Study to examine the possibilities and work out a pilot project for an operational centre of expertise in the City of Bern for the processing of cantonal and supracantonal immigration cases	Lead: EMF of the City of Bern, SBG Participation: FOM	2	1 year	Completion of feasibility study Evaluation of the study produces a decision on whether to implement a pilot project in Bern	The information refers solely to the study. This will identify the costs, savings, precise responsibilities and the timing of any such implementation. It will also provide information on the possible need for organisational or institutional adjustment
4.3-1-1: List of problem States with regard to enforcement	Creation and updating of a list on cooperation with countries of origin in the subareas of "Identification", "Issue of travel documents" and "Execution of special flights" as a basis for harmonising migration foreign policy with respect to returns	Lead: FOM	0	Permanent	Higher number of departures (measured using departure statistics)	This measure has already been implemented (based on a Federal Council decision of 15 June 2012) and forms the basis for measure 4.3-1-2
4.3-1-2: Inclusion of the list of priority return countries in the "International Migration Cooperation" structure	Addition of the list of priority return countries (cf. measure 4.3-1-1) to the "International Migration Cooperation" structure.	Lead: FOM Participation: SDC, DPA, SECO, occasional inclusion of other agencies as necessary	0	Permanent	Greater willingness among the States in question to cooperate with Switzerland in handing over their own citizens	Dependent on measure 4.3-1-1

³⁸ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁹ Indicates the start of implementation, cf. Section 6.2

5.5.2 Measures

Measure ³⁸	Explanation	Responsibility	Realisation phase ³⁹	Duration	Indicators	Comments
4.3–4–1: Biometric residence permits (study)	Replacement of the existing paper permits by credit-card-sized IDs with better forgery protection Clarification of the possibility of adding biometric data to the residence permits of EU/EFTA citizens and the need to do so	Lead: FOM, VKM Participation: SBG, fedpol, occasional inclusion of other agencies as necessary	0	3 years	Study or project results are available In case of introduction of the biometric residence permit: Reduction in the number of forged residence permits (target: number of forgeries in relation to the total number of around one million is no greater than 60)	Measure within the scope of the existing project NAA RE3 ⁴⁰
4.3–5–1: Training in the prevention of qualified people smuggling at the Swiss Police Institute (SPI) as well as awareness and informational events and materials	Training and raising awareness within the agencies involved in preventing qualified people smuggling	Lead: fedpol, KKPKS, SPI Participation: All federal, cantonal and local agencies involved in preventing people smuggling	1	Permanent	Courses on qualified people smuggling offered in French and German at the SPI Organisation of internal training courses about qualified people smuggling by the police forces and the SBG Informational and awareness-raising efforts for other agencies	Dependent on measures 0.3–2–1 and 0.3–2–3
0.3–2–1: Clear assignment of investigations in the field of qualified people smuggling	Explicit assignment of investigative authority in the cantons in the field of qualified people smuggling Recommendation by the KKPKS/KKJPD on assignment to the criminal investigation police	Lead: Cantonal investigative agencies Participation: KKPKS/KKJPD	1	1 year	Clear assignment of responsibility (investigative authority) within the cantons to an organisational unit with criminal investigative resources Recommendation by the KKPKS / KKJPD has been made and implemented	Impact on measures 0.3–2–2 and 0.3–2–3
0.3–2–2: Appointment of specialists within the police and prosecuting authorities in the field of qualified people smuggling	Explicit appointment and training of specialists for preventing qualified people smuggling among the cantonal investigative agencies and prosecution authorities	Lead: Cantonal investigative agencies and prosecution authorities Participation: KKPKS / KKJPD / KSBS	1	1 year	Specialists appointed and trained by the competent investigative agency and prosecution authority Recommendation by the KKPKS/KKJPD/KSBS has been made and implemented	Dependent on measure 0.3–2–1

³⁸ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁹ Indicates the start of implementation, cf. Section 6.2

⁴⁰ NAA: New resident permit for foreigners, RE3: Realisation phase 3 of the project

5.5.2 Measures

Measure ³⁸	Explanation	Responsibility	Realisation phase ³⁹	Duration	Indicators	Comments
0.3–2–3: Appointment of investigative groups in the field of qualified people smuggling	Appointment of service groups within the investigative agency defined in measure 0.3–2–1 for investigations in cases of qualified people smuggling, requiring comprehensive investigations	Lead: Cantonal investigative agencies Participation: KKPKS/KKJPD	1	1 year	Service groups appointed within the cantonal investigative agencies Recommendation by the KKPKS / KKJPD has been made and implemented	Dependent on measure 0.3–2–1
0.3–2–4: Option of assigning federal authority in prosecution of qualified people smuggling (study)	Study of the option of assigning federal authority (with the explicit approval of the cantons involved) to bring prosecutions in relation to qualified people smuggling even without the presence of a criminal organisation, as required under the Swiss Penal Code	Lead: FOJ Participation: Office of the Attorney General, fedpol, KKPKS, SSK	0	Permanent	Study or project results are available. Depending on the study or project results: Legislative and contractual preconditions exist for the option of assigning federal authority	This measure will be addressed and examined within the framework of a working group appointed by the KKJPD. It concerns, <i>inter alia</i> , cooperation between the competent authorities. Also involved in another FOJ-led working group that examines any amendments to federal law
0.3–2–5: Consistent utilisation of investigative information in relation to qualified people smuggling	Optimisation of cooperation in relation to qualified people smuggling between the SBG and the cantonal investigative agencies through master processes and standardised agreements	Lead: SBG, cantonal investigative authorities Participation: KKPKS	1	Permanent	Compilation of master processes and completion of standardised agreements Increase in the number of people smuggling cases taken on by the cantonal investigative authorities Greater availability of information on people smuggling for operational criminal analysis	–
0.3–2–6: Obtaining information on people smuggling in the first asylum interview	Expansion of the first interview with asylum seekers (as part of a test operation in Zurich) to obtain information on people smugglers, including the systematic use and dissemination of the information obtained	Lead: FOM Participation: SBG, fedpol, cantonal and municipal police	1	2 years	Regular, specific and appropriately addressed forwarding of information obtained from asylum seekers on people smuggling to the competent police authorities	This measure requires further clarification, especially regarding data evaluation and any legislative amendments

³⁸ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

³⁹ Indicates the start of implementation, cf. Section 6.2

5.5.3 Findings

A total of seven measures⁴¹ were formulated on the **more comprehensive prevention of people smuggling**. These focus on ensuring a more efficient prosecution and simplified interagency investigations by defining clearer responsibilities, without encroaching on the cantons' sphere of competency. Of particular importance for extensive investigations is measure 0.3–2–4: the option of assigning federal authority would enable the cantons – if they wish – to leave criminal proceedings in cases of qualified people smuggling to the Confederation, even if these cases do not meet the requirement for being classified as organised crime. This would remove some of the burden from those cantons agreeing to this and would simplify and improve the efficiency of prosecution in such cases, which are often intercantonal. The work on this measure is conducted within the context of two working groups established by a KKJPD mandate with all of the stakeholders involved. Two significant milestones have been reached to date: First, a framework agreement was signed in November 2013 between the FDJP and the KKJPD to promote and support increased and better coordinated cooperation between the Federal Criminal Police (FCP) and the cantonal and municipal police forces. Secondly, the Office of the Attorney General and the Conference of Law Enforcement Authorities of Switzerland (KSBS, now SSK) signed in November 2013 a joint recommendation on cooperation in the prosecution of complex crimes, particularly human trafficking. This recommendation serves to improve coordination and intensify mutual support and information between the cantonal prosecution authorities and the Office of the Attorney General. The other measures in relation to people smuggling seek to obtain more information on this phenomenon as well as more targeted training and raising of awareness among all agencies involved.

Another key measure of the “Internal” subproject involves a feasibility study on the pilot operation of a **centre of expertise** for processing cases of illegal immigration in Bern (measure 4.2–4–1). This examines whether and to what extent an interagency processing centre can help to optimise cooperation. The centre is jointly operated by the SBG and the EMF of the City of Bern. Cases of illegal residence discovered by the SBG in rail traffic are transferred to the police; detention pending deportation under immigration law is ordered and travel documents obtained. Based on practical experience and service requirements, as well as its geotactical situation and close cooperation between the agencies involved, the City of Bern is suitable for such a pilot project. The study will also provide information on further issues.

The measures already implemented are those in the area of **enforcement**: 4.3–1–1 (List of problem States for enforcement) and 4.3–1–2 (Inclusion of the list of priority return countries in the “International Migration Cooperation” structure), developed on the basis of a Federal Council decision of June 2012. These instruments will improve cooperation with countries of origin in relation to returns and thus allow for a long-term, consistent enforcement policy.

No measures were formulated regarding objective 2.3–2⁴² as the agencies represented in the subproject believed that this goal could be met within the framework of the existing cooperation and thus without any concrete measures. Likewise, no measures were formulated for objective 4.3–2.⁴³ Based on their experience, particularly in operations, the agencies involved in this subproject agreed that the existing difficulties in cooperation were not due to interface problems.

Implementation of the measures is at **all three government levels**. This includes stakeholders with a wide variety of interests and different operational or strategic orientations, a fact likely to further complicate implementation of the measures.

⁴¹ Measures 0.3–2–1 to 0.3–2–6 as well as 4.3–5–1

⁴² National police conferences regularly exchange findings with other police conferences, particularly those from neighbouring countries, on the prevention of illegal immigration and people smuggling

⁴³ Overlapping in enforcement is minimised; any remaining areas of redundancy do not hinder enforcement

5.5.4 Financial impacts

The primary requirement for implementation of the measures within the "Internal" subproject is **personnel resources**.

The majority of measures in relation to people smuggling result first and foremost in organisational changes. They thus incur only minor personnel or other expenses. However, measures 0.3–2–4 (Option of assigning federal authority in prosecution of qualified human trafficking [study]) and 0.3–2–6 (Obtaining information on people smuggling in the first asylum interview) could result in substantial personnel costs for the Confederation in the area of prosecution and the evaluation of information. The precise calculation of these costs, as well as any allocation thereof, will be clarified as part of the implementation work, insofar as this is possible.

The costintensive measure 4.3–4–1 (Biometric residence permits [study]) already forms part of a separate project structure.⁴⁴ The expenses at federal and cantonal level therefore fall outside the scope of this action plan.

The study costs for measure 4.2–4–1 (Centre of expertise for processing immigration cases from rail traffic through a pilot project in Bern [feasibility study]) will be borne by the two lead agencies (SBG and EMF of the City of Bern) and are estimated at around 50 man-days each. The study will provide information on any operating costs for running such a centre of expertise.

The financial impact of redistributing the different enforcement costs will be shown by measure 4.2–2–1 (Mechanisms to redistribute the enforcement costs in relation to immigration and asylum).

5.5.5 Summary

The measures in the "Internal" subproject result primarily in a more efficient prevention of people smuggling. This is done by clearly designating the competencies, obtaining more detailed information about the phenomenon, and raising awareness among the agencies concerned. Failures in relation to enforcement are targeted within the pilot project on an interagency centre of expertise. Moreover, a study of the different enforcement costs should indicate possible mechanisms for cost compensation. Successful prevention of illegal immigration is also achieved by issuing residence permits that, through technical innovations, offer greater security against forgeries.

⁴⁴ NAA RE3, a project between the FOM and the VKM

5.6 “General” subproject

5.6.1 Overview

The title of the “General” subproject indicates the wide range and heterogeneity of the individual objectives covered. This subproject covers all individual objectives that, on account of their cross-cutting nature, could not be clearly assigned to one of the other four filters. The starting point was formed by the following problem areas:

- Inadequate gathering, dissemination and/or use of information available on site (P1.1)
- Individuals reach the external border who do not fulfil the entry requirements and should not be allowed to travel (P1.2)
- Inadequate exchange of information and insufficient networking (P4.1)
- Enforcement is circumvented by individuals who evade immediate removal by submitting a futile asylum application (P4.4)
- Lack of information and analysis (P0.1)
- Inadequate exchange of information between the levels of operations and strategic policy (P0.2)
- Insufficient prevention of people smuggling (P0.3)

The strategy defines 18 individual objectives for these problem areas, divided into four subject areas:

The largest group of individual objectives (with 11) is that of **“Information flow and analysis”**. This group covers all individual objectives that relate to the generation of raw data, the interagency and circular flow of information, and the comprehensive strategic analysis regarding immigration (particularly when illegal).

The **“Systemic”** group of individual objectives contains those that seek to ensure better utilisation of existing systems and processes. All of the relevant databases that could potentially be queried in the course of a typical migration process (particularly in the case of illegal immigration) are systematically used. There should also be a systematic matching of personal data based on the necessary legal and technical foundations.



Another group deals with individual objectives related to the asylum procedure (**“Asylum”** group of individual objectives), striving mainly to accelerate the processes. As numerous measures have already been drawn up under the FOM’s lead independently of this action plan (particularly with regard to speeding up the procedures), some of which are already being implemented, these are simply outlined here in the action plan.

Finally, independent objectives were defined in relation to **“Cooperation at the external border”**, which seeks to reduce the number of persons reaching the Schengen external border who do not have the required entry requirements (i.e. INAD: inadmissible).

The following table presents 23 measures that have been formulated to attain the individual objectives.

5.6.2 Measures

Measure ⁴⁵	Explanation	Responsibility	Realisation phase ⁴⁶	Duration	Indicators	Comments
1.2-1-1: Carrier sanctions	Imposition of dissuasive, effective and appropriate sanctions against airline carriers that fail to perform their duties of diligence as per Art. 92 FNA	Lead: FOM	0	Permanent	20 % reduction in the number of entry refusals on account of not having a visa (adjusted for the increase in [non-Schengen] passenger numbers) within the first five years	–
1.2-1-2: New website with Schengen entry requirements	Creation of a citizen-friendly website, preferably interactive, on the Schengen entry requirements, to supplement the existing directives aimed at a more specialist readership	Lead: FOM Participation: GS-FDJP (CC Web), CD	3	Permanent	20 % reduction in the number of entry refusals on account of not having a visa (adjusted for the increase in [non-Schengen] passenger numbers) within the first five years	–
1.2-2-1: Cooperation agreements with airlines	Drafting of a concept paper on cooperation between the FOM, border control agencies and airlines, including the corresponding standard MoU Conclusion of cooperation agreements with the leading airlines	Lead: FOM Participation: Airlines, CP BE, CP GE, CP SO, CP VS, CP ZH	2	Permanent	Increase in the number of airlines with which Switzerland concludes a cooperation agreement (based on a standard MoU)	–
4.1-2-1: Training and periodic retraining of ZEMIS users	Addition of content on the dependencies of ZEMIS with other systems to all ZEMIS training and further education courses Acquisition of a ZEMIS e-learning tool Active promotion of ZEMIS courses specially oriented towards the staff of police operations centres and foreign national services	Lead: FOM	1	Permanent	Decline in the number of fusion applications in ZEMIS within two years	This measure also covers individual objective 4.3-3

⁴⁵ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

⁴⁶ Indicates the start of implementation, cf. Section 6.2

5.6.2 Measures

Measure ⁴⁵	Explanation	Responsibility	Realisation phase ⁴⁶	Duration	Indicators	Comments
4.1–2–2: Expansion of ZEMIS access rights	Adaptation of underlying legislation so as to a) grant cantonal and municipal police forces, the SBG, migration offices and the FIS access to the facial images contained in ZEMIS, and b) grant the SIRENE office (fedpol) access to the e-dossiers attached in ZEMIS	Lead: FOM	3	3 years	Detection of over a dozen cases of misuse each year through the systematic verification of identities that are maintained through not proven by foreign nationals by means of the facial images stored in ZEMIS	–
4.1–2–3: Deployment of e-doc readers at migration offices (pilot scheme)	Deployment of devices for reading and checking information (i.e. visual image and personal details) from e-documents (i.e. biometric passports and residence permits) as well as automatic checking of certain security features of e-documents for known indications of forgery (pilot scheme)	Lead: EMF of the City of Bern	1	1 year	Deployment of three reading devices over six months Existence of a final report three months after completion of the pilot scheme Contribution made by the hardware and software used in the pilot scheme to detect misuse/illegal immigration	This measure also covers individual objective 4.3–4
4.1–2–4: Use of existing e-doc readers at representations abroad (pilot scheme)	Deployment of devices already existing but largely unused at representations abroad for reading and checking information (i.e. visual image and personal details) from e-documents (i.e. biometric passports and residence permits) as well as automatic checking of certain security features of e-documents for known indications of forgery	Lead: FDFA	2	1 year	Deployment of reading devices at three representations Existence of a final report three months after completion of the pilot scheme Contribution made by the hardware and software used in the pilot scheme to detect misuse/illegal immigration	Dependent on measure 4.1–2–5. The overall biometrics strategy should indicate whether or not a pilot scheme will be launched
4.1–2–5: Overall biometrics strategy	Formulation of a national biometrics strategy to be submitted to the Federal Council. Key issues: Biometrics competency within the Confederation, verification of existing biometrics documents, increasing demands on the e-document system platform, etc.	Lead: Technical Committee for ID Documents Participation: FOBL, FOM, SBG, fedpol, CPZH, CD, KKPKS, SVZW, VKM	1	1 year	Existence of a strategy Acknowledgment of the strategy by the Federal Council Avoidance of unnecessary system costs Improvement in the quality of data related to immigration and asylum law	–

⁴⁵ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

⁴⁶ Indicates the start of implementation, cf. Section 6.2

5.6.2 Measures

Measure ⁴⁵	Explanation	Responsibility	Realisation phase ⁴⁶	Duration	Indicators	Comments
4.1–2–6: Addition of a “PCN number” search box in RIPOL (feasibility study)	Feasibility study on whether and under what conditions RIPOL could be given a new (searchable) field for entering the PCN	Lead: fedpol Participation: FOM, ISC-FDJIP	2	1 year	Written report that comments on the feasibility of a searchable field for PCN numbers or comparable measures and illustrates the legal, technical and operational conditions under which this measure can be realised	The information refers solely to the study. This will make statements on costs, savings, precise responsibilities and the timing of any such implementation
4.1–2–8: Simplified ISR queries (feasibility study)	Feasibility study on adapting the technical and possibly the legal basis to enable police and border control bodies to query ISR for identification purposes based only on the last and first names and date of birth	Lead: FOM Participation: SBG, fedpol, ISC-FDJIP, CP BE, CP GE, CP SO, CP VS, CP ZH, KKPKS	1	1 year	Written report that comments on the feasibility of adapting ISR and illustrates the legal, technical and operational conditions under which this measure can be realised	The information refers solely to the study. This will make statements on costs, savings, precise responsibilities and the timing of any such implementation
4.1–2–9: Simplified ISA queries	Adaptation of the technical and legal basis to enable police and border control bodies to query ISA for identification purposes based only on the last and first names and date of birth	Lead: fedpol Participation: SBG, CP BE, CP GE, CP SO, CP VS, CP ZH, KKPKS	0	2 years	Possibility for the SBG and the designated cantonal and municipal police forces to query ISA for identification purposes based only on the last and first names and the date of birth	This measure has already partially been implemented through the passing of the Geissbühler Motion (10.3917) by the Parliament. No further steps are planned for the time being
4.1–3–1: CS-VIS asylum	Comparison of asylum seekers' fingerprints (EURODAC) with fingerprints stored in CS-VIS for the purpose of identifying undocumented asylum seekers and possibly initiating DUBLIN-OUT procedures	Lead: FOM Participation: ISC-FDJIP	0	Permanent		The CS-VIS asylum project was completed in 2012 and entered into operation at the start of 2013

⁴⁵ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

⁴⁶ Indicates the start of implementation, cf. Section 6.2

5.6.2 Measures

Measure ⁴⁵	Explanation	Responsibility	Realisation phase ⁴⁶	Duration	Indicators	Comments
4.1–3–2: Inclusion of fedpol in VISION consultation (feasibility study)	Feasibility study on whether and how police information systems (particularly JANUS and IPAS) could be automatically queried within the VISION visa consultation procedure and therefore remove the current blind spot in the security police's findings	Lead: fedpol Participation: FOM, ISC-FDJP, FIS	0	1 year	Written report that comments on the possible options of including police information systems in the VISION consultation process and evaluates these options from a legal, technical, financial and operational aspect	The information refers solely to the study. This will make statements on costs, savings, precise responsibilities and the timing of any such implementation
4.1–3–3: "Identification" clearing unit (feasibility study)	Feasibility study on whether and how the various databases involved in the migration process (ORBIS, VIS, EURO-DAC, SIS, ZEMIS, RIPOI, etc.) and the findings processed in these could be better aligned with each other	Lead: FOM, fedpol Participation: FOJ, FDPIC, SBG, KKPKS, SVZW, VKM, VSAA	2	1 year	A report passed by all offices involved that contains the possible variants of a clearing unit and/or a new role concept and presents the legal, technical and organisational conditions under which these variants can be realised	The information refers solely to the study. This will make statements on costs, savings, precise responsibilities and the timing of any such implementation
4.4–1–1: No social benefits in the case of multiple asylum applications	No right to social benefits for persons submitting more than one asylum application (only emergency aid to be granted)	Lead: FOM Participation: Cantons	0	Permanent	Reduction in the proportion of clearly futile multiple asylum applications filed	–
4.4–2–1: Expedited asylum procedures	Implementation of an expedited asylum procedure (48 hours) for eligible asylum applications (e.g. visa-exempt European safe countries or other countries with a low recognition rate and fast enforcement possibilities) Implementation of a fast-track procedure (decision within 20 days during stay in an RPC), where fast enforcement is not possible	Lead: FOM	0	Permanent	Dissuasive effect by shortening the length of the procedure Reduction in the number of asylum seekers from the selected states	–

⁴⁵ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

⁴⁶ Indicates the start of implementation, cf. Section 6.2

5.6.2 Measures

Measure ⁴⁵	Explanation	Responsibility	Realisation phase ⁴⁶	Duration	Indicators	Comments
4.4–3–1: Entry ban for expedited asylum procedures	More consistent imposition of entry bans in the case of failed expedited asylum procedures, if the departure deadline expires, there is a disturbance to public order or security, or in the case of unsubstantiated multiple applications and clear cases of misuse	Lead: FOM Participation: Cantons	0	Permanent	Reduction in the number of futile multiple applications	–
4.4–3–2: Advance fees in the case of futile multiple asylum applications	Increased charging of advance fees on costs for submission of a renewed asylum application after the final ruling of an initial asylum procedure and where the new application is futile	Lead: FOM	0	Permanent	Reduction in the proportion of clearly futile multiple asylum applications filed; or dismissal of a large number of such applications on account of non-payment of the advance fees	–
4.4–3–3: Criminal-law sanctions in the case of abusive political activities of asylum seekers in Switzerland	Introduction of criminal-law sanctions against asylum seekers who exercise public political activities in Switzerland solely with the intention of creating subjective post-flight grounds or against any persons assisting an asylum seeker in this respect	Lead: Cantonal justice authorities Participation: FOM	0	Permanent	Financial consequences for anyone submitting multiple applications who engages in political activities in exile in Switzerland solely for the purpose of creating subjective post-flight grounds Reduction in the proportion of such applications	–
0.1–1–1: Quick wins in the information flow	Occasional improvements in the exchange of information between different border management agencies	Lead: FOM, SBG, CP ZH	0	–	Covering of reported needs in terms of data and analytics	–

⁴⁵ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

⁴⁶ Indicates the start of implementation, cf. Section 6.2

5.6.2 Measures

Measure ⁴⁵	Explanation	Responsibility	Realisation phase ⁴⁶	Duration	Indicators	Comments
0.1–2–1: National statistics on illegal residence	Monthly integration into the ILA of the data collected by the Federal Office for Statistics on police registrations for illegal residence	Lead: FOM, FSO	0	Permanent	Forwarding of monthly figures on police registrations for illegal residence by the FSO to the FOM Inclusion of these figures in the ILA	–
0.1–3–1: Joint national analysis centre for migration (working title: GNAM)	Establishment of a joint strategic analysis centre for migration (particularly, though not exclusively, illegal immigration) led by the FOM, with representatives of all relevant border management agencies	Lead: FOM Participation: DR, SBG, fedpol, CP BE, CP GE, CP SO, CP VS, CP ZH, CD, KKKPS, FS, VKM	1	Permanent	Analysis centre in operation Effectiveness of the new analysis centre: Use of synergies, threat detection, circular data and information flow, removal of systemic weaknesses, current recommendations and options available	Two-year concept and set-up phase before the centre becomes operational
0.2–2–1: Reinforcement of analytical skills within the FOM	Expansion of the remit of the FOM's "Analysis" unit to include "Analysis of illegal immigration"	Lead: FOM	0	Permanent	Creation and dissemination of analytical products in the field of illegal immigration	–

⁴⁵ The measure number is comprised of the filter number as per the four-filter model (first position), the number of the problem area within the filter (second position), the number of the individual objective within the problem area (third position) and the number of the measure within the individual objective (fourth position)

⁴⁶ Indicates the start of implementation, cf. Section 6.2

5.6.3 Findings

Measures 4.1–2–5 (Overall biometrics strategy) and 0.1–3–1 (Joint national analysis centre for migration) are the two central measures of this subproject.

Biometrics data and verification thereof are gaining ground in the various procedures under immigration and asylum law (registration and storage of biometric data when issuing Schengen visas, issue of biometric residence permits, travel documents for foreign nationals, etc.). At present, the e-document system platform is primarily used for the issuing of ID documents.

Some of the same system components are also used in border control. The current system platform will probably have to be replaced end 2019 on account of contracts expiring and the age of the components used. With this in mind, it should be examined which offices require such a system platform and whether such an application should continue in the future to cover the needs of both those who issue and those who check ID documents. In general, it can be said that there is no consistent overall strategy shared by all relevant agencies behind these different systems hooked up to the platform, creating the risk of agencies acting only from their own viewpoint as the buyer and/or user of such systems rather than taking a comprehensive overall approach. Also of importance is interagency coordination and cooperation for the longer term, as envisaged in measure 4.1–2–5.

The joint national **analysis centre** fills a gap in the current fragmented analytical landscape. This common approach gives an all-round picture of the phenomenon of migration (particularly illegal immigration), forming the basis for a targeted and efficient deployment of resources at an operational level.

While these 23 measures essentially cover a wide area, many of them serve to **simplify identification** of persons. Almost all of the measures seek to give police and border control agencies easier access to the data available. In practically all cases, the newly proposed access rights call for technical adaptations to the exist-

ing databases and/or the acquisition of new hardware and/or software systems. On account of the technical linkages and dependencies between systems, it was not always possible within the subproject work to estimate reliably which systems are affected by such changes, as well as how and to what extent, and what costs are associated with the changes. It should also be assumed that some measures will require legislative changes. For all of these reasons, some measures are formulated solely as studies in which the outstanding legal and technical issues have yet to be clarified.

There are also certain **discrepancies** between the individual objectives passed by the Federal Council in the strategy and other requirements of the Federal Council. Specifically, in acknowledging the “Integrated Border Management” strategy, the Federal Council approved objective 4.1–3 (“Personal details are systematically matched against the relevant databases on the basis of the underlying legislation and technical facilities required”). Based on this individual objective, an attempt was made to improve exchange of data between migration and social security agencies as part of the working group “Legal status of undocumented migrants”. However, it was not possible to include this subject in the discussion paper for the Federal Council, resulting in the Federal Council deciding on 13 February 2013 that there was “no need for a re-examination of the exchange of information between the areas of immigration law, social security and undeclared employment”.⁴⁷

Responsibility for implementing the measures lies with the FOM in most cases; in fact, there are only three measures in which the FOM is not involved. Overall, there is a wider distribution of offices, agencies and administrations involved in this subproject than in any of the others – which is hardly surprising given the cross-cutting topics addressed here.

⁴⁷ http://www.bfm.admin.ch/content/bfm/de/home/dokumentation/medienmitteilungen/2013/ref_2013-02-131.html

5.6.4 Financial impacts

Most of the complex measures exist only in the form of **studies** that will clarify some outstanding issues on technical, legal and operational implementation. Only after completion of these studies will it then be possible to make well-founded statements on the financial impacts.

Overall, the **expenses** for the measures not yet initiated are estimated as follows: Non-recurrent material costs of almost CHF 0.25 million are assumed, of which around 75 % is incurred by the Confederation and around 25 % by the cantons. Some 70 % of these costs are generated by measures 1.2–1–2⁴⁸ and 4.1–2–2⁴⁹ through the procurement of external services. The non-recurrent personnel costs are estimated at 700 man-days, of which some 550 are borne by the Confederation and around 150 by the cantons. Around 60 % of these expenses are incurred by just three measures: 4.1–2–5⁵⁰, 0.1–3–1⁵¹ and 4.1–3–3⁵². The estimated recurrent costs are only 30 man-days, all of which are down to measures 1.2–1–1⁵³ and 1.2–2–1⁵⁴ (both for the Confederation).

Most of the **savings** are primarily recurrent in nature; any non-recurrent savings are negligible. Regarding the material costs, measure 4.1–3–1⁵⁵ in particular produces annual savings of an estimated CHF 3 million for the cantons. In terms of man-days, measures 1.2–1–1⁵⁶ and 1.2–1–2⁵⁷ in particular are estimated to save over 50 man-days. Overall, the recurrent savings in terms of personnel come to around 70 % for the cantons.

5.6.5 Summary

Although some measures in the “General” subproject have not yet been sufficiently developed for direct implementation, this subproject produces a raft of expedient measures. These relate to the operational as well as the strategic level. Particularly in regard to data flow and analysis, the measures seek a better exchange of data and information between the agencies and a joint (interagency) and therefore national analysis of the phenomenon of migration (primarily though not exclusively illegal immigration). Numerous system-relevant improvements are also sought. For example, some measures greatly optimise or simplify the identification possibilities, facilitating the day-to-day work of those agencies involved in operations. At the strategic level, the overall biometrics strategy, in particular, creates a long-term and sustainable orientation that is adopted by all agencies involved and will serve as a guideline for all future decisions in relation to biometrics.

⁴⁸ New website with Schengen entry requirements

⁴⁹ Expansion of ZEMIS access rights

⁵⁰ Overall biometrics strategy

⁵¹ Joint national analysis centre for migration (GNAM)

⁵² “Identification” clearing unit (feasibility study)

⁵³ Carrier sanctions

⁵⁴ Cooperation agreements with airlines

⁵⁵ Asylum CS-VIS (project)

⁵⁶ Carrier sanctions

⁵⁷ New website with Schengen entry requirements

6. Implementation of the measures

6.1 Finance

Around half of the measures under this action plan were already initiated or even fully implemented in the course of the project work (measures under realisation phase 0). This was only possible – prior to formal acknowledgement of the action plan – thanks to a broad consensus among the agencies involved. This means that financing has already been secured for all such measures (cf. Chapter 5.1), and so they are not further discussed here.

The 38 measures still to be implemented have financial and personnel impacts on the organisational units involved (measures from realisation phases 1, 2 and 3). The estimated expenses for these measures drawn up in the project phase for the Confederation and cantons are as follows:

The expenses and savings – whether in terms of materials or human resources – can be clearly calculated for only certain measures. This can be explained by the lack of detail for some measures, mainly as a result of time constraints or their complexity, or the fact that savings are often made indirectly only⁶⁰ and do not necessarily benefit the same agency that bore the costs.⁶¹ Due to these circumstances, only **estimates** are given for many measures.

Where certain measures could not be defined in sufficient detail on account of their complexity, these were formulated as **studies** or **concept mandates**. This work will seek to complete the missing details, whether in terms of technical, legal or financial aspects. Correspondingly, information on the precise requirements for potential implementation can only be given at a later stage, targeting long-term budget neutrality (see below) at all times.

All of the measures set out in this action plan make a contribution to consolidating and improving internal security, protecting the national social systems and making Switzerland less attractive for illegal immigrants and people-smuggling gangs.

	Material costs		Personnel costs	
	Non-recurrent	Annual	Non-recurrent	Annual
Confed.	approx. CHF 1.75 m	approx. CHF 0.5 m	approx. 6 FTE ⁵⁸	approx. 2 FTE ⁵⁹
Cantons	approx. CHF 1.5 m	approx. CHF 0.5 m	approx. 1 FTE	approx. 1 FTE
Total	approx. CHF 3.25 m	approx. CHF 1 m	approx. 7 FTE	approx. 3 FTE

⁵⁸ FTE = Full Time Equivalent; 1 FTE equals 220 man-days

⁵⁹ This includes 1.5 FTE for monitoring of the action plan by the Entry Division of the FOM

⁶⁰ For example, simply setting up a joint national Migration Centre (measure 0.1–3–1) will not be sufficient to make savings. However, the work done in the centre will contribute to the more efficient and effective prevention of illegal immigration, e.g. by pooling the know-how available and generating synergies

⁶¹ For instance, while the costs for expanding ZEMIS access rights (measure 4.1–2–2) are borne solely by the Confederation, the savings are felt mainly by the cantons

Moreover, the costs for border management are largely driven by external factors, such as, for example, the increase in the flow of persons and tourist traffic. In view of the sharp rise predicted for this phenomenon, a marked increase in spending on border management is to be expected in the future. The benefit of the action plan will primarily lie in stemming this growing demand for resources and thus curbing expenditure growth.

Despite the aforementioned difficulties, the action plan complies with the requirements of **budget neutrality**, assuming that budget neutrality is defined as an integral factor covering all government levels that cannot be proven numerically throughout the entire action plan. Where the savings cannot be calculated, it can be assumed at least on the basis of the steering committee's estimates that the "benefit" of the measures justify the cost of their implementation.

The overall project management has examined numerous financing options, e.g. a flat-rate co-financing option, a flat-rate allocation formula or a separate credit line. However, due to numerous practical problems (particularly the large number of players and the heterogeneity of the measures), none of these options proved appropriate. The financing of measures thus remains the responsibility of the agencies entrusted with implementation.

6.2 Schedule

In principle, the subprojects have defined a separate, isolated schedule for all measures. In the overview of all 38 measures yet to be implemented, it should be noted that the measures are **staggered in time**, differing in some respects from the schedules drawn up in the subprojects. This is necessary to ensure complete implementation of the measures, particularly in those heavily burdened by day-to-day operations. The measures are also weighted to a certain extent so as to take account of their broad distribution in terms of content and their varied scope.

The above-mentioned staggering of measures is created by way of three realisation phases. Key criteria in distributing the measures among these three realisation phases are the effectiveness (i.e. the relation between the current situation and the target situation) as well as the feasibility (i.e. the time frame within which the objective can be attained). Measures with high effectiveness and good feasibility should be implemented as promptly as possible, while those with somewhat lower effectiveness and feasibility should normally be allocated to a later realisation phase. Subsequently, this initial distribution is followed by another allocation round taking different criteria into account, such as the potential and the urgency of the measure in question. This injects a certain degree of political weighting to the process, alongside the more mechanical considerations. Annex III gives an overview of the three realisation phases and the measures allocated to each one.

Realisation phase 1 contains 19 measures. Implementation of these will commence directly after acknowledgment of the action plan by the Federal Council, though no later than end 2015. In principle, the lead agencies are free to decide when exactly within this 18-month period they want to commence implementation, although obviously they should begin the work as early as possible. This flexible time frame

should enable the agencies responsible – together with the other players involved – to align the commencement date within their own unit with other project-specific and line tasks and thus also allow for an appropriate and resource-saving planning of overall tasks.

Implementation of all 13 measures in **realisation phase 2** should be started as soon as possible, and by 2016 at the latest. Implementation should be prompt in those cases where the lead agency and also those involved have the resources required for implementation at their disposal.

The remaining six measures are grouped together under **realisation phase 3** and should also be initiated as early as possible, though by 2017 at the latest. As with measures in realisation phase 2, implementation should be brought forward if at all possible.

Those measures that are currently in progress or have even already been implemented (cf. Chapter 5.1) are allocated to **realisation phase 0**. These make up a total of 30 measures drawn from all five subprojects.

As already mentioned in Chapter 6.1, this implementation schedule is subject to approval of the resources required for implementation in the appropriate political processes.

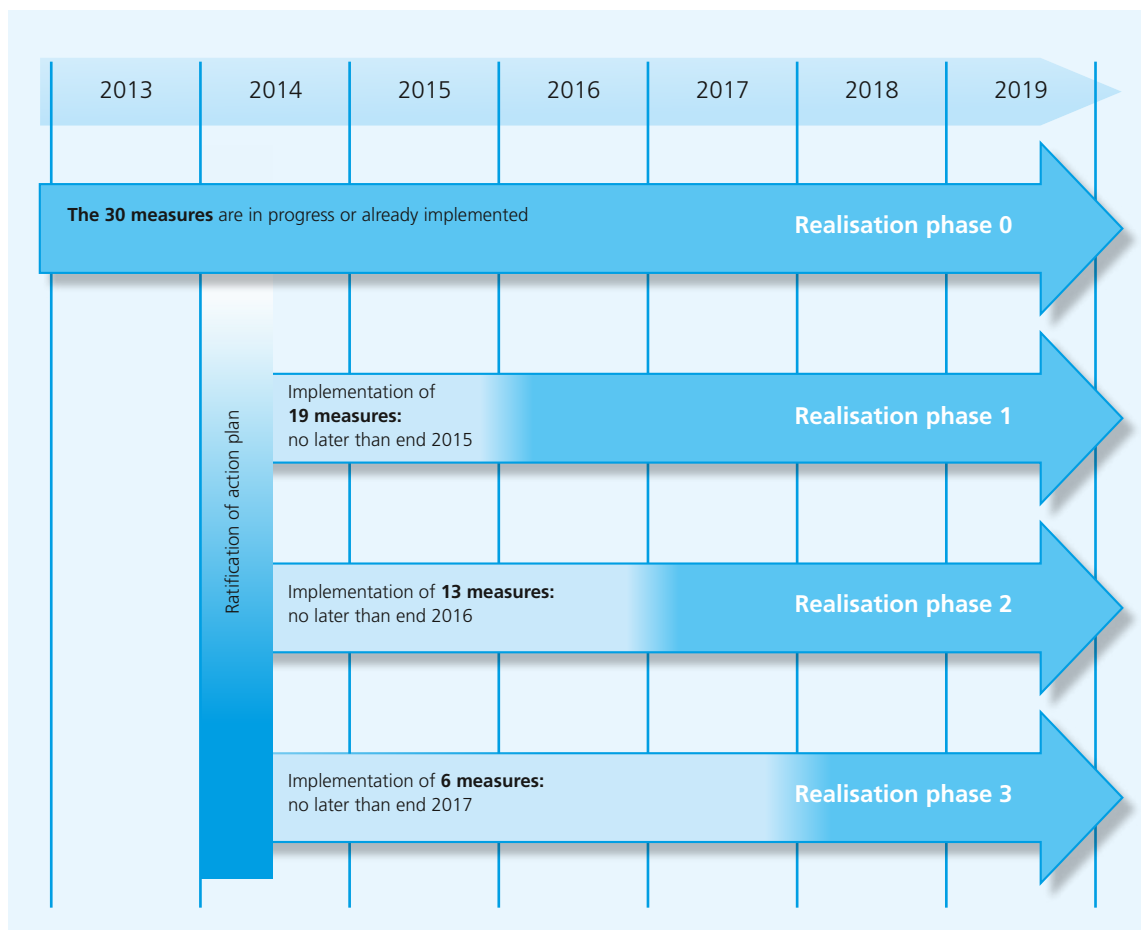


Fig. 7: Realisation phases

6.3 Monitoring

Monitoring of the action plan will be undertaken by the **Entry Division of the FOM**, which was previously responsible for overall project management of the strategy and the action plan. Apart from various communication and marketing tasks, this department will also monitor and document the status of implementation tasks on an ongoing basis and evaluate the progress. It will check that the time requirements are met with regard to the start and duration of implementation (cf. Chapter 6.2) and, if necessary, issue a reminder for adhering to the action plan. It will also observe all border management activities. This concerns not only the measures mentioned in the present action plan but also new developments. In particular, it ensures that potential synergies are exploited (e.g. in legislative amendments) but also that duplication of efforts is avoided. Furthermore, at the start of each year, the Entry Division of the FOM will draw up a report on the past calendar year, to be presented to the Border Steering Committee for approval (cf. next section). The Border Steering Committee will then inform the Federal Council and the KKJPD. The annual report focuses on the status of implementation work. Apart from administrative and coordination tasks, the Entry Division of the FOM also performs technical tasks, such as further development of the strategy, alignment of Switzerland's position with developments in Europe and/or the Schengen Area, etc. However, it will not conduct any concrete implementation work; this remains the responsibility of the relevant lead agencies. As the financing of the measures is also left to the lead agencies and is subject to the relevant political processes (cf. Chapter 6.1), this department is explicitly not responsible for monitoring finance.

The **Border Steering Committee in its expanded configuration**⁶² is formally responsible for monitoring the action plan. This makes sense as the Committee is already familiar with examining the strategy.⁶³ Using the annual report drafted by the Entry Division of the FOM, the Border Steering Committee in its expanded configuration monitors, in particular, the status of the implementation work and informs the Federal Council and the KKJPD annually on the progress made. It also performs other IBM tasks, particularly in the strategic field.

6.4 Framework agreement

The cantons play a key role in implementation of the strategy and thus also implementation of the measures. A framework agreement between the FDJP and the KKJPD provides the basic commitment and consensus on the action plan. As well as the standard formal points (such as purpose and effective date, etc.), it also governs the main points for implementation of the action plan. This mainly concerns matters of cooperation, organisation and monitoring (cf. in particular Chapter 6.3).

⁶² FOM, fedpol, SBG, CP GE, CP ZH once a year expanded with the CD, KKJPD, KKPKS, FIS, VKM

⁶³ Section 5.5 of the strategy

7. Overall conclusion

Illegal immigration and cross-border crime, along with their far-reaching implications in many socially relevant areas (e.g. labour market or social security), generate high costs that are ultimately borne by the general public. Efficient and effective prevention of these two complex and diverse phenomena calls for an integrated and coordinated approach that takes account of the federal as well as, in some cases, local circumstances.

At the same time, facilitating legal entry to Switzerland – particularly for business purposes – is of central importance. Given the steady rise in the number of travelling public, a fast entry procedure is essential and counts as an important calling card for Switzerland to gain an advantage in a highly competitive market.

In this respect, the action plan comprises a number of various measures, relating to operational as well as strategic aspects. They range from one-off measures for optimising the existing situation to large-scale innovations. Some of them have already been implemented, while some exist only in the form of studies. Taken individually, but especially as a whole, all of the measures make an important contribution to improving Swiss border management, laying the foundation for attaining the general goals defined in the strategy (cf. Chapter 4.1).

There are numerous positive effects of the action plan: even the project work itself – for both the strategy and the action plan – has intensified the level of inter-agency cooperation and personal contact, reinforcing the integrated approach to border management. The individual agencies' understanding of the procedures and options has improved to a certain extent and, at the same time, opened up new perspectives. The work on the action plan also proved to be an eye-opener, revealing the interactions not previously known to all players in that form. What's more, the action plan offered the possibility of viewing some previously fruitless efforts in certain areas in a broader context, thereby increasing the chances of success in realisation. Despite differing interests in many cases, the participatory approach for most measures produced a relatively high level of agreement. Another plus point is the possibility of evaluating the inclusion of new players in border management. Some measures intensify the involvement of certain organisations (e.g. labour-market authorities), institutions (e.g. Swiss Tourism) or private firms (e.g. airlines) that were previously not sufficiently included – thereby further promoting the integrated approach to national border management. To sum up, it can be said that the integrated border management strategy and the resultant action plan provide a basis to view certain instruments and activities in a broader context and to identify the interactions and dependencies. Integrated border management thus forms the common umbrella for all efforts within Switzerland's complex border management landscape.

Nonetheless, the work on the action plan also highlighted how difficult it is to develop universally supported solutions in a context of differing viewpoints and, in some cases, highly diverging interests. This resulted in certain measures having to settle for a compromise at the lowest common denominator – despite the fact that more advanced and far-reaching solutions had originally been worked out. The realities of a federal state and institutional constraints posed major challenges to the work on the “Internal” subproject, in particular, leaving their mark on the measures formulated in this subproject. It should also be noted that implementation of the measures does not lie in the hands of overall project management but with the relevant lead agencies in each case. It is up to these to drive implementation and, where necessary, request the financial means from the appropriate political instances.

With the IBM strategy and the resulting measures, Switzerland’s border management authorities are making a first, major and important step towards a coordinated, harmonised and comprehensive border management. The changes brought by the upcoming implementation work will be visible and perceivable. Nonetheless, fulfilling the general goals of the strategy⁶⁴ will take continuous, intensive efforts on the part of all players in every area of border management.

Through its comprehensive approach, the concept of integrated border management greatly improves inter-agency networking and cooperation. It also allows for a longer-term, strategic approach to the actions undertaken to detect future challenges in border management at an early stage and take the necessary precautions. The harmonisation and simplification of processes will also noticeably increase efficiency at the operational level without impairing the quality of border management.

⁶⁴ *Prevention of illegal immigration (particularly professional people smuggling) and the associated cross-border crime, facilitation of legal entry, and legal compliance of border management as a whole*

ANNEX I: Overview of individual objectives by main topic group

Numbering of individual objectives:

Obj				Objective
	0			Filter no. (0 = applies to all filters)
		0		Problem area no.
			0	Objective no.

Intensification of nationwide approach

Situational awareness, information exchange and analysis at an operational and strategic level

Obj 1.1–4:	A circular flow of information exists between border management agencies and Swiss representations abroad and is compiled in a central immigration analysis.
Obj 1.1–5:	The objectives of tourism promotion, business location marketing, etc. are aligned with those of visa agencies and border control agencies.
Obj 2.1–2:	Switzerland has a documented position regarding the further development of a national and European security architecture.
Obj 2.2–1:	Participation in international committees regarding the prevention of illegal immigration is prepared on an interagency basis.
Obj 2.2–2:	The results of participation in committees on migratory issues are forwarded to all federal offices involved.
Obj 2.2–3:	A regular and systematic flow of information exists between the federal offices and the cantons regarding the immigration-related topics discussed on the various committees.
Obj 3.2–1:	The border control agencies regularly exchange operational and strategic findings.
Obj 4.1–1:	All of the agencies involved in the enforcement process cooperate extensively and systematically and are subject to a reporting obligation where there are any indications of illegal immigration or people smuggling.
Obj 4.1–3:	Personal details are systematically matched against the relevant databases on the basis of the underlying legislation and technical facilities required.
Obj 0.1–1:	Results of studies flow back along official channels to the operational level (circular flow of information).
Obj 0.1–2:	National statistics exist on the apprehension of illegal persons and people smugglers within the territory.
Obj 0.1–3:	All relevant information related to illegal immigration and cross-border crime is analysed at a superordinate, integral and national level (centre of expertise).
Obj 0.1–4:	A platform accessible to all involved agencies exists for the purpose of circulating findings in the prevention of illegal immigration.
Obj 0.2–1:	Operational findings/outcomes form the starting point and benchmark for the strategic orientation with respect to third countries and countries of origin.
Obj 0.2–2:	There is a regular exchange of information between the levels of strategic policy and operations.

-
- Obj 0.2–3: Issues regarding illegal immigration and people smuggling are given higher priority in immigration policy.
-
- Obj 0.2–4: Switzerland’s assistance to the countries of origin and transit of illegal immigrants is contingent upon their adoption of measures against people smuggling.
-
- Obj 0.3–1: Consistency in the gathering and evaluation of information on people smuggling in all four filters.
-

Incentives and cost compensation

-
- Obj 4.2–2: The decisive and consistent prevention of illegal immigration is promoted by way of incentives.
-
- Obj 4.2–3: Cost compensation instruments exist in the prevention of illegal immigration.
-
- Obj 4.3–1: Enforcement practices are aligned with long-term national interests and not short-term policy guidelines.
-

Optimisation and harmonisation of training, equipment, infrastructures and procedures

-
- Obj 4.2–4: Supracantonal centres of expertise exist for the prevention of illegal immigration, people smuggling and the associated and/or subsequent offences.
-

Optimisation

-
- Obj 1.1–1: Staff at Swiss representations abroad are aware of the specific migratory phenomena in relation to illegal immigration and people smuggling at their location.
-
- Obj 1.1–2: The consular representations have sufficient qualified staff with regard to the number of visa applications to be processed and the migratory pressure at their specific location.
-
- Obj 3.1–1: The border control agencies follow uniform best practices.
-
- Obj 3.3–1: Despite computerisation, the staff in the third filter are aware of the need to also consider “soft” factors, such as inconsistencies in behaviour and appearance or unusual profiles.
-
- Obj 3.3–2: Synergies are sought and harvested in the technical development and procurement of new equipment.
-
- Obj 3.4–1: Legislation is in place that requires airport operators to provide border control agencies with the infrastructure needed for enforcing border control and removal measures and which specifies the extent to which airport operators have to contribute to border control costs.
-
- Obj 3.5–1: Measures are intensified to identify persons who conceal their nationality and/or the airline they used in border checks.
-
- Obj 4.1–2: Systemic potential for identifying and preventing illegal immigration and people smuggling is systematically utilised.
-
- Obj 4.2–1: Substantial increase in the likelihood of detection within the entire territory.
-
- Obj 4.3–2: Overlapping in enforcement is minimised; any remaining areas of redundancy do not hinder enforcement.
-
- Obj 4.3–3: The agencies responsible for enforcing removal measures follow uniform best practices.
-
- Obj 4.3–4: Agencies that issue residence permits systematically check travel documents for forgeries and have the necessary know-how in this respect.
-
- Obj 4.3–5: Training of investigative agencies is promoted on the subject of preventing people smuggling.
-

-
- Obj 4.4–1: Fewer clearly futile asylum applications are filed.
-
- Obj 4.4–2: Clearly futile asylum procedures are rejected at an earlier stage.
-
- Obj 4.4–3: The filing of multiple futile asylum applications has consequences for the individual concerned.
-
- Obj 0.3–2: Consistency in the prosecution and punishment of people smuggling.
-

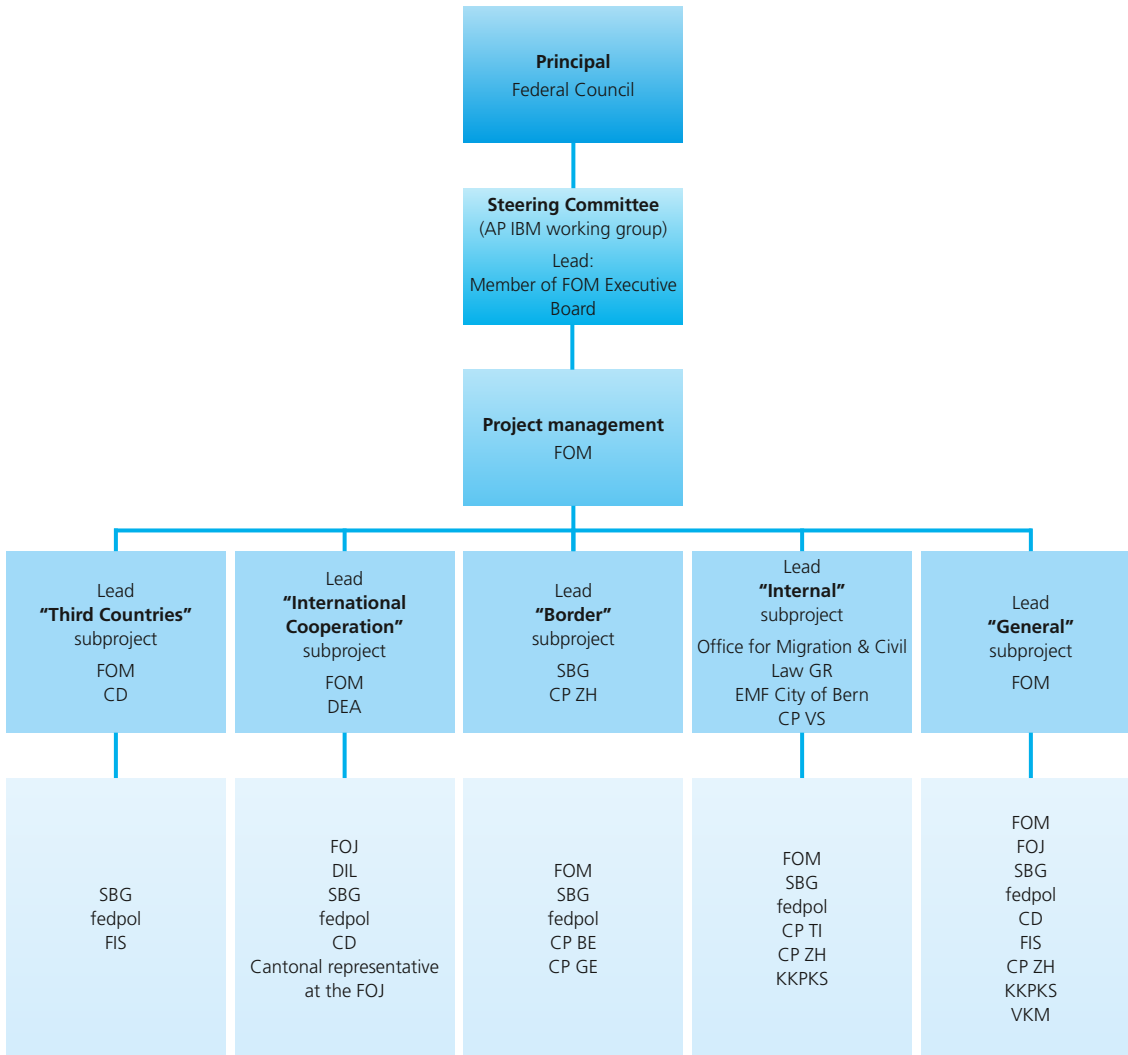
Harmonisation

-
- Obj 3.1–2: Border control staff training follows the same standards and is completed with a set of exams with harmonised content.
-
- Obj 3.1–3: The border control agencies have the same or at least equivalent technical equipment.
-
- Obj 3.2–2: The border control agencies establish a joint permanent committee on the coordination of IT and infrastructure projects in the field of border control.
-
- Obj 3.2–3: Official internships or exchange programmes are promoted between the border control agencies.
-

Improvement to cooperation at international level and with private-sector stakeholders

-
- Obj 1.1–3: Swiss representations draw on their network of on-site contacts within the context of local Schengen cooperation to learn more about the phenomena of illegal immigration and people smuggling and to circulate their own findings on these subjects.
-
- Obj 1.2–1: The number of people who reach the external border despite not fulfilling the entry requirements is reduced.
-
- Obj 1.2–2: Greater cooperation and information exchange between public agencies and the private sector.
-
- Obj 2.1–1: Switzerland intensifies its cooperation with EU Member States in the development of a European security architecture.
-
- Obj 2.3–1: Formalised contact exists between Swiss and foreign border control agencies. Swiss border control agencies regularly and systematically exchange findings with foreign border control agencies on the prevention of illegal immigration and people smuggling.
-
- Obj 2.3–2: National police conferences regularly exchange findings with other police conferences, particularly those from neighbouring countries, on the prevention of illegal immigration and people smuggling.
-

ANNEX II: Agencies and organisational units involved in the action plan



ANNEX III: Measures by realisation phase

Realisation phase 0⁶⁵

M-ID	Measure	Realisation phase
1.1-2-2	Project for optimisation of the visa procedure (POV)	0
1.2-1-1	Carrier sanctions	0
2.1-1-1	Examination of Switzerland's participation in the European Migration Network (EMN)	0
2.1-1-2	Examination of the introduction of a Swiss Registered Traveller Programme (study)	0
2.1-1-3	Greater commitment in the field of visa liberalisation EU / third countries	0
2.1-1-4	Examination of cooperation with other European states regarding identity checks and return	0
2.1-1-5	Examination of adopting the Prüm Decision for improving the prevention and prosecution of criminal offences	0
2.1-2-1	Prioritisation of projects for the Internal Security Fund (ISF)-Borders (needs analysis)	0
2.2-1-1	Catalogue of possible concessions regarding visas within the Schengen legislation	0
2.2-1-3	Vade mecum with working principles for Swiss delegations in working groups at a European level	0
2.2-2-1	Optimisation of the dissemination of information on Switzerland's positions in relation to migration at a European level	0
2.2-2-2	Contact list for "Illegal immigration / people smuggling"	0
3.1-2-1	E-learning tool for basic and further training in relation to border control	0
3.5-1-3	Strategy for performing key-point checks at the gate	0
3.5-1-4	Regular contact with airlines	0
4.1-2-9	Simplified ISA queries	0
4.1-3-1	CS-VIS asylum	0
4.1-3-2	Inclusion of fedpol in VISION consultation (feasibility study)	0
4.3-1-1	List of problem States with regard to enforcement	0
4.3-1-2	Inclusion of the list of priority return countries in the "International Migration Cooperation" structure	0
4.3-4-1	Biometric residence permits (study)	0
4.4-1-1	No social benefits in the case of multiple asylum applications	0
4.4-2-1	Expedited asylum procedures	0
4.4-3-1	Entry ban for expedited asylum procedures	0
4.4-3-2	Advance fees in the case of futile multiple asylum applications	0

⁶⁵ Measures that are in progress or have already been implemented (as at 31 December 2013)

M-ID	Measure	Realisation phase
4.4-3-3	Criminal-law sanctions in the case of abusive political activities of asylum seekers in Switzerland	0
0.1-1-1	Quick wins in the information flow	0
0.1-2-1	National statistics on illegal residence	0
0.2-2-1	Reinforcement of analytical skills within the FOM	0
0.3-2-4	Option of assigning federal authority in prosecution of people smuggling (study)	0

Realisation phase 1⁶⁶

M-ID	Measure	Realisation phase
1.1-1-1	List of hot spot countries (illegal immigration vs Switzerland's economic/tourism interests)	1
1.1-1-2	Coordination of Airline Liaison Officers (ALOs), Immigration Liaison Officers (ILOs), Police Attachés (PAs) and Defence Attachés (DAs)	1
1.1-1-3	Training module "Illegal immigration" and "People smuggling" for representations abroad	1
1.1-2-1	Clarification of needs regarding tasks, resources and specific know-how for the leading representations in the countries on the hot spot list	1
3.1-3-1	Coordination of procurement processes in the field of border control	1
3.2-1-2	Examination of restructuring of existing working groups in the field of border control	1
3.4-1-1	Participation of airport owners in the costs of border control and legal basis for airport categories	1
4.1-2-1	Training and periodic retraining of ZEMIS users	1
4.1-2-3	Deployment of e-doc readers at migration offices (pilot scheme)	1
4.1-2-5	Overall biometrics strategy (study)	1
4.1-2-8	Simplified ISR queries (feasibility study)	1
4.2-2-1	Mechanisms to redistribute the enforcement costs in relation to immigration and asylum (feasibility study)	1
4.3-5-1	Training in the prevention of qualified people smuggling at the Swiss Police Institute (SPI) as well as awareness and informational events and materials	1
0.1-3-1	Joint national analysis centre for migration (working title: GNAM)	1
0.3-2-1	Clear assignment of investigations in the field of qualified people smuggling	1
0.3-2-2	Appointment of specialists within the police and prosecuting authorities in the field of qualified people smuggling	1
0.3-2-3	Appointment of investigative groups in the field of qualified people smuggling	1
0.3-2-5	Consistent utilisation of investigative information in the field of qualified people smuggling	1
0.3-2-6	Obtaining information on people smuggling in the first asylum interview	1

⁶⁶ Implementation to commence by end 2015

Realisation phase 2⁶⁷

M-ID	Measure	Realisation phase
1.1-3-1	Targeted use of local Schengen cooperation (LSC) by the representations abroad	2
1.1-5-1	Memorandum of Understanding (MoU) between administrative, tourism and economic bodies on raising awareness and coordination of marketing activities	2
1.2-2-1	Cooperation agreement with airlines	2
2.2-1-2	Inclusion of measures to facilitate entry in negotiations on migration agreements and partnerships	2
3.1-1-1	Mutual audits of the Schengen external border airports	2
3.2-1-1	National exchange of information on strategic and operational matters in the field of border control	2
3.4-1-2	Examination of abolishing the exemption regime for non-Schengen flights at Category D airports	2
3.5-1-1	General concept for the utilisation of flight passenger data	2
3.5-1-6	Examination of the possibility of the FOM delegating removal authority to the border control agencies	2
4.1-2-4	Use of existing e-doc readers at representations abroad (pilot scheme)	2
4.1-2-6	Addition of a "PCN number" search box in RIPOL (feasibility study)	2
4.1-3-3	"Identification" clearing unit (feasibility study)	2
4.2-4-1	Centre of expertise for processing immigration cases from rail traffic through a pilot operation in Bern (feasibility study)	2

Realisation phase 3⁶⁸

M-ID	Measure	Realisation phase
1.2-1-2	New website with Schengen entry requirements	3
2.3-1-1	Exchange of information with foreign border control agencies	3
2.3-1-2	Joint visits of foreign border control agencies	3
3.5-1-2	Automated border control at airports	3
3.5-1-5	Expansion of the deployment of Airline Liaison Officers (ALOs) (concept)	3
4.1-2-2	Expansion of ZEMIS access rights	3

⁶⁷ Implementation to commence by end 2016

⁶⁸ Implementation to commence by end 2017

Notes

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