Final Report of the
"Integrated Border Management"
Strategy Group

January 2012

Contents

Abbreviations

ALO	Airline Liaison Officer
API	Advance Passenger Information (electronic system that sends passenger data immediately after airline check-in to the relevant border management agencies)
BG	Swiss Border Guard
BMS	Biometric Matching System (subsystem of the → VIS; used to check that the biometric data scanned correspond to the data stored in the database)
CD	Consular Directorate of the → FDFA
CISA	Convention Implementing the Schengen Agreement
DDPS	Federal Department of Defence, Civil Protection and Sport
DGC	Directorate General of Customs of the → FDF
EC	European Community
e.g.	exempli gratia = for example
EU	European Union
FCA	Federal Customs Administration
FDEA	Federal Department of Economic Affairs
FDF	Federal Department of Finance
FDFA	Federal Department of Foreign Affairs
FDJP	Federal Department of Justice and Police
fedpol	Federal Office of Police
FIS	Federal Intelligence Service
FN	Footnote
FNA	Foreign Nationals Act (→ SR 142.20)
FOJ	Federal Office of Justice
FOM	Federal Office for Migration
IBM	Integrated Border Management
ICMPD	International Centre for Migration Policy Development
IO	Integration Office → FDFA
KKJPD	Conference of Cantonal Directors of Justice and Police
KKPKS	Conference of Cantonal Police Commanders of Switzerland
Obj	Individual objective
RTP	Registered Traveller Programme (system for automated border control requiring passengers to register in advance

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
SG-IBM	Strategy Group for "Integrated Border Management"
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)
SIS	Schengen Information System
SR	Systematic collection of federal laws
VIS	European Visa Information System
VKM	Association of Cantonal Migration Agencies

Glossary

Action plan: A list of specific actions to be taken in order to reach the goals as defined in the border management strategy.

Border management agency: All authorities involved in the border management process, whether at a national or cantonal level (see 4.2).

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 (FOM), 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 for improving border control.

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

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 in organising joint return operations.

ICMPD: The International Centre for Migration Policy Development (ICMPD) is an international organisation serving its Member States as an instrument of migration foreign policy. With the exception of Switzerland and Croatia, all ICMPD Member States are also EU Member States. The ICMPD participates actively in the harmonisation and implementation of European migration policy.

Illegal immigration: Any form of migration that is unauthorised and therefore unlawful.

People smuggling: Facilitation of illegal entry or transit of a person and/or illegal residence, as part of an ongoing commercial operation run by organised criminal gangs or networks.

Pre-frontier area: Geographical area beyond the external border (countries of origin and transit).

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. Cross-border 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.

Third country: A non-Schengen Member State.

0. Management Summary

In a resolution of 2 February 2011, the Federal Council established an intragovernmental, interdepartmental strategy group with cantonal participation with the mandate to formulate an Integrated Border Management (IBM) strategy for Switzerland.

With its IBM strategy, the Federal Council fulfils a recommendation from the official evaluation of Swiss external borders, carried out immediately before the Schengen Association Agreement came into effect.

An integrated border management strategy 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*
- *Targeted use of limited resources through improved national risk analysis*
- *A long-term, joint strategic approach*

The strategy[1] developed by the "Integrated Border Management" Strategy Group seeks to create a common platform for the work of all federal authorities and cantons involved and thus fulfil the following general goals:
- *Efficient and coordinated prevention of illegal immigration and particularly people smuggling*
- *Prevention of cross-border crime*

- *Facilitation of legitimate immigration*
- *Border management in compliance with the law and human rights principles*

A current-state analysis formed the starting point for formulating the objectives. In the course of this, a conscious decision was taken to focus on those areas found to have definite potential for optimisation and in which the IBM Strategy Group expected strategic realignment to yield the greatest effect. The result was a collection of specific problem areas (problem inventory), broken down into four filters[2] and reworked following extensive discussions. Together with the four general goals mentioned above and a set of 10 strategic guidelines, this model forms the basis for 49 individual objectives in the following areas:
- *Intensification of nationwide approach*
- *Optimisation and harmonisation of training, equipment, infrastructures and processes*
- *Improvement to cooperation at international level and with private-sector stakeholders*

Furthermore, the strategy defines a mechanism to ensure its periodic review and adaptation. The strategy paper is submitted to the cantons and the Federal Council for ratification. At the same time, the Federal Council is requested to issue a mandate to draw up an action plan of concrete measures to fulfil the objectives and thus implement the strategy[3].

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[1] *The form and content of the strategy is based on a model devised within the SG-IBM, which is derived from the European IBM model. The SG-IBM received expert advice from the International Centre for Migration Policy Development (ICMPD).*

[2] *Cf. Chapter 5.*

[3] *Supplement from 2 June 2012: By decision of 1 June 2012, the Federal Council has adopted the present Final Report and has at the same time appointed a Working Group in order to implement the strategy within the framework of an action plan (cf. Chapter 6).*

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 eliminated 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), 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. At the end of September 2009, Switzerland first submitted a report to the Schengen Evaluation Working Party on the progress made.

As part of fulfilling this recommendation, the FOM compiled a comprehensive current-state analysis in the first half of 2012 in collaboration with the operational units of various agencies working in border management. This contains an inventory of border management instruments available and those not yet used as well as an operational assessment of Switzerland's border management architecture.

Based on the findings from the basic analysis, and in an effort to include the relevant participants as early as possible, the Federal Council was requested in August 2010 to establish an intragovernmental, interdepartmental strategy group with cantonal participation. The Federal Council approved this request in a decision of 2 February 2011.

The Strategy Group for "Integrated Border Management" (SG-IBM) was mandated to formulate an integrated border management strategy comprising all relevant players at federal and cantonal level, to be submitted to the Federal Council by end-February 2012. The strategy was to be based on the EU's IBM strategy,[4] particularly the four filters of the Schengen border security model (cf. Chapter 5).

The SG-IBM comprises 14 representatives of all the main federal and cantonal authorities involved in border management tasks. Representatives at federal level are, apart from the FDJP (three representatives of the FOM and two representatives of the Federal Office for Police fedpol), the FDF (two representatives of the Swiss Border Guard BG), the FDFA (one representative of the Consular Directorate CD) and the DDPS (one representative of the Federal Intelligence Service FIS). The cantons as a whole are represented by one member each from the Conference of Cantonal Directors of Justice and Police (KKJPD), the Conference of Cantonal Police Commanders of Switzerland (KKPKS) and the Association of Cantonal Migration Agencies (VKM) as well as one representative each from the Zurich and Geneva cantonal police forces (the two largest airports, i.e. external borders). Furthermore, the Federal Office of Justice (FOJ) and the FDFA/FDEA Integration Office (IO) receive all relevant information on an ongoing basis and, if necessary, may attend certain meetings on an ad hoc basis. The IBM Strategy Group is led by the Head of the Border division[5] at the FOM and is supported throughout the entire process by the International Centre for Migration Policy Development (ICMPD).

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[4] *Conclusions of the Justice and Home Affairs Council of 4/5 December 2006 (2768. Justice and Home Affairs Council Meeting in Brussels).*
[5] *Since 1 June 2012: Division Entry.*

2. The added value of integrated border management

Underlying the concept of integrated border management 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 bordercrossings 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 inter-agency cooperation
- **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. 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.

There are successful examples of IBM among the old and the new EU Member States, e.g. in Germany, France, Austria, Finland, Slovenia, the Netherlands, the Czech Republic, Poland, Hungary, the Baltic states, Bulgaria and Romania.

Hungary, for instance, has established a nationwide network ("Checknet") to coordinate the various operations of all executive agencies in border control, migration tasks, labour market supervision and internal security in terms of scheduling, territorial authority and methodology. This cooperation also includes an exchange of information on illegal immigration and joint training programmes. The result is not onlyimproved cooperation among the agencies and a more efficient deployment of staff but also a 5 to 10 % increase (depending on the sector) in the number of illegal residents being apprehended.

Many Schengen States have had positive results in delegating passport and visa experts to advise and train airline staff and to assist the visa departments of their representations abroad. Germany, for example, has prevented tens of thousands of illegal entries this way, thereby saving on expensive removal operations and more than making up for the cost of such measures.

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.

For these reasons, it makes sense for Switzerland to also formulate and implement an integrated border management strategy.

3. Scope and interfaces

According to a Swiss Federal Council report[6] on cooperation in international migration, illegal immigration is one of many challenges currently facing Swiss migration foreign policy. Illegal immigration is a complex phenomenon with a multitude of underlying causes and just as many possible means of prevention. The 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 the implementation of removal measures. This is closely related to efforts to combat people 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 above-mentioned report on international cooperation in migration 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 (international and regional migration dialogue, migration partnerships, programmes for refugee "protection in the region", prevention of irregular migration, return and structural assistance) 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 interdepartmental (whole-of-government) approach is taken so as to efficiently utilise the instruments available in the area of migration. The most important instruments are: international

and regional migration dialogue, migration partnerships, programmes for refugee "protection in the region", prevention of irregular migration, and return and structural assistance.

Switzerland's international cooperation in migration takes a holistic and thus a 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. Other areas that are also related to border management, even if only marginally, include the entire field of customs control, which concerns the cross-border transportation of goods. Special areas in this field include import/export measures for plants, animals and animal products, as well as immigration medical screening. Various areas also include strategies to facilitate and foster legitimate immigration; these often relate to economic promotion in the wider sense, e.g. growth strategies in tourism or market strategies of airport operators.

The present 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 could (and indeed should) be expanded in the future to the other areas mentioned or explicitly 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 in the third and fourth filters (cf. Chapter 5), the existing distribution of responsibilities was seen by some members of the SG-IBM as problematic or at least less than ideal.

At the same time, the SG-IBM noted that the distribution of responsibilities between the Confederation and the cantons with regard to internal security is currently undergoing a general review as part of the

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[6] *"Bericht über die Internationale Migrationszusammenarbeit", passed by the Federal Council on 16 February 2011.*

Malama[7] postulate. The SG-IBM did not wish to, and indeed could not, pre-empt this work. Instead, the results of both groups are aligned as far as is possible and necessary through an ongoing mutual exchange of information between the two groups and the inclusion of two representatives of the SG-IBM in the task force responding to the Malama postulate.

If the response to the Malama postulate leads to an overhaul of responsibilities in the IBM strategy, the latter will subsequently have to be reviewed in the relevant areas and adapted to the new circumstances.

[7] *Postulate 10.3045, Internal Security. Clarification of responsibilities.*

4. Scenario

4.1 Facts and figures

As the world becomes increasingly mobile, there is a steady rise 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.[8] Similarly, border management agencies are facing growing challenges in having to control and filter ever-increasing numbers of travellers and immigrants.

4.1.1 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 (since December 2011) 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 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 cross the border to and from non-Schengen countries. Around 240 people cross Switzerland's internal borders annually, of whom some 24 million by air.

In 2011 Switzerland processed around 520,000 applications for Schengen or national visas, with a rejection rate of around 5%. It should also be noted that, as a rule, anyone in possession of a Schengen visa from another country can also travel to Switzerland and that certain visas allow for multiple entries. As such, therefore, the number of visas issued by Switzerland is not a direct or conclusive indication of the number of travel movements. Nonetheless, this figure does highlight the importance of the work done at representations abroad.

4.1.2 Illegal immigration

Switzerland is confronted by various forms of illegal immigration, such as people smuggling and illegal entry/exit or illegal residence in Switzerland. The following facts and figures underscore the need for an effective border management strategy.

People smuggling
As an international phenomenon, by definition, people smuggling knows no boundaries. The criminal gangs involved in this practice 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 to their destination. This also applies to those seeking asylum in Switzerland.

People smuggling takes the following forms:
- People smugglers help would-be immigrants to cross borders illegally by accompanying them themselves or providing other logistical support. This applies to the external borders at airports as much as to internal borders, which may be crossed at unmanned points, in the countryside or at official checkpoints, in which case the people being smuggled are hidden in vehicles.
- The people smugglers provide would-be immigrants with forged or falsified travel documents or real papers that either belong to someone else with a similar appearance or have been fraudulently obtained through corruption or deceit. Arrangements may also be made to specifically smuggle in people who can serve as a basis for further immigration through marriage or family reunification.
- People smugglers can make arrangements for people who have entered a country legally but subsequently overstayed their visa.
- People smuggling overlaps with human trafficking in certain cases where criminal gangs or networks smuggle immigrants into a country for a very high price, often under inhumane or dangerous conditions. If the person being smuggled cannot pay

[8] EUROCONTROL Long-Term Forecast: Flight Movements 2010–2030, December 2010; https://www.eurocontrol.int/sites/default/files/content/documents/official-documents/forecasts/long-term-forecast-2010-2030.pdf

Convictions under Art. 116 FNA

■	Total convictions Art. 116 FNA	
■	Para 1(a) (facilitation/preparation of unlawful entry/exit or residence)	
■	Para 1(b) (procurement of unauthorised employment)	
■	Para 1(c) (facilitation/preparation of unlawful entry to third country)	
■	Abs. 2 (minor offence)	
■	Para 3 (qualified as for financial gain or by criminal gang)	

Chart data:

2008: Total 511; Para 1(a) 471; Abs. 2 26; Para 1(c) 8; 9; Para 3 7

2009: Total 915; Para 1(a) 820; Para 1(b) 67; Para 1(c) 7; Abs. 2 30; Para 3 22

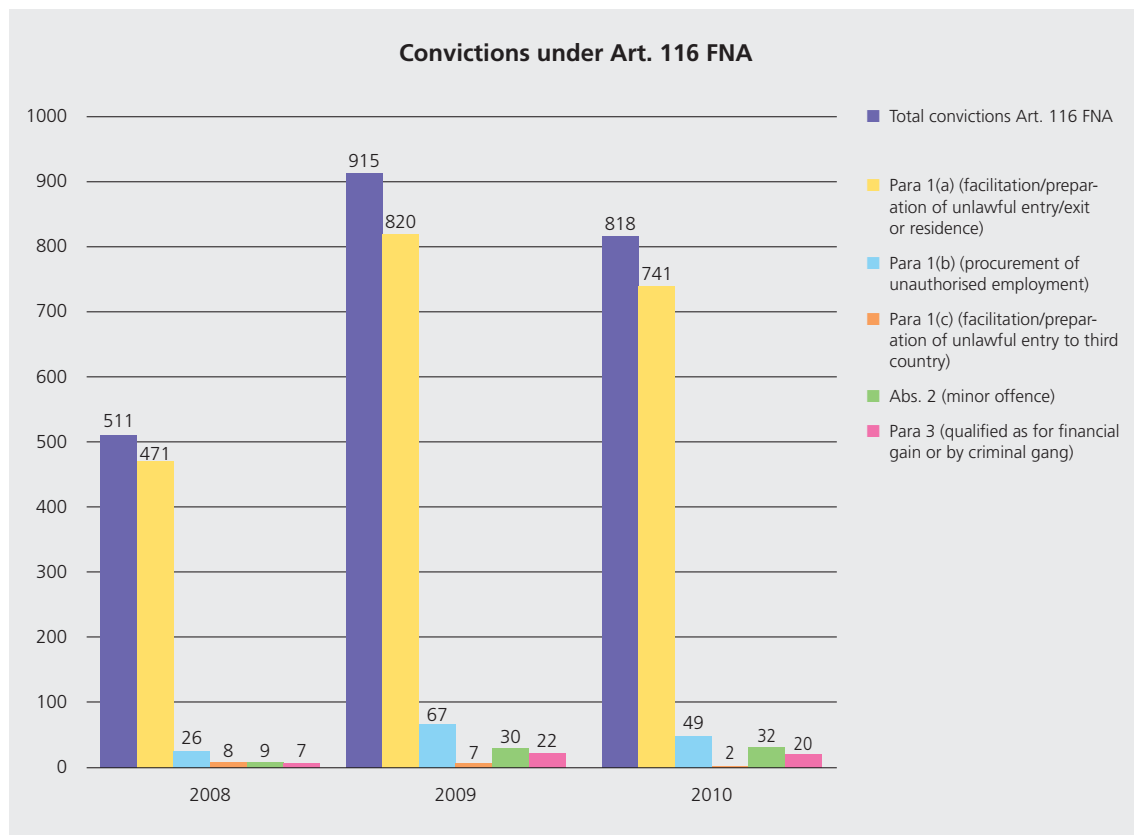2010: Total 818; Para 1(a) 741; Para 1(b) 49; Para 1(c) 2; Abs. 2 32; Para 3 20

Figure 1: Convictions for facilitating/preparing unlawful entry/exit or residence under Art. 116 FNA

the high fee demanded, they are forced to pay off their debt by working in the smuggler's service for years, often in criminal activities.

Facilitating unlawful entry or exit or unlawful residence is punishable under the Foreign Nationals Act (FNA). Depending on the form it takes, it may be classified as a misdemeanour, contravention of the law ("minor offence") or a crime ("qualified offence") 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 (2008: 511; 2009: 915; 2010: 818) in application of the appropriate punishment. However, compared with the number of people thought to be smuggled each year, very few convictions (around 20 a year) are classified as being for financial gain and thus a qualified offence.

Entry refusals at the external borders
In 2011 the border control agencies at Switzerland's Schengen external borders registered a total of 1,002 cases of entry refusal for failure to meet the entry conditions. There were 1,164 such cases in 2010. The main reason given for entry refusal was the enforcement of an entry ban previously issued by a Schengen Member State, followed by refusal for not having a valid visa or residence permit. The third most common reason for being denied entry was the lack of sufficient financial means. This was practically matched by the number of refusals for visa overstay. Around one in 20 entry refusals was because of forged or falsified travel documents or insufficient proof of purpose of stay. Other reasons included not being in possession of a valid travel document, presentation of an incorrect, forged or falsified visa or residence permit, and 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 illegally[9] and are subsequently free to move around Schengen and make their way to Switzerland.

[9] Source: 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.
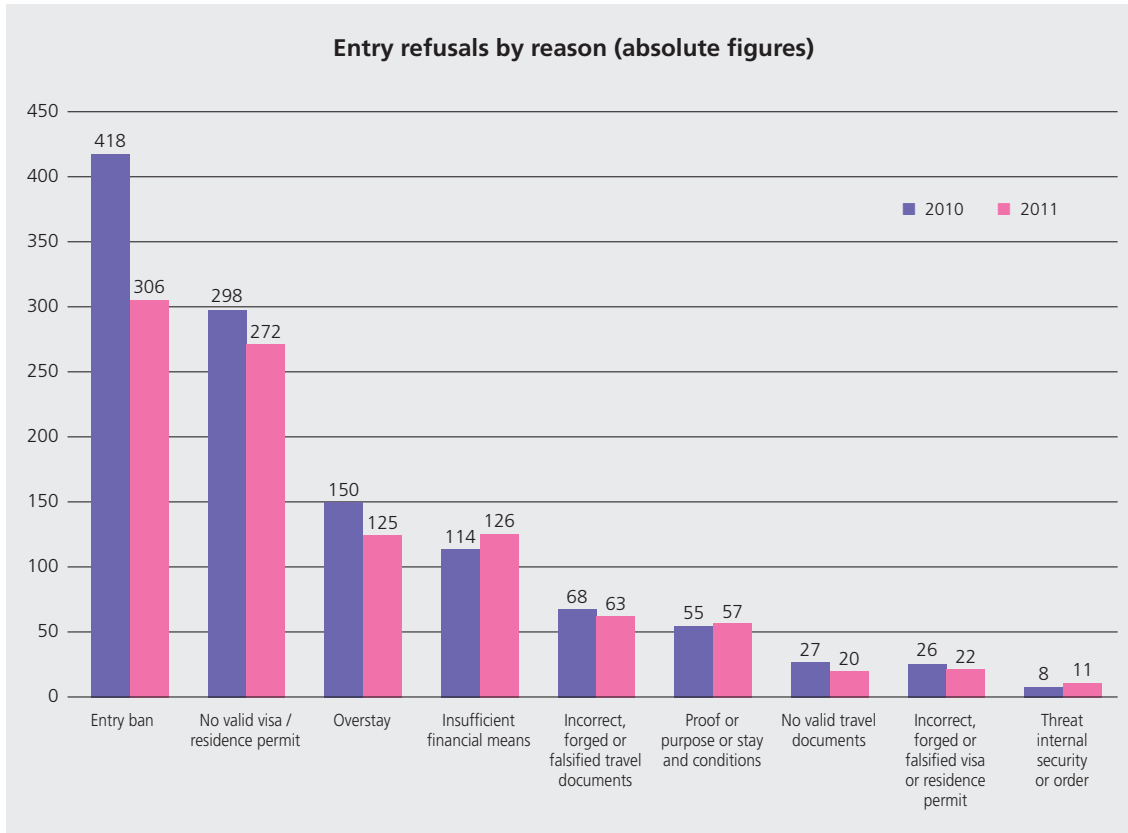
Entry refusals by reason (absolute figures)

Figure 2: Entry refusals in absolute figures

Illegal residence

Within the territory of Switzerland, illegal immigration is detected by intercepting people who do not have a legal right of residence. The BG alone recorded more than 5,600 people in 2011 (2010: 4,349) without a legitimate residence status.[10] There were also 1,477 people (2010: 1,517) using forged or falsified documents.[11]

Figures are currently not available for the arrests by cantonal police forces. Fingerprint checks in 2011 revealed 4,601 cases of asylum seekers having previously being checked and registered by the BG in one of the five FOM processing centres before filing for asylum. No details are available from the cantons on the number of arrests that are followed by asylum applications. Overall, it is estimated that some 90,000 undocumented immigrants[12] are living in Switzerland.

In 2011, there were 3,857 cases of illegal residence detected upon exit 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. There were 4,261 such arrests in 2010. The nationalities most frequently intercepted in both years were the USA, Brazil and Kosovo.

4.1.3 Asylum and removal

22,551 asylum applications were filed in Switzerland in 2011, of which 319 were at Zurich and Geneva airports. In around 3,000 cases (2010: 1,275), immigrants intercepted by the BG subsequently filed for asylum and were transferred to a FOM reception and processing centre.[13] There were thus 2.97 asylum seekers in 2011 for every 1,000 inhabitants, placing Switzerland in fourth place in Europe (ex-

[10] Source: 2011 Report of the Federal Customs Administration. Berne, 7 February 2012; http://www.news.admin.ch/message/index.html?lang=de&msg-id=43351

[11] Source: 2011 Report of the Federal Customs Administration. Berne, 7 February 2012; http://www.news.admin.ch/message/index.html?lang=de&msg-id=43351

[12] Source: Claude Longchamp et al., Sans Papiers in der Schweiz: Arbeitsmarkt, nicht Asylpolitik ist entscheidend. Bern 2005, page 1.

[13] Source: 2011 Report of the Federal Customs Administration. Bern, 7 February 2012; http://www.news.admin.ch/message/index.html?lang=de&msg-id=43351

Entry refusals by reason (percentage)

Legend: ■ 2010 ■ 2011

Reason	2010	2011
Entry ban	36%	31%
No valid visa / residence permit	26%	27%
Overstay	13%	12%
Insufficient financial means	10%	13%
Incorrect, forged or falsified travel documents	6%	6%
Proof or purpose or stay and conditions	5%	6%
No valid travel documents	2%	2%
Incorrect, forged or falsified visa or residence permit	2%	2%
Threat internal security or order	1%	1%

Figure 3: Entry refusals as a percentage

Asylum applications per 1,000 inhabitants in 2011, partially extrapolated

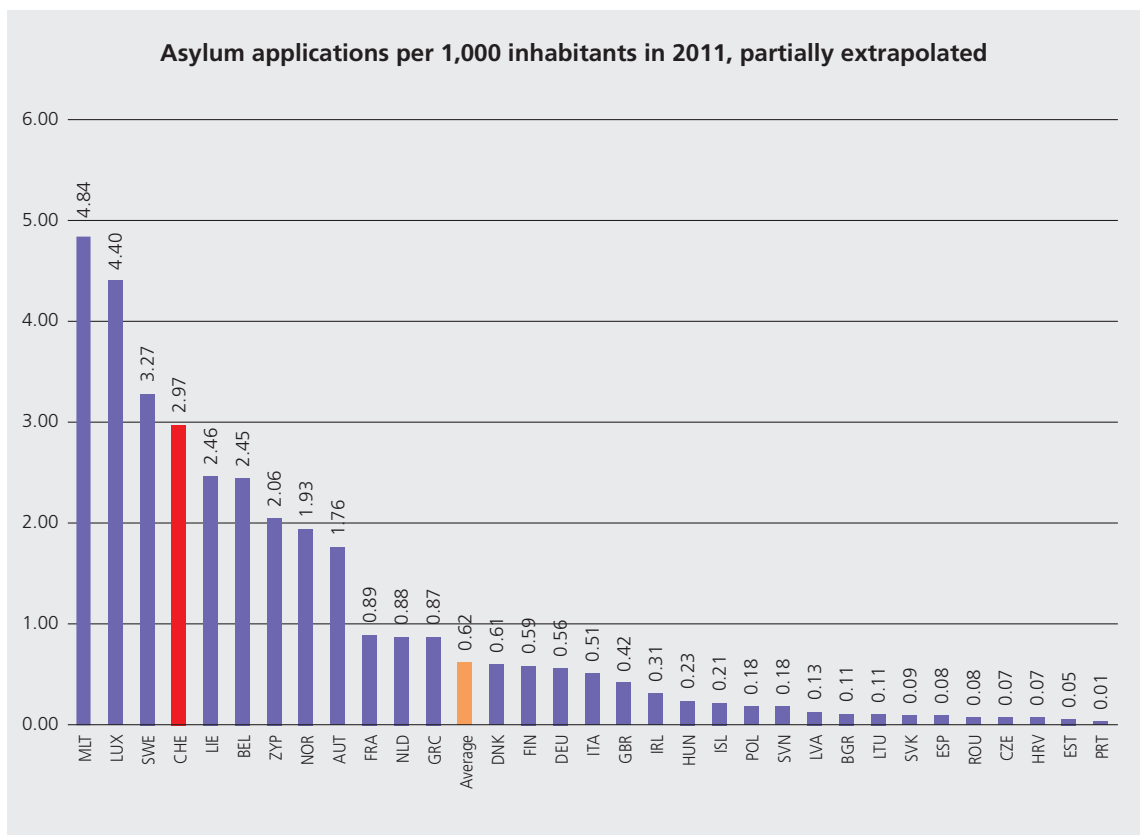| Country	Value
MLT	4.84
LUX	4.40
SWE	3.27
CHE	2.97
LIE	2.46
BEL	2.45
ZYP	2.06
NOR	1.93
AUT	1.76
FRA	0.89
NLD	0.88
GRC	0.87
Average	0.62
DNK	0.61
FIN	0.59
DEU	0.56
ITA	0.51
GBR	0.42
IRL	0.31
HUN	0.23
ISL	0.21
POL	0.18
SVN	0.18
LVA	0.13
BGR	0.11
LTU	0.11
SVK	0.09
ESP	0.08
ROU	0.08
CZE	0.07
HRV	0.07
EST	0.05
PRT	0.01

Figure 4: Asylum applications per 1,000 inhabitants in 2011 (Source: FOM)

cluding the micro-states), after Malta, Luxembourg and Sweden. The European average in 2011 was 0.62 applicants per 1,000 inhabitants, which was 0.1 more than in 2010.

19,467 first-instance decisions were issued, with a rate of recognition of 21%. The average cost per asylum seeker was around CHF 18,000 a year.

Between January 2008 and February 2011, 8,516 cases of administrative detention were recorded for the removal of undocumented immigrants and/or rejected asylum seekers (95.5% detention pending deportation, 2.5% coercive detention, and 2% detention in preparation for departure). The average duration of detention was 29 days for detention pending deportation, 165 days for coercive detention and 35 days for detention in preparation for departure. This corresponds to a total of 252,940 detention days. The cost per detention day ranges from CHF 152 to CHF 280, depending on the canton, the calculation method[14] and the manner of enforcement. The Confederation compensated the cantons in 2011 with around CHF 14.5 million for enforcement of the above three types of detention.

In 2011, 9,461 people were officially removed from Switzerland by air. A further 2,720 people left the country unofficially or went missing. Of those officially removed, 2,792 (29.5%) were immigration-related cases. 6,609 (70.5%) of those removed from Switzerland were failed asylum cases, of which 3,325 people were transferred to the respective Dublin States.

3,022 people (32%) left Switzerland of their own accord. 6,439 people (68%) left in an official re-moval process. 298 people were accompanied by security officers on a scheduled or charter flight to their destination country. The remaining 6,141 people were accompanied only as far as the plane.

In 2011 a total of 2,771 people returned to their country of origin either voluntarily or of their own accord with the various assisted return programmes. The exit and enforcement costs incurred by Federal Office for Migration came to over CHF 29 million in 2011. The main expenditure items were: exit and removal costs (CHF 9.1 million); compensation of detention costs to the cantons (CHF 14.5 million); costs for acquiring travel papers, costs for determin-ing origin and identity, flight costs, accompanying costs, entry costs for refugees, people in need of protection and family reunifications; delegation expenses for central consultations and costs for air-port services.

4.1.4 Cross-border crime
Following the elimination of systematic controls on persons when crossing the border at European in-ternal borders, crime in Central Europe has become more mobile and international (irrespective of Swit-zerland's participation in Schengen). To combat this trend, various instruments have been created within Schengen to expand and intensify the level of inter-agency 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 in-clude 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 free-dom of movement and Switzerland's membership

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[14] *Source: Telephone enquiries with the cantons of Berne (CHF 227 for the Witzwil detention centre; CHF 152 for all other facilities), Lucerne (CHF 154 when using the prison in Stans/Nidwald under the prisons convention of North-Western and Central Switzerland [non-cost-covering convention flat rate]; CHF 278 for Grosshof high-security prison for disruptive detainees or those posing a danger to themselves [costs not covered]), Basel-Stadt (CHF 160) as well as Geneva, Vaud and Neuchatel (convention amount of CHF 262.50).*

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.

4.2 Legal aspects

Pan-European cooperation in police, judicial and migratory issues is primarily enshrined in the 1990 Convention Implementing the Schengen Agreement (CISA).[15] With the Schengen Association Agreement (SAA)[16] 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 Code[17] and the Visa Code[18] are applicable. At a national level, these provisions are transposed primarily in the Foreign Nationals Act[19] and the associated implementing ordinances.

4.3 Definition of responsibilities

A national border management strategy must be aligned with existing federal structures. While strategic responsibility for national border management lies primarily with the Confederation (FDJP), operational responsibility for implementing border control measures lies partly with the cantons. 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 to the BG their tasks in the control of persons at the external border. 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 BG. Responsibilities for measures in third countries and for international cooperation are distributed across various federal government departments (FDFA: CD; FDF: FCA[BG]; FDJP: FOM, fedpol). Consequently, a national strategy on integrated border management must include and politically commit a wide range of players at many different levels. A centralised chain of command exists 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.

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[15] *EU Official Journal L 239 of 22 September 2000, p. 0019–0062.*

[16] *SR 0.362.31.*

[17] *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).*

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

[19] *Federal Act of 16 December 2005 on Foreign Nationals; Foreign Nationals Act (FNA).*

5. Switzerland's IBM strategy

As mentioned above, the decision to formulate a Swiss strategy of integrated border management was prompted by a recommendation from the official Schengen evaluation, 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 transit[20] form the **first filter** in the prevention of illegal immigration and cross-border crime. For example, a typical first-filter activity is the visa procedure (which will be improved with the introduction of VIS to issue biometric visas). Another typical instrument that has proven successful (although not yet used by Switzerland) is Airline Liaison Officers (ALO), who assist airlines in performing their duties of diligence (document control) by providing consulting and training.

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. As well as readmission agreements with other Schengen States,

second-filter measures also include, for example, participation in various European and international organisations.

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/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.

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[20] *In the context of border management, third countries and countries of origin are often also referred to as the "pre-frontier area".*

Four-filter model
(component of the EU's system of integrated border management)

Filter 1

Activities in third countries

For example
- Visa procedure
- Airline Liaison Officer (ALO)
- Migration Attachés
- Cooperation with / sanctioning of airlines

Filter 2

Cooperation within the Schengen Aera

For example
- FRONTEX
- Liaison Office/-Officers
- Council Study Group

Filter 3

Measures at border control

For example
- Schengen-compliant control of external border
- Automated border control
- Advanced Passenger Information (API)
- Entry-Exit-System (EES)
- Registered Traveller Program (RTP)

Filter 4

Measures within the territory

For example
- Targeted internal controls
- Measures to detect forgeries
- Enforcement

Illegal Immigration / cross-border crime

Legitimate immigration
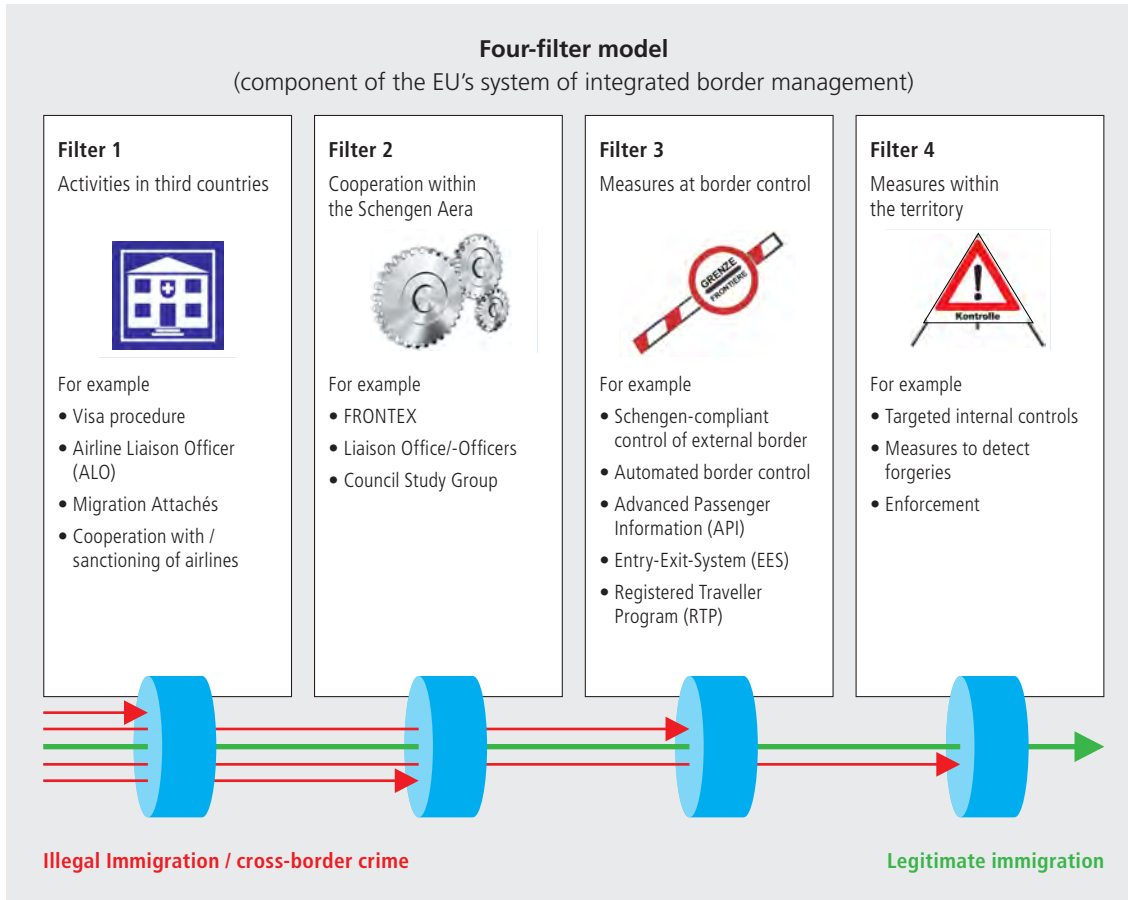
Figure 5: Four-filter model   ©FOM/SGG, 2011

5.1 General goals

The IBM Strategy Group has defined 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[21] can be subdivided into two groups. On the one hand, Switzerland's integrated border management strategy must make a key contribution to preventing illegal immigration as well as people smuggling, which enables illegal immigration in the first place, and also contribute to preventing cross-border crime. 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. They also reflect the goals of a pan-European migration policy, which seeks to develop an "area of freedom, security and justice" (Stockholm Programme[22]). In particular, this calls for a balance in border management between the prevention of illegal immigration and the facilitation of mobility and legal immigration: the programme seeks not only to combat illegal immigration, people smuggling and cross-border crime and thus improve security within Europe but also, at the same time, to ensure simple and efficient entry for the travelling public and for people and groups in vulnerable situations and to promote a Europe of responsibility, solidarity and partnership in migration and asylum matters.[23]

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[21] Cf. Description of Switzerland's IBM model, p. 3 ff.

[22] The Stockholm Programme – An open and secure Europe serving and protecting the citizens; Council of the European Union, 2009; http://register.consilium.europa.eu/pdf/en/09/st17/st17024.en09.pdf, p. 2.

[23] The Stockholm Programme – An open and secure Europe serving and protecting the citizens, op. cit., p. 4 f. and 55 ff.

5.2 Strategic guidelines

The strategic guidelines[24] 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.
Specifically, the following strategic guidelines have been defined:

- Border management makes a key contribution to internal security.
- Border management contributes to security within the Schengen area.
- Border management is based on the EU's border management strategy and contributes to its design.
- The border management strategy is aligned with other relevant strategies.
- The border management agencies have the necessary resources to perform their tasks with efficient use of financial resources.
- Border management is professional, fast, consistent and appropriate.
- Border management respects human rights principles; it allows access to a fair procedure for those seeking protection from persecution.
- Border management agencies work closely with each other and with other relevant domestic and foreign agencies and utilise the synergies created.
- Border management contributes to the enforcement of removal measures.
- Future developments/trends are incorporated into border management.

5.3 Problem areas[25]

In describing the status quo, the IBM Strategy Group consciously focused on those areas found to have definite potential for optimisation and in which it expects strategic realignment to yield the greatest effect. The result was a collection of specific problem areas (problem inventory) based on the underlying analysis, broken down into four filters and reworked following extensive discussions.

Potential for improvement was found in all four filters. In the first filter (activities in third countries), it was found that further efforts are required in Switzerland to combat illegal immigration effectively and efficiently already in the countries of origin and transit and to apprehend individuals who should be refused entry at the external border, for example, before they even board a flight to Switzerland.

In the second filter (bilateral and multilateral cooperation), the potential for improvement lies mainly in the areas of Switzerland's institutional integration in the EU,[26] Switzerland's varied but highly fragmented activities in international committees regarding border management, and the international and bilateral contacts at an operational level, which could be further expanded.

Border control itself (third filter) presents two problem areas: different standards and insufficient networking. These are directly related to the definition of responsibilities, which are assumed by different agencies, according to the border control tasks. The growing computerisation of border control and the need to minimise control times also pose huge challenges to the border control agencies.[27]

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[24] cf. Description of Switzerland's IBM model, p. 4 ff.

[25] cf. Description of Switzerland's IBM model, p. 6 ff.

[26] As a non-EU Member State, Switzerland is not involved or only to a limited extent in certain joint systems or institutions of EU Member States (e.g. discussions on voting rights regarding Frontex and the IT agency) and therefore does not benefit from the associated synergies).

[27] A canton that is particularly meticulous and thorough in enforcement is not rewarded for its efforts but, instead, is actually burdened more, e.g. by having to invest in additional enforcement infrastructures (such as detention facilities). This creates an incentive to transfer responsibility to another agency or even not to handle individual cases at all.

In the third and fourth filters, the challenge lies in the fact that certain persons evade controls and subsequent enforcement measures by concealing their identity or by fraudulently filing for asylum. Furthermore, the fourth filter (activities within the territory) was found to present discrepancies in training and practice and certain weaknesses in the areas of information exchange / networking, forgery detection, investigation, prosecution – particularly of people smugglers – and enforcement, as well as an uneven distribution of enforcement costs, which creates false incentives among the enforcement agencies.
Finally, in the filter-independent area, a general weakness was identified with regard to information and analysis, with insufficient exchange of findings between the levels of strategic policy and operations and insufficient prevention of people smuggling.

5.4 Individual objectives[28]

A total of 49 individual objectives were derived from the problem areas, with each problem area generally assigned several objectives. The individual objectives can also be presented according to the four-filter structure (cf. the detailed description of Switzerland's IBM model for each filter). However, such a sequential structure, which largely follows the entry procedure, is not particularly suitable for obtaining an overview of all the individual objectives. They have therefore been divided into three main subject areas:
• Intensification of nationwide approach
• Optimisation and/or harmonisation of training, equipment and procedures
• Improvement to cooperation at international level and with private-sector stakeholders

5.4.1 Intensification of nationwide approach
The Swiss border management system is characterised by a high fragmentation of responsibilities: at federal level alone, these are spread over no fewer than four different departments.[29] There are also the cantonal administration and judicial authorities, i.e. immigration offices, police and judicial bodies. Despite the many advantages to such a federal, decentralised allocation of responsibilities, there is also the hidden danger of failing to take a national approach to the issues of illegal immigration and cross-border crime and of utilising the funds in an uncoordinated and inefficient manner. This situation applies to around half of the 49 individual objectives.

Weaknesses were mainly identified in the areas of information exchange, analysis, and situational awareness with no or very little cost compensation.

[28] See also the overview of individual objectives in Annex I.
[29] FDJP (FOM, fedpol), FDF (FCA, especially BG), FDFA (CD, IO) and DDPS (FIS).

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

A constant, mutual exchange of information is crucial for a comprehensive, national analysis of illegal immigration and the associated cross-border crime. Such information exchange must exist in both directions, on a horizontal as well as vertical dimension (circular flow of information[30,31]) and be accessible to all agencies that have relevant information to be shared or which need specific information.[32] In particular, this entails a horizontal exchange within the strategic level (specifically in conjunction with the preparation and follow-up of international conferences on migration-related issues[33,34,35]), an exchange between the levels of strategic policy and operations[36] and a horizontal exchange between border control agencies.[37]

Information exchange must also be improved at a technical level to obtain a picture of illegal immigration and the associated phenomena that is as complete as possible and not fragmented. The necessary technical and legal (i.e. data protection) preconditions must be created to allow for a systematic matching of personal details between the databases of relevance to this picture[38] and to ensure that the agencies responsible have access to the data they require.

This information exchange must penetrate all four filters: it must be ensured that enforcement agencies consistently follow up on all indications of illegal immigration and people smuggling and that such intelligence is made available to the agencies operating in the first and second filters, in particular.[39,40] This especially applies to statistics on interceptions within the territory, which will subsequently be recorded in the national statistics.[41]

Such improved information exchange provides the underlying data needed for introducing a comprehensive interagency (and thereby national) analysis of all relevant information from the field of illegal immigration and cross-border crime.[42] The summarised and aggregated findings of this analysis must then flow back along official channels to the agencies responsible for operations and strategic policy and be fed into the system once again (circular information flow).[43,44]

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[30] *Obj 0.1–1: Results of studies flow back along official channels to the operational level (circular flow of information).*

[31] *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.*

[32] *Obj 0.1–4: A platform accessible to all involved agencies exists for the purpose of circulating findings in the prevention of illegal immigration.*

[33] *Obj 2.2–1: Participation in international committees regarding the prevention of illegal immigration is prepared on an interagency basis.*

[34] *Obj 2.2–2: The results of participation in committees on migratory issues are forwarded to all federal offices involved.*

[35] *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.*

[36] *Obj 0.2–2: There is a regular exchange of information between the levels of strategic policy and operations.*

[37] *Obj 3.2–1: The border control agencies regularly exchange operational and strategic findings.*

[38] *Obj 4.1–3: Personal details are systematically matched against the relevant databases on the basis of the underlying legislation and technical facilities required.*

[39] *Obj 0.3–1: Consistency in the gathering and evaluation of information on people smuggling in all four filters.*

[40] *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.*

[41] *Obj 0.1–2: National statistics exist on the apprehension of illegal persons and people smugglers within the territory.*

[42] *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).*

[43] *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.*

[44] *Obj 0.1–1: Results of studies flow back along official channels to the operational level (circular flow of information).*

The strategic policy level must be able to use the situation analysis thus presented as a basis for creating or reinforcing a sound, documented national position with regard to the further development of the national and European security architecture[45] and the strategic orientation of the policy regarding countries of origin and transit of illegal immigration.[46] Specifically, Switzerland's assistance to the countries of origin and transit of illegal immigrants should increasingly be contingent upon these countries adopting measures against people smuggling.[47]

The strategic orientation must also ensure that the issues surrounding illegal immigration and people smuggling are given the required priority in policy discussions and specifically with regard to asylum policy,[48] particularly as the distinction between these two areas in practice is not clearly defined.

Irrespective of this, the strategic orientation should not only aim to prevent illegal immigration, people smuggling and cross-border crime but must also cover the second general goal of IBM (i.e. smooth legitimate entry; border management in compliance with the law and human rights principles). A holistic approach should be taken to align Switzerland's efforts in tourism promotion and business location marketing with those of the visa and border control agencies.[49]

5.4.1.2 Incentives and cost compensation

Taking a more nationwide approach is also necessary with regard to cost compensation in the prevention of illegal immigration and cross-border crime, where the current geographical and functional classification of responsibilities tends to favour a local and regional rather than a national approach and procedure. In particular, the costs borne by cantons located close to an internal or external border are disproportionately higher than those of other cantons. In such border cantons, a thorough approach to enforcement costs far more to achieve; as a result, the enforcement agencies may be incentivised to transfer responsibility to another agency. It must be ensured, however, that all those involved are guided by long-term national interests in practice and not by local, short-term policy guidelines.[50] This should be achieved by, among other things, encouraging a decisive and consistent approach to preventing illegal immigration[51] and establishing a set of instruments to balance out the disproportionate commitment required of individual agencies.[52]

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[45] *Obj 2.1–2: Switzerland has a documented position regarding the further development of a national and European security architecture.*

[46] *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.*

[47] *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.*

[48] *Obj 0.2–3: Issues regarding illegal immigration and people smuggling are given higher priority in immigration policy.*

[49] *Obj 1.1–5: The objectives of tourism promotion, business location marketing, etc. are aligned with those of visa agencies and border control agencies.*

[50] *Obj 4.3–1: Enforcement practices are aligned with long-term national interests and not short-term policy guidelines.*

[51] *Obj 4.2–2: The decisive and consistent prevention of illegal immigration is promoted by way of incentives.*

[52] *Obj 4.2–3: Cost compensation instruments exist in the prevention illegal immigration.*

5.4.2 Optimisation and harmonisation of training, equipment, infrastructures and procedures
The above-mentioned fragmentation of responsibilities in border management not only poses a risk to the required nationwide approach and the corresponding situational awareness. At an operational level, it also makes it more difficult to attain equivalence in the main training points, efficient procurement and use of equipment and infrastructures, and uniform best practices.

One of the individual objectives is therefore to increasingly group together the decentralised know-how in the prevention of illegal immigration, people smuggling and the offences associated with or subsequent to these, by creating supracantonal centres of expertise.[53]

5.4.2.1 Optimisation
Training
With regard to training, potential for improvement was found in Filters 1, 3 and 4.

In the future, more attention should be placed on ensuring sufficiently qualified expert staff in the representations abroad (with regard to the number of visa applications and the specific migratory pressure in each case). In particular, such qualifications include an appropriate level of staff awareness of the specific phenomena of illegal immigration, people smuggling and fraudulent use of documents at their specific

location.[54,55] To minimise the systemic risk of information loss with staff turnover at the representations, there should be a structured handover procedure between the departing and the new employee to ensure that new staff receive a thorough introduction.

Meanwhile, the objective in training for border control agencies is to also sufficiently address the "soft" factors in border control (e.g. inconsistencies in appearance, behaviour, etc.) in addition to the technical aspects in training and in practice.[56]

Within the territory itself, enforcement agencies should be given specific training and further education measures against people smuggling.[57]

Equipment/infrastructure
As border management becomes increasingly computerised, so too are the evaluation and procurement processes and the required infrastructures themselves increasingly complex and costly. The associated costs and expenses should be reduced by seeking and then utilising synergies in future developments and procurement processes for new equipment.[58] Although this objective was defined with border control agencies in mind, it also applies to those operating in Filter 4.

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

[54] *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.*

[55] *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.*

[56] *Obj 3.3–1: Despite computerisation, the staff are aware of the need to also consider "soft" factors, such as inconsistencies in behaviour and appearance or unusual profiles.*

[57] *Obj 4.3–5: Training of investigative agencies is promoted on the subject of preventing people smuggling.*

[58] *Obj 3.3–2: Synergies are sought and harvested in the technical development and procurement of new equipment.*

Furthermore, a certain degree of optimisation at a normative level is required for efficient border control at airports. Specifically, regulations should define the infrastructure that airports are required to provide for the use of border control agencies (e.g. storage/waiting/office space, immigration desks, reception facilities) and also the extent to which airport operators should contribute to the costs of border control.[59]

Procedures

With regard to procedures, the individual objectives defined concern the detection of illegal immigration, people smuggling and other forms of cross-border crime as well as the individuals involved, the asylum procedure and finally enforcement, i.e. only from Filter 3 and 4.

At the external border, measures must be intensified in border checks to identify persons who conceal their nationality and/or the airline they used.[60] At the same time, it must be ensured that the agencies responsible for border control are following a uniform set of best practices.[61] Within the territory, the systemic potential that exists to detect and prevent illegal immigration and people smuggling should be systematically utilised, and measures should be taken nationwide,[62] so as to substantially increase the probability of detecting illegal immigrants and people smugglers.[63]

Appropriate measures should be taken in the asylum procedure to reduce the number of clearly futile asylum applications[64] or to process these as quickly as possible.[65] At the same time, the number of repeat applications should be reduced by introducing negative consequences for such applicants.[66]

Potential for improvement was also found with regard to immigration law: in future, it must be ensured that the agencies issuing residence permits systematically check the authenticity of travel documents presented and that the agencies in question (whether internal or external) have appropriate know-how to do so.[67]

Finally, with regard to enforcement, efforts should be made to reduce existing redundancies and to ensure that any remaining overlapping does not hamper enforcement.[68] Specifically, this applies to the prosecution of people smugglers, which must be done more decisively and consistently, whether by changing responsibility for investigations or by improving the cantons' investigative work, including the interface to the BG for obtaining and processing intelligence.[69] In the enforcement of removal measures, uniform best practices should be adopted by all those involved.[70]

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[59] 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.

[60] Obj 3.5–1: Measures are intensified to identify persons who conceal their nationality and/or the airline they used in border checks.

[61] Obj 3.1–1: The border control agencies follow uniform best practices.

[62] Obj 4.1–2: Systemic potential for identifying and preventing illegal immigration and people smuggling is systematically utilised.

[63] Obj 4.2–1: Substantial increase in the likelihood of detection within the entire territory.

[64] Obj 4.4–1: Fewer clearly futile asylum applications are filed.

[65] Obj 4.4–2: Clearly futile asylum procedures are rejected at an earlier stage.

[66] Obj 4.4–3: The filing of multiple futile asylum applications has consequences for the individual concerned.

[67] Obj 4.3–4: Agencies that issue residence permits systematically check travel documents for forgeries and have the necessary know-how in this respect.

[68] Obj 4.3–2: Overlapping in enforcement is minimised; any remaining areas of redundancy do not hinder enforcement.

[69] Obj 0.3–2: Consistency in the prosecution and punishment of people smuggling.

[70] Obj 4.3–3: The agencies responsible for enforcing removal measures follow uniform best practices.

5.4.2.2 Harmonisation

Training

In future, the training of border control officers should follow uniform standards based on the "Common Core Curriculum (CCC) for Border Guard Training", followed by an exam with harmonised content.[71] This training must cover the two general goals of facilitating legitimate entry and ensuring that border management complies with the law and human rights principles. Also, as part of on-the-job training, official internships and exchange programmes should be promoted within the border control agencies.[72]

Equipment

A certain degree of standardisation should also be sought with regard to the equipping of border control agencies, to ensure that all border control agencies have, if not the same, at least equivalent equipment.[73] To promote greater harmonisation in terms of equipment and infrastructure, a joint committee should be created under the FOM's leadership to coordinate IT and infrastructure projects between border control agencies.[74]

5.4.3 Improved cooperation at an international level and with the private sector

Improvements are needed in international cooperation with respect to operations (Filters 1, 3 and 4) as well as strategic policy (Filter 2).

Within the first filter, the Schengen cooperation platform, i.e. cooperation between the representation offices of Schengen States in third countries, should be better utilised to obtain and distribute intelligence about illegal immigration and people smuggling.[75] Furthermore, in order to reduce the number of people who reach the external border despite not meeting the entry requirements,[76] the level of cooperation and information exchange (among other things) between border management agencies and private-sector firms should be further intensified.[77] A systematic exchange of information between Swiss and foreign border control agencies[78] and police agencies[79] should also be promoted. If necessary, this exchange should be prepared and supported at the level of strategic policy.

Finally, Switzerland should intensify its cooperation with EU States in border management at the strategic policy level and thus contribute to developing a European security architecture.[80]

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[71] *Obj 3.1–2: Staff training follows the same standards and is completed with a set of exams with harmonised content.*

[72] *Obj 3.2–3: Official internships or exchange programmes are promoted between the border control agencies.*

[73] *Obj 3.1–3: The border control agencies have the same or at least equivalent technical equipment.*

[74] *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.*

[75] *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.*

[76] *Obj 1.2–1: The number of people who reach the external border despite not fulfilling the entry requirements is reduced.*

[77] *Obj 1.2–2: Greater cooperation and information exchange between public agencies and the private sector.*

[78] *Obj 2.3–1: Formalised contact exists between Swiss and foreign border control agencies. National police conferences regularly exchange findings with other police conferences, particularly those from neighbouring countries, on the prevention of illegal immigration and people smuggling.*

[79] *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.*

[80] *Obj 2.1–1: Switzerland intensifies its cooperation with EU Member States in the development of a European security architecture.*

5.5 Ensuring sustainability

This strategy, formulated in agreement with the cantons, is submitted to the Federal Council for ratification.

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

Nonetheless, the strategy should not form the basis for fixed guidelines and must still be able 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, already in existence, will take charge of the annual review of the strategy. As this committee under FOM leadership with representatives from FCA (BG), fedpol, Zurich and Geneva cantonal police forces does not include certain members of the "Integrated Border Management» Strategy Group, it will meet once a year in an extended configuration with FDFA (CD), DDPS (FIS), VKM, KKJPD and KKPKS specifically to discuss the "Integrated Border Management" strategy.

6. Implementation of the strategy

6.1 Federal Council mandate to draft an action plan

Alongside the application for ratification of the strategy, the Federal Council will also be requested to mandate the drafting of an action plan.[81] This should define the concrete measures to be taken to attain the objectives set out in the strategy and thus guarantee its implementation.

6.2 Drafting of an action plan

Responsibility
Responsibility for drafting the action plan will lie with the "IBM Action Plan" working group (to be established), representing the same agencies that already participated in formulating the strategy.[82] Given the diverse nature of the individual objectives and thus also the measures likely to be required to achieve them, it may also be necessary to formulate individual areas of measures in subgroups. In any case, it must be ensured that the measures are drawn up by people from the relevant special areas so as to maximise their effectiveness and practical relevance.

Time frame
Although it is not possible to clearly estimate the volume of work needed to draft the action plan, it is important to define an approximate time horizon. As some of the issues involved are highly specific and yet quite delicate (particularly those concerning responsibilities and financing), it should be assumed that lengthy discussions will be necessary in certain cases. With this in mind, we should realistically expect it to take at least 18 months to formulate an action plan.

Requirements
With list of measures likely to be so varied, it should be ensured that clear responsibilities (for implementation and financing) and deadlines are defined for all measures. The individual measures should be prioritised according to their strategic relevance, cost/benefit ratio, feasibility, potential and urgency.

6.3 Implementation of the action plan

Responsibility for implementation of the action plan is to be defined in the action plan itself. Although many measures are implemented decentrally, this should be decided on a coordinated basis.

To this end, after the action plan has been drafted, the signing of a public-law framework agreement between all agencies involved should be examined. This framework agreement would govern the key points of such cooperation in implementing the action plan, and ultimately the strategy itself. This concerns issues of management, responsibilities, tasks, etc. Furthermore, as a framework agreement represents a binding consensus, this would strengthen ongoing joint efforts towards implementation.

The Border Steering Committee supports and oversees implementation of the action plan.

[81] *Supplement from 2 June 2012: By decision of 1 June 2012, the Federal Council has adopted the present Final Report and has at the same time appointed a Working Group in order to implement the strategy within the framework of an action plan (cf. Chapter 6).*
[82] *Cf. FN 81*

7. Communication

Together with the Head of the "Integrated Border Management" Strategy Group and with the input of GS FDJP, the Director of the Federal Office for Migration will decide whether and to what extent the public should be informed of the deployment, mandate, consultations and findings of the Strategy Group.

8. Enclosures

- Switzerland's IBM Model (26 January 2012)
  http://www.bfm.admin.ch/content/dam/data/migration/einreise/ibm/modell-ibm_e.pdf
- Description of Switzerland's IBM Model (26 January 2012)
  http://www.bfm.admin.ch/content/dam/data/migration/einreise/ibm/erlaeuterungen-ibm_e.pdf

ANNEX I: Overview of individual objectives by main topic groups

Numbering of individual objectives (see model):

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 0.1–1:	Results of studies flow back along official channels to the operational level (circular flow of information).
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 0.1–4:	A platform accessible to all involved agencies exists for the purpose of circulating findings in the prevention of illegal immigration.
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 0.2–2:	There is a regular exchange of information between the levels of strategic policy and operations.
Obj 3.2–1:	The border control agencies regularly exchange operational and strategic findings.
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 0.3–1:	Consistency in the gathering and evaluation of information on people smuggling in all four filters.
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 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 2.1–2:	Switzerland has a documented position regarding the further development of a national and European security architecture.
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 0.2–4:	Switzerland's assistance to the countries of origin and transit of illegal immigrants is contingent upon their adoption of measures against people smuggling.
Obj 0.2–3:	Issues regarding illegal immigration and people smuggling are given higher priority in immigration policy.
Obj 1.1–5:	The objectives of tourism promotion, business location marketing, etc. are aligned with those of visa agencies and border control agencies.

Incentives and cost compensation

Obj 4.3–1:	Enforcement practices are aligned with long-term national interests and not short-term policy guidelines.
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 illegal immigration.

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 3.3–1:	Despite computerisation, the staff in Filter 3 are aware of the need to also consider "soft" factors, such as inconsistencies in behaviour and appearance or unusual profiles.
Obj 4.3–5:	Training of investigative agencies is promoted on the subject of preventing people smuggling.
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 3.1–1:	The border control agencies follow uniform best practices.
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 4.4–1:	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 4.3–4:	Agencies that issue residence permits systematically check travel documents for forgeries and have the necessary know-how in this respect.
Obj 4.3–2:	Overlapping in enforcement is minimised; any remaining areas of redundancy do not hinder enforcement.
Obj 0.3–2:	Consistency in the prosecution and punishment of people smuggling.
Obj 4.3–3:	The agencies responsible for enforcing removal measures follow uniform best practices.

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 3.2–3:	Official internships or exchange programmes are promoted between the border control agencies.
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.

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 2.3–1:	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.
Obj 2.1–1:	Switzerland intensifies its cooperation with EU Member States in the development of a European security architecture.