

# **SRC activities to help Syrian nationals apply for a visa for Switzerland**

## **Assessment, analysis and recommendations for the SRC and the Swiss authorities**

### **Abstract**

Since the civil war broke out in Syria in 2011, the situation has significantly worsened and is becoming more and more complex. According to estimates from the UNHCR, by the end of 2014 as many as 4 million people, or more than 18% of the population, had left the country. On top of that, there are 6.5 million displaced persons within the country. So, according to the UNHCR, the Syria conflict has contributed to the fact that 2014 saw the largest number of people displaced worldwide since World War II. As the crisis escalated, on 4 September 2013 the then Federal Office for Migration (FOM) issued the directive on the "Facilitated procedure for the issuance of visitor visas for relatives of Syrian nationals living in Switzerland", followed on 4 November 2013 by related explanations.

So that as many people as possible could make use of this directive and to ensure equal opportunities for all, shortly after the directive came into force the SRC launched a project to support applicants. This project ran from September 2013 to the end of 2014. The project provided the following services:

- Information and advice
- Issuing of subsidiary financial guarantees
- Help with administrative procedures
- Help with drafting objections
- Organizing and financing flights
- Providing financial support according to subsidiary financial guarantees
- Referrals to the humanitarian aid structures in neighbouring countries bordering on Syria

On 29 November 2013, the FOM revoked the directive with immediate effect. From then on, Syrian citizens were only able to enter Switzerland legally with a humanitarian visa<sup>1</sup>. The SRC's project therefore developed into a service providing advice and help with issues relating to the humanitarian visa.

Through this project the SRC helped about 250 people who applied for visas for their family members under the terms of the directive. This is the equivalent of support for more than 2,500 people who had fled from the Syria conflict and applied for protection in Switzerland. A financial guarantee was provided for all these people.

Thanks to the support of the SRC, 1,500 people received a visa under the terms of the directive.

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<sup>1</sup> or when they were selected by the UNHCR for one of the 500 resettlement places in Switzerland available at that time.



By the end of 2014, 180 people had contacted the SRC for advice or support with humanitarian visas. This is the total number of people resident in Switzerland who had started the procedure for members of their families. If the relatives abroad are taken into account, the total is about 890 people. Thanks to support from the SRC, 82 people were granted a humanitarian visa. The SRC financed a total of 1,733 flights to Switzerland for successful visa applicants (under the terms of the directive or humanitarian visa). These flights were organized in cooperation with the International Organization for Migration (IOM). Half of the beneficiaries were female, while 60% of the flights were for underage children.

It can be concluded from the evaluation of the visa support provided by the SRC that the facilitated visa applications under the directive were effective. This measure enabled a large number of people to receive protection in Switzerland. It had positive consequences and could be applied once again to improve the access to protection for people in crisis countries. However, the measure still needs to be optimized.

Humanitarian visas are also an important instrument in ensuring that people fleeing from crisis zones are given access to protection. The SRC recommends the authorities to continue using this instrument, though with a few adaptations.

Part of the SRC's work during this project was to set up a network of partners and acquire knowledge about legal access to protection for people from crisis countries. So it will continue working in this sector. Further to the analysis of this project, it plans to pursue its work as follows:

- Continued advisory and support services for those directly concerned and their families, particularly by developing resources that make it easier for them to understand the legislation and the administrative procedures.
- Creating and developing SRC contacts with other members of the International Red Cross & Red Crescent Movement and other international organizations working in the field.
- Maintaining and advancing the confidential dialogue with the authorities to consolidate the SRC's position as the primary non-governmental organization with regard to the legal access to protection for displaced persons.
- Pursuing the SRC's lobbying and advocacy activities in this sector depending on current events.

Further to the above activities, the SRC carried out a critical analysis and on this basis made recommendations to the authorities. The SRC's primary recommendations are as follows:

- The application procedures, for both visas issued under the directive and humanitarian visas, should be standardized and the authorities and the general public should have clear information in languages understood by those concerned.
- While they are in force, special rules should neither be amended, as was the case with the explanations on the directive that were published on 4.11.2013, nor should they be repealed without prior notice. If the rules are only to be in force for a certain time, their period of validity should be made clear in advance. This would ensure legal certainty for those concerned and save the authorities any additional administrative costs.



- Everyone must have the opportunity to apply for a humanitarian visa. To ensure this, clear, transparent information must be available about the possibilities and the criteria, especially among the general public.
- The criteria for humanitarian visas should be more clearly defined.
- When checking the reasons for applying for a humanitarian visa, the situation in the refuge-seekers' country of origin should be taken into account in case the applicants only had to leave their country of origin to submit their visa application because there is no Swiss representation there. The situation in the third-party State must also be individually verified; it cannot generally be presumed that the applicants are safe there.

With regard to the Syria conflict, special rules and humanitarian visas are important instruments in gaining legal access to international protection. Other possibilities, such as granting temporary protection under Article 4 AsylG should also be considered. The SEM, in consultation with the Swiss representation abroad, should also fundamentally revise the procedures for humanitarian visas and clearly define the processing criteria for all parties.

To achieve this the SRC will continue working in this sector and lobbying at various levels for particularly vulnerable people to be granted legal access to international protection.

Please find the full report and further information under:

[www.redcross.ch/syrien-infos-schweiz](http://www.redcross.ch/syrien-infos-schweiz) (German)

[www.redcross.ch/syrie-info-suisse](http://www.redcross.ch/syrie-info-suisse) (French)

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