

# 24 November 2002 : turn away more asylum-seekers?

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# Turn away more asylum-seekers?

RENE LENZIN\*

*A people's initiative launched by the Swiss People's Party (SVP) aims to tighten asylum regulations. The Federal Council and parliament reject it. On 24 November Swiss voters will be asked to decide on this and a reform of the law on unemployment insurance*

"IF AN ASYLUM SEEKER has entered Switzerland from a safe third-party state, no application for asylum will be considered if the person has or could have applied for asylum in the third-party state." This is the clause in the Swiss People's Party (SVP) initiative that is the subject of debate in the run-up to the referendum on 24 November. The SVP believes consistent implementation of this "third-party state regulation" is the only way to remedy the calamitous asylum situation in Switzerland. The Federal Council and the majority of parliament, on the other hand, believe this is deluded since the regulation can never be implemented.

According to the Federal Council, the new regulation would affect almost all asy-

lum seekers since only a handful enter Switzerland directly from their country of origin. Moreover, Switzerland could only return asylum seekers to a country with which it has signed a re-admission agreement. However, the government does not reject the proposal completely and is currently revising the asylum law to include a third-party state clause. As with the initiative, it is up to the Federal Council to designate safe third-party states and conclude re-admission agreements with them.

In practice this will primarily involve European Union states, says Minister for Justice Ruth Metzler. Such agreements already exist with all neighbouring countries, and negotiations are currently in progress with Benelux states and Sweden. Unlike the SVP initiative, the Federal Council aims to incorporate exemption clauses, for instance for asylum seekers with close relatives in Switzerland. The reform project is currently being put before parliament.

The initiative "against abuse of asylum rights" was submitted with 125,938 valid signatures on 13 November 2000. Besides the third-party clause, it calls for sanctions against airline companies who disregard the obligation to observe entry regulations. It also stipulates that welfare benefits for asylum seekers whose application is rejected and may be deported should be reduced to the same level as those for persons who have been taken in but who have broken the law. The National Council rejected

the people's initiative by 121 votes to 38, and the Council of States by 36 to 6. With the exception of the SVP, all the major parties voted No.

## UIL: the background

The unemployment insurance law (UIL) was extended during the recession of the 1990s. Salary deductions were increased, the maximum duration of coverage was extended, and regional job centres were set up to promote re-employment. The Federal Council now proposes to return the UIL to its normal scope, i.e. to cater to an average of 100,000 unemployed persons. Salary deductions would be reduced from three to two percent and the maximum duration of coverage shortened from 520 to 400 days, with the exception of unemployed persons over 55 and those drawing an invalidity pension. In view of the bilateral accords with the EU, the Federal Council has also proposed raising the minimum time premiums have been paid before a worker can collect unemployment insurance from 6 to 12 months.

Against the protestations of the Left, these measures were approved by parliament. The two houses also decided once more to eliminate the "solidarity contribution" of high-wage earners. The Federal Council had recommended reducing this contribution from two percent to one percent of salary. This decision was the last straw: Unemployment committees, unions and left-wing parties successfully contested the referendum against a revision. Now voters are being asked to decide on 24 November. Centre-right parties are supporting the revision, while the Left and Greens oppose it.



Imagopress

Female refugee at the reception station in Chiasso.

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