



*The doctrine of multi-layered
governance:*

*The Example of Swiss Foreign Migration
Policy*



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Overview

- Doctrine of multilayered governance
- Institutional and policy coherence:
 - operational challenges
 - coherent migration governance system
- Swiss foreign migration policy
 - Tensions and challenges
 - Implementation
 - Instruments,
 - Structure and procedure (common ground)
 - Diffusion
 - Stimulation of symmetry: socialization



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The doctrine of multi-layered governance

- Different regulatory levels interact mutually:
supportive and some times conflicting
- Regulatory levels:
vertically
 - Domestic level
 - Municipality
 - Canton
 - National level
 - Regional
 - Global
- horizontally
 - Shared values and shared responsibilities

→ **Coherence** as a challenge

Lack of Coherence

Lack of institutional and policy coherence

Due to:

- Different priorities from different stakeholders
- Lack of **common structures** and adequate supportive procedures for more coherence

Effects:

- Tensions
 - Power games
- = Lack of coherence between domestic and global level



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Operational challenge

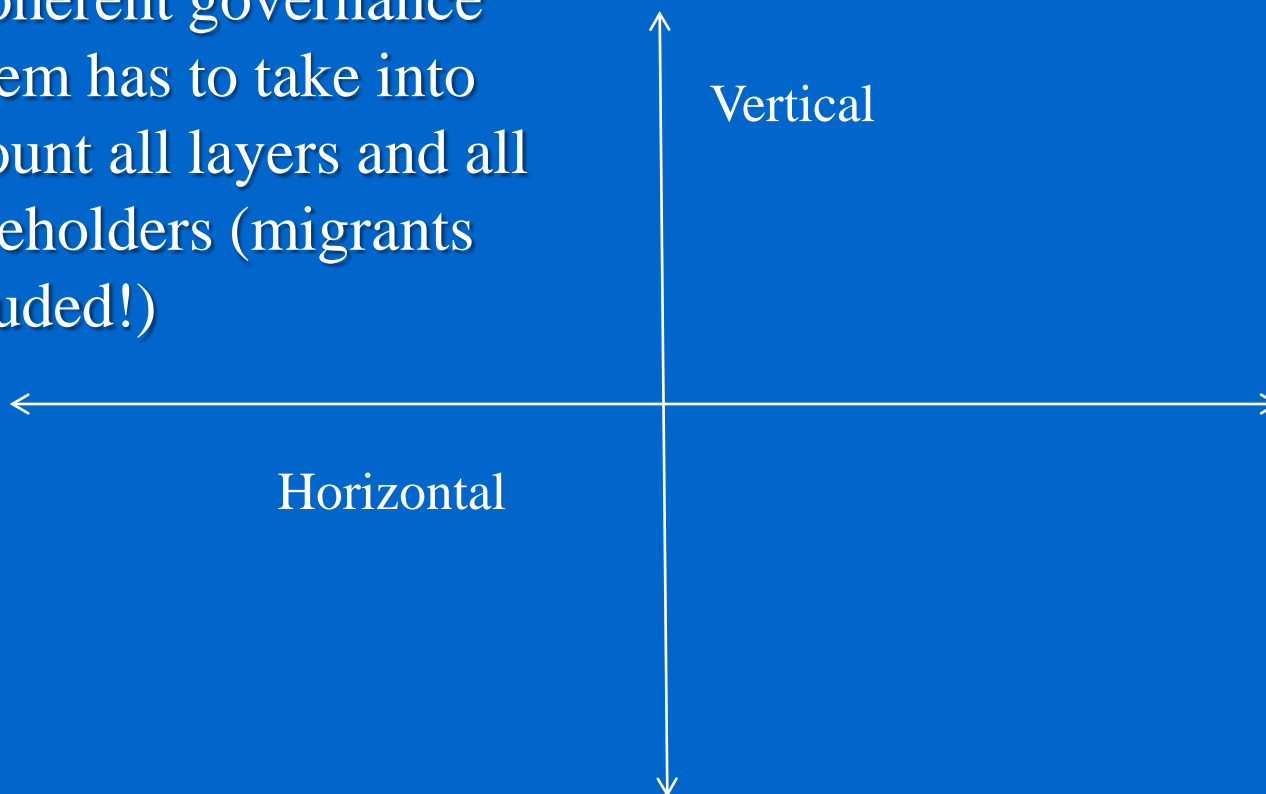
Hard law: Responsibilities almost clear, but
**no real (regulatory) duty to coherent governance
or policy**

- Operational challenge (Switzerland 2010):
 - How to balance consideration of the interests of the stakeholders?
- Find **common structures and procedures**:
 - Need of enhanced coordination to render checks and balances efficient and mutually supportive



Coherent migration governance

A coherent governance system has to take into account all layers and all stakeholders (migrants included!)





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Swiss foreign migration policy (SFMP):

Tensions:

- Migration is a complex and multicausal phenomena
- Various foreign policy interests in the field of migration:
 - Encourage regular migration as a means of stimulating the Swiss economy
 - Afford protection of refugees and migrants
 - Take steps to ensure that irregular migrants return to their countries of origin
- Migration is *per se* for some a „nasty question“: clash between protectionism (migration) and liberalism (trade)



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Challenges of SFMP

- Perception of migration: Protectionism
- Regular migration to meet the economic needs
- Irregular migration: how to manage migration flows?
- Return: readmission of own country nationals in partnercountries
- Affording protection to the migrants
- Nexus of migration and development not clear
- EU Migration policy: Switzerland geografic position
- Global governance of international migration flows: how to manage migrations flows? Is that possible? No commun structures!





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Implementation of SFMP

- New instruments based on principles of:
 - Comprehensive approach to migration (consideration of economic, social, cultural opportunities offered by migration without losing sight of its challenges) – **horizontal**
 - Closed partnerships with partner: balanced consideration of the interests of all stakeholders
 - Close interdepartmental cooperation for more coherence – **vertical and horizontal**

Instruments of SFMP

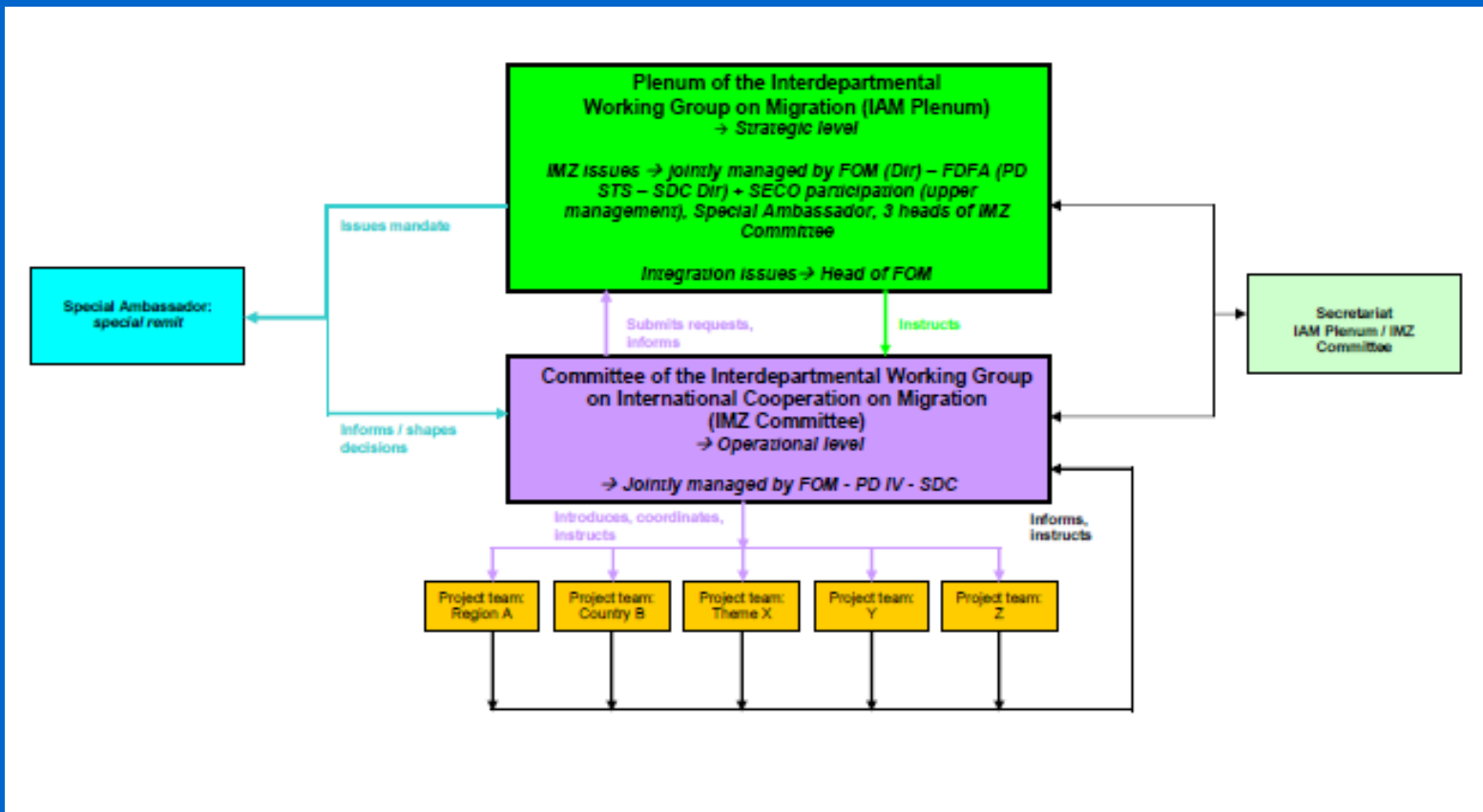
- Migration partnerships (agreements / approach)
- Protection in the Region programmes
- Regional Dialogs or Regional consultative Processes or so called RCPs (EU, ECOWAS, etc.)
- International Dialog on Migration (Global Forum for migration and Development, UN-High Level Dialog, ILO, etc)
- **Simple and clear interdepartemental structure to foster cooperation for more coherence**



Example of incoherence

- Swiss priorities 2010: Welfare and Return
 - Sri Lanka 2010: different priorities from different stakeholders
 - FOM: readmission agreement - no signature possible, no enforcement, no cooperation
 - SDC: 2,3 Mio CHF for agriculture project
- Result: No cooperation with Switzerland besides with SDC, lack of credibility and weak negotiation position
- Same situation with other countries and other issues
 - Lack of structure and procedure to solve this!

Organizational chart of the new interdepartmental cooperation structure





Common ground domestic level

- Political decision for priority:
Return/Readmission
- Migration as a transversal issue: Mobility as
common element in nearly all agreements

Diffusion

- New interdepartemental cooperation structure
 - Success:
 - Migration partnership agreement Switzerland – Nigeria
 - Migration partnership Switzerland -Tunesia
- Diffusion in GFMD
- Similar structure implemented in:
 - Philippines, Jamaica, El Salvador
 - EU Memberstates

Stimulation for symmetry

- More symmetry through so called partnership approach:
 - New interdepartmental cooperation structure results in a new setting in negotiations
 - Stimulation for the counterpart for the same setting and at least for the same domestic cooperation



Thank you for your
attention!

