Geneva Bar Association

Ukrainians fleeing the country and arriving in Geneva
Questions & answers

1. **Do people fleeing the war in Ukraine need to register their arrival/presence in Switzerland? If so, to whom should this be addressed?**

Ukrainians with a biometric passport are permitted to spend 90 days in the Schengen area (which includes Switzerland) without a visa or permit.

However, in general, in order to receive benefits like housing and many forms of social aid, it is necessary to lodge an asylum application. That said, the State Secretariat for Migration ("SEM") has suspended the processing of asylum applications lodged by Ukrainian citizens and it is expected that, in the coming days, the Swiss Federal Council will grant people fleeing the war in Ukraine the possibility to apply for temporary protection (S permit). See question 3 below for more information on the application process. The SEM also has stated that, for the time being, nobody will be deported to Ukraine.

Additionally, Geneva is in the process of seating up mechanisms to handle requests for emergency assistance from people fleeing the war in Ukraine, so it may be possible for Ukrainians to receive some forms of aid, even without having lodged an asylum application. Individuals with questions related to emergency aid will be able to contact the hotline that is being put in place by the Hospice général. This number will be communicated once the hotline has been activated.

2. **How can people fleeing the war in Ukraine receive medical assistance in Geneva?**

The *Programme Santé Migrant* is responsible for handling medical requests made by asylum seekers. It likely also will be responsible for handling all requests made by people fleeing the war in Ukraine, but a final decision regarding this has not yet been made.

The *Programme Santé Migrant* can be reached at: +41 (0)22 372 33 33. It is open Monday, Tuesday, Thursday and Friday, from 9.00 to 11h30 and from 14.00 to 17.00 and Wednesday, from 14.00 à 17.00.

Individuals with questions related to medical assistance also will be able to contact the hotline that is being put in place by the Hospice général.

3. How can people fleeing the war in Ukraine request asylum?

Asylum applications must be filed at a Swiss airport, on entry at an open border crossing or in a federal centre. There is no specific list of documents that applicants must bring with them, but if they have a passport (or other identity documents), these should be brought.

In Geneva, asylum applications can be made at the airport. The contact information is as follows:

Secrétariat d'État aux migrations (SEM)	Tel. +41 58 466 30 70
CFA Aéroport de Genève	Hotline +41 58 466 30 70
Case postale 744	
1215 Genève 15 Aéroport	

However, as noted in [question 1 above](#), the SEM has suspended the processing of asylum applications lodged by Ukrainian citizens.

If the Swiss Federal Council does decide to grant people fleeing the war in Ukraine the possibility to apply for temporary protection, an application for temporary protection made by a person already in Switzerland (or on the border) can be filed in the same manner as an asylum application (i.e. at the Geneva airport). The temporary protection interview procedure is simpler than that for asylum and, unlike an asylum applicant, a temporary protection applicant does not need to prove that they are fleeing individual persecution, only that they come under the scope of the Swiss Federal Council's temporary protection decision and that they do not pose a threat to Swiss security / public order.

That said, if during the course of the temporary protection interview, it becomes clear that the applicant is fleeing individual persecution, asylum still may be granted. Otherwise, any asylum procedure already in place will be suspended and may not be re-opened for five years (or until the Swiss Federal Council revokes its temporary protection decision).

4. Do Ukrainian citizens need to get register with the OCPM or should they wait until the Federal Council's official decision?

It is not necessary for Ukrainian citizens arriving in Geneva to register with the OCPM at this point.

Ukrainian citizens with a biometric are permitted to spend 90 days in the Schengen area (which includes Switzerland) without a visa or permit, so no action is required at this stage and these individuals may wait for the Swiss Federal Council's decision on temporary protection, which is expected to be announced on Friday.

That said, individuals in immediate need of housing, or who believe they are the subject of persecution for reasons of race, religion, nationality, membership of a particular social group or due to their political opinions, may file an asylum request at a Swiss airport, on entry at an

open border crossing or in a federal centre. However, these applications will not be treated at this time, as the State Secretariat for Migration ("SEM") has suspended the processing of asylum applications lodged by Ukrainian citizens. Further, as a general rule, individuals who file an asylum application are assigned to a federal centre and their freedom of movement is severely limited. At this point, it is not clear if this will apply to Ukrainian citizens filing asylum applications, but it is one reason that Ukrainian citizens not in dire need of housing may want to wait for the Swiss Federal Council's decision before applying for asylum or temporary protection (if the Swiss Federal Council decides to grant temporary protection).

If the Swiss Federal Council decides Friday to grant temporary protection to Ukrainian citizens, individuals who receive temporary protection will have their asylum procedures suspended. It should be noted that if the Swiss Federal Council does decide to grant temporary protection to Ukrainian citizens, these individuals may directly apply for temporary protection; it is not necessary to first apply for asylum. In principle, temporary protection may be applied for in the same manner as asylum (i.e. at a Swiss airport, on entry at an open border crossing), but as temporary protection has never before been applied, it is expected that the SEM will issue more specific guidelines Friday (if the Swiss Federal Council decides to grant temporary protection).

As a general rule, in between the temporary protection application being filed and the granting of temporary protection, the applicant could be assigned to a federal centre and their freedom of movement severely limited. Again, it is not yet clear if this will be applied to Ukrainian citizens and currently, the SEM is working with the Swiss Refugee Council and Campex to register offers from Swiss residents wishing to provide private accommodation to people fleeing the war in Ukraine.

If temporary protection is granted, the applicant is assigned to a canton. In Geneva, ordinarily, the applicant first must go to the Hospice général to be attributed housing. The Hospice général stamps the paper the applicant received from the SEM. The applicant then must go to the OCPM (*service protection, asile et retour* department) with the stamped paper to receive an S Permit. That said, the OCPM has indicated that they are awaiting confirmation from the federal authorities that this procedure will apply to Ukrainian citizens; they expect to receive such confirmation Friday.

Do Ukrainian citizens need to get register with the OCPM or should they wait until the Federal Council's official decision? (summary)

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Ukrainian citizens with a biometric are permitted to spend 90 days in the Schengen area (which includes Switzerland) without a visa or permit, so no action is required at this stage.

The Swiss authorities still are clarifying a number of aspects with regard to how asylum/international protection will apply to Ukrainian citizens, so it could be a good idea to wait a few days, in particular, to see whether the Swiss Federal Council decides to grant temporary protection to Ukrainian citizens.