Swiss Border Guard and Police: Trained for an “Emergency”? 

The “refugee crisis” in Germany has shown that when refugee immigration increases significantly, border guard forces need support. Under such a scenario in Switzerland, the Swiss Border Guard (SBG) corps would be supported by the (military) police, who, with their training, have a number of relevant capabilities. However, their deployability is limited.

By Lisa Wildi

In autumn of 2015, the German Federal Police (“Bundespolizei”, the former Federal Border Guard or “Bundesgrenzschutz”) reached its limits. They were no longer capable of controlling, transporting and registering the arriving asylum-seekers on their own. In the course of the crisis, there were recurring debates over which government authority was to take on which tasks. In Switzerland, too, parliament has repeatedly discussed since last autumn which forces should support the SBG in the case of an acute crisis. Under the “Asylum Contingency Plan” approved by the Federal Administration, cantons, cities, and communities in April 2016, the SBG corps would be supplemented by cantonal police forces and, should these not suffice, by soldiers. However, the usual areas of responsibility are to be preserved as far as possible in the case of a “refugee contingency”.

Should the SBG require support, the Federal Department of Finance (FDF), of which the SBG is a part, would request police reinforcements – initially from the canton in which assistance is required. Should this measure prove insufficient, the FDF and the Federal Department of Defence, Civil Protection and Sport (DDPS) would submit an application to the Federal Council for support by military forces. The Federal Council would then decide on the deployment of soldiers and assign troops to the SBG. Initially, it is anticipated, the SBG would be supplemented with professional soldiers from the military police force. Their job would be to protect the border guards or to assist them at border checkpoints. If this support is insufficient, militia forces would be deployed, for instance for monitoring and blocking individual sections of the border. If the auxiliary deployment of the armed forces lasts more than three weeks or requires more than 2000 troops, parliament would have to approve the deployment at its next session. In the case of a crisis involving refugees, moreover, the DDPS would also support the SBG and the State Secretariat for Migration (SEM) with troops and material in the areas of medical services, construction, logistics, and transportation. The army would continue to assist the SEM in identifying and providing shelter for asylum seekers.

Regarding the reinforcement of the SBG corps, a number of critics have warned that

If the border guard corps reaches its limits, it will receive support from the police in the first instance. The tasks the police forces were to take on would be determined by their level of training. D. Balibous / REU
The civil protection services, which include the fire brigade, the Technisches Hilfswerk (Federal Agency for Technical Relief), the Red Cross, and other relief organizations, took responsibility for preliminary medical services, and provided food and clothing. A great number of volunteers supported the relief efforts.

Switzerland: Existing Cooperation

In Switzerland, although the SBG and the military police (Militärische Sicherheit, Milit-Sich) and the SBG and the police cooperate during everyday work, collaboration is not part of their basic training. Under the Federal Constitution, the armed forces may give support to the civilian authorities in warded off significant threats to internal security and managing other exceptional situations. Under the Military Act, the army can extend support if requested by the civilian authorities. Inter alia, soldiers may be deployed for the protection of individuals and certain installations which are in need of special safeguard, for managing disasters, and for the fulfillment of other tasks of national significance. Support is given in accordance with the subsidiary principle, i.e., only if the civilian authorities are no longer able to handle the tasks entrusted to their responsibility.

Cooperation between the SBG corps and the cantonal police forces has also been intense in recent years. It has been governed by cooperation agreements, which were prompted by the expansion and transformation of the SBG’s tasks in recent years due to Switzerland’s accession to the Schengen/Dublin Agreement in 2008. Ever since, the border guards have been active not just at the immediate border, but also in the rear areas further inland, necessitating arrangements and coordination with local police forces. In everyday life, cooperation between police officers and border guards has become a matter of routine. The SBG frequently supports the cantonal police forces in border regions. Today, border guards carry out traffic controls and administer breathalyzer tests, check compliance with work and rest period regulations, and secure crime or accident scenes in cases of burglary, domestic violence, or car crash. Moreover, the professional military police units also extend sporadic support to the SBG and the cantonal police corps for traffic control or identity checks. Under a new draft of the military law, they would be permitted to give ad-hoc assistance to civilian police and the SBG corps.
The intense cooperation between police and border guards and the similarities in their everyday work are also illustrated by the latest research, soon to be published in the “2016 Bulletin on Swiss Security Policy”. Cantonal police officers and border guards already cooperate quite closely compared to other official state institutions in the field of security policy; the threats they combat are largely identical. Petty crime, violence against life and limb, traffic violations, and migration-related problems are of equal concern to the police and the border guards. However, in addition to these challenges, border guards also deal with terrorism, human trafficking, arms trade, and money laundering. For the cantonal police forces, hooliganism poses an additional challenge.

Training of Police and Border Guards

A comparison of professional trainings can be restricted to training of the police and border guard, since those members of the military police who handle traditional police tasks within the military – i.e., the members of the Territorial Military Police (TerMP) – have undergone the same civilian police training course since 2010. Moreover, TerMP members who were trained pre-2010 have since also passed their professional examination as police officers. This allows them to transfer to a civilian police force. Members of the Mobile Military Police (MobMP) force, who are trained as security specialists within the armed forces, will not be taken into consideration in the following. The SDBR and SDMP militia units, which would be activated in case of war, consist mainly of civilian police officers willing to serve in the military in this format, even though they are not subject to conscription as members of the police. Conversely, Military Police Battalions 1 and 2 include only few civilian police officers (cf. illustration, p. 2).

Basic training is very similar for the police force and the border guards, both in terms of substance and structurally, and both impart skills that would be applicable in case of an “asylum contingency”. For instance, in both cases, trainees are taught how to carry out identity checks, how to demand papers, how to search people for dangerous substances and structurally, and both impart legal instruction. Both the police cadets and the trainees of the SBG attend lectures on criminal law, the code of criminal procedure, traffic law, and laws on firearms or foreign nationals. However, border guards receive more comprehensive instruction in the latter. Police and border guards also acquire legal expertise that is specific to their respective areas of work. Police cadets, for example, study the requirements for the use of coercive measures by the police, as well as alcohol legislation or the Swiss Environmental Protection Act. Meanwhile, border guards trainees deal with matters pertaining to customs and excise legislation, such as assessment procedure, customs ordinances, or transport levies. Other matters of specific relevance to the border guards are inspection of documents, international search and arrest warrants, and general customs-related studies such as the Schengen/Dublin Agreement, the procedure of asylum cases, and the granting of residence permits. A border guard will therefore be familiar with entry requirements, readmission agreements, or policing treaties with neighboring countries. Unlike a police officer, a border guard will be able to assess whether a given person is authorized to enter the country or not.

Structurally, basic training lasts one year for both groups, concluded by a federal di-
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matters related to customs, document inspection, criminology, operational tactics, providing security, and search and rescue operations. During these first two years after completing their basic training, border guards work in two of three future work environments (mobile forces, rail, airport). In police forces, too, it is customary for novices to be sent to different stations for introductory programs or trainee placements. Similarly, military police officers are familiarized with the organization, rules, and regulations as well as the equipment of their corps over several months of training. However, police officers do not receive three years of training like their colleagues in the SBG.

Beyond the similarities and subtle differences regarding the content and structure of basic training, it is remarkable how both police and border guard officers share a similar esprit de corps as well as similar ideas about how security is (re-)established and maintained. However, due to the many differences between their respective mandates, they have different conceptions about their tasks. Border guards regard themselves as “hunters” seeking out persons who have violated customs or immigration law. Police officers, on the other hand, will rather regard themselves as “problem solvers” who are notified about violations of laws and emergencies or come across them on patrols, and whose job it is to register or to sanction such incidents or to help those afflicted.

Possibilities and Limitations

Both police and border guards are trained for the challenges of a “refugee crisis” and have the necessary experience in cooperation. Theoretically, with the training they have received, police officers and members of the TerMP would even be capable of supporting the SBG in more areas than currently anticipated; for instance, in upholding public order, registration, or initial psychological assistance to asylum-seekers. The common denominators of security provision, conflict and crisis management, the legal foundations, and the shared understanding of how security is established and maintained provide opportunities for close cooperation. In practice, the cantonal police forces and especially the TerMP would soon run out of sufficient personnel to take on all the duties described or to extend long-term support to the SBG. Officers cooperating with the SBG along the frontier will be absent elsewhere. Moreover, (military) police officers lack the customs-specific knowledge about entry permits and asylum processes and would require further training in these areas. Also, in Switzerland as in Germany, many jurisdictional matters and tasks are set in legislation. For instance, the armed forces are subject to an ordinance setting out the tasks that military forces, including the military police, may carry out at the border. This means that a police officer or member of the TerMP, due to legal restrictions and lack of border-specific training, would indeed not be able to take on all the duties of a border guard, and vice versa. However, due to the existing similarities in their training and their frequent collaboration in many areas, (military) police officers would be able to support the SBG corps in an emergency situation.

Lisa Wildi is a researcher at the Center for Security Studies (CSS) at ETH Zurich. Among other publications, she is the co-author of Vom Landjäger zum modernen Ordnungshüter: Die Polizeiausbildung in der Schweiz (forthcoming).