



Kanton Zürich  
Sicherheitsdirektion  
Migrationsamt

# Sans-Papiers

Foreign national without  
identification documents



**Sans-Papiers** are persons who have been in Switzerland for longer than one month without a right of residence and who plan to remain for an indeterminate period.

**Sans-Papiers can be granted a residence permit in cases of serious personal hardship.**

**A permit in cases of hardship is an exception and is always subject to individual assessment.**

**This brochure informs you of all of the requirements that have to be met.**



# Requirements for granting a permit in cases of hardship:



Disclosure of one's identity with a valid identification document from one's home country (passport)



Period of residence in Switzerland lasting several years (at least 10 uninterrupted years for individuals, at least 5 years for families). The period of residence can be proven by rental agreements, employment contracts, health insurance fund accounts or similar documents.



No criminal record (exception: violations of the Foreign Nationals and Integration Act in connection with the illegal residence).



Stable economic circumstances (regular employment with sufficient income for economic independence).



No debt enforcements or outstanding certificates of loss.



Recognised proof of language proficiency with A2 level certificate in German.



Good social integration in Switzerland (contact network, participation in social life such as community centres or clubs).



Unreasonableness of reintegration in the country of provenance.

# Basic vocational training for young Sans-Papiers

Young Sans-Papiers may be granted a residence permit under the following conditions to allow them to receive basic vocational training:



Disclosure of one's identity with a valid identification document from one's home country (passport)



5 years of uninterrupted compulsory education in Switzerland. Participation in transitional options will be taken into account.



Submission of the application within twelve months of terminating the compulsory education or transitional option.



Application by an employer with an employment contract in which the working conditions pursuant to Art. 22 FNIA are satisfied.



No violations of the legal system (exception: violations of the Foreign Nationals and Integration Act in connection with the illegal residence).



No debt enforcements or outstanding certificates of loss.

# Procedure

Sans-Papiers can submit the application for consideration of a hardship case to the Migration Office of Canton Zurich. The identity of the applicant and the criteria listed on P.3 must be substantiated in the application.

The Migration Office submits its decision on the application for consideration of a hardship case to the Commission for Cases of Hardship for comment if the applicant has never passed through a permit procedure under asylum or foreign nationals law (§ 1 of the Ordinance with respect to the Commission for Cases of Hardship). If the Commission's recommendation differs from the Migration Office's judgement, the final decision shall be taken by the Head of the Department of Security.

A positive decision must be submitted to the State Secretariat for Migration (SEM) for approval. If the SEM agrees to the granting of a residence permit, this can be issued. A negative decision can be contested by the proper legal means.



## Further information on the law on foreign nationals

More detailed information on the law on foreign nationals can be found in the directive of the Migration Office of the canton Zurich at [www.zh.ch/ma](http://www.zh.ch/ma).



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