

Washington, DC, October 8, 2010

The Honorable Mike Crapo  
U.S. Senate  
239 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Senator Crapo,

I write to you in response to your letter in which you and other like minded members of Congress express your concerns about our Government's future policy, effective in 2012, regarding the admission of missionaries from The Church of Jesus Christ of Latter-day Saints to Switzerland.

As you noted in your letter, the LDS Church has had a presence in my country since 1850, when it started its missionary work in Geneva and subsequently expanded its presence in 1853 to Bern, where it placed its first temple in Europe. Based upon our best available information, there are approximately 8,000 members of the LDS Church in Switzerland today.

In response to your writing, we have made several inquiries with our Department of Justice and Federal Office of Migration back home and can now provide you with the following update. The 2012 regulations which will essentially prohibit US missionaries from the LDS Church from performing their missionary service in Switzerland stem not from a concern about their competition with similarly situated Swiss nationals, but from across-the-board changes in our immigration laws. These changes reflect the bilateral accords that came into force in 2002 between the EU and Switzerland, which differentiate between European nationals and non-European nationals in their access to Switzerland.

Although, as you know, Switzerland is not a member of the EU, our bilateral accords with the EU increasingly provide for greater conformity and compatibility with relevant European laws, including those governing entry and access to Switzerland. Indeed, similar constraints have on occasion been experienced by members of the US business community seeking to repatriate their families to our country because the annual quota of available work and residence permits has been exceeded. This differentiation in our immigration laws between EU and non-EU nationals (including the US) frequently raises difficult issues for us and we try to address them as best we can.

As far as religious caregivers and missionaries specifically are concerned, our Federal Act on Foreign Nationals, which went into effect in 2008, and relevant regulations, have established that missionary work is considered as being for gainful employment and therefore subject to certain formal theological training. These two

elements apply to members of all religions. Given the temporary nature of the missionary work undertaken by Mormon missionaries and because of their lack of formal theological training, however, court decisions have found that these two provisions are not met. As a result, a transition arrangement has been agreed upon under which a maximum of 80 LDS missionaries in 2010 and 50 LDS missionaries in 2011 can enter Switzerland. As of 2012, there would be no future admissions of missionaries of any denomination from any third party states.

This is the situation as it currently stands. Certainly, as in the United States, laws can be amended and regulations can be changed but it will be up to the relevant communities involved to initiate those changes.

I very much appreciate your expression of interest in this matter which has been communicated to the relevant members of our government back home.

I trust that the recent meeting between Ambassador Don Beyer, Mr. Alard du Bois-Reymond, Director of the Federal Office for Migration, and Mr. L. Edgson as well as Mr. E. Weidmann of The Church of Jesus Christ of Latter-day Saints, allowed for a productive discussion which will possibly shed some light for a future solution.

It has been my pleasure to work closely with you over the last four years on issues of mutual interest to Switzerland and the United States. As I prepare to leave Washington, I want to express my gratitude for the openness and candor with which we have been able to work together on matters of common interest. I will certainly brief my successor about your interest in this issue and will ask him to keep you apprised of any changes, when and if they occur

Sincerely,



Urs Ziswiler