Federal Council reports on the best interest of the child

The Federal Council concluded in a report that the current legal framework adequately takes into account the best interests of the child in the areas of asylum and foreign nationals law.

The report, commissioned by the National Council, also emphasises that further practical improvements are still needed, particularly in procedures, accommodation, care and education.

According to the report, progress has been made by the State Secretariat for Migration (SEM) and cantonal authorities in supporting unaccompanied minors. Their asylum applications are prioritised and they are assigned a trusted representative to safeguard their interests throughout the procedure.

Improvements have also been achieved in raising awareness and strengthening the skills of professionals working with children. However, the report identifies remaining gaps, including the need for a standardized procedure to assess the best interests of the child, as well as further enhancements in accommodation and care arrangements for children and adolescents.

The report confirms that Switzerland has the necessary legal foundations to implement the core guarantees of the UN Convention on the Rights of the Child. Building on this, the Federal Council intends to focus on practical measures. It has tasked the Federal Department of Justice and Police (FDJP) with establishing a working group to examine concrete issues related to the best interests of the child in migration matters across all levels of government.

The report responds to a parliamentary request submitted by National Councillor Samira Marti (Postulate 20.4421). To address the issue, the SEM commissioned an external study and set up a broad advisory group involving representatives from cantons, municipalities, international organisations, civil society and federal authorities.

Source(s)

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.
Document generated on 25-11-2026
For more information, please contact: ias@euaa.europa.eu

- Federal Council | Der Bundesrat | Conseil fédéral | Consiglio federale (1 April, 2026), Garantir le bien de l’enfant dans le cadre du droit de l’asile et des étrangers [Guaranteeing the welfare of the child within the framework of asylum and alien law], https://www.admin.ch/fr/newnsb/VmRt6ByiYYfxCH7GjmH12
- Federal Council | Der Bundesrat | Conseil fédéral | Consiglio federale (1 April, 2026), [Report of the Federal Council on the implementation of postulate 20.4421 Marti Samira of 8 December 2020], https://cms.news.admin.ch/dam/fr/der-schweizerische-bundesrat/stQbN2PtlczN/260401-ber-br-kindeswohl-asyl-auslaenderrecht-f.pdf

Date of development
01.04.2026
Country
Switzerland
Thematic area(s)
Applicants with special needs, Unaccompanied minors
Development type
Publication

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.