SEM may analyse asylum seekers' electronic data

From 01 April 2025, the SEM will be authorised to analyse electronic data belonging to asylum seekers. This measure, approved by the Federal Council in May 2024, involves amendments to the Asylum Act and related ordinances.

The new procedure will be applied only when an applicant’s identity, nationality, or travel route cannot be otherwise verified. In roughly 50% of asylum cases, the applicant’s identity cannot be definitively established. The SEM may therefore access data from mobile phones, computers, or other electronic devices of asylum seekers.

Applicants are legally obliged to cooperate with this process as part of their asylum procedure and potential deportation proceedings. However, the SEM must always ensure that any data analysis is necessary and proportionate to its objective.

A three-month pilot phase will first be conducted at the federal asylum centers in Basel and Chiasso. After evaluation of the pilot’s results, the practice may be expanded to all federal asylum centers involved in processing asylum applications.

Source(s)

- State Secretariat for Migration | Staatssekretariat für Migration | Secrétariat d’État aux migrations | Segreteria di Stato della migrazione (25 March, 2025), Possibilité d’analyser les supports électroniques de données des requérants d’asile à partir du 1er avril [Possibility of analysing the electronic data carriers of asylum seekers from 1 April], https://www.news.admin.ch/fr/nsb?id=104629

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Switzerland
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