Applicants with special needs - Switzerland

Overview

Content updated on: 18/06/2025

Relevant EU legislation

Switzerland is not bound by the recast Asylum Procedures Directive. A similar national legal framework applies, Asylum Act | Loi sur l'asile, (26 June 1998)

National legislation

Asylum Act | Loi sur l'asile, (26 June 1998)

Competent authority and other stakeholders

State Secretariat for Migration | Staatssekretariat für Migration | Secrétariat d'Etat aux migrations | Segreteria di Stato della migrazione

Training initiatives

Information is currently not available.

Special needs in reception

Identification of special needs

The law does not foresee any mechanism requiring authorities to systematically identify vulnerable persons. Applicants are obliged to state any known health issues during the preparatory phase, which might be of relevance for the

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procedure (Asylum Act, Article 26a). Official instructions which are available concern vulnerability in the framework of the personal interview and assessment of the asylum application.

All cases are individually assessed. In the Swiss legislation there is only the obligation of identification of victims of human trafficking.

Referral of applicants with special needs

Information is currently not available.

Reception and care of applicants with special needs and vulnerabilities

Information is currently not available.

Reception facilities and other housing arrangements

Housing arrangement

Accommodation in a reception centres is provided by taking into account differences and needs for man and women, families, pregnant women, minors. Mixed rooms are not permitted.

The Swiss Accommodation Operating Plan (PLEX) offers provisions on how to approach asylum applicants and identity signs of sexual violence or sexual exploitation in order to offer adequate support. personnel in the Federal reception centres have to provide information and support to all asylum applicants accommodated.

Assistance for traumatised asylum seekers offered by NGOs and CSOs, specially for victims of torture and war.

In 2020, SEM implemented a project to recruit social educators at the asylum centres to provide daily assistance to UAMs. Additionally, a Concept for Vulnerable People was developed, the quality standards were adapted and the Operational Manual was reviewed for the first time. (source: Reception Network NCP meeting, June 2020).

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SEM designed internet-based mental-health help and support services for asylum seekers in March 2020.

In all federal and cantonal centres there are caretakers to support the persons in daily affairs and inform about daily life necessities. (social assistance applies for all applicants, not only vulnerable).

Location

Information is currently not available.

Specific needs and safety

Information is currently not available.

Detention of vulnerable persons and applicants with special reception needs

Article 81(3) FNA requires taking into account the specific needs of vulnerable groups in the detention arrangements, notably the needs of vulnerable persons, unaccompanied children, and families with children. In these cases the detention arrangements are otherwise governed by Article 16 paragraph 3 and Article 17 of the EU Return Directive (2008/115/EC).

Reception of unaccompanied minors

Information is currently not available.

Reception facilities and other housing arrangements

Housing arrangements

Information is currently not available.

Location

Specific reception centres for UAM in:

- Vaud, Berne, Zurich, Basel, Losone, Argovia, Kriens, and Schwyz

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- Other specialised reception centres to be set up in all cantons (SEM request)

Specific needs and safety

Information is currently not available.

Age assessments

Article 7(1) of the Ordinance 1 on asylum concerning the procedure underlines that the authorities may turn to the use of scientific methods to determine whether the indicated age of the applicant corresponds to their real age. The age assessment typically takes place during the preparatory phase of the procedure.

Access to education

Education is compulsory for all children under 16.

Between 16-18 based non-compulsory measures adopted by cantonal and communal authorities and no vocational training available

Access to healthcare

Information is currently not available.

Transition to adulthood

Information is currently not available.

Detention of unaccompanied minors

According to Article 80(4) FNA, in no event may any detention order be issued in respect of children, including UAMs, under 15 years old.

Special procedural guarantees

First instance determination for applicants with special needs

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Information is currently not available.

Access to information

Information is currently not available.

Personal interview

Information is currently not available.

Legal assistance

Applicants receive multilingual information brochures, watch a video about the procedure and its steps and are entitled to free legal assistance only after filing the application, at the start of the preparatory phase, when arriving to the assigned federal asylum centre with processing facilities.

Guarantees for unaccompanied minors

In the framework of the Swiss Civil Code, Article 19(2), filing an asylum application is strictly personal and access to the asylum procedure is guaranteed for all minors, regardless of their age and intellectual maturity (*capacité de discernement*).

Making, registering and lodging an asylum application

Each minor reaching a sufficient level of intellectual maturity - allowing them to understand the reasons, steps and consequences of the asylum procedure - may file an application either in person or through a representative. Usually a minor is considered to have reached this level of maturity by the age of 14. Minors below this age and maturity can file their application in a valid manner only through a representative.

Information provision

Best interests of the child in the Dublin procedure

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Personal interview

Legal representation during the asylum procedure

Legal assistance and counselling

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