

Input by civil society organisations to the Asylum Report 2026

Dear Colleagues,

The production of the *Asylum Report 2026* is currently underway. The annual [Asylum Report](#) presents an overview of developments in the field of international protection in Europe.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share your reporting on developments in asylum law, policies or practices in 2025 by topic as presented in the online survey (**'Part A' of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2025 on issues related to asylum in EU+ countries (**'Part B' of the form**).

These may be:

- reports;
- articles;
- recommendations to national authorities or EU institutions;
- open letters and analytical outputs.

Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage and contributing organisations will be listed under the [Acknowledgements](#) of the report.

All contributions should be appropriately referenced. You may include links to supporting material, such as:

- analytical studies;
- articles;
- reports;
- websites;

- press releases;
- position papers.

Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

NB: Similarly to last year, this year's edition of the Asylum Report will be leaner and more analytical, with streamlined thematic sections. The focus will be on key trends in the field of asylum rather than on individual developments. For this reason, information shared by respondents to this call may be incorporated in the Asylum Report in a format different than in the past years. It will also feature prominently as info boxes in the **country overviews**.

Your input matters to us and will be much appreciated!

*Please submit your contribution to the Asylum Report 2026 by **Friday, 9 January 2026**.*

Contact details

Name of organisation: Swiss Refugee Council (SRC)

Name and title of contact person: Adriana Romer

Email: adriana.romer@osar.ch

I accept the provisions of the EUAA [Legal and Privacy Statements](#)

General Observations

Preliminary remark: The general information on the Swiss asylum system as well as the legal basics and explanations are to be found in the yearly update of the AIDA report¹ on Switzerland, written by the Swiss Refugee Council (SRC).

Before sharing information by thematic area, please provide your general observations on asylum developments as indicated in the following three fields:

1. What areas would you highlight where important developments took place in the country/countries you cover?

Change of practice regarding Afghanistan: In March 2025, the State Secretariat for Migration (SEM) announced it would alter its practice regarding men from Afghanistan from mid-April 2025 onwards: Although it continues to assume that removal is generally unreasonable, returning non-vulnerable men to Afghanistan is considered reasonable in exceptional cases if the circumstances are favourable. The person concerned must be residing in Switzerland without family, be over the age of 18 and in good health. They must also have a stable and sustainable network of relationships in their home country that enables them to reintegrate socially and find work. Women, families, minors and people with health problems are not affected by this change in the SEM's practice.² The Swiss Refugee Council [SRC] has strongly criticised this change in practice.³

¹ AIDA report on Switzerland, available in English at : <https://asylumineurope.org/reports/country/switzerland/>.

² More information on this can be found [here](#) (English).

³ SRC, media release of 2 April 2025 in [German](#) and [French](#).

Removals to Afghanistan: To facilitate returns of Afghans with a criminal record, the Swiss government flew in four persons of the Taliban regime to Geneva in August 2025.⁴ Specifically, the issue in Geneva concerned eleven Afghan nationals with criminal convictions and two voluntary returnees whom the delegation was tasked with identifying – as a first step towards the issuance of travel documents. According to the SEM, the identification process was successful for ‘the majority’ of the 13 Afghans. This collaboration with the Taliban regime was criticised by civil society.

Removals to Türkiye: Following the change of jurisprudence in 2024⁵, the practice became more restrictive in 2025 and more asylum applications based on criminal proceedings in Türkiye were rejected. Some of the individuals who were returned were immediately detained upon arrival in Türkiye. Despite being aware of these cases, the SEM continued to issue return decisions for asylum seekers who based their claims on allegedly politically motivated criminal proceedings. The SRC criticised this practice.⁶

Ukraine – prolongation of status S: In response to the ongoing instability in Ukraine, the Federal Council decided at its meeting of 8 October to extend protection status S—Switzerland’s temporary protection status, comparable to the EU’s Temporary Protection Directive—for persons seeking protection from Ukraine until at least 4 March 2027. The support measures accompanying this status will likewise remain in force until that date.⁷ Following a parliamentary decision adopted in December 2024, the SEM designated seven Ukrainian regions to which return is deemed “reasonable”.⁸ The SRC criticised this assessment, considering the classification of any Ukrainian region as safe to be misguided. In its view, no region in Ukraine can currently be regarded as safe.⁹ The SRC further criticised the Federal Council for yielding to political pressure rather than basing its decision on an objective assessment of the security situation.¹⁰ In addition, it considers the new restriction limiting persons holding protection status S to stays in Ukraine of no more than 15 days per half-year¹¹ —replacing the previous allowance of 15 days per quarter— to be entirely unnecessary.

⁴ SRF, Taliban-Regierungsbeamte in der Schweiz – für Rückschaffungen, 22 August 2025, available in German.

⁵ FAC, E-1308/2023, 19 March 2024; FAC, E-4103/2024, 15 November 2024.

⁶ SRF, Von der Schweiz abgewiesen – in der Türkei inhaftiert, 4 December 2025, available in German [here](#).

⁷ SEM, media release of 8 October 2025, No lifting of protection status S. The list of the regions where return is supposed to be reasonable can be found at [FAQ for refugees from Ukraine](#), question “Does protection status S apply to the whole of Ukraine?”.

⁸ SEM, media release, 25 June 2025, Schutzstatus S soll angepasst werden.

⁹ SRC, media release of 15 August 2025, Schutzstatus S: Es gibt keine «sicheren» Regionen in der Ukraine, available in German.

¹⁰ SRC, media release of 8 October 2025, Keine sicheren Regionen in der Ukraine: SFH kritisiert Fehlentscheid des Bundesrats.

¹¹ SEM, media release of 25 June 2025, Schutzstatus S soll angepasst werden.

Forced returns to Burundi : In 2025, the Swiss authorities attempted to forcibly return rejected asylum seekers to Burundi. One forced return was confirmed, carried out by the authorities in the canton of Geneva.¹² This was a return journey on a scheduled flight - no special flights appear to have been planned to Burundi to date. According to the information of the SRC, the person concerned was reportedly questioned at length upon arrival at Bujumbura airport and is living in hiding for fear of further persecution. Other attempts at forced returns by scheduled flight took place, but the individuals were not ultimately returned. However, the national and cantonal authorities appear to be increasing pressure on Burundian nationals, which has led to the mobilization of the Burundian community in Switzerland and various organizations active in the field of asylum.

2. What are the areas, where only few or no developments took place?

No significant changes have been made in the treatment of 'vulnerable' asylum seekers, such as minors, LGBTQI+ individuals, women, victims of torture, and others. This is regrettable, as the practices concerning these groups remain considerably behind international standards. The same applies to the implementation of the Dublin Regulation, which remains relatively consistent, albeit controversial and restrictive.

3. Would you have any observations to share specifically about the implementation of the Pact on Migration and Asylum in the national context of the country/ countries you cover?

Changes in the laws: On 7 October 2025, the Federal resolution on the approval and implementation of the exchange of notes between Switzerland and the EU concerning the adoption of Regulation (EU) 2024/1351 on asylum and migration management and Regulation (EU) 2024/1359 on the management of crisis situations and situations of force majeure in the field of migration and asylum of 26 September 2025 was published.¹³ The Swiss Refugee Council [SRC] participated¹⁴ in the consultation process¹⁵.

Changes in the regulations: The consultation process regarding changes in different regulations in national law took place in 2025,¹⁶ the SRC participated.¹⁷

¹² See State Secretariat for Migration (SEM), Asylum statistics, November 2025, 7-30: Processus Asile et soutien au retour Asile: entrées et sorties, *Année en cours 2025*, 11.12.25.

¹³ See BBl 2025 2902 - Bundesbeschluss.

¹⁴ SRC, Approbation et mise en œuvre des échanges de notes entre la Suisse et l'UE sur la reprise des règlements (UE) 2024/1351, (UE) 2024/1359, (UE) 2024/1349, (UE) 2024/1358 et (UE) 2024/1356 (pacte européen sur la migration et l'asile) (développements de l'acquis de Schengen et de l'acquis « Dublin/Eurodac») Réponse de l'Organisation suisse d'aide aux réfugiés (OSAR) à la procédure de consultation, 14 novembre 2024.

¹⁵ Federal Council, media release of 14 August 2024, Le Conseil fédéral ouvre la consultation sur la reprise du pacte européen sur la migration et l'asile (available in [French](#) and [German](#)).

¹⁶ SEM, information, *Verordnungsanpassungen aufgrund der Übernahme des EU-Migrations- und Asylpakts*.

¹⁷ SRC, *Verordnungsanpassungen aufgrund der Übernahme des EU-Migrations- und Asylpakts, Vernehmlassungsantwort*, 13 October 2025.

PART A: Contributions by topic

Please share **your reporting on developments in asylum law, policies or practices in 2025 by topic**. Kindly make sure that you provide information on:

- ✓ New developments and improvements in 2025 and new or remaining challenges;
- ✓ Changes in legislation, policies or practices, or institutional changes during 2025.

- 1. Access to territory and access to the asylum procedure** (including first arrival to territory and registration, arrival at the border, application of the *non-refoulement* principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

Moratorium on decisions regarding Syria: In August 2025, the State Secretary for migration (SEM) informed stakeholders by email that the moratorium on decisions concerning asylum applications from Syrian nationals, imposed in December 2024, would be lifted as of 1 September 2025, for vulnerable persons without claims relevant to refugee law and for persons who have committed serious crimes in Switzerland or who pose a threat to Switzerland's internal or external security (Article 83 para. 7 FNIA). Applications will be dealt with on a case-by-case basis. The SEM continues to monitor the situation in Syria closely and will resume decision-making for other persons from Syria at a later date. According to the information available to the Swiss Refugee Council (SRC), only provisional admissions (F permits) have been granted so far, and no substantive decisions on asylum claims have yet been issued.

From 1 April 2025, asylum seekers in Switzerland may be required to hand over **mobile phones** and electronic devices to SEM to verify identity, nationality, or migration routes, under a pilot project in Chiasso and Basel. The SRC strongly criticises the measure, raising concerns about proportionality, privacy violations, and potential impacts on credibility assessments, and calls for greater transparency regarding its evaluation.¹⁸

- 2. Access to information and legal assistance** (including counselling and representation)

The **24-hour procedure**, which applies to applicants with very low recognition rates (Morocco, Algeria, Tunisia, and Libya), presents significant challenges for the legal representatives assisting asylum seekers. The particularly short deadlines make it difficult for legal representatives to provide adequate assistance and support to the applicants.

¹⁸ SRC, media release of 27 October 2020, [Privatsphäre von Asylsuchenden muss gewahrt werden](#).

Joint charter¹⁹ for strengthening legal protection in asylum procedures: Six years after the introduction of the restructured asylum procedure in Switzerland, 13 organisations have established joint guidelines for legal protection work for the first time. The charter, initiated by the Swiss Refugee Council (SRC), aims to strengthen legal protection in asylum proceedings in the long term.²⁰

For forms of **administrative detention** that are not based on the Dublin III Regulation, legal assistance at the first judicial review is required only if the case is particularly complex in terms of fact or law. Free legal representation is otherwise available only after three months of detention, provided that the person concerned is indigent and has applied for such assistance. This limited access to free legal assistance is problematic, as the first detention review examines the fundamental prerequisites for detention, and the disadvantages resulting from the absence of legal representation at this stage can hardly be remedied at a later point.²¹

An alarming development are **Strategic Litigation Against Public Participation (SLAPP) proceedings** against NGOs providing legal assistance to asylum seekers. In a detention case, a judge of a cantonal compulsory measures court accused the NGO Asylex of abusing the proceedings by filing an allegedly futile application for release from detention and of generally exploiting and instrumentalising foreign nationals for its own purposes, prioritising political objectives over individual protection. The judge even ordered that procedural costs of CHF 2,000 be imposed personally on two of the acting lawyers. In March 2025, the Federal Supreme Court dismissed these accusations and overturned the decision ([2_C_109/2025](#)), emphasising that the reasoning contradicted the facts of the case and was based on generalised criticism of Asylex's activities. The case illustrates judicial attempts to undermine asylum seekers' right to legal counsel.

- 3. Provision of interpretation services** (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

-

¹⁹ Available in German and French.

²⁰ SRC, media release of 2 December 2025, available in German.

²¹ See also, SBAA Fachbericht: «Weggesperrt – Die ausländerrechtliche Haft in der Schweiz» (2025).

- 4. Dublin procedures** (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

The practice of the Swiss authorities, particularly the State Secretariat for Migration (SEM) and the Federal Administrative Court (FAC), remained restrictive in Dublin cases in 2025

Family Criteria: The family criteria were applied narrowly, with strict interpretations regarding effective relationships and the definition of family members.

Vulnerabilities: Vulnerabilities were insufficiently considered, especially those that are not immediately visible, such as psychological illnesses. See for instance the UN-CEDAW decisions against Switzerland, No. 169/2021, and 171/2021 (more information below), regarding the return to Greece of two women who were survivors of sexual and gender-based violence.

Mutual Trust: The principle of mutual trust between Dublin countries was rarely questioned. Despite reports that should have raised doubts, the FAC seldom conducted its own research into conditions in other Dublin countries and rarely instructed the SEM to carry out in-depth investigations.

Greece: In August 2024, the SEM issued several Dublin decisions to Greece. To the knowledge of the Swiss Refugee Council (SRC), all concerned healthy men who were nationals from Türkiye. The Greek authorities agreed to the transfer and issued so-called guarantees which basically assured the country's intention to comply with their international obligations. The decisions were appealed, and a reference judgment from the FAC followed in June 2025. The judges sent the cases back to the SEM for them to investigate the situation for asylum seekers in Greece in depth and to take position on whether or not there are systemic deficiencies in the country before ordering a transfer there.²² To the knowledge of the SRC, these cases are still pending at the SEM at the time of writing.

Italy: As Italy continued to refuse Dublin transfers in 2024, Switzerland refrained from physically transferring asylum applicants to Italy under the Dublin Regulation. Nevertheless, the Swiss authorities continued to issue Dublin decisions, leaving the individuals concerned in legal limbo for the six-month time limit provided for under the Dublin Regulation—a practice that has been criticised by civil society organisations.

Croatia: The practice regarding Dublin cases regarding Croatia remained restrictive despite continuing reports of human rights violations and pushbacks. Transfers to Croatia continued to be conducted exclusively via charter flights in 2025. Individuals transferred to Croatia on these special flights reported to the SRC instances of disproportionate treatment during the transfer process. This was also underlined in the report²³ of the National Committee for the Prevention of Torture (NCPT). Another issue observed as well

²² FAC, media release, 27 June 2026, available in [English](#). Decision F-5298/2024, 12 June 2025, available in [French](#).

²³ NCPT (NKVF), [Rückführungen auf dem Luftweg](#), Ausländerrechtliches Vollzugsmonitoring, Januar bis Dezember 2024, Bericht und Stellungnahme, 1 April 2025.

by actors in Croatia²⁴ is the state of health of people transferred from Switzerland to Croatia. In November 2024, a ten-year-old boy with a severe disease was transferred with his family to Croatia. The case became public in Switzerland, even Croatian doctors claimed that the treatment of the boy's disease in Croatia was difficult. After months of political pressure, organised by the NGO Solidarité sans frontières and allies within the campaign #StopDublinCroatie, the boy and his family were transferred back to Switzerland.²⁵

General Concerns:

In 2025, the SRC received several alarming complaints regarding **Dublin transfers**. These included cases where transfers were carried out despite ongoing medical treatment or against doctors' advice, particularly from closed psychiatric facilities and in a very problematic matter. This was also underlined in the report²⁶ of the NCPT.

Another issue concerns the Federal Administrative Court's practice of separating appeals **against Dublin decisions from appeals challenging age determinations**. In many cases, the Dublin appeal is decided first, while the appeal against the age determination is deferred to a separate decision.²⁷ This practice leads to problematic situations in which individuals are transferred before a decision on their minority status has been taken. Such an approach constitutes a deliberate violation of the best interests of the child. The treatment of unaccompanied minors as adults by Switzerland and other Dublin States can entail serious disadvantages and may result in irreparable harm.

- 5. Special procedures** (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

The **24-hour procedure**, which applies to applicants with very low recognition rates (Morocco, Algeria, Tunisia, and Libya), presents significant challenges for the legal representatives assisting asylum seekers. The particularly short deadlines make it difficult for legal representatives to provide adequate assistance and support to the applicants.

²⁴ See also: SRC, Reception Conditions in Croatia, Report on the situation of asylum applicants and beneficiaries of international protection in Croatia, 20 February 2025, available in [English](#).

²⁵ For more information: www.sosf.ch/de/project/stopdublinkroatien.

²⁶ NCPT (NKVF), [Rückführungen auf dem Luftweg](#), Ausländerrechtliches Vollzugsmonitoring, Januar bis Dezember 2024, Bericht und Stellungnahme, 1 April 2025.

²⁷ FAC, F-7749/2024 of 8 January 2025, the appeal proceedings concerning data in ZEMIS (Central Migration Information System) were separated from the Dublin procedure and conducted under case number F-7788/2024; F-7848/2024 of 6 January 2025, the appeal proceedings concerning data in ZEMIS were separated from the Dublin procedure and conducted under case number F-7918/2024; F-605/2025 of 6 February 2025: The appeal proceedings concerning data in ZEMIS were separated from the Dublin procedure and conducted under case number F-638/2025; F-606/2025 of 3 March 2025, the appeal proceedings concerning data in ZEMIS were separated from the Dublin procedure and conducted under case number F-692/2025.

Early dismissal of asylum applications in cases of failure to appear for fingerprinting – was rolled out from the 24-hour procedure to all procedures in summer 2025. A particular problem is that many dismissals occur before asylum applicants have even had the opportunity to contact legal protection services.

- 6. Reception of applicants for international protection** (including information on reception capacities – increase/decrease/stable, material reception conditions – housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

The National Committee for the Prevention of Torture (NCPT) criticized the **living conditions** in temporary asylum centres, particularly in civil defence shelters. The reports confirm the Swiss Refugee Council's (SRC) concerns about these facilities. Conditions in the shelters are challenging: limited space, no natural light, no clear separation of sleeping, eating, and communal areas, lack of privacy, and inadequate ventilation, among other issues. Such circumstances increase the risk of conflict, yet violence prevention measures are notably lacking.²⁸ Additionally, alleged cases of violence reported to the NCPT have been poorly documented and insufficiently investigated.²⁹

Roll-out External Reporting Office: A Swiss pilot project confirmed the need for a central, independent external reporting mechanism (Externe Meldenstelle) to enable asylum seekers and staff to report violence and fundamental rights violations in asylum centres. Following a two-year pilot (2022–2024), the final evaluation recommends a nationwide, independent structure (ideally separate from SEM), improved accessibility and communication, and rapid implementation to effectively prevent and address abuses. The “External Reporting Office” is scheduled to become operational by an independent operator at the end of 2026.

Remote locations of centres: Several federal centres, such as Boudry, Giffers/Chevilles, Glaubenberg, and the Les Verrières center, are characterized by their isolation. The Boudry center is located in a complex that includes the asylum processing centre and a former psychiatric hospital. It is several kilometres away from the surrounding village and about 15 km from the town of Neuchâtel. The Chevilles waiting and departure centre is even more isolated. To reach it by public transport, one must take a 20-minute bus ride from the city of Fribourg. Once in the village of Chevilles, it is still a 20-minute walk to the centre. There are two buses per hour to both centres, and asylum seekers receive a single ticket each week to travel to Neuchâtel or Fribourg, along with 3 CHF of pocket money per day, except for persons from EU/EFTA countries or visa-exempt countries, who do not receive any pocket money.

²⁸ www.nkvf.admin.ch/nkvf/de/home/publikationen/schwerpunktberichte/bundesasylzentren.html.

²⁹ Communication of the Swiss Refugee Council: www.fluechtlingshilfe.ch/publikationen/news-und-stories/temporaere-asylunterkuenfte-oft-unangemessene-und-schwierige-lebensbedingungen.

Emergency aid is provided in the form of non-cash benefits wherever possible. People under emergency aid are housed in specific shelters. Under this aid, individuals may have to live on about 8 CHF per day, which must cover expenses for food, transportation, household items, and other needs. This amount is extremely low compared to the high living costs in Switzerland. A further limitation is that the entire amount is provided as non-cash benefits or vouchers, which can only be used at a particular supermarket chain, as required by national legislation. This restriction on reception conditions creates significant challenges for asylum seekers whose (subsequent) procedures are still ongoing. Long-term stays under emergency aid are known to have disastrous effects on the integration and health of asylum seekers, despite the possibility of being granted legal status at the end of the process.

7. Detention of applicants for international protection (including detention capacity – increase/decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

A 2025 report³⁰ by the «Schweizerische Beobachtungsstelle für Asyl- und Ausländerrecht» (SBAA, Swiss Observatory for Asylum and Foreign Nationals Law) highlights that immigration-related administrative detention—commonly referred to as deportation detention—has become a normalized instrument of Swiss migration policy. The report sheds light on significant issues in the ordering and review of detention, as well as concerning detention conditions. Alarming, fundamental procedural safeguards are often disregarded in this highly sensitive area involving deprivation of liberty, raising serious concerns about whether the rule of law applies equally to individuals without legal status.

In Switzerland, administrative detention is predominantly carried out in prisons, which imports practices and symbols of the criminal justice system. This criminalization contradicts the intended purpose and legal justification of the measure.

The lack of systematic judicial review for Dublin detention (only upon request) leads to a risk of unlawful detention: the numbers of the Canton of Zurich show that only 22,6% of these detentions where challenged, and of those, only in 41.2% of the cases, the detention order was upheld by the court.³¹

³⁰ SBAA, Fachbericht: «Weggesperrt – Die ausländerrechtliche Haft in der Schweiz» (2025).

³¹ SBAA, Fachbericht: «Weggesperrt – Die ausländerrechtliche Haft in der Schweiz» (2025), page 15.

8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decision-making, timeframes, case management – including backlog management)

Too short deadlines in the accelerated procedure (24 hours for commenting on the asylum decision, 7 working days for an appeal): In the view of the Swiss Refugee Council (SRC) the short deadlines cause excessive time pressure in the procedure and are therefore not conducive to the quality of the decision.³²

Moratorium on decisions regarding Syria: In August 2025, the State Secretary for migration (SEM) informed stakeholders by email that the moratorium on decisions concerning asylum applications from Syrian nationals, imposed in December 2024, would be lifted as of 1 September 2025, for vulnerable persons without claims relevant to refugee law and for persons who have committed serious crimes in Switzerland or who pose a threat to Switzerland's internal or external security (Article 83 para. 7 FNIA). Applications will be dealt with on a case-by-case basis. The SEM continues to monitor the situation in Syria closely and will resume decision-making for other persons from Syria at a later date. According to the information available to the Swiss Refugee Council (SRC), only provisional admissions (F permits) have been granted so far, and no substantive decisions on asylum claims have yet been issued.

Mobile Data: On 15 September 2021, the Swiss Parliament authorised immigration authorities to access asylum applicants' mobile phone data where this constitutes the only means of verifying their identity. The Swiss Refugee Council (SRC) and UNHCR criticised the measure as disproportionate and as an infringement of the right to privacy.³³

At its meeting of 1 May 2024, the Federal Council adopted the amendments to the relevant ordinance required for implementation, which entered into force on 1 April 2025. On this basis, the State Secretariat for Migration (SEM) launched a pilot project at the Federal Asylum Centres in Chiasso and Basel from April to June 2025.³⁴ The pilot was subsequently extended until the end of 2025 to gather further information before deciding on the future application of the measure. The results are to be compiled in a report scheduled for publication in spring 2026. The SRC has reiterated its criticism of the measure, expressing serious concern about what it considers to be a disproportionate intrusion into the privacy of asylum applicants³⁵

³² Swiss Refugee Council, statement to the external evaluation of the restructured asylum system, August 2021, available in German at <https://bit.ly/3Yggy8k>.

³³ <https://bit.ly/3q21ZqH>.

³⁴ www.admin.ch/gov/fr/accueil/documentation/communiqués.msg-id-100848.html.

³⁵ SRC, media release of 27 October 2020, *Privatsphäre von Asylsuchenden muss gewahrt werden*.

9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management – including backlog management)

One instance - Federal Administrative Court (FAC): Swiss law provides an appeal mechanism in the regular asylum procedure. The sole competent authority for examining appeals against inadmissibility and merits decisions of the State secretary for Migration (SEM) is the Federal Administrative Court.³⁶ A further appeal to the Federal Supreme Court is not possible, except in cases involving extradition requests or detention, including in Dublin cases (Article 83(c)-(d) Federal Supreme Court Act). If the FAC accepts the appeal, it can either rule on the merits of the case and issue a new, final decision, or annul the decision and send the case back to the SEM for reassessment. Appeals are typically decided by three judges, while manifestly well-founded or unfounded cases are decided by one judge (with the approval of a second judge). Leading decisions (or coordination judgments) are made by five judges. An appeal to the Federal Administrative Court can be based on two grounds: the violation of federal law, including the abuse or exceeding of discretionary powers, and the incorrect or incomplete determination of the legally relevant facts.³⁷

Different obstacles in appeals have been identified: One important obstacle is the fact that the Court may demand an **advance payment** (presumed costs of the appeal proceedings, usually amounting to 750 Swiss francs - around 799 Euros), under the threat of an inadmissibility decision in case of non-payment. Only for special reasons can the full or part of the advance payment be waived.³⁸ Appeals filed by legal representatives working for the organizations mandated by the SEM are usually not subject to such advance payment. An advance payment is mostly requested when the appeal is considered as *prima facie* without merit, which may be fatal to destitute applicants in cases of a wrong assessment. Such wrong assessments have been noted by the European Court of Human Rights (ECtHR).³⁹ No advance payment can be demanded for unaccompanied asylum-seeking children in appeal procedures.⁴⁰

The fact that the appeal procedure **is exclusively conducted in writing** can pose an obstacle, as the appellant has no direct contact with the judges and can only express themselves in writing. While the Court has the option to order a hearing if the facts are insufficiently clarified, it rarely exercises this option in practice. As asylum seekers are often unfamiliar with the Swiss legal system and generally lack sufficient knowledge of the official languages, they rely heavily on

³⁶ Most judgments of the Federal Administrative Court can be found at: <http://bit.ly/1NgE8vb>.

³⁷ Article 106 Asylum Act.

³⁸ Article 63(4) APA.

³⁹ For example ECtHR, *MA v Switzerland*, Application No 52589/13, 18 November 2014. In this case, the Federal Administrative Court delivered an interim decision in which it declined the applicant's request for legal aid, reasoning that his application lacked any prospects of success. In its preliminary assessment of the case, The Court noted that the applicant was deprived of additional opportunities to prove the authenticity of the second summons and the Iranian conviction before the national authorities because the Federal Administrative Court ignored the applicant's suggestion of having the credibility of the documents further assessed. It did not follow up on the applicant's proposal to submit the copies to the Migration Board for further comments, but instead decided directly on the basis of the applicant's file and his appeal.

⁴⁰ Federal Supreme Court, Decision 12T_2016, 16 October 2017.

external support. If their assigned legal representative withdraws their mandate, they must turn to civil society services, which are often underfunded.

Additionally, in **Dublin procedures**, the 5-day deadline for filing an appeal makes it extremely difficult for a new legal representative to gather all necessary documents and file a proper appeal, as the deadline is often less than 5 days once they become involved. Seeking legal advice from other offices outside the centres often takes time, as these offices may not be open daily, and this is especially challenging for individuals in remote centres.

Regarding Dublin procedures, the criticism of the **restrictive practice** also extends to the case law of the Federal Administrative Court.

10. Issues of statelessness in the context of asylum (including identification and registration)

Switzerland is a party to the 1954 Convention relating to the Status of Stateless Persons. It is not a party to the 1961 Convention on the Reduction of Statelessness.

Swiss practice regarding stateless persons requires improvements in several areas. For example, Switzerland excludes from the protection of the 1954 Convention stateless persons who have voluntarily renounced their nationality and have no other means of reacquiring it. However, according to the terms of the 1954 Convention, the only decisive criterion for determining a person's statelessness is whether the person is considered a national by the relevant countries. The definition of statelessness used in Swiss practice is therefore more restrictive than that in the 1954 Convention. Furthermore, there is an administrative procedure to determine statelessness, but it is not established by law and does not follow best practices.

For more information on the current Swiss practice concerning statelessness people: <https://index.statelessness.eu/country/switzerland>

11. Children and applicants with special needs (special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

The law does not specifically provide for the screening of vulnerabilities and there is no standard procedure in practice to assess and identify them. Furthermore, since 1 March 2019, all but very complex asylum claims should be assessed and decided within 140 days. The fast-paced reformed procedure puts the administrative authorities and the legal representatives under increased pressure, which, coupled with the lack of standard identification tools, may result in overlooking potential vulnerabilities.

Children: accommodation of both accompanied and unaccompanied children in federal and cantonal reception centres remain challenging and is not always in keeping with the child's best

interest. The Swiss Refugee Council (SRC), together with UNICEF, UNHCR and Save the Children published a report to encourage better reception and accommodation standards in all centres receiving children.⁴¹

Age assessment procedures remain behind international standards, and yet they are still heavily relied upon to establish the applicants' age.

Women: In July 2025, the UN Committee on the Elimination of Discrimination against Women (CEDAW) condemned Switzerland for returning women victims of gender-based violence to Greece and Italy without sufficient individual assessment.⁴² CEDAW criticised Swiss authorities for questioning victims' credibility due to late disclosures and for applying Dublin transfers without adequately considering trauma, gender-specific risks, and access to protection and care. The SRC Council welcomed the decisions and called for more thorough, gender-sensitive individual assessments in asylum procedures.⁴³ GREVIO, the monitoring body of the Istanbul Convention, will visit Switzerland in spring 2026.

On 26 September 2025, the Federal Council published its second state report on the implementation of the **Istanbul Convention**. The aim of the convention is to combat violence against women and domestic violence. The Swiss Refugee Council points to a significant gap in this report: refugee women and girls who have been victims of violence are only mentioned in passing. Switzerland's obligations in relation to gender-specific asylum applications and protection against refoulement are not addressed.⁴⁴

Victims of trafficking: Despite clear guidance from **GRETA** (the Council of Europe body monitoring action against trafficking in human beings), victims of human trafficking are still not recognised as refugees in Switzerland. [Case law in 2025 excluded refugee status for Ugandan applicants⁴⁵, following earlier similar rulings concerning Nigerian applicants⁴⁶]

Commented [AR1]: @Lucia Della Torre : Do you have the numbers of those decisions?

⁴¹ Available at this link: <https://shorturl.at/M9fta>.

⁴² Decisions are available here: <https://shorturl.at/6tkVs>.

⁴³ SRC, news of 6 August 2025, *Kritik an der Schweiz wegen der Wegweisung von Frauen, die Opfer von Gewalt wurden*.

⁴⁴ SRC, media release of 13 October 2025, *Die Schweiz vernachlässigt geflüchtete Frauen im Bericht zur Istanbul-Konvention*.

⁴⁵ Federal Administrative Court, decision D-3116/2021, of 29 February 2024

⁴⁶ Federal Administrative Court, decision D-4550/2022, of 11 July 2025

12. Content of protection (including access to social security, social assistance, health care, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

A report by the Federal Council confirms that Uyghurs and Tibetans living in Switzerland are subject to **transnational repression** by actors of the People's Republic of China. The Swiss Refugee Council (SRC) welcomed the report and calls for effective measures to be taken at last to protect those affected. In addition, the SRC called for an investigation on the issue of transnational repression with regard to asylum applicants from other countries of origin who are also believed to be affected, including Russia, Iran, Turkey and Eritrea.⁴⁷

13. Return of former applicants for international protection

Removals to Afghanistan: To facilitate returns of Afghans with a criminal record, the Swiss government flew in four persons of the Taliban regime to Geneva in August 2025.⁴⁸ Specifically, the issue in Geneva concerned eleven Afghan nationals with criminal convictions and two voluntary returnees whom the delegation was tasked with identifying – as a first step towards the issuance of travel documents. According to the State Secretary for Migration (SEM), the identification process was successful for ‘the majority’ of the 13 Afghans. This collaboration with the Taliban regime was criticised by civil society.

Removals to Türkiye: Following the change of jurisprudence in 2024⁴⁹, the practice became more restrictive in 2025 and more asylum applications based on criminal proceedings in Türkiye were rejected. Some of the individuals who were returned were immediately detained upon arrival in Türkiye. Despite being aware of these cases, the SEM continued to issue return decisions for asylum seekers who based their claims on allegedly politically motivated criminal proceedings. The SRC criticised this practice.⁵⁰

Inappropriate practices: The Swiss National Commission for the Prevention of Torture (NCPT) criticized several practices in the returns of former applicants for international protection as not appropriate and inadequate.⁵¹

⁴⁷ SRC, news of 10 April 2025, [Ausspioniert und überwacht: Betroffene von transnationaler Repression brauchen wirksamen Schutz](#).

⁴⁸ SRF, [Taliban-Regierungsbeamte in der Schweiz – für Rückschaffungen](#), 22 August 2025, available in German.

⁴⁹ FAC, E-1308/2023, 19 March 2024; FAC, E-4103/2024, 15 November 2024.

⁵⁰ SRF, [Von der Schweiz abgewiesen – in der Türkei inhaftiert](#), 4 December 2025, available in German [here](#).

⁵¹ NCPT (NKVF), [Rückführungen auf dem Luftweg](#), Ausländerrechtliches Vollzugsmonitoring, Januar bis Dezember 2024, Bericht und Stellungnahme, 1 April 2025.

14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

Resettlement: On 16 June 2023, the Federal Council approved the admission of 1,600 resettlement refugees for the years 2024 and 2025. Under the pretext of an overburdened asylum system, no admissions were made under the resettlement programme until mid-2025. Nevertheless, on 30 April 2025, the Federal Council extended the 2024/25 resettlement programme until the end of 2027. For 2025, the admission of 45 refugees was foreseen, while a maximum number of 400 admissions per year for 2026 and 2027 is possible, which is only half the number of the originally foreseen resettlement places, which is regrettable.

Humanitarian Visa: The practice is very restrictive, in 2024, out of 1,624 applications, only 86 were accepted. Numbers for 2025 are not available yet.

Switzerland agreed to take in 20 children from the Strip of Gaza (of 4'000 children identified by the WHO in need of urgent medical treatment) for treatment in Switzerland. Seven children and their accompanying person(s) flew in in October 2025. The accompanying person(s) will undergo an asylum procedure in Switzerland.⁵²

15. National jurisprudence on international protection in 2025 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

One reference judgement ([F-5298/2024](#) of 12 June 2025) of the Federal Administrative Court (FAC) concerned **Dublin transfers to Greece** (mentioned in section 4 above) and held that the SEM is required to investigate the situation of asylum seekers in Greece and to take a position on whether or not there are systemic deficiencies in the country before ordering a transfer there.

Another reference judgement of the FAC also concerned **Greece**, but this time a **safe third country** ([D-2590/2025](#) of 11 September 2025). The judgment concerns a family with minor children who were recognized as refugees in Greece in August 2024. In November 2024, the family lodged an asylum application in Switzerland. In April 2025, the SEM declined to consider the application (decision of non-entry), which was subsequently challenged before the FAC. By its reference judgment of 11 September 2025, the FAC upheld the removal of the family to Greece and thereby tightened its case law regarding families (previous relevant judgment: [E-3427/2021](#) and [E-3431/2021](#) of 28 March 2022). Families are required to make efforts in Greece to improve their situation. A mere reference to difficult reception and living conditions on the ground is insufficient to render enforcement of removal unlawful or unreasonable. The Court examined in detail the difficulties in accessing benefits in Greece but repeatedly found in individual cases that

⁵² SEM, media release of 24 October 2025, [Verletzte Kinder werden für medizinische Behandlungen aus dem Gazastreifen evakuiert](#).

the family had not made sufficient efforts to obtain support and had instead travelled onward relatively soon after being granted status. The Court concluded that the situation for families with children who have been granted international protection in Greece remains challenging, particularly with regard to adequate housing and stable accommodation. This circumstance must be taken into account when assessing whether, in the specific case, the presumption of lawfulness or reasonableness of removal enforcement is rebutted and whether the family would, upon removal, face an inhumane situation or a concrete risk situation. However, the FAC stated that families entitled to protection in Greece are expected to make concrete efforts to integrate into the host society. After recognition, they may not limit their efforts to obtaining travel documents and leaving the country as quickly as possible. If, however, the persons concerned demonstrate that, despite reasonable efforts and the use of available resources, they were unable to establish a dignified existence in Greece, this may render the enforcement of removal unlawful or unreasonable.⁵³

Eritrea, signing of a declaration of repentance disproportionate: In its judgment [2C_64/2025](#) published on 20 November 2025, the Federal Supreme Court ruled that it was not justified to require the signing of a declaration of repentance at the Eritrean consulate in Switzerland in order to obtain a hardship permit (B permit). The case concerned an applicant who fulfilled all the requirements for obtaining a residence permit on the grounds of hardship and thus for converting her F permit into a B permit. In the court's view, the declaration of repentance that the Eritrean authorities require applicants to sign in exchange for the issuance of an identity document constitutes a self-incrimination statement that is incompatible with the Swiss legal system and international guarantees. Requiring such an admission in order to obtain a residence permit is therefore disproportionate, has no direct connection with the identity check and violates the *nemo tenetur* principle, which states that no one is obliged to incriminate themselves. This means that it will no longer be necessary to present an Eritrean passport in order to obtain a B permit on the grounds of hardship. In its ruling, the court also points out that the general situation in Eritrea remains critical, particularly with regard to national service and human rights, and that the specific consequences of returning are unpredictable and arbitrary. The Swiss Refugee Council (SRC) welcomed this decision, which puts an end to an arbitrary practice tolerated by the Swiss authorities and protects Eritrean nationals from a humiliating measure that could endanger their physical integrity and that of their relatives. In future, the Swiss authorities must ensure that the granting of a hardship permit is based on the conditions laid down in Swiss law and not on self-incrimination demanded by another state.⁵⁴

Decision [2C_109/2025](#) from 20 March 2025, the Swiss Federal Supreme Court upheld an appeal by two lawyers against a cost order made by the Administrative Court of the Canton of Zug. The lower court had **personally imposed court costs of CHF 2,000** on the lawyers for their client's application for release from custody. The reason given was that they had conducted the

⁵³ FAC, media release, 2 October 2025, [available in English](#).

⁵⁴ SRC, media release of 26 November 2025, [Obligation de signer une lettre de regret auprès du consulat érythréen : le Tribunal fédéral considère la pratique du SEM comme illégale](#).

proceedings in a careless manner. The Federal Supreme Court overturned the costs imposed on the lawyers. No court costs were levied and no party compensation was awarded.

16. Other important developments in 2025

UN-CEDAW: Switzerland’s Dublin transfer of a LGBTQ+ Nigerian survivor of trafficking and gender-based violence to Italy amounts to a violation of Articles 2(d) and 6 of the Convention (Communication no. 172/2021): On 2 July 2025, the Committee on the Elimination of Discrimination against Women (CEDAW) found that Switzerland violated Articles 2(d) and 6 of the Convention by ordering the transfer of a lesbian Nigerian woman—survivor of trafficking and severe gender-based violence—from Switzerland to Italy under the Dublin III Regulation. CEDAW held that Switzerland failed to conduct an individualised, gender-sensitive assessment of her extreme vulnerability, mental health, and risk of retraumatisation, relying instead on general conditions in Italy. This omission disregarded the principle of non-refoulement and exposed her to foreseeable, irreparable harm. CEDAW recommended that Switzerland reopen her asylum claim, suspend removal, and ensure specialised medical support. It further urged States to guarantee that victims of trafficking and gender-based violence are not returned under Dublin III without a trauma-informed, case-by-case risk assessment.

UN-CEDAW: Switzerland’s Dublin transfer of a survivor of sexual and gender-based violence to Greece without individualised, gender-sensitive risk assessment violates the Convention (Communication no. 169/2021): On 4 July 2025, CEDAW found that Switzerland violated Articles 2(c)-(f), 3 and 12 of the Convention by ordering the transfer of an Afghan woman—survivor of forced marriage, trafficking and repeated sexual violence—from Switzerland to Greece under Dublin III. The Committee held that Switzerland failed to conduct an individualised, gender-sensitive assessment of her extreme vulnerability and risk of renewed violence, dismissing her reports of rape in Greece instead of evaluating the real risk of irreparable harm. CEDAW recommended that Switzerland reopen her asylum claim, suspend removal, and provide specialised medical support. It also urged States to ensure trauma-informed, gender-sensitive risk assessments in all Dublin transfers.

UN-CEDAW: Switzerland’s Dublin transfer of a survivor of sexual and gender-based violence to Greece without individualised, gender-sensitive risk assessment violates the Convention (Communication no. 171/2021): On 4 July 2025, CEDAW found that Switzerland violated Articles 2(c)-(f), 3 and 12 of the Convention by ordering the transfer of Z.E., an Afghan woman and survivor of lifelong sexual and gender-based violence, to Greece under Dublin III. The Committee held that Switzerland failed to conduct an individualised, gender-sensitive assessment of her extreme vulnerability and mental health, despite evidence of severe trauma and suicidal ideation. CEDAW recommended that Switzerland reopen her asylum claim, suspend removal, and ensure specialised support. It also urged States to guarantee that victims of gender-based violence are not returned under Dublin III without a trauma-informed, case-by-case risk assessment.

Asylum strategy 2027: At the Asylum Conference on 28 November 2025, the federal government, cantons, municipalities, and cities jointly announced their conclusion that, although the restructured asylum system has generally proven effective six years after its introduction, specific action is needed. As part of the Asylum Strategy 2027, they call for faster asylum procedures, quicker reduction of backlogs, greater resilience to fluctuations, and a more binding approach to integration as well as legal adjustments in the area of security.⁵⁵ The Swiss Refugee Council (SRC) welcomed the commitment to international refugee protection and an integration-oriented approach. It also welcomed the fact that resilience is to be improved, the outdated emergency concept updated and the concept for revoking S status adapted. At the same time, the SRC criticised the strong focus on defence and deterrence: access to the asylum procedure is to be made more difficult, procedures further accelerated and deportations enforced more strictly. In the SRC's view, the 2027 asylum strategy should also place greater emphasis on refugee protection, for example in relation to legal inequality between refugee groups and the erosion of protection for war refugees. Irregular migration should also be seen not only as a problem, but also as an opportunity in the context of labour shortages.⁵⁶

⁵⁵ FDJP, press release, 28 November 2025, available in [French](#). An evaluation of the SRC can be found [here](#) in German.

⁵⁶ SRC, media release of 28 November 2025, available in [French](#).

Part B: Publications

1. If available online, please provide links to relevant publications produced by your organisation in 2025:
 - All COI research of the Swiss Refugee Council can be found here: [Herkunftslanderberichte](#)
 - All factheets regarding countries of origin of the Swiss Refugee Council can be found here: [Factsheets Herkunftslander](#)
 - ECRE/AIDA, Swiss Refugee Council, AIDA Report 2024 Update, May 2025 [Switzerland - Asylum Information Database | European Council on Refugees and Exiles](#)
 - Swiss Refugee Council, Reception Conditions in Croatia, Report on the situation of asylum applicants and beneficiaries of international protection in Croatia, 20 February 2025 (English), available here: https://www.refugeecouncil.ch/fileadmin/user_upload/Publikationen/Dublinlaenderberichte/2502_SRC_Reception_conditions_in_Croatia_En_4.pdf
 - Swiss Refugee Council, Factsheet and legal analysis regarding Greece as safe third country, 24 October 2025, available here: [Griechenland](#)
 - Swiss Refugee Council, all media releases can be found here: [Medienmitteilungen](#)
 - Swiss Refugee Council, all responses to political consultation procedures can be found here: [Vernehmlassungen](#)
 - Joint charter for strengthening legal protection in asylum procedures (available in [German](#) and [French](#)) : Six years after the introduction of the new asylum procedure, 13 organisations have established joint guidelines for legal protection work for the first time. The charter, initiated by the Swiss Refugee Council, aims to strengthen legal protection in asylum proceedings in the long term.
2. If not available online, please share your publications with us at: Asylum.Report@euaa.europa.eu
3. For publications that due to copyright issues cannot be easily shared, please provide references using the table below.

	Title of publication	Name of author	Publisher	Date
1				
2				
3				
4				
5				