



Schweizerische Eidgenossenschaft
Confédération suisse
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Federal Department of Justice and Police FDJP
State Secretariat for Migration SEM
Directorate for International Cooperation
Return Division

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Alternatives to detention of minors

Situation in Switzerland

Council of Europe,
Round table *Implementation of alternatives to immigration detention of children*
Strasbourg, 23 January 2018



Responsibilities in the field of return

Federal system:

- **Cantons** are responsible to enforce removal of rejected asylum seekers and illegally residing foreigners
→ *use of coercive measures (detention)*
- **State Secretariat for Migration (SEM)** assists Cantons by ensuring contact with foreign representations, procuring travel documents and making travel arrangements





Administrative detention of minors (2017)

- Detention orders: **21**
- Average duration: **22 days**

→ Detention is only used as a measure of last resort

→ Detention is only used for short periods of time



Alternatives to detention in Swiss Law

Foreign Nationals Act:

- Reporting obligations
- Deposit of a financial guarantee
- Deposit of travel documents
- Restriction orders
- Exclusion orders

Asylum Act:

- Return assistance or other financial incentives

→ **No specific alternatives for minors**



Alternatives to detention of minors – Cantonal practices

- Some Cantons preclude detention of minors (by Cantonal Law / in practice)
- Families: generally only the father is detained
- UMA: very few cases (e.g. generally no Dublin transfers)
- Accommodation in specific centres for UMA or children's homes (→ different standards)
- Accommodation in “ordinary” asylum structures
- Mostly no other, specific measures

→ **Situation varies significantly from one Canton another**



Thank you for your attention!



Questions?