New mandate for medical services during removals begins on 1 January 2025

Background
Foreign nationals who are required to leave Switzerland generally do so voluntarily. Only a small number of people are subject to forced return. In these cases, medical assessments are carried out beforehand in order to minimise the risk of returnees’ health being adversely affected during repatriation. Individuals’ fitness for transport is assessed carefully on a case-by-case basis prior to departure. People who have health problems but are fit for transport receive the assistance they require, such as a medical escort during removal.

The current mandate for the provision of medical services will expire at the end of 2024. The new mandate will be awarded through a public call for tenders that the State Secretariat for Migration will publish on the public procurement platform www.simap.ch on 31 May 2024. Questions about the call for tenders can be posted in a dedicated forum following publication of the call. Bids must be submitted by 20 August 2024.

The tender includes the medical assessment of fitness for transport (Lot 1), medical escorts (Lot 2) for people required to leave the country and medical controlling (Lot 3). The contract is based on a technical concept that sets out binding medical and technical requirements.

The tender documents contain detailed specifications, a draft contract and information on the quality requirements. Medical service providers submitting a bid must include concepts for personnel planning and how they plan to accommodate workload fluctuation; for tasks, competencies and responsibilities; and for the implementation of quality and risk management and controlling. Qualitative aspects have a high priority in the weighting of the award criteria.

The system of returns in Switzerland
A negative asylum decision or illegal stay in Switzerland is usually followed by a removal order. The responsible authority requests that the person concerned leave the country within a certain period of time. If they do not comply with the request or do not leave Switzerland of their own accord within the allotted timeframe, they may be subject to removal (with a police escort if necessary).

In the asylum sector, SEM encourages voluntary and independent departure by providing material or financial support to assist people as they reintegrate into their country of origin or home country. If people do not leave voluntarily, however, the canton responsible for enforcing the removal order can take coercive measures. SEM has a legal mandate to support the cantons in enforcing the return of foreign nationals who are required to leave the country.
Various methods of transport are possible for the return, depending on the destination; departure is usually by air. SEM distinguishes between voluntary departure, which the foreign national undertakes of their own accord as an ordinary passenger, and involuntary departure, which the law classifies into four levels of enforcement. The enforcement levels range from unaccompanied departure on a scheduled flight to removal on a special flight using a chartered aircraft. Coercive measures can be used as set out in law depending on the willingness to cooperate and overall behaviour of the person to be returned.

**Medical examinations and measures during returns**

Medical examinations and measures form an integral part of preparations for departure. SEM has worked with external medical service providers for many years. Providers are tasked with carrying out medical examinations and taking necessary measures, as well as ensuring that they are of high quality and working with SEM to further develop the practice.

The responsible authorities have a particular duty of care towards people who are to be removed. The most important task in this regard is to carry out the necessary examinations and take any measures that may be required to prevent medical emergencies during removal. New specifications for medical services and requirements for service providers have been developed based on extensive experience and learning. These new requirements will be in place from 2025.

A person’s fitness for transport will be determined prior to departure based on the medical documentation in their file. Measures can be ordered to support people who have health problems but are fit for transport. These may include medical escorts, medication, wheelchairs, oxygen etc. Medical professionals traveling as escorts will reappraise the person’s fitness for transport and/or flight on the day of departure. They ensure that the person’s health is stable or assess whether their condition could deteriorate dangerously during removal.

**Assessment of fitness for transport (Lot 1)**

In the interests of the person concerned, a doctor checks whether they are fit for transport before they are removed. If they are deemed fit, departure is permitted if the health of the person concerned is not endangered based on the individual medical risk assessment.

The authorities and their partner organisations face the challenge of reconciling their duty to enforce removal or expulsion from the country while safeguarding the health of the person concerned. They must take appropriate steps to prevent serious and/or lasting harm to the health of the person concerned. From a medical point of view, when determining fitness for transport, it is particularly important to assess whether there is an unacceptable risk that a medical event could occur during transport that could result in serious and/or permanent harm. Various factors may trigger a medical event of this nature during transport. The person’s general condition in combination with other factors may render them susceptible to a medical emergency. If the risk of harm is too great, the health of the individual outweighs the public interest of removal. In such cases, removal is suspended until the health of the person
concerned has stabilised and they are fit for transport.

The responsible cantonal enforcement authorities provide adequately detailed and up-to-date medical documentation to the medical service provider mandated to assess fitness for transport. If information on the health evaluation is missing or outdated, the medical service provider refers the case back to the canton.

If the medical documentation provided is sufficiently informative and up-to-date, the medical service provider will review it for medical circumstances which, alone or in combination with other circumstances, could lead to a possible increase in the risk of serious and/or permanent harm during transport or removal.

Medical escort (Lot 2)
Depending on the decision regarding fitness for transport, paramedics may be called upon to serve as medical escorts. Medical professionals are always on board the aircraft for special removal flights. On the day of departure, medical professionals will reappraise the person's fitness for transport and/or flight and ensure that their health is stable or assess whether their condition could deteriorate dangerously during removal. Medical professionals are ready to intervene in the event of a health emergency during removal.

Medical controlling (Lot 3)
Medical controlling carried out by doctors is closely tied to medical service provision. The main elements of medical controlling are the retrospective review of case files (case controlling), ad-hoc observations from medical escort work and the clarification of fundamental medical and procedural issues.

Tender documentation will be available on www.simap.ch from 31 May 2024.