



Media relations
P.O. Box, 9023 St. Gallen

St. Gallen, 17 October 2024

Press Release

regarding [judgment D-5768/2024](#) of 3 October 2024

Enforcement of removal to Georgia generally admissible

The Federal Administrative Court rules that medical grounds alone cannot render a removal inadmissible.

In August 2024, a Georgian couple applied for asylum in Switzerland on the grounds that the husband was suffering from cancer and that the requisite medical treatment was not sufficiently available in Georgia. The couple submitted no further reasons in support of their application. In September 2024, the State Secretariat for Migration (SEM) rejected the application for asylum and ordered their removal.

The couple lodged an appeal with the Federal Administrative Court (FAC), requesting provisional admission to Switzerland. In support of their appeal, they argued that the necessary medical care was not available in Georgia and that the cost would be unsustainable.

The FAC established that, despite being below Swiss standards, medical care in Georgia is adequate and the requisite chemotherapy drugs are also available there. The husband can continue his chemotherapy in his home country where he had already started treatment. Moreover, in Georgia, financially disadvantaged persons are entitled to state support.

The FAC rejects the appeal and rules that removal to Georgia is admissible, reasonable and possible. The appellants had not submitted sufficient grounds to justify provisional admission to Switzerland. The Court upholds their removal.

This judgment is final and may not be appealed to the Federal Supreme Court.

Georgia, a Safe Country since 2019

Since 2019, Georgia has been considered a “safe country” and a country of origin to which rejected asylum seekers can reasonably be removed in principle. Relying on its own findings, the Federal Council may designate an asylum seeker’s home country or country of origin a “safe country” where there is no risk of persecution. The decisive criteria for designation as a "safe country" are respect for human rights, political stability and the assessments of other EU/EFTA countries and the UNHCR.

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About the Federal Administrative Court

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 375 employees (314.7 FTE) and its 73 judges (65 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal administrative authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 6,500 judgments every year.